

House Committee on Civil Law and Procedure

Minutes of Meeting
2023 Regular Session
May 9, 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 9:11 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 Robby Carter
Representative Wilford Dan Carter, Sr.
Representative Michael Charles Echols
Representative Julie Emerson
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 Alonzo L. Knox
Representative Nicholas Muscarello, Jr.
Representative Richard James Nelson
Representative Alan Seabaugh

MEMBERS ABSENT:

Representative Valarie Hodges
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
Allie Evans, clerk

III. DISCUSSION OF LEGISLATION**House Bill No. 537 by Representative Hodges**

On behalf of Representative Hodges, Representative Gregory Miller offered a motion to voluntarily defer action on House Bill No. 537, which provides for a prohibition against foreign adversary purchasing, leasing, or acquiring land. Without objection, action on House Bill No. 537 was voluntarily deferred by a vote of 10 yeas, 0 nays, and 1 abstention. Representatives Amedee, Boyd, Echols, Frieman, Garofalo, Jefferson, Jenkins, Mike Johnson, Knox, and Nelson voted yea. Representative Gregory Miller abstained.

House Bill No. 311 by Representative Miguez

Representative Miguez presented House Bill No. 311, a constitutional amendment, which prohibits the use of monies from a foreign government or nongovernmental source to fund elections.

Representative Gregory Miller offered an amendment to change the ballot language. Representative Gregory Miller offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Amedee, Boyd, Frieman, Garofalo, Jefferson, Jenkins, Mike Johnson, Knox, and Nelson voted yea. Representative Gregory Miller abstained.

Woody Jenkins, 910 N. Foster, Baton Rouge, LA 70806, (225) 921-1433, spoke in support of House Bill No. 311.

Chris Alexander, Louisiana Citizen Advocacy Group, P.O. Box 64952, Baton Rouge, LA, 70896, (225) 333-6434, spoke in support of House Bill No. 311.

Representative Gregory Miller offered a motion to adopt the House Rule 6.8(A) Report to House Bill No. 311, which stated that this measure could not be accomplished statutorily and would, therefore, require a constitutional amendment, to which Representative Jenkins objected. The administrative assistant called the roll, and the House Rule 6.8(A) Report to House Bill No. 311 was adopted by a vote of 8 yeas, 5 nays, and 1 abstention. Representatives Amedee, Emerson, Frieman, Garofalo, Mike Johnson, Muscarello, Nelson, and Seabaugh voted yea. Representatives Boyd, Wilford Carter, Jefferson, Jenkins, and Knox voted nay. Representative Gregory Miller abstained.

Representative Gregory Miller offered a motion to report House Bill No. 311 with amendments, to which Representative Jenkins objected. The administrative assistant called the roll, and House Bill No. 311 was reported with amendments by a vote of 8 yeas and 5 nays. Representatives Gregory Miller, Amedee, Emerson, Garofalo, Mike Johnson, Muscarello, Nelson, and Seabaugh voted yea. Representatives Boyd, Wilford Carter, Jefferson, Jenkins, and Knox voted nay.

Witness cards submitted by individuals who did not speak are as follows: 9 in support. Witness cards are included in the committee records.

Senate Bill No. 55 by Senator Luneau

On behalf of Senator Luneau, Representative Gregory Miller presented Senate Bill No. 55, which provides for procurator or mandate by a succession representative.

Irl Silverstein, Louisiana Land Title Association, 3324 N. Causeway Blvd., Metairie, LA 70002, (504) 362-3692, spoke in support of Senate Bill No. 55.

Representative Gregory Miller offered amendments to make technical changes and clarify the effective date. Representative Gregory Miller offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas, 0 nays, and 1 abstention. Representatives Boyd, Wilford Carter, Emerson, Jefferson, Jenkins, Mike Johnson, Knox, Muscarello, Nelson, and Seabaugh voted yea. Representative Gregory Miller abstained.

Representative Jenkins offered a motion to report Senate Bill No. 55 with amendments. Without objection, Senate Bill No. 55 was reported with amendments by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Boyd, Wilford Carter, Emerson, Jefferson, Jenkins, Mike Johnson, Knox, Muscarello, 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.

House Bill No. 211 by Representative Jordan

Representative Jordan presented House Bill No. 211, a constitutional amendment, which prohibits slavery and involuntary servitude.

Representative Gregory Miller offered an amendment to change the ballot language. Representative Gregory Miller 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, Garofalo, Jefferson, Jenkins, Mike Johnson, Knox, Muscarello, Nelson, and Seabaugh voted yea. Representative Gregory Miller abstained.

Representative Gregory Miller offered amendments to provide that the prohibition of involuntary servitude shall not prohibit an inmate from being required to work. Representative Gregory Miller offered a motion to adopt the proposed amendments, to which Representative Wilford Carter objected. The administrative assistant called the roll, and the amendments were adopted by a vote of 8 yeas and 6 nays. Representatives Gregory Miller, Echols, Emerson, Frieman, Garofalo, Mike Johnson, Muscarello, and Seabaugh voted yea. Representatives Boyd, Wilford Carter, Jefferson, Jenkins, Knox, and Nelson voted nay.

Representative Muscarello offered an amendment to make technical changes. Representative Muscarello 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 Boyd, Wilford Carter, Echols, Emerson, Frieman, Garofalo, Jefferson, Jenkins, Mike Johnson, Knox, Muscarello, Nelson, and Seabaugh voted yea. Representative Gregory Miller abstained.

Katherine Diamond, 2105 Kleinert Ave., Baton Rouge, LA, 70806, (225) 421-4740, spoke in support of House Bill No. 211.

Maria Harmon, Decarcerate Louisiana/Step Up for Action, 2525 O'Neal Ln., Apt. 903, New Orleans, LA 70116, no telephone number provided, spoke in support of House Bill No. 211.

Michael Cahoon, The Promise of Justice, 1024 Elysian Fields Ave., New Orleans, LA 70117, (504) 524-5455, spoke in support of House Bill No. 211.

Stephanie L. Willis, ACLU of Louisiana, P.O. Box 56175, New Orleans, LA 70175, no telephone number provided, spoke in support of House Bill No. 211.

Representative Boyd offered a motion to report House Bill No. 211 with amendments. Without objection, House Bill No. 211 was reported with amendments by a vote of 13 yeas and 0 nays. Representatives Gregory Miller, Boyd, Wilford Carter, Echols, Emerson, Frieman, Garofalo, Jenkins, Mike Johnson, Knox, Muscarello, Nelson, and Seabaugh voted yea.

Witness cards submitted by individuals who did not speak are as follows: 24 in support and 10 in opposition. 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 12:00 p.m.

Respectfully submitted,

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

Date adopted: