
SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Reengrossed House Bill No. 436 by Representative Martiny

1 AMENDMENT NO. 1

2 On page 6, line 12, after "district" and before "including" delete "or multiple judicial districts
3 within a service region"

4 AMENDMENT NO. 2

5 On page 10, line 16, after "cause" delete the period "." and insert a comma "," and insert "or
6 as provided in Subsection D of this Section."

7 AMENDMENT NO. 3

8 On page 10, between lines 17 and 18 insert the following:

9 "D.(1) A member may be removed for excessive absences from meetings.
10 For the purposes of this Subsection, "excessive absences" means failure to attend
11 three consecutive meetings or more than fifty percent of the meetings of the board
12 conducted during a year.

13 (2) Upon review of board member attendance, if a board member has been
14 excessively absent from board meetings, the chairman shall inform the board of the
15 absences and shall send written notice on behalf of the board to the member
16 requesting that the member resign his position on the board. If the member refuses
17 to resign, the board shall remove the member for excessive absences in accordance
18 with the provisions of this Subsection.

19 (3) If a member is removed as provided by this Subsection, the board shall
20 send written notice to the member informing him of his removal and notify the
21 appropriate appointing authority of the vacancy on the board.

22 E. The board shall notify the appropriate appointing authority of any board
23 vacancy which occurs for any reason."

24 AMENDMENT NO. 4

25 On page 12, at the end of line 12, delete the period "." and insert "for review by the Joint
26 Legislative Committee on the Budget."

27 AMENDMENT NO. 5

28 On page 30, between lines 4 and 5 insert the following:

29 "E. Notwithstanding any other provision of law to the contrary, no service
30 region shall be established which has a population in excess of five hundred
31 thousand, as determined by the latest federal decennial census, unless a single
32 judicial district having a population in excess of five hundred thousand, as
33 determined by the latest federal decennial census, is established as a service region
34 consisting of that single judicial district."

35 AMENDMENT NO. 6

36 On page 36, delete lines 21 through 23 in their entirety and insert the following:

37 "J. Notwithstanding any other provision of law to the contrary, any attorney
38 employed by or under contract with the board, the district public defender, regional
39 director, where applicable, or nonprofit organization contracting with the board,
40 district public defender, regional director, where applicable, or the board to provide

1 legal counsel to an indigent person in a criminal proceeding shall be licensed to
2 practice law in the state of Louisiana. The provisions of this Subsection, shall not
3 be construed to prohibit the use of attorneys licensed to practice law in another state
4 to provide legal counsel to an indigent person in a criminal proceeding on a pro-bono
5 basis or who is receiving compensation from a grant administered by the board or
6 from a grant administered by any nonprofit contracting with the board, provided that
7 the out of state attorney is authorized to perform those services by the Louisiana
8 Supreme Court. The legislature hereby specifically states that the provisions of this
9 Subsection are in no way intended to, nor shall they be, construed in any manner
10 which will impair any contractual obligations, heretofore existing on June 1, 2007,
11 of any out of state attorney authorized by the Louisiana Supreme Court to practice
12 law in this state to provide legal counsel to an indigent person in a criminal
13 proceeding."

14 AMENDMENT NO. 7

15 On page 53, line 3, change " board" to "public defender"

16 AMENDMENT NO. 8

17 On page 63, line 21, after "defender" delete the period "." and insert "or any program created
18 by law to provide representation to indigent parents in child abuse and neglect cases and to
19 be administered by the Louisiana Public Defender Board."

20
21 AMENDMENT NO. 9

22 On page 69, between lines 23 and 24 insert the following:

23 "Section 18. If any provision of this Act or the application thereof is held invalid,
24 such invalidity shall not affect other provisions or applications of this Act which can be
25 given effect without the invalid provisions or applications, and to this end the provisions of
26 this Act are hereby declared severable.

27 Section 19. In the event the district public defender for the Twenty-Ninth Judicial
28 District establishes a district public defender advisory board as authorized by R.S. 15:162.1
29 the members of that board may be paid per diem as authorized by R.S. 15:145(E)(2) before
30 that provision was repealed by this Act."

31 AMENDMENT NO. 10

32 On page 69, at the beginning of line 24, change "Section 18." to "Section 20."