

House Committee on Civil Law and Procedure

Minutes of Meeting
2023 Regular Session
April 19, 2023

I. CALL TO ORDER

Representative Gregory A. Miller, chairman of the House Committee on Civil Law and Procedure, called the meeting to order at 9:12 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 Wilford Dan Carter, Sr.
Representative Michael Charles Echols
Representative Julie Emerson
Representative Lawrence "Larry" Frieman
Representative Raymond E. Garofalo, Jr.
Representative Valarie Hodges
Representative Patrick O. Jefferson
Representative Sam L. Jenkins, Jr.
Representative Michael T. Johnson, vice chairman
Representative Alonzo L. Knox
Representative Nicholas Muscarello, Jr.
Representative Richard James Nelson
Representative Alan Seabaugh

MEMBERS ABSENT:

Representative Robby Carter
Representative Danny McCormick

STAFF MEMBERS PRESENT:

Amy Pirtle, attorney
Allison Shirey, attorney
Megan Sanders, committee administrative assistant

ADDITIONAL ATTENDEES PRESENT:

Michael McCain, clerk
Rebecca Marshall, sergeant at arms
Jaubert Ambeau, audio/visual engineer
Danny Leming, sergeant at arms

III. DISCUSSION OF LEGISLATION**House Bill No. 5 by Representative Frieman**

Representative Frieman presented House Bill No. 5, which provides relative to pregnancy-related medical expense obligations.

Representative Frieman offered amendments to provide examples of actual medical expenses, allow for additional reasonable and necessary expenses as ordered by the court, and to make technical changes. Representative Frieman offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Amedee, Echols, Frieman, Garofalo, Jefferson, Mike Johnson, Knox, Muscarello, and Nelson voted yea. Representative Gregory Miller abstained.

Rachael Catalanotto, 222 N. Vermont St., Covington, LA, (985) 893-8484, spoke in support of House Bill No. 5.

Morgan Lamandre, STAR, 5615 Corporate Blvd., Ste. 200, Baton Rouge, LA 70808, (225) 615-7093, spoke for information only on House Bill No. 5.

Representative Frieman offered a motion to report House Bill No. 5 with amendments. Without objection, House Bill No. 5 was reported with amendments by a vote of 13 yeas, 0 nays, and 1 abstention. Representatives Amedee, Boyd, Wilford Carter, Echols, Emerson, Frieman, Garofalo, Jefferson, Jenkins, Mike Johnson, Knox, Muscarello, and Nelson voted yea. Representative Gregory Miller abstained.

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

House Bill No. 184 by Representative Frieman

Representative Frieman presented House Bill No. 184, which provides relative to a child in need of care.

Rachael Catalanotto, 222 N. Vermont St., Covington, LA, (985) 893-8484, spoke in support of House Bill No. 184.

Representative Frieman offered an amendment to remove the proposed law authority of a party in a child in need of care proceeding to move that the court disapprove a DCFS placement. Representative Frieman offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 11 yeas, 0 nays, and 1 abstention. Representatives Boyd, Wilford Carter, Emerson, Frieman, Garofalo, Hodges, Jefferson, Jenkins, Mike Johnson, Knox, and Nelson voted yea. Representative Gregory Miller abstained.

Representative Frieman offered a motion to report House Bill No. 184 with amendments. Without objection, House Bill No. 184 was reported with amendments by a vote of 14 yeas, 0 nays, and 1 abstention. Representatives Amedee, Boyd, Wilford Carter, Echols, Emerson, Frieman, Garofalo, Hodges, Jefferson, Jenkins, Mike Johnson, Knox, Muscarello, and Nelson voted yea. Representative Gregory Miller abstained.

Witness cards submitted for individuals who did not speak are as follows: 3 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 support. Copies of these statements are included in the committee records.

House Bill No. 220 by Representative Pressly

Representative Pressly presented House Bill No. 220, which provides relative to actions to determine ownership or possession.

L. David Cromwell, reporter, Louisiana State Law Institute, Room W127, 1 E. Campus Dr., Baton Rouge, LA 70802, (225) 578-0200, spoke for information only on House Bill No. 220.

Representative Gregory Miller offered an amendment to make technical changes. Representative Gregory Miller offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 13 yeas, 0 nays, and 1 abstention. Representatives Amedee, Boyd, Wilford Carter, Echols, Emerson, Garofalo, Hodges, Jefferson, Jenkins, Mike Johnson, Knox, Muscarello, and Nelson voted yea. Representative Gregory Miller abstained.

Representative Nelson offered a motion to report House Bill No. 220 with amendments. Without objection, House Bill No. 220 was reported with amendments by a vote of 12 yeas, 0 nays, and 1 abstention. Representatives Amedee, Boyd, Wilford Carter, Echols, Emerson, Garofalo, Hodges, Jenkins, Mike Johnson, Muscarello, Nelson, and Seabaugh voted yea. Representative Gregory Miller abstained.

House Bill No. 314 by Representative Larvadain

Representative Larvadain and Representative Phelps presented House Bill No. 314, which provides relative to trained peer support members.

Chad Major, Professional Fire Fighters of LA, 5555 Hilton Ave., Baton Rouge, LA 70808, (225) 572-8483, spoke in support of House Bill No. 314.

Representative Jenkins offered a motion to report House Bill No. 314 favorably. Without objection, House Bill No. 314 was reported favorably by a vote of 13 yeas, 0 nays, and 1 abstention. Representatives Amedee, Boyd, Wilford Carter, Emerson, Frieman, Garofalo, Hodges, Jefferson, Jenkins, Mike Johnson, Knox, Muscarello, and Seabaugh voted yea. Representative Gregory Miller abstained.

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

House Bill No. 298 by Representative Hughes

Representative Hughes presented House Bill No. 298, which provides relative to parental rights in certain circumstances.

Morgan Lamandre, STAR, 5615 Corporate Blvd., Ste. 200, Baton Rouge, LA 70808, (225) 615-7093, spoke in support of House Bill No. 298.

Liz Murrill, Louisiana Attorney General, P.O. Box 94005, Baton Rouge, LA 70804, (225) 326-6705, spoke in support of House Bill No. 298.

Hattie M. Broussard, 151 Turnberry Dr., New Orleans, LA, (504) 913-4367, spoke in support of House Bill No. 298.

Representative Boyd offered a motion to report House Bill No. 298 favorably. Without objection, House Bill No. 298 was reported favorably by a vote of 11 yeas, 0 nays, and 1 abstention. Representatives Amedee, Boyd, Echols, Emerson, Frieman, Garofalo, Jefferson, Jenkins, Mike Johnson, Knox, and Nelson voted yea. Representative Gregory Miller abstained.

Witness cards submitted for individuals who did not speak are as follows: 43 in support. Witness cards are included in the committee records.

House Bill No. 194 by Representative Thompson

Representative Thompson presented House Bill No. 194, which provides relative to post-adoption visitation rights of grandparents.

Dawn Mims, P.O. Box 727, Rayville, LA 71269, (318) 235-2688, spoke in support of House Bill No. 194.

Representative Jefferson offered a motion to report House Bill No. 194 favorably. Without objection, House Bill No. 194 was reported favorably by a vote of 14 yeas, 0 nays, and 1 abstention. Representatives Amedee, Boyd, Wilford Carter, Echols, Emerson, Frieman, Garofalo, Hodges, Jefferson, Jenkins, Mike Johnson, Knox, Muscarello, and Nelson voted yea. Representative Gregory Miller abstained.

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

House Bill No. 337 by Representative Carpenter

Representative Carpenter presented House Bill No. 337, which eliminates the minimum child support award in the child support guidelines. Representative Carpenter provided the committee with handouts, Exhibits A, B, and C, which are included in the committee records.

Terri Ricks, secretary, Department of Children and Family Services, 627 N. 47th St., Baton Rouge, LA 70802, (225) 342-6930, spoke for information only on House Bill No. 337.

Lonnie Granier, Odyssey House La., 1125 N. Tonti St., New Orleans, LA 70119, (504) 418-0172, spoke for information only on House Bill No. 337.

Toni Menard, LDAA, 2525 Quail Dr., Baton Rouge, LA 70808, (225) 343-0171, spoke for information only on House Bill No. 337.

Representative Jenkins offered a motion to report House Bill No. 337 favorably. Without objection, House Bill No. 337 was reported favorably by a vote of 11 yeas, 0 nays, and 1 abstention. Representatives Amedee, Boyd, Echols, Frieman, Garofalo, Hodges, Jefferson, Jenkins, Mike Johnson, Knox, and Muscarello voted yea. Representative Gregory Miller abstained.

Witness cards submitted for individuals who did not speak are as follows: 2 in support and 3 for information only. Witness cards are included in the committee records.

Representative Mike Johnson in the chair.

House Bill No. 178 by Representative Gregory Miller

Representative Gregory Miller presented House Bill No. 178, which provides for venue for actions involving certain insurers.

Representative Gregory Miller offered an amendment to expand forum non conveniens to apply to certain cases that are brought in the parish of East Baton Rouge pursuant to C.C.P. Art. 42(7). Representative Gregory Miller offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 10 yeas and 0 nays. Representatives Gregory Miller, Amedee, Boyd, Echols, Frieman, Garofalo, Hodges, Jenkins, Mike Johnson, and Muscarello voted yea.

Representative Gregory Miller offered a motion to report House Bill No. 178 with amendments. Without objection, House Bill No. 178 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Gregory Miller, Amedee, Boyd, Echols, Frieman, Garofalo, Hodges, Jenkins, Mike Johnson, Knox, Muscarello, and Nelson voted yea.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

The meeting was adjourned at 11:52 a.m.

Respectfully submitted,

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