

## **House Committee on Civil Law and Procedure**

Minutes of Meeting  
2022 Regular Session  
March 15, 2022

### **I. CALL TO ORDER**

Representative Gregory A. Miller, chairman of the House Committee on Civil Law and Procedure, called the meeting to order at 10:17 a.m. in Room 4, in the state capitol in Baton Rouge, Louisiana.

### **II. ROLL CALL**

#### **MEMBERS PRESENT:**

Representative Gregory A. Miller, chairman  
Representative Beryl A. Amedée  
Representative Delisha Boyd  
Representative Chad Brown  
Representative Michael Charles Echols  
Representative Lawrence "Larry" Frieman  
Representative Raymond E. Garofalo, Jr.  
Representative Patrick O. Jefferson  
Representative Sam L. Jenkins, Jr.  
Representative Michael T. Johnson, vice chairman  
Representative Danny McCormick  
Representative Nicholas Muscarello, Jr.  
Representative Richard James Nelson  
Representative Alan Seabaugh

#### **MEMBERS ABSENT:**

Representative Robby Carter  
Representative Wilford Dan Carter, Sr.  
Representative Julie Emerson  
Representative Valarie Hodges

#### **STAFF MEMBERS PRESENT:**

Annie Smith, attorney  
Amy Pirtle, attorney  
Diane Merritt, committee administrative assistant

**ADDITIONAL ATTENDEES PRESENT:**

Michael McCain, clerk  
Angela McKnight, sergeant at arms  
Rebecca Marshall, sergeant at arms

**III. DISCUSSION OF LEGISLATION****House Bill No. 91 by Representative Muscarello**

Representative Muscarello presented House Bill No. 91, which provides relative to testimony presented by audio-visual means.

Judge Scott Schlegel, Louisiana District Judges Association, no address provided, (504) 577-0003, spoke for information only on House Bill No. 91.

Representative Muscarello offered a motion to report House Bill No. 91 favorably. Without objection, House Bill No. 91 was reported favorably by a vote of 11 yeas, 0 nays, and 1 abstention. Representatives Amedee, Boyd, Brown, Echols, Frieman, Jefferson, Jenkins, Mike Johnson, Muscarello, Nelson, and Seabaugh voted yea. Representative Gregory Miller abstained.

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

**House Bill No. 124 by Representative Muscarello**

Representative Muscarello presented House Bill No. 124, which provides relative to certain judicial proceedings conducted by audio-visual means.

Judge Scott Schlegel, Louisiana District Judges Association, no address provided, (504) 577-0003, spoke for information only on House Bill No. 124.

Representative Muscarello offered a motion to report House Bill No. 124 favorably. Without objection, House Bill No. 124 was reported favorably by a vote of 12 yeas, 0 nays, and 1 abstention. Representatives Amedee, Boyd, Brown, Echols, Frieman, Jefferson, Jenkins, Mike Johnson, McCormick, Muscarello, Nelson, and Seabaugh voted yea. Representative Gregory Miller abstained.

Witness cards submitted by individuals who did not speak are as follows: 3 in support and 1 for information only. Witness cards are included in the committee records.

**House Bill No. 644 by Representative Green**

Representative Green presented House Bill No. 644, which provides relative to legislative continuances or extensions.

On behalf of the author, Representative Frieman offered an amendment to provide that the motion for continuance or extension of time shall be available for events in connection with the legislator's role as a legislator for which he is eligible to receive a per diem. Representative Frieman offered a motion to adopt the proposed amendment. Without objection, the amendments were adopted by a vote of 12 yeas, 0 nays, and 1 abstention. Representatives Amedee, Boyd, Brown, Echols, Frieman, Jefferson, Jenkins, Mike Johnson, McCormick, Muscarello, Nelson, and Seabaugh voted yea. Representative Gregory Miller abstained.

Representative Frieman offered amendments to:

- (1) Provide that the peremptory grounds for continuance or extension of time is applicable to Public Service Commission members or employees and Board of Elementary and Secondary Education members or employees.
- (2) Remove references limiting the motion for continuance or extension of time to just legislative members and employees and adds public representatives of the Public Service Commission and Board of Elementary and Secondary Education members and employees.
- (3) Make technical changes.

Representative Frieman offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 13 yeas, 0 nays, and 1 abstention. Representatives Amedee, Boyd, Brown, Echols, Frieman, Garofalo, Jefferson, Jenkins, Mike Johnson, McCormick, Muscarello, Nelson, and Seabaugh voted yea. Representative Gregory Miller abstained.

Representative Seabaugh offered amendments to:

- (1) Provide that if a legal deadline has run, a motion to continue or extend a legal deadline shall be timely if filed within five days prior to a hearing or proceeding on a motion for sanctions or penalties brought by opposing counsel for failure to comply with the legal deadline.
- (2) Remove prohibition of continuance or extension of time from cases in the Supreme Court of Louisiana.
- (3) Make technical changes.

Representative Seabaugh offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 13 yeas, 0 nays, and 1 abstention. Representatives Amedee, Boyd, Brown, Echols, Frieman, Garofalo, Jefferson, Jenkins, Mike Johnson, McCormick, Muscarello, Nelson, and Seabaugh voted yea. Representative Gregory Miller abstained.

At the request of the author, Representative Gregory Miller offered a motion to voluntarily defer action on House Bill No. 644. Without objection, action on House Bill No. 644 was voluntarily deferred by a vote of 13 yeas, 0 nays, and 1 abstention. Representatives Amedee, Boyd, Brown, Echols, Frieman, Garofalo, Jefferson, Jenkins, Mike Johnson, McCormick, Muscarello, Nelson, and Seabaugh voted yea. Representative Gregory Miller abstained.

***Further action was taken by the committee on House Bill No. 644 at a meeting held on March 29, 2022. Please check for the subsequent action to complete the record of discussion and motions on House Bill No. 644.***

#### **House Bill No. 39 by Representative Charles Owen**

Representative Charles Owen presented House Bill No. 39, which provides for ex officio notaries public with certain limited authority for the Beauregard Parish School Board.

Representative Frieman offered a motion to report House Bill No. 39 favorably. Without objection, House Bill No. 39 was reported favorably by a vote of 12 yeas, 0 nays, and 1 abstention. Representatives Amedee, Boyd, Brown, Echols, Frieman, Garofalo, Jefferson, Jenkins, Mike Johnson, McCormick, Muscarello, and Seabaugh voted yea. Representative Gregory Miller abstained.

#### **House Bill No. 450 by Representative Charles Owen**

Representative Charles Owen presented House Bill No. 450, which provides for access to an adopted person's original birth certificate. Representative Charles Owen provided a handout, Exhibit A, which is included in the committee records.

LeRoy Lambert, 2344 Laurel St., no city provided, (973) 444-2683, spoke in support of House Bill No. 450.

Elise Lewis, former Mid-Atlantic Regional Director, American Adoption Corps, 255 Main St., Apt. 306, Winona, MN 55987, spoke in support of House Bill No. 450.

Tyler Koch, 5223 Belle Fontaine Ct., Baton Rouge, LA 70820, (225) 329-1662, spoke in support of House Bill No. 450.

Kenny Tucker, 34 Carolyn Ct., Arabi, LA 70032, (504) 376-3700, spoke in support of House Bill No. 450.

Cary Koch, 5223 Belle Fontaine Ct., Baton Rouge, LA 70802, spoke in support of House Bill No. 450.

Ben Clapper, Louisiana Right to Life, 200 Allen Toussaint Blvd., New Orleans, LA 70124, (504) 835-6520, spoke in opposition to House Bill No. 450.

Teri James Casso, St. Elizabeth Foundation, 8054 Summa Ave., Baton Rouge, LA, no zip code provided, (225) 806-4427, spoke in opposition to House Bill No. 450.

At the request of the author, Representative Gregory Miller offered a motion to voluntarily defer action on House Bill No. 450. Without objection, action on House Bill No. 450 was voluntarily deferred by a vote of 12 yeas, 0 nays, and 1 abstention. Representatives Amedee, Boyd, Brown, Echols, Frieman, Garofalo, Jefferson, Jenkins, Mike Johnson, McCormick, Muscarello, and Seabaugh voted yea. Representative Gregory Miller abstained.

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

***Further action was taken by the committee on House Bill No. 450 at a meeting held on March 21, 2022. Please check for the subsequent action to complete the record of discussion and motions on House Bill No. 450.***

#### **House Bill No. 252 by Representative Edmonds**

Representative Edmonds presented House Bill No. 252, which provides relative to venue and jurisdiction in adoption.

Representative Gregory Miller offered a motion to report House Bill No. 252 favorably. Without objection, House Bill No. 252 was reported favorably by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Amedee, Boyd, Brown, Echols, Frieman, Garofalo, Jefferson, Jenkins, and Seabaugh voted yea. Representative Gregory Miller abstained.

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. 297 by Representative Edmonds**

Representative Edmonds presented House Bill No. 297, which provides relative to private and agency adoptions.

Representative Mike Johnson offered a motion to report House Bill No. 297 favorably. Without objection, House Bill No. 297 was reported favorably by a vote of 10 yeas, 0 nays, and 1 abstention. Representatives Amedee, Boyd, Brown, Echols, Frieman, Garofalo, Jefferson, Jenkins, Mike Johnson, and Seabaugh voted yea. Representative Gregory Miller abstained.

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. 727 by Representative Bacala**

Representative Bacala presented House Bill No. 727, which provides for uniform prerequisites for adoption finalization.

Teri James Casso, St. Elizabeth Foundation, 8054 Summa Ave., Baton Rouge, LA 70802, (225) 806-4427, spoke in support of House Bill No. 727.

Representative Amedee offered a motion to report House Bill No. 727 favorably. Without objection, House Bill No. 727 was reported favorably by a vote of 10 yeas, 0 nays, and 1 abstention. Representatives Amedee, Boyd, Brown, Echols, Frieman, Garofalo, Jefferson, Jenkins, Mike Johnson, and Seabaugh voted yea. Representative Gregory Miller abstained.

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

#### **House Bill No. 264 by Representative Seabaugh**

Representative Seabaugh presented House Bill No. 264, which provides for the service of the original petition with the amended petition.

Representative Seabaugh offered a motion to report House Bill No. 264 favorably. Without objection, House Bill No. 264 was reported favorably by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Amedee, Boyd, Brown, Echols, Frieman, Garofalo, Jenkins, Mike Johnson, and Seabaugh voted yea. Representative Gregory Miller abstained.

Witness cards submitted by individuals who did not speak are as follows: 1 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 12:48 p.m.

Respectfully submitted,

Chairman Gregory A. Miller  
House Committee on Civil Law and Procedure

Date adopted: