

House Committee on Judiciary

Minutes of Meeting
2020 Regular Session
May 20, 2020

I. CALL TO ORDER

Representative Randal L. Gaines, chairman of the House Committee on Judiciary, called the meeting to order at 9:02 a.m. in Room 1, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Randal L. Gaines, chairman
Representative Kathy Edmonston
Representative Jason Hughes
Representative Michael T. Johnson
Representative Frederick Douglass Jones
Representative Edmond Jordan
Representative Mandie Landry
Representative Sherman Q. Mack, vice chairman
Representative Joseph A. Marino, III
Representative Nicholas Muscarello, Jr.
Representative Thomas A. Pressly
Representative John M. Stefanski

MEMBERS ABSENT:

Representative Robby Carter

STAFF MEMBERS PRESENT:

Sadie Becnel, attorney
Diane Merritt, committee administrative assistant

ADDITIONAL ATTENDEES PRESENT:

Myrtis Jarrell, sergeant at arms
Madeleine Murphy, clerk

III. DISCUSSION OF LEGISLATION

House Resolution No. 44 by Representative Crews

Representative Crews presented House Resolution No. 44, which directs the governor to ensure that individual liberty and rights are protected as the state administers contact tracing.

Representative Mack offered a motion to report House Resolution No. 44 favorably. Without objection, House Resolution No. 44 was reported favorably by a vote of 10 yeas and 0 nays. Representatives Gaines, Edmonston, Hughes, Mike Johnson, Jones, Landry, Mack, Muscarello, Pressly, and Stefanski voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 in support. Witness cards are included in the committee records.

House Concurrent Resolution No. 93 by Representative Crews

Representative Crews presented House Concurrent Resolution No. 93, which requests the governor to ensure that individual liberty and rights are protected as the state administers contact tracing.

Representative Edmonston offered a motion to report House Concurrent Resolution No. 93 favorably. Without objection, House Concurrent Resolution No. 93 was reported favorably by a vote of 10 yeas and 0 nays. Representatives Gaines, Edmonston, Hughes, Mike Johnson, Jones, Landry, Mack, Muscarello, Pressly, and Stefanski voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 in support. Witness cards are included in the committee records.

House Bill No. 294 by Representative Hilferty

(This was a continuation of discussion on House bill No. 294 from an earlier meeting on May 7, 2020. Please check the minutes of that meeting to complete the record of discussion and motions on House Bill No. 294.)

On behalf of the author, Representative Gaines offered a motion to voluntarily defer action on House Bill No. 294, which provides relative to the investigation of traffic accidents in the municipalities over three hundred thousand in population. Without objection, action on House Bill No. 294 was voluntarily deferred by a vote of 10 yeas and 0 nays. Representatives Gaines, Edmonston, Hughes, Mike Johnson, Jones, Landry, Mack, Muscarello, Pressly, and Stefanski voted yea.

Senate Bill No. 115 by Senator Connick

Senator Connick presented Senate Bill No. 115, which provides relative to advertisements for legal services.

On behalf of Senator Connick, Representative Gaines offered amendments as follows:

- (1) Change the disclosure requirement from all expenses to all attorney fees paid to the advertising attorney.
- (2) Change the supreme court's ability to adopt rules from mandatory to permissive.
- (3) Change effective date from effective upon the signature of the governor to effective January 1, 2021.

Representative Gaines offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Gaines, Edmonston, Hughes, Mike Johnson, Jones, Landry, Mack, Marino, Muscarello, Pressly, and Stefanski voted yea.

Representative Stefanski offered a motion to report Senate Bill No. 115 with amendments. Without objection, Senate Bill No. 115 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Gaines, Edmonston, Hughes, Mike Johnson, Jones, Jordan, Landry, Mack, Marino, Muscarello, Pressly, and Stefanski voted yea.

Senate Concurrent Resolution No. 10 by Senator Foil

Senator Foil presented Senate Concurrent Resolution No. 10, which establishes and provides for the Louisiana Cyber Investigators Alliance.

