

House Committee on Civil Law and Procedure

Minutes of Meeting
2024 Regular Session
March 18, 2024

I. CALL TO ORDER

Representative Nicholas Muscarello, Jr., chairman of the House Committee on Civil Law and Procedure, called the meeting to order at 10:00 a.m. in Room 4, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Nicholas Muscarello, Jr., chairman
Representative Chad Brown
Representative Josh Carlson
Representative Emily Chenevert
Representative Kathy Edmonston
Representative Brian Leonard Glorioso
Representative Peter F. Egan, Sr.
Representative Michael T. Johnson
Representative Ed Larvadain, III
Representative Michael Melerine
Representative Sylvia Elaine Taylor
Representative Christopher Turner, vice chairman
Representative Lauren Ventrella
Representative John E. Wyble

MEMBERS ABSENT:

Representative Wilford Dan Carter, Sr.
Representative Mark Wright

STAFF MEMBERS PRESENT:

Allison Alonzo, attorney
Jennifer Nguyen, attorney
Megan Sanders, committee administrative assistant

ADDITIONAL ATTENDEES PRESENT:

Cheryl Domino, sergeant at arms
Michael McCain, clerk
Allie Eaves, clerk

III. DISCUSSION OF LEGISLATION**House Bill No. 52 by Representative Firment**

On behalf of Representative Firment, Representative Brown offered a motion to voluntarily defer action on House Bill No. 52, which provides relative to venue for certain legal actions instituted by the Municipal Police Employees' Retirement System. Without objection, action on House Bill No. 52 was voluntarily deferred by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Brown, Carlson, Chenevert, Glorioso, Egan, Larvadain, Melerine, Taylor, and Wyble voted yea. Representative Muscarello abstained.

House Bill No. 81 by Representative Mandie Landry

On behalf of Representative Mandy Landry, Representative Brown offered a motion to voluntarily defer action on House Bill No. 81, which provides relative to paternity. Without objection, action on House Bill No. 81 was voluntarily deferred by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Brown, Carlson, Chenevert, Glorioso, Egan, Larvadain, Melerine, Taylor, and Wyble voted yea. Representative Muscarello abstained.

House Bill No. 23 by Representative Melerine

Representative Melerine presented House Bill No. 23, which provides relative to the prescription of actions for violation of building restrictions.

Representative Melerine offered amendments to:

- (1) Make technical changes.
- (2) Define noticeable violation.
- (3) Remove the exception that an immovable sold pursuant to a tax or sheriff's sale shall not free the immovable from building restrictions.

Representative Melerine 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 Brown,

Carlson, Chenevert, Glorioso, Egan, Larvadain, Melerine, Taylor, and Wyble voted yea. Representative Muscarello abstained.

Representative Melerine offered a motion to report House Bill No. 23 with amendments. Without objection, House Bill No. 23 was reported with amendments by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Brown, Carlson, Chenevert, Glorioso, Egan, Larvadain, Melerine, Taylor, and Wyble voted yea. Representative Muscarello 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. 25 by Representative McCormick

Representative McCormick presented House Bill No. 25, which provides for liability relative to the administration of COVID-19 vaccinations.

Abi Licatino, Health Freedom Louisiana, 201 S. Tallowood Dr., Covington, LA 70433, spoke in support of House Bill No. 25.

Chris Alexander, Louisiana Citizen Advocacy Group, P.O. Box 64952, Baton Rouge, LA 70896, spoke in support of House Bill No. 25.

Representative Wyble offered a motion to report House Bill No. 25 favorably. Without objection, House Bill No. 25 was reported favorably by a vote of 12 yeas, 0 nays, and 1 abstention. Representatives Brown, Carlson, Chenevert, Edmonston, Glorioso, Egan, Mike Johnson, Larvadain, Melerine, Taylor, Turner, and Wyble voted yea. Representative Muscarello abstained.

Witness cards submitted by individuals who did not speak are as follows: 8 in support. Witness cards are included in the committee records.

