

House Committee on Judiciary

Minutes of Meeting
2022 Regular Session
April 7, 2022

I. CALL TO ORDER

Representative Randal L. Gaines, chairman of the House Committee on Judiciary, called the meeting to order at 9:37 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 Sherman Q. Mack, vice chairman
Representative Joseph A. Marino, III
Representative Joseph A. Orgeron
Representative Charles Anthony Owen
Representative Thomas A. Pressly
Representative Alan Seabaugh

MEMBERS ABSENT:

Representative Edmond Jordan
Representative Mandie Landry
Representative Nicholas Muscarello, Jr.

STAFF MEMBERS PRESENT:

Robert A. Singletary, division director
Zachary Gonzalez, attorney
Gabrielle Lewis, attorney
Diane Merritt, committee administrative assistant

ADDITIONAL ATTENDEES PRESENT:

Michael McCain, clerk
Myrtis Jarrell, sergeant at arms

III. DISCUSSION OF LEGISLATION

House Bill No. 60 by Representative Zeringue

Representative Zeringue presented House Bill No. 60, which provides relative to the termination of an existing judicial section of the Juvenile Court for Orleans Parish.

Representative Hughes offered a motion to report House Bill No. 60 favorably. Without objection, House Bill No. 60 was reported favorably by a vote of 8 yeas and 0 nays. Representatives Gaines, Hughes, Mack, Marino, Orgeron, Charles Owen, Pressly, and Seabaugh voted yea.

House Bill No. 477 by Representative Coussan

Representative Coussan presented House Bill No. 477, which provides for new assistant district attorney positions for various judicial districts in the state.

Donald D. Landry, district attorney, 15th Judicial District, P.O. Box 3306, Lafayette, LA 70502, (337) 232-5170, testified in support of House Bill No. 477.

Stephen Dwight, district attorney, 14th Judicial District, 901 Lakeshore Dr., Lake Charles, LA 70601, (337) 437- 3400, testified in support of House Bill No. 477.

Loren M. Lampert, executive director, Louisiana District Attorneys Association, 2525 Quail Dr., Baton Rouge, LA 70808, (225) 343-0171, testified in support of House Bill No. 477.

Representative Mack offered a motion to report House Bill No. 477 favorably. Without objection, House Bill No. 477 was reported favorably by a vote of 7 yeas and 0 nays. Representatives Gaines, Mack, Marino, Orgeron, Charles Owen, Pressly, and Seabaugh voted yea.

Witness Cards submitted by individuals who did not speak are as follows: 21 in support. Witness cards are included in the committee records.

House Bill No. 15 by Representative Bagley

Representative Bagley presented House Bill No. 15, which provides relative to the transfer of certain funds in the 42nd Judicial District.

Charles B. Adams, district attorney, 42nd Judicial District, P.O. Box 432, Mansfield, LA 71052, (318) 872-2991, testified in support of House Bill No. 15.

Representative Mack offered a motion to report House Bill No. 15 favorably. Without objection, House Bill No. 15 was reported favorably by a vote of 7 yeas and 0 nays. Representatives Gaines, Mack, Marino, Orgeron, Charles Owen, Pressly, and Seabaugh voted yea.

House Bill No. 243 by Representative Bagley

Representative Bagley presented House Bill No. 243, which authorizes any judge to serve as the attorney member of a medical review panel.

On behalf of the author, Representative Mack offered amendments to:

- (1) Authorize city court judges, as opposed to all judges, to serve on a medical review panel.
- (2) Remove provisions relative to the practice of law by supreme court, court of appeal, district court, family court, parish court, and juvenile court judges.
- (3) Remove the special effective date.

Representative Mack offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 6 yeas, 0 nays, and 1 abstention. Representatives Mack, Marino, Orgeron, Charles Owen, Pressly, and Seabaugh voted yea. Representative Gaines abstained.

Representative Pressly offered a motion to report House Bill No. 243 with amendments. Without objection, House Bill No. 243 was reported with amendments by a vote of 6 yeas, 0 nays, and 1 abstention. Representatives Mack, Marino, Orgeron, Charles Owen, Pressly, and Seabaugh voted yea. Representative Gaines abstained.

House Bill No. 829 by Representative Stefanski

Representative Stefanski presented House Bill No. 829, which provides relative to alcoholic beverage delivery.

On behalf of the author, Representative Pressly offered an amendment to remove the requirement that agreements between third-party delivery companies and retail dealers be written. Representative Pressly offered a motion to adopt the proposed amendments. Without objection, the amendment was adopted by a vote of 6 yeas, 0 nays, and 1 abstention. Representatives Mack, Marino, Orgeron, Charles Owen, Pressly, and Seabaugh voted yea. Representative Gaines abstained.

Representative Pressly offered a motion to report House Bill No. 829 with amendments. Without objection, House Bill No. 829 was reported with amendments by a vote of 6 yeas, 0 nays, and 1 abstention. Representatives Mack, Marino, Orgeron, Charles Owen, Pressly, and Seabaugh voted yea. Representative Gaines abstained.

Witness cards submitted by individuals who did not speak are as follows: 5 in support and 1 for information only. Witness cards are included in the committee records.

House Bill No. 59 by Representative Gregory Miller

Representative Gregory Miller presented House Bill No. 59, which repeals fees and mileage rates for certain witnesses.

Representative Pressly offered a motion to report House Bill No. 59 favorably. Without objection, House Bill No. 59 was reported favorably by a vote of 6 yeas, 0 nays, and 1 abstention. Representatives Mack, Marino, Orgeron, Charles Owen, Pressly, and Seabaugh voted yea. Representative Gaines abstained.

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

Representative Mack in chair.

House Bill No. 38 by Representative Thompson

Representative Thompson presented House Bill No. 38, which creates an Employee Insurance Fund for the Richland Parish Sheriff's Office.

Gary Bennett, Louisiana Sheriffs' Association, 1175 Nicholson Dr., Baton Rouge, LA 70802, (225) 343-8402, testified in support of House Bill No. 38.

Representative Pressly offered a motion to report House Bill No. 38 favorably. Without objection, House Bill No. 38 was reported favorably by a vote of 8 yeas and 0 nays. Representatives Gaines, Mike Johnson, Mack, Marino, Orgeron, Charles Owen, Pressly, and Seabaugh voted yea.

House Bill No. 123 by Representative Mike Johnson

Representative Mike Johnson presented House Bill No. 123, which provides relative to the Louisiana National Guard death and disability benefits.

On behalf of the author, Representative Mack offered an amendment to change the language contained in the definition of "guardsman or guardsmen". Representative Mack offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 7 yeas and 0 nays. Representatives Gaines, Mike Johnson, Mack, Marino, Orgeron, Charles Owen, and Pressly voted yea.

Representative Charles Owen offered a motion to report House Bill No. 123 with amendments. Without objection, House Bill No. 123 was reported with amendments by a vote of 7 yeas and 0 nays. Representatives Gaines, Mike Johnson, Mack, Marino, Orgeron, Charles Owen, and Pressly voted yea.

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

House Bill No. 6 by Representative Echols

Representative Echols presented House Bill No. 6, which creates an Employee Insurance Fund for the Ouachita Parish Sheriff's Office.

Representative Pressly offered a motion to report House Bill No. 6 favorably. Without objection, House Bill No. 6 was reported favorably by a vote of 8 yeas and 0 nays. Representatives Gaines, Edmonston, Mike Johnson, Mack, Marino, Orgeron, Charles Owen, and Pressly 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. 105 by Representative Bourriaque

Representative Bourriaque presented House Bill No. 105, which creates an employee insurance fund for the Cameron Parish Sheriff's Office.

Representative Pressly offered a motion to report House Bill No. 105 favorably. Without objection, House Bill No. 105 was reported favorably by a vote of 8 yeas and 0 nays. Representatives Gaines, Edmonston, Mike Johnson, Mack, Marino, Orgeron, Charles Owen, and Pressly 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. 36 by Representative Magee

On behalf of the author, Representative Pressly presented House Bill No. 36, which provides relative to the jurisdictional limits for the City Court of Houma.

Representative Pressly offered a motion to report House Bill No. 36 favorably. Without objection, House Bill No. 36 was reported favorably by a vote of 7 yeas and 0 nays. Representatives Gaines, Edmonston, Mike Johnson, Mack, Orgeron, Charles Owen, and Pressly voted yea.

House Bill No. 28 by Representative Muscarello

On behalf of the author, Representative Mack presented House Bill No. 28, which provides relative to certain eviction proceedings in the City Court of Hammond.

Representative Mack offered a motion to report House Bill No. 28 favorably. Without objection, House Bill No. 28 was reported favorably by a vote of 8 yeas and 0 nays. Representatives Gaines, Edmonston, Mike Johnson, Mack, Marino, Orgeron, Charles Owen, and Pressly voted yea.

House Bill No. 10 by Representative McFarland

On behalf of the author, Gary Bennett, assistant director, Louisiana Sheriffs' Association, 1175 Nicholson Dr., Baton Rouge, LA 70802, (225) 343-8402, presented House Bill No. 10, which provides relative to qualifications for participation in the Employee Insurance Fund for the Winn Parish Sheriff's Office.

Representative Pressly offered a motion to report House Bill No. 10 favorably. Without objection, House Bill No. 10 was reported favorably by a vote of 8 yeas and 0 nays. Representatives Gaines, Edmonston, Mike Johnson, Mack, Marino, Orgeron, Charles Owen, and Pressly voted yea.

House Bill No. 111 by Representative Riser

On behalf of the author, Representative Mack presented House Bill No. 111, which provides relative to retiree insurance provisions of the Franklin Parish Sheriff's Office.

Representative Charles Owen offered a motion to report House Bill No. 111 favorably. Without objection, House Bill No. 111 was reported favorably by a vote of 8 yeas and 0 nays. Representatives Gaines, Edmonston, Mike Johnson, Mack, Marino, Orgeron, Charles Owen, and Pressly 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. 138 by Representative Wheat

Representative Wheat presented House Bill No. 138, which designates Act No. 403 of the 2021 Regular Session as "The Zachary 'Zack' Joseph Cutrer Act".

Jean Cutrer, mother of Zack Cutrer, P.O. Box 1908, Ponchatoula, LA 70454, (985) 506-7743, testified in support of House Bill No. 138.

Patricia Hebert Landaiche, 13108 East Coles Creek Loop, Hammond, LA 70403, (985) 974-3174, testified in support of House Bill No. 138.

Representative Edmonston offered a motion to report House Bill No. 138 favorably. Without objection, House Bill No. 138 was reported favorably by a vote of 8 yeas and 0 nays. Representatives Gaines, Edmonston, Mack, Marino, Orgeron, Charles Owen, Pressly, and Seabaugh voted yea.

House Bill No. 533 by Representative Cormier

On behalf of the author, Representative Mack offered a motion to voluntarily defer action on House Bill No. 533, which provides relative to cases handled by the attorney general. Without objection, action on House Bill No. 533 was voluntarily deferred by a vote of 8 yeas and 0 nays. Representatives Gaines, Edmonston, Mack, Marino, Orgeron, Charles Owen, Pressly, and Seabaugh voted yea.

(Further action was taken by the committee on House Bill No. 533 on April 20, 2022. Please check for subsequent action to complete the record of discussion and motions on House Bill No. 533.)

House Bill No. 660 by Representative Cormier

On behalf of the author, Representative Mack offered a motion to voluntarily defer action on House Bill No. 660, which requires district attorneys to retire at age 70. Without objection, action on House Bill No. 660 was voluntarily deferred by a vote of 8 yeas and 0 nays. Representatives Gaines, Edmonston, Mack, Marino, Orgeron, Charles Owen, Pressly, and Seabaugh voted yea.

(Further action was taken by the committee on House Bill No. 660 on May 5, 2022. Please check for subsequent action to complete the record of discussion and motions on House Bill No. 660.)

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

The meeting was adjourned at 10:49 a.m.

Respectfully submitted,

Chairman Randal L. Gaines
House Committee on Judiciary