

## **House Committee on Judiciary**

Minutes of Meeting  
2022 Regular Session  
April 28, 2022

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

Representative Randal L. Gaines, chairman of the House Committee on Judiciary, called the meeting to order at 9:30 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 Edmond Jordan  
Representative Mandie Landry  
Representative Sherman Q. Mack, vice chairman  
Representative Nicholas Muscarello, Jr.  
Representative Joseph A. Orgeron  
Representative Charles Anthony Owen  
Representative Thomas A. Pressly  
Representative Alan Seabaugh

#### **MEMBERS ABSENT:**

Representative Joseph A. Marino, III

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

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

#### **ADDITIONAL ATTENDEES PRESENT:**

Michael McCain, clerk  
Myrtis Jarrell, sergeant at arms

### III. DISCUSSION OF LEGISLATION

#### **House Bill No. 759 by Representative Schexnayder**

Representative Schexnayder presented House Bill No. 759 as a substitute, which provides relative to the Governor's Office of Homeland Security and Emergency Preparedness.

Representative Hughes offered a motion to report House Bill No. 759 by substitute. Without objection, House Bill No. 759 was reported by substitute by a vote of 9 yeas and 0 nays. Representatives Gaines, Hughes, Mike Johnson, Jordan, Mack, Orgeron, Charles Owen, Pressly, and Seabaugh 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.

#### **House Concurrent Resolution No. 7 by Representative Zeringue**

On behalf of the author, Representative Gaines offered a motion to voluntarily defer action on House Concurrent Resolution No. 7, which requests the supreme court to provide information relative to the current structure of the judiciary. Without objection, action on House Concurrent Resolution No. 7 was voluntarily deferred by a vote of 7 yeas and 0 nays. Representatives Gaines, Hughes, Mike Johnson, Jordan, Mack, Orgeron, and Charles Owen voted yea.

#### **House Bill No. 662 by Representative Zeringue**

Representative Zeringue presented House Bill No. 662, which provides relative to the Judicial Council.

On behalf of the author, Representative Mack offered an amendment to add language that references the Judicial Structure Task Force established by House Resolution No. 30 of the 2022 Regular Session of the Legislature. Without objection, the amendment was adopted by a vote of 7 yeas and 0 nays. Representatives Gaines, Hughes, Mike Johnson, Jordan, Mack, Orgeron, and Charles Owen voted yea.

Representative Hughes offered a motion to report House Bill No. 662 with amendments. Without objection, House Bill No. 662 was reported with amendments by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Hughes, Mike Johnson, Jordan, Landry, Mack, Muscarello, Orgeron, Charles Owen, and Pressly 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.

**House Bill No. 513 by Representative Zeringue**

Representative Zeringue presented House Bill No. 513, which provides relative to the voting requirements needed to change the number of judges in a judicial district.

Judge Glen Ansardi, Ret., representing Louisiana District Judges Association, 400 Royal St., New Orleans, LA 70130, (504) 812-1337, testified for information only on House Bill No. 513.

Brian Wiggins, deputy judicial administrator, Louisiana Supreme Court, 400 Royal St., New Orleans, LA 70130, (504) 910-2540, testified for information only on House Bill No. 513.

At the request of the author, Representative Gaines offered a motion to voluntarily defer action on House Bill No. 513. Without objection, action on House Bill No. 513 was voluntarily deferred by a vote of 10 yeas and 0 nays. Representatives Gaines, Edmonston, Hughes, Mike Johnson, Jordan, Muscarello, Orgeron, Charles Owen, Pressly, and Seabaugh 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.

Statements submitted in accordance with House Rule 14:33 in lieu of appearing before the committee are as follows: 1 in opposition. Copies of these statements are included in the committee records.

**House Concurrent Resolution No. 10 by Representative Bryant**

On behalf of the author, Representative Gaines offered a motion to voluntarily defer action on House Concurrent Resolution No. 10, which requests the state to expedite the resolution of pending civil litigation with the estate of Ronald Greene. Without objection, action on House Concurrent Resolution No. 10 was voluntarily deferred by a vote of 10 yeas and 0 nays. Representatives Gaines, Edmonston, Hughes, Mike Johnson, Jordan, Muscarello, Orgeron, Charles Owen, Pressly, and Seabaugh voted yea.

***Further action was taken by the committee on House Concurrent Resolution No. 10 at a meeting held on May 5, 2022. Please check for the subsequent action to complete the record of discussion and motions on House Concurrent Resolution No. 10.***

**House Bill No. 745 by Representative Green**

On behalf of the author, Representative Gaines offered a motion to voluntarily defer action on House Bill No. 745, which provides relative to the officer bill of rights. Without objection, action on House Bill No. 745 was voluntarily deferred by a vote of 10 yeas and 0 nays. Representatives

Gaines, Edmonston, Hughes, Mike Johnson, Jordan, Muscarello, Orgeron, Charles Owen, Pressly, and Seabaugh voted yea.

Witness cards submitted by individuals who did not speak are as follows: 7 in support and 4 in opposition. Witness cards are included in the committee records.

Statements submitted in accordance with House Rule 14:33 in lieu of appearing before the committee are as follows: 7 in support. Copies of these statements are included in the committee records.

***Further action was taken by the committee on House Bill No. 745 at a meeting held on May 5, 2022. Please check for the subsequent action to complete the record of discussion and motions on House Bill No. 745.***

### **House Concurrent Resolution No. 70 by Representative Freeman**

Representative Freeman presented House Concurrent Resolution No. 70, which requests the La. Supreme Court to implement a minimum continuing legal education requirement for district attorneys and judges on the topic of domestic violence.

Mariah Wineski, executive director, Louisiana Coalition Against Domestic Violence, P.O. Box 77308, Baton Rouge, LA 70879, (225) 752-1296, testified in support of House Concurrent Resolution No. 70.

Representative Hughes offered a motion to report House Concurrent Resolution No. 70 favorably. Without objection, House Concurrent Resolution No. 70 was reported favorably by a vote of 10 yeas and 0 nays. Representatives Gaines, Edmonston, Hughes, Mike Johnson, Jordan, Muscarello, Orgeron, Charles Owen, Pressly, and Seabaugh voted yea.

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.

Statements submitted in accordance with House Rule 14:33 in lieu of appearing before the committee are as follows: 1 in support. Copies of these statements are included in the committee records.

### **House Bill No. 258 by Representative Landry**

***This is a continuation of the discussion on House Bill No. 258 from a meeting held on April 20, 2022. Please check for the prior action to complete the record of discussion and motions on House Bill No. 258.***

Representative Landry presented House Bill No. 258, which provides relative to the qualifications of jurors.

Checo Yancy, VOTE, 251 Florida Blvd., Suite 201, Baton Rouge, LA 70801, (225) 270-5245, testified in support of House Bill No. 258.

Representative Landry offered a motion to voluntarily defer action on House Bill No. 258. Without objection, action on House Bill No. 258 was voluntarily deferred by a vote of 11 yeas and 0 nays. Representatives Gaines, Edmonston, Hughes, Mike Johnson, Landry, Mack, Muscarello, Orgeron, Charles Owen, Pressly, and Seabaugh voted yea.

Witness cards submitted by individuals who did not speak are as follows: 4 in support and 2 in opposition. Witness cards are included in the committee records.

#### **House Concurrent Resolution No. 13 by Representative Charles Owen**

Representative Charles Owen presented House Concurrent Resolution No. 13, which encourages congress and the president to take proactive measures to protect the citizens of this state and this nation from the Chinese Communist Party.

Representative Edmonston offered a motion to report House Concurrent Resolution No. 13 favorably. Without objection, House Concurrent Resolution No. 13 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Gaines, Edmonston, Hughes, Mike Johnson, Landry, Mack, Muscarello, Orgeron, Charles Owen, Pressly, and Seabaugh 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. 255 by Representative Hilferty**

*This is a continuation of the discussion on House Bill No. 255 from a meeting held on April 20, 2022. Please check for the prior action to complete the record of discussion and motions on House Bill No. 255.*

Representative Hilferty presented House Bill No. 255 as a substitute, which repeals the termination date of Act 110 of the 2020 R.S. of the Legislature of Louisiana. relative to the assessment, collection, and distribution of certain court costs and fees in the parish of Orleans.

Bruce Reilly, VOTE, 4930 Washington Ave, New Orleans, LA 70125, (504) 758-9420, testified in opposition to House Bill No. 255.

Sarah Whittington, Justice Accountability Center of Louisiana, 4035 Washington Ave., Suite 203, New Orleans, LA 70125, (504) 322-4050, testified in support of House Bill No. 255.

Representative Hughes offered a motion to report House Bill No. 255 by substitute. Without objection, House Bill No. 255 was reported by substitute by a vote of 10 yeas, 0 nays, and 1 abstention. Representatives Edmonston, Hughes, Mike Johnson, Jordan, Landry, Mack, Muscarello, Orgeron, Charles Owen, and Pressly voted yea. Representative Gaines abstained.

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

#### **House Bill No. 524 by Representative Lyons**

Representative Lyons presented House Bill No. 524, which establishes a program for needs assessment and coordination of services for people with disabilities affected by disasters.

Casey Tingle, director, GOHSEP, 7667 Independence Blvd., Baton Rouge, LA 70806, (225) 925-7500, testified for information only on House Bill No. 524.

Representative Jordan offered a motion to report House Bill No. 524 favorably. Without objection, House Bill No. 524 was reported favorably by a vote of 8 yeas and 0 nays. Representatives Gaines, Edmonston, Mike Johnson, Jordan, Mack, Muscarello, Orgeron, and Charles Owen 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. 494 by Representative Romero**

Representative Romero presented House Bill No. 494, which provides relative to brewery operations.

Cary Koch, representing Louisiana Craft Brewer Guild, 504 Lakeland Ave., Baton Rouge, LA 70802, (225) 219-8900, testified in support of House Bill No. 494.

Jacob Landry, founder of Urban South Brewery, 1645 Tchoupitoulas St., New Orleans, LA 70130, testified in support of House Bill No. 494.

Karlos Knott, president, Bayou Teche Brewing, 1106 Bushville Hwy., Arnaudville, LA 70512, (337) 754-5122., testified in support of House Bill No. 494.

Richard Kevin Greenae, managing partner, Oak Street Brewery, 8201 Oak St., New Orleans, LA 70118, (504) 533-9139, testified in support of House Bill No. 494.

John Williams, executive director, Beer Industry League of Louisiana, 575 North 8<sup>th</sup> St., Baton Rouge, LA 70802, (225) 235-7710, testified in opposition to House Bill No. 494.

Allison Rovira, Louisiana Association of Beverage Alcohol Retailers, 730 North St., Baton Rouge, LA 70802, (225) 381-0019, testified in opposition to House Bill No. 494.

Commissioner Ernest Legier, office of alcohol and tobacco control, 7979 Independence Blvd., Baton Rouge, LA 70806, (225) 925-4041, testified for information only on House Bill No. 494.

After a lengthy discussion, Representative Orgeron offered a motion to report House Bill No. 494 favorably. Without objection, House Bill No. 494 was reported favorably by a vote of 11 yeas, 0 nays, and 1 abstention. Representatives Edmonston, Hughes, Mike Johnson, Jordan, Landry, Mack, Muscarello, Orgeron, Charles Owen, Pressly, and Seabaugh voted yea. Representative Gaines abstained.

Witness cards submitted by individuals who did not speak are as follows: 10 in support and 4 in opposition. Witness cards are included in the committee records.

### **House Bill No. 554 by Representative Mincey**

Representative Mincey presented House Bill No. 554, which provides relative to microbrewery operations.

Cary Koch, representing Louisiana Craft Brewer Guild, 504 Lakeland Dr., Baton Rouge, LA 70802, (225) 219-8900, testified in support of House Bill No. 554.

Ron Dunham, Le Chien Brewing Company, 101 S. Hummel St., Denham Springs, LA 70726, (225) 939-3040, testified in support of House Bill No. 554.

*Representative Mack in chair.*

Allison Rovira, Louisiana Association of Beverage Alcohol Retailers, 730 North St., Baton Rouge, LA 70802, (225) 381-0019, testified in opposition to House Bill No. 554.

John Williams, executive director, Beer Industry League of Louisiana, 575 North 8<sup>th</sup> St., Baton Rouge, LA 70802, (225) 235-7710, testified in opposition to House Bill No. 554.

Representative Edmonston offered a motion to report House Bill No. 554 favorably, to which Representative Charles Owen objected. The administrative assistant called the roll, and House Bill No. 554 was reported favorably by a vote of 6 yeas and 5 nays. Representatives Edmonston, Hughes, Mike Johnson, Mack, Muscarello, and Orgeron voted yea. Representatives Gaines, Jordan, Charles Owen, Pressly, and Seabaugh voted nay.

Witness cards submitted by individuals who did not speak are as follows: 10 in support, 2 in opposition, and 1 for information only. Witness cards are included in the committee records.

### **House Concurrent Resolution No. 71 by Representative White**

Representative White presented House Concurrent Resolution No. 71, which requests the Louisiana State Law Institute to study certain proposed changes relative to the use of interpreters in court proceedings.

Brian Wiggins, deputy judicial administrator, Louisiana Supreme Court, 400 Royal St., New Orleans, LA 70130, (504) 310-2540, testified for information only on House Concurrent Resolution No. 71.

Representative Mack offered a motion to report House Concurrent Resolution No. 71 favorably. Without objection, House Concurrent Resolution No. 71 was reported favorably by a vote of 8 yeas and 0 nays. Representatives Gaines, Edmonston, Hughes, Jordan, Mack, Orgeron, Charles Owen, and Seabaugh 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. 840 by Representative Bagley**

On behalf of the author, Representative Pressly presented House Bill No. 840 as a substitute, which provides relative to disbursement of fees for pretrial programs. The substitute bill would allow municipalities that operate police departments to make direct contributions to their respective criminalistics laboratory commissions to defray expenses of their office and provide that sheriffs, district attorneys, and municipalities may make contributions from pre-trial intervention or diversion funds.

Loren M. Lampert, executive director, Louisiana District Attorneys Association, 2525 Quail Dr., Baton Rouge, LA 70808, (225) 343-0171, testified in support of the substitute bill.

Representative Pressly offered a motion to report House Bill No. 840 by substitute. Without objection, House Bill No. 840 was reported by substitute by a vote of 9 yeas and 0 nays. Representatives Gaines, Edmonston, Hughes, Jordan, Mack, Muscarello, Charles Owen, Pressly, and Seabaugh 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.



**House Bill No. 381 by Representative Robert Owen**

Representative Robert Owen presented House Bill No. 381, which provides relative to acts prohibited on permitted premises under the Alcoholic Beverage Control Law.

John Williams, executive director, Beer Industry League of Louisiana, 575 North 8<sup>th</sup> St., Baton Rouge, LA 70802, (225) 235-7710, testified in support to House Bill No. 381.

At the request of the author, Representative Mack offered a motion to voluntarily defer action on House Bill No. 381. Without objection, action on House Bill No. 381 was voluntarily deferred by a vote of 10 yeas and 0 nays. Representatives Gaines, Edmonston, Hughes, Mike Johnson, Jordan, Mack, Muscarello, Charles Owen, Pressly, and Seabaugh voted yea.

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.

*Representative Gaines in chair.*

**House Bill No. 430 by Representative Jordan**

Representative Jordan offered a motion to voluntarily defer action on House Bill No. 430, which provides relative to the regulation of cannabis. Without objection, action on House Bill No. 430 was voluntarily deferred by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Edmonston, Hughes, Mike Johnson, Jordan, Mack, Muscarello, Charles Owen, Pressly, and Seabaugh voted yea. Representative Gaines abstained.

Witness cards submitted by individuals who did not speak are as follows: 12 in support, 1 in opposition, and 1 for information only. Witness cards are included in the committee records.

Statements submitted in accordance with House Rule 14:33 in lieu of appearing before the committee are as follows: 1 in support. Copies of these statements are included in the committee records.

***Further action was taken by the committee on House Bill No. 430 at a meeting held on May 5, 2022. Please check for the subsequent action to complete the record of discussion and motions on House Bill No. 430.***

**House Bill No. 461 by Representative Jordan**

***This is a continuation of the discussion on House Bill No. 461 from a meeting held on April 20, 2022. Please check for the prior action to complete the record of discussion and motions on House Bill No. 461.***

Representative Jordan presented House Bill No. 461, as a substitute, which provides relative to mayors' courts.

Robert Singletary, division director, explained changes to the substitute bill.

Sarah Whittington, Justice and Accountability of Louisiana, 4035 Washington Ave., New Orleans, LA 70125, testified in support of House Bill No. 461.

David C. Butler, II, mayor, Town of Woodworth, P. O. Box 228, Woodworth, LA 71485, (318) 442-1284, testified in opposition to House Bill No. 461.

Karen White, executive counsel, Louisiana Municipal Association, 700 North 10<sup>th</sup> St., Baton Rouge, LA 70802, (225) 344-5001, testified in opposition to House Bill No. 461.

David Toups, mayor, Town of Addis, 7818 La. Hwy 1, Addis, LA 70710, (225) 687-4844, testified in opposition to House Bill No. 461.

After a lengthy discussion, Representative Mack offered a motion to report House Bill No. 461 by substitute, to which Representative Mike Johnson objected. The administrative assistant called the roll, and House Bill No. 461 was reported by substitute by a vote of 9 yeas and 2 nays. Representatives Hughes, Jordan, Landry, Mack, Muscarello, Orgeron, Charles Owen, Pressly, and Seabaugh voted yea. Representatives Edmonston and Mike Johnson voted nay.

Witness cards submitted by individuals who did not speak are as follows: 5 in support and 6 in opposition. Witness cards are included in the committee records.

### **House Bill No. 125 by Representative Newell**

Representative Newell presented House Bill No. 125, which provides relative to the regulation of cannabis.

Representative Gaines offered amendments to change the oversight from the Department of Agriculture and Forestry to the Louisiana Department of Health and to make technical changes. Representative Gaines offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 8 yeas, 0 nays, and 1 abstention. Representatives Edmonston, Hughes, Landry, Muscarello, Orgeron, Charles Owen, Pressly, and Seabaugh voted yea. Representative Gaines abstained.

Representative Gaines offered amendments to provide for the laboratories to be used for testing. Representative Gaines offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 7 yeas, 0 nays, and 1 abstention. Representatives

Edmonston, Hughes, Landry, Muscarello, Orgeron, Pressly, and Seabaugh voted yea. Representative Gaines abstained.

Representative Gaines offered an amendment to grandfather in the pharmacies that have already applied for and received a specialty license to dispense marijuana for therapeutic use. Representative Gaines offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 8 yeas, 0 nays, and 1 abstention. Representatives Edmonston, Hughes, Landry, Muscarello, Orgeron, Charles Owen, Pressly, and Seabaugh voted yea. Representative Gaines abstained.

Representative Seabaugh offered amendments to clarify that once all of the criminal penalties associated with recreational use of marijuana are repealed, then this proposed bill would become effective. Representative Seabaugh offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 8 yeas, 0 nays, and 1 abstention. Representatives Edmonston, Hughes, Landry, Muscarello, Orgeron, Charles Owen, Pressly, and Seabaugh voted yea. Representative Gaines abstained.

*Representative Mack in chair.*

Bruce Reilly, deputy director, Voters Organized to Educate, 4930 Washington Ave., New Orleans, LA 70125, (504) 758-9420, testified in support of House Bill No. 125.

Jeff Schmidtke, Bio Sciences of Louisiana, 438 Henry Clay St., New Orleans, LA 70118, (504) 905-8751, testified in support of House Bill No. 125.

Peter Robins-Brown, Louisiana Progress Action, 650 North 6<sup>th</sup> St., Baton Rouge, LA 70802, (504) 256-8196, testified in support of House Bill No. 125.

Kevin Caldwell, Marijuana Policy Project, P.O. Box 21824, Washington, D.C. 20009, (504) 914-1406, testified in support of House Bill No. 125.

Blaine Jennings, Virgin Hemp Farms, P.O. Box 129, Milton, LA 70558, (337) 849-6481, testified in opposition to House Bill No. 125.

After a lengthy discussion, Representative Hughes offered a motion to report House Bill No. 125 with amendments, to which Representative Pressly objected. The administrative assistant called the roll, and the motion failed to pass by a vote of 4 yeas and 7 nays. Representatives Gaines, Hughes, Jordan, and Orgeron voted yea. Representatives Edmonston, Mike Johnson, Mack, Muscarello, Charles Owen, Pressly, and Seabaugh voted nay.

Witness cards submitted by individuals who did not speak are as follows: 5 in support, 1 in opposition, and 3 for information only. Witness cards are included in the committee records.

**House Bill No. 623 by Representative Fontenot**

On behalf of the author, Representative Mack offered a motion to voluntarily defer action on House Bill No. 623, which provides relative to notification to law enforcement agencies of the release of certain persons from a hospital. Without objection, action on House Bill No. 623 was voluntarily deferred by a vote of 11 yeas and 0 nays. Representatives Gaines, Edmonston, Hughes, Mike Johnson, Jordan, Mack, Muscarello, Orgeron, Charles Owen, Pressly, and Seabaugh voted yea.

**IV. OTHER BUSINESS**

There was no other business.

**V. ANNOUNCEMENTS**

There were no announcements.

**VI. ADJOURNMENT**

The meeting was adjourned at 2:22 p.m.

Respectfully submitted,

Chairman Randal L. Gaines  
House Committee on Judiciary