Paul Rainwater, representing Cyber Innovation Commission, 5117 Cheneau Ln., Baton Rouge, LA 70808, (225) 281-8176, testified in support of Senate Concurrent Resolution No. 10.

Representative Hughes offered a motion to report Senate Concurrent Resolution No. 10 favorably. Without objection, Senate Concurrent Resolution No. 10 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Gaines, Edmonston, Hughes, Mike Johnson, Jones, Jordan, Landry, Mack, Marino, Muscarello, Pressly, and Stefanski voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 for information only. Witness cards are included in the committee records.

Senate Bill No. 398 by Senator Foil

Senator Foil presented Senate Bill No. 398, which provides for qualifications of volunteers to cyber response and recovery support efforts with the Governor's Office of Homeland Security and Emergency Preparedness.

Paul Rainwater, representing Cyber Innovation Commission, 5117 Cheneau Ln., Baton Rouge, LA 70808, (225) 281-8176, testified in support of Senate Concurrent Resolution No. 10.

Representative Edmonston offered a motion to report Senate Bill No. 398 favorably. Without objection, Senate Bill No. 398 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Gaines, Edmonston, Hughes, Mike Johnson, Jones, Jordan, Landry, Mack, Marino, Muscarello, Pressly, and Stefanski voted yea.

Senate Bill No. 137 by Senator Foil

Senator Foil presented Senate Bill No. 137, which authorizes the coroner to issue a permit for cremation after completion of the coroner's investigation of death when under suspicious circumstances or the reasonable probability of the commission of a crime.

Representative Edmonston offered a motion to report Senate Bill No. 137 favorably. Without objection, Senate Bill No. 137 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Gaines, Edmonston, Hughes, Mike Johnson, Jones, Jordan, Landry, Mack, Marino, Muscarello, Pressly, and Stefanski voted yea.

Senate Bill No. 147 by Senator Foil

Senator Foil presented Senate Bill No. 147, which provides for the release of a body for disposition by a coroner.

Representative Edmonston offered a motion to report Senate Bill No. 147 favorably. Without objection, Senate Bill No. 147 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Gaines, Edmonston, Hughes, Mike Johnson, Jones, Jordan, Landry, Mack, Marino, Muscarello, Pressly, and Stefanski voted yea.

Senate Bill No. 178 by Senator Allain

Senator Allain presented Senate Bill No. 178, which provides relative to the delivery of alcoholic beverages.

Jordan D. Gleason, Adams and Reese LLP, representing Rouses Markets, 450 Laurel St., Suite 1900, Baton Rouge, LA 70801, (225) 336-5200, testified in support of Senate Bill No. 178.

Anne Junia, representing Shipt, 325 Florida St., Baton Rouge, LA 70801, (225) 399-3131, testified in support of Senate Bill No. 178.

Representative Stefanski offered a motion to report Senate Bill No. 178 favorably. Without objection, Senate Bill No. 178 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Gaines, Edmonston, Hughes, Mike Johnson, Jones, Jordan, Landry, Mack, Marino, Muscarello, Pressly, and Stefanski voted yea.

Witness cards submitted by individuals who did not speak are as follows: 4 in support. Witness cards are included in the committee records.

Senate Bill No. 186 by Senator Harris

Senator Harris presented Senate Bill No. 186, which provides relative to the Municipal and Traffic Court of New Orleans.

Representative Hughes offered a motion to report Senate Bill No. 186 favorably. Without objection, Senate Bill No. 186 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Gaines, Edmonston, Hughes, Jones, Jordan, Landry, Mack, Marino, Muscarello, Pressly, and Stefanski voted yea.

Witness cards submitted by individuals who did not speak are as follows: 3 in support. Witness cards are included in the committee records.

Senate Bill No. 145 by Senator Robert Mills

Senator Robert Mills presented Senate Bill No. 145, which provides relative to fees charged by the clerk of court for the Twenty-sixth Judicial District Court.

Representative Mack offered amendment to prohibit the collection of fees established by proposed law without Judicial Council approval. Representative Mack offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 11 yeas and 0 nays. Representatives Gaines, Edmonston, Hughes, Jones, Jordan, Landry, Mack, Marino, Muscarello, Pressly, and Stefanski voted yea.

