

House Committee on Civil Law and Procedure

Minutes of Meeting
2024 Third Extraordinary Session
November 19, 2024

I. CALL TO ORDER

Representative Nicholas Muscarello, Jr., chair of the House Committee on Civil Law and Procedure, called the meeting to order at 10:02 a.m. in Room 4, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Nicholas Muscarello, Jr., chair
Representative Josh Carlson
Representative Wilford Dan Carter, Sr.
Representative Emily Chenevert
Representative Kathy Edmonston
Representative Peter F. Egan, Sr.
Representative Brian Leonard Glorioso
Representative Michael T. Johnson
Representative Ed Larvadain, III
Representative Michael Melerine
Representative Sylvia Elaine Taylor
Representative Christopher Turner, vice chair
Representative Mark Wright
Representative John E. Wyble

MEMBERS ABSENT:

Representative Chad Brown
Representative Lauren Ventrella

STAFF MEMBERS PRESENT:

Allison Alonzo, attorney
Jennifer Nguyen, attorney
Andrea Jerezano, committee administrative assistant
Stephanie Weinman, committee administrative assistant

ADDITIONAL ATTENDEES PRESENT:

Rebecca Marshall, sergeant at arms
Michael McCain, clerk

III. DISCUSSION OF LEGISLATION**Senate Bill No. 9 by Senator Miller**

Senator Miller presented Senate Bill No. 9, which provides for legislative continuances and extensions of time for legislators and legislative employees.

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 9 yeas, 0 nays, and 1 abstention. Representatives Carlson, Chenevert, Egan, Glorioso, Mike Johnson, Larvadain, Melerine, Taylor, and Turner voted yea. Representative Muscarello abstained.

Representative Muscarello offered amendments to: (1) remove language requiring members of the legislature to file an affidavit with their motion for continuance for a matter set during a session of the legislature or constitutional convention; (2) specify that a member of the legislature shall not be required to submit an affidavit as required by proposed law in certain circumstances; and (3) specify that if the supreme court's denial is based on the objecting party overcoming the presumption pursuant to proposed law, the supreme court may exercise its jurisdiction of disciplinary proceedings or refer the matter to the office of disciplinary counsel.

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

Representative Larvadain offered a motion to report Senate Bill No. 9 with amendments. Without objection, Senate Bill No. 9 was reported with amendments by a vote of 11 yeas, 0 nays, and 1 abstention. Representatives Carlson, Chenevert, Edmonston, Egan, Glorioso, Mike Johnson, Larvadain, Melerine, Taylor, Turner, and Wyble voted yea. Representative Muscarello abstained.

Senate Bill No. 7 by Senator Luneau

At the request of the author, Representative Muscarello offered a motion to voluntarily defer action on Senate Bill No. 7, which provides for legislative continuances and extensions of time for legislators and legislative employees. Without objection, action on Senate Bill No. 7 was voluntarily deferred by a vote of 11 yeas, 0 nays, and 1 abstention. Representatives Carlson, Chenevert, Edmonston, Egan, Glorioso, Mike Johnson, Larvadain, Melerine, Taylor, Turner, and Wyble voted yea. Representative Muscarello abstained.

Senate Bill No. 2 by Senator Cloud

On behalf of Senator Cloud, Representative Villio presented Senate Bill No. 2, a constitutional amendment to provide relative to offenses to which special juvenile procedures are not applicable.

Representative Muscarello offered an amendment to change the ballot language. Representative Muscarello offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 11 yeas and 0 nays. Representatives Muscarello, Carlson, Chenevert, Edmonston, Egan, Glorioso, Larvadain, Melerine, Taylor, Turner, and Wyble voted yea.

Major Tracy Riley (U.S. Army Retired), 13482 Hwy. 23, Belle Chasse, LA 70037, spoke in opposition to Senate Bill No. 2.

Michelle Charles, 2495 Paige Janette Drive, Harvey, LA 70058, spoke in opposition to Senate Bill No. 2.

Lady Carlson, Together Louisiana, 1520 Thomas H. Delpit, Baton Rouge, LA, spoke in opposition to Senate Bill No. 2.

Tom Costanza, Catholic Bishops, 2421 S. Acadian, Baton Rouge, LA, spoke for information only on Senate Bill No. 2.

Representative Muscarello offered a motion to adopt the House Rule 6.8(A) Report to Senate Bill No. 2, which stated that the measure could not be accomplished statutorily and would, therefore, require a constitutional amendment, to which Representative Larvadain objected. The administrative assistant called the roll, and the House Rule 6.8(A) Report to Senate Bill No. 2 was adopted by a vote of 11 yeas and 3 nays. Representatives Muscarello, Carlson, Chenevert, Edmonston, Egan, Glorioso, Mike Johnson, Melerine, Turner, Wright, and Wyble voted yea. Representatives Wilford Carter, Larvadain, and Taylor voted nay.

Representative Muscarello offered a motion to report Senate Bill No. 2 with amendments, to which Representative Wilford Carter objected. The administrative assistant called the roll, and Senate Bill No. 2 was reported with amendments by a vote of 10 yeas and 3 nays. Representatives Muscarello, Carlson, Chenevert, Edmonston, Egan, Mike Johnson, Melerine, Turner, Wright, and Wyble voted yea. Representatives Wilford Carter, Larvadain, and Taylor voted nay.

Witness cards submitted by individuals who did not speak are as follows: 1 in opposition, 1 for information only, and 1 as a designee of an elected official. Witness cards are included in committee records.

Senate Bill No. 5 by Senator Morris

On behalf of Senator Morris, Representative McMakin presented Senate Bill No. 5, a constitutional amendment to provide for elections to fill newly-created judgeships and judicial vacancies and for exceptions as to courts of limited or specialized jurisdictions.

Representative Wyble offered a motion to adopt the House Rule 6.8(A) Report to Senate Bill No. 5, which stated that the measure could not be accomplished statutorily and would, therefore, require a constitutional amendment. Without objection, the House Rule 6.8(A) Report to Senate Bill No. 5 was adopted by a vote of 11 yeas, 0 nays, and 1 abstention. Representatives Carlson, Wilford Carter, Chenevert, Edmonston, Egan, Glorioso, Mike Johnson, Larvadain, Taylor, Wright, and Wyble voted yea. Representative Muscarello abstained.

Representative Wyble offered a motion to report Senate Bill No. 5 without amendments. Without objection, Senate Bill No. 5 was reported without amendments by a vote of 11 yeas, 0 nays, and 1 abstention. Representatives Carlson, Wilford Carter, Chenevert, Edmonston, Egan, Glorioso, Mike Johnson, Larvadain, Taylor, Wright, and Wyble voted yea. Representative Muscarello abstained.

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

Senate Bill No. 1 by Senator Morris

On behalf of Senator Morris, Representative McMakin presented Senate Bill No. 1, a constitutional amendment to provide for jurisdiction of courts.

Representative Muscarello offered an amendment to change the ballot language. Representative Muscarello offered a motion to adopt the proposed amendment, to which Representative Wilford Carter objected. The administrative assistant called the roll, and the amendment was adopted by a vote of 11 yeas and 3 nays. Representatives Muscarello, Carlson, Chenevert, Edmonston, Egan, Glorioso, Mike Johnson, Melerine, Turner, Wright, and Wyble voted yea. Representatives Wilford Carter, Larvadain, and Taylor voted nay.

Representative Muscarello offered a motion to adopt the House Rule 6.8(A) Report to Senate Bill No. 1, which stated that the measure could not be accomplished statutorily and would, therefore, require a constitutional amendment, to which Representative Wilford Carter objected. The administrative assistant called the roll, and the House Rule 6.8(A) Report to Senate Bill No. 1 was adopted by a vote of 11 yeas and 3 nays. Representatives Muscarello, Carlson, Chenevert, Edmonston, Egan, Glorioso, Mike Johnson, Melerine, Turner, Wright, and Wyble voted yea. Representatives Wilford Carter, Larvadain, and Taylor voted nay.

Representative Mike Johnson offered a motion to report Senate Bill No. 1 with amendments, to which Representative Wilford Carter objected. The administrative assistant called the roll, and Senate Bill No. 1 was reported with amendments by a vote of 11 yeas and 3 nays. Representatives Muscarello, Carlson, Chenevert, Edmonston, Egan, Glorioso, Mike Johnson, Melerine, Turner, Wright, and Wyble voted yea. Representatives Wilford Carter, Larvadain, and Taylor voted nay.

Witness cards submitted for individuals who did not speak are as follows: 1 as a designee of an elected official in support. 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 11:34 a.m.

Respectfully submitted,

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