Prepared statements were received via email for House Bill No. 25 pursuant to House Rule 14.33.

The committee stood at ease at 10:11 a.m. The committee reconvened at 10:13 a.m.

House Bill No. 87 by Representative Echols

Representative Echols presented House Bill No. 87, which provides relative to liability arising from COVID-19 vaccinations.

Fiorella Trapani, Health Freedom Louisiana, 4412 Lefkoe St., Metairie, LA 70006, spoke in support of House Bill No. 87.

Abi Licatino, Health Freedom Louisiana, 201 S. Tallowood Dr., Covington, LA 70433, spoke in support of House Bill No. 87.

Chris Alexander, Louisiana Citizen Advocacy Group, P.O. Box 64952, Baton Rouge, LA 70896, spoke in support of House Bill No. 87.

Dr. Kathleen Willis, 42386 Forest View Pl., Ponchatoula, LA 70454, spoke in support of House Bill No. 87.

Jennifer Herricks, PhD, Louisiana Families for Vaccines, 3433 Hwy. 190, PMB 233, Mandeville, LA 70471, spoke in opposition to House Bill No. 87.

Representative Edmonston offered a motion to report House Bill No. 87 favorably, to which Representative Larvadain objected. The administrative assistant called the roll, and House Bill No. 87 was reported favorably by a vote of 10 yeas, 2 nays, and 1 abstention. Representatives Brown, Carlson, Chenevert, Edmonston, Glorioso, Egan, Melerine, Turner, Ventrella, and Wyble voted yea. Representatives Larvadain and Taylor voted nay. Representative Muscarello abstained.

Witness cards submitted by individuals who did not speak are as follows: 5 in support and 7 in opposition. Witness cards are included in the committee records.

Prepared statements were received via email for House Bill No. 87 pursuant to House Rule 14.33.

House Bill No. 686 by Representative McFarland

Representative McFarland presented House Bill No. 686, which provides relative to pipeline servitudes.

Representative Muscarello offered an amendment to make a technical change. Representative Muscarello offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 10 yeas, 0 nays, and 1 abstention. Representatives Brown, Carlson, Chenevert, Edmonston, Glorioso, Larvadain, Melerine, Taylor, Turner, and Wyble voted yea. Representative Muscarello abstained.

Jimmy Faircloth, Momentum Midstream, no address provided, spoke in support of House Bill No. 686.

William O'Neal, Louisiana Landowners Association, 6820 Goodwood Ave., Baton Rouge, LA 70806, spoke in support of House Bill No. 686.

Representative Muscarello offered amendments to:

- (1) Remove the requirement that present law only applies to a servitude or right of way obtained after August 1, 1970.
- (2) Remove the exception that proposed law applies regardless of the date the servitude was obtained.
- (3) Specify that proposed law shall not affect the existing rights of any person under an existing servitude.

Representative Muscarello 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 Brown, Carlson, Chenevert, Edmonston, Glorioso, Egan, Mike Johnson, Larvadain, Melerine, Taylor, Turner, Ventrella, and Wyble voted yea. Representative Muscarello abstained.

Kay Medlin, Energy Transfer, 401 Edwards, Shreveport, LA 71106, spoke in opposition to House Bill No. 686.

Michael Futch, Energy Transfer, 1300 Main, Houston, TX 77002, spoke in opposition to House Bill No. 686.

Representative Mike Johnson offered a motion to report House Bill No. 686 with amendments. Without objection, House Bill No. 686 was reported with amendments by a vote of 13 yeas and 0 nays. Representatives Muscarello, Brown, Carlson, Chenevert, Glorioso, Egan, Mike Johnson, Larvadain, Melerine, Taylor, Turner, Ventrella, and Wyble voted yea.

Witness cards submitted by individuals who did not speak are as follows: 10 in support and 1 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 12:12 p.m.

Respectfully submitted,

Chairman Nicholas Muscarello, Jr.
House Committee on Civil Law and Procedure