Representative Pressly offered a motion to report Senate Bill No. 145 with amendments. Without objection, Senate Bill No. 145 was reported with amendments by a vote of 11 yeas and 0 nays. Representatives Gaines, Edmonston, Hughes, Jones, Jordan, Landry, Mack, Marino, Muscarello, Pressly, and Stefanski voted yea.

Senate Bill No. 381 by Senator Reese

On behalf of the author, Representative Marino presented Senate Bill No. 381, which provides relative to the recordation of birth certificates of children born to armed forces members.

Paul Rainwater, representing Cornerstone Governmental Affairs, 5117 Cheneau Ln., Baton Rouge, LA 70808, (225) 281-8176, testified in support of Senate Bill No. 381.

Representative Edmonston offered a motion to report Senate Bill No. 381 favorably. Without objection, Senate Bill No. 381 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Gaines, Edmonston, Hughes, Jones, Jordan, Landry, Mack, Marino, Muscarello, Pressly, and Stefanski voted yea.

Witness cards submitted by individuals who did not speak are as follows: 2 in support. Witness cards are included in the committee records.

House Bill No. 584 by Representative Selders

Representative Selders presented House Bill No. 584, which provides relative to the authorized uses of funds in the Crime Victims Reparations Fund.

Jim Craft, Louisiana Commission on Law Enforcement, P.O. Box 3133, Baton Rouge, LA 70821, (225) 342-1498, testified for information only on House Bill No. 584.

Morgan Lamandre, Sexual Trauma Awareness and Response, 5615 Corporate Blvd., Suite 200, Baton Rouge, LA 70808, (225) 615-7093, testified in support of House Bill No. 584.

Representative Hughes offered a motion to report House Bill No. 584 favorably. Without objection, House Bill No. 584 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Gaines, Edmonston, Hughes, Jones, Jordan, Landry, Mack, Marino, Muscarello, Pressly, and Stefanski voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 in support and 2 for information only. Witness cards are included in the committee records.

Senate Bill No. 270 by Senator Fields

Senator Fields presented Senate Bill No. 270, which increases the daily compensation paid to jurors in civil cases.

Guy Cormier, Police Jury Association of Louisiana, 707 North 7th St., Baton Rouge, LA 70802, (225) 343-2835, testified in opposition to Senate Bill No. 270.

Will Harrell, representing VOTE, 1221 Kerlerec St., New Orleans, LA 70116, (512) 695-7519, testified in support of Senate Bill No. 270.

Representative Hughes offered a motion to report Senate Bill No. 270 favorably. Without objection, Senate Bill No. 270 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Gaines, Edmonston, Hughes, Jones, Jordan, Landry, Mack, Marino, Muscarello, Pressly, and Stefanski voted yea.

Senate Bill No. 455 by Senator Henry

On behalf of the author, Representative Mack presented Senate Bill No. 455, which provides relative to the limitation on size of containers of beverages of high alcoholic content.

David Tatman, representing Drageo, 3043 Old Forge Dr., Baton Rouge, LA 70808, (225) 767-7640, testified in support of Senate Bill No. 455.

Representative Mack offered an amendment to make technical changes to the citation. Representative Mack offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 11 yeas and 0 nays. Representatives Gaines, Edmonston, Hughes, Jones, Jordan, Landry, Mack, Marino, Muscarello, Pressly, and Stefanski voted yea.

Representative Stefanski offered a motion to report Senate Bill No. 455 with amendments. Without objection, Senate Bill No. 455 was reported with amendments by a vote of 11 yeas and 0 nays. Representatives Gaines, Edmonston, Hughes, Jones, Jordan, Landry, Mack, Marino, Muscarello, Pressly, and Stefanski voted yea.

Witness cards submitted by individuals who did not speak are as follows: 2 in support. Witness cards are included in the committee records.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

The meeting was adjourned at 10:33 a.m.

Respectfully submitted,

Chairman Randal L. Gaines
House Committee on Judiciary

Date adopted: