

**ROLL CALL AND RECORD VOTE****Committee:** Civil Law and Procedure**Location:** Room 4**Date/Time:** 04/24/12 9:00 am**Staff:** Robert A. Singletary, Attorney  
Tina Vanichchagorn, Attorney  
Diane Merritt, Secretary  
Leandreia Coates, Clerk  
Joyce Anthony, Sergeant at Arms  
Amy Robinson, Sergeant at Arms  
Beverly Vincent, Sergeant at Arms

<b>Roll Call:</b>	13	<b>Convened:</b>	09:10 AM
<b>Number of Members:</b>	14	<b>Adjourned:</b>	01:05 PM
<b>Quorum:</b>	8		

Abramson, Neil C.		Absent
Seabaugh, Alan	Present	
Arnold, Jeffery "Jeff" J.	Present	
Edwards, John Bel	Present	
Gaines, Randal L.	Present	
Garofalo, Raymond E.	Present	
Hunter, Marcus L.	Present	
Huval, Mike	Present	
Jefferson, Patrick O.	Present	
Landry, Nancy	Present	
Miller, Gregory A.	Present	
Schexnayder, Clay	Present	
Shadoin, Robert E.	Present	
Williams, Alfred C.	Present	

**HCR76 by P.SMITH**

Requests the La. State Law Institute to study and make recommendations regarding unpaid wages

**Motion made by:** Edwards, John Bel**Motion:** Favorably**Vote:** 11-0**Vote Date:** 4/24/2012 9:32:51 AM

Seabaugh, Alan	Yea
Arnold, Jeffery "Jeff" J.	Yea
Edwards, John Bel	Yea
Gaines, Randal L.	Yea
Hunter, Marcus L.	Yea
Huval, Mike	Yea
Jefferson, Patrick O.	Yea
Landry, Nancy	Yea
Miller, Gregory A.	Yea
Schexnayder, Clay	Yea
Shadoin, Robert E.	Yea

**Motion made by:** Edwards, John Bel**Motion:** Local & Consent**Vote:** 11-0**Vote Date:** 4/24/2012 9:33:05 AM

Seabaugh, Alan	Yea
Arnold, Jeffery "Jeff" J.	Yea
Edwards, John Bel	Yea
Gaines, Randal L.	Yea
Hunter, Marcus L.	Yea
Huval, Mike	Yea
Jefferson, Patrick O.	Yea
Landry, Nancy	Yea
Miller, Gregory A.	Yea
Schexnayder, Clay	Yea
Shadoin, Robert E.	Yea

**HCR76 by P.SMITH****Final Action:** Reported favorably. (11-0) (Local & Consent)

**HCR81 by HUVAL**

Requests the Louisiana State Law Institute to study and make recommendations for legislation relative to expedited jury trials

**Motion made by:** Huval, Mike

**Motion:** Favorably

**Vote:** 9-0

**Vote Date:** 4/24/2012 12:53:29 PM

Seabaugh, Alan	Yea
Arnold, Jeffery "Jeff" J.	Yea
Gaines, Randal L.	Yea
Garofalo, Raymond E.	Yea
Hunter, Marcus L.	Yea
Huval, Mike	Yea
Jefferson, Patrick O.	Yea
Miller, Gregory A.	Yea
Schexnayder, Clay	Yea

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**Motion made by:** Huval, Mike

**Motion:** Local & Consent

**Vote:** 9-0

**Vote Date:** 4/24/2012 12:53:53 PM

Seabaugh, Alan	Yea
Arnold, Jeffery "Jeff" J.	Yea
Gaines, Randal L.	Yea
Garofalo, Raymond E.	Yea
Hunter, Marcus L.	Yea
Huval, Mike	Yea
Jefferson, Patrick O.	Yea
Miller, Gregory A.	Yea
Schexnayder, Clay	Yea

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**HCR81 by HUVAL**

**Final Action:** Reported favorably. (9-0) (Local & Consent)

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**HCR93 by BILLIOT**

Requests the La. State Law Institute to study and make recommendations relative to suretyship

**Motion made by:** Miller, Gregory A.

**Motion:** Favorably

**Vote:** 11-0

**Vote Date:** 4/24/2012 11:47:32 AM

Seabaugh, Alan	Yea
Edwards, John Bel	Yea
Gaines, Randal L.	Yea
Garofalo, Raymond E.	Yea
Hunter, Marcus L.	Yea
Huval, Mike	Yea
Jefferson, Patrick O.	Yea
Landry, Nancy	Yea
Miller, Gregory A.	Yea
Schexnayder, Clay	Yea
Shadoin, Robert E.	Yea

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**HCR93 by BILLIOT**

**Final Action:** Reported favorably. (11-0)

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**HB214 by SEABAUGH**

Repeals provision of law relative to the effect of failure to use a safety belt with regard to use for comparative negligence

**Motion made by:** Seabaugh, Alan

**Motion:** Defer Voluntary

**Vote:** 10-0

**Vote Date:** 4/24/2012 9:13:05 AM

Seabaugh, Alan	Yea
Edwards, John Bel	Yea
Hunter, Marcus L.	Yea
Huval, Mike	Yea
Jefferson, Patrick O.	Yea
Landry, Nancy	Yea
Miller, Gregory A.	Yea
Schexnayder, Clay	Yea
Shadoin, Robert E.	Yea
Williams, Alfred C.	Yea

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**HB214 by SEABAUGH****Final Action:** Defer Voluntary. (10-0)**HB409 by RICHARDSON**

Changes the prescriptive period for the enforcement of zoning restrictions, building restrictions, subdivision regulations, and use regulations in the city of Central

**Motion made by:** Seabaugh, Alan**Motion:** Defer Voluntary**Vote:** 10-0**Vote Date:** 4/24/2012 9:11:47 AM

Seabaugh, Alan	Yea
Edwards, John Bel	Yea
Hunter, Marcus L.	Yea
Huval, Mike	Yea
Jefferson, Patrick O.	Yea
Landry, Nancy	Yea
Miller, Gregory A.	Yea
Schexnayder, Clay	Yea
Shadoin, Robert E.	Yea
Williams, Alfred C.	Yea

**HB409 by RICHARDSON****Final Action:** Defer Voluntary. (10-0)**HB438 by ABRAMSON**

Provides for the inclusion of information in certain petitions

**Motion made by:** Seabaugh, Alan**Motion:** Defer Voluntary**Vote:** 10-0**Vote Date:** 4/24/2012 9:12:10 AM

Seabaugh, Alan	Yea
Edwards, John Bel	Yea
Hunter, Marcus L.	Yea
Huval, Mike	Yea
Jefferson, Patrick O.	Yea
Landry, Nancy	Yea
Miller, Gregory A.	Yea
Schexnayder, Clay	Yea
Shadoin, Robert E.	Yea
Williams, Alfred C.	Yea

**HB438 by ABRAMSON****Final Action:** Defer Voluntary. (10-0)**HB440 by ABRAMSON**

Provides relative to venue for actions involving latent disease

**Motion made by:** Seabaugh, Alan**Motion:** Defer Voluntary**Vote:** 10-0**Vote Date:** 4/24/2012 9:12:25 AM

Seabaugh, Alan	Yea
Edwards, John Bel	Yea
Hunter, Marcus L.	Yea
Huval, Mike	Yea
Jefferson, Patrick O.	Yea
Landry, Nancy	Yea
Miller, Gregory A.	Yea
Schexnayder, Clay	Yea
Shadoin, Robert E.	Yea
Williams, Alfred C.	Yea

**HB440 by ABRAMSON****Final Action:** Defer Voluntary. (10-0)

**HB460 by ABRAMSON**

Provides civil procedures for the remediation of oilfield sites

**Motion made by:** Seabaugh, Alan**Motion:** Defer Voluntary**Vote:** 10-0**Vote Date:** 4/24/2012 9:12:44 AM

Seabaugh, Alan	Yea
Edwards, John Bel	Yea
Hunter, Marcus L.	Yea
Huval, Mike	Yea
Jefferson, Patrick O.	Yea
Landry, Nancy	Yea
Miller, Gregory A.	Yea
Schexnayder, Clay	Yea
Shadoin, Robert E.	Yea
Williams, Alfred C.	Yea

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**HB460 by ABRAMSON****Final Action:** Defer Voluntary. (10-0)**HB497 by BARRAS**

(Constitutional Amendment) Authorizes the city of New Iberia to grant contracts for the exemption of property annexed by the city

**Amendment:** A3141-deletes effective date**Motion made by:** Seabaugh, Alan**AMD Motion:** Adopt**Vote:** 10-0**Vote Date:** 4/24/2012 9:14:47 AM

Seabaugh, Alan	Yea
Edwards, John Bel	Yea
Hunter, Marcus L.	Yea
Huval, Mike	Yea
Jefferson, Patrick O.	Yea
Landry, Nancy	Yea
Miller, Gregory A.	Yea
Schexnayder, Clay	Yea
Shadoin, Robert E.	Yea
Williams, Alfred C.	Yea

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**Motion made by:** Seabaugh, Alan**Motion:** Adopt House Rule 6.8 (A) report**Vote:** 10-0**Vote Date:** 4/24/2012 9:18:36 AM

Seabaugh, Alan	Yea
Edwards, John Bel	Yea
Hunter, Marcus L.	Yea
Huval, Mike	Yea
Jefferson, Patrick O.	Yea
Landry, Nancy	Yea
Miller, Gregory A.	Yea
Schexnayder, Clay	Yea
Shadoin, Robert E.	Yea
Williams, Alfred C.	Yea

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**Motion made by:** Seabaugh, Alan**Motion:** With Amendments**Vote:** 10-0**Vote Date:** 4/24/2012 9:18:46 AM

Seabaugh, Alan	Yea
Edwards, John Bel	Yea
Hunter, Marcus L.	Yea
Huval, Mike	Yea
Jefferson, Patrick O.	Yea
Landry, Nancy	Yea
Miller, Gregory A.	Yea
Schexnayder, Clay	Yea
Shadoin, Robert E.	Yea
Williams, Alfred C.	Yea

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**HB497 by BARRAS****Final Action:** Reported with amendments. (10-0) (Regular)

**HB524 by T.BURNS**

(Constitutional Amendment) Provides relative to membership of constitutional boards and commissions with members from congressional districts

**Motion made by:** Seabaugh, Alan

**Motion:** Adopt House Rule 6.8(A) report

<b>Vote:</b>	8-0	Seabaugh, Alan	Yea
<b>Vote Date:</b>	4/24/2012 12:49:53 PM	Arnold, Jeffery "Jeff" J.	Yea
		Gaines, Randal L.	Yea
		Garofalo, Raymond E.	Yea
		Hunter, Marcus L.	Yea
		Huval, Mike	Yea
		Jefferson, Patrick O.	Yea
		Miller, Gregory A.	Yea

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**Motion made by:** Seabaugh, Alan

**Motion:** Without Amendments

<b>Vote:</b>	8-0	Seabaugh, Alan	Yea
<b>Vote Date:</b>	4/24/2012 12:49:59 PM	Arnold, Jeffery "Jeff" J.	Yea
		Gaines, Randal L.	Yea
		Garofalo, Raymond E.	Yea
		Hunter, Marcus L.	Yea
		Huval, Mike	Yea
		Jefferson, Patrick O.	Yea
		Miller, Gregory A.	Yea

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**HB524 by T.BURNS**

**Final Action:** Reported without amendments. (8-0) (Regular)

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**HB609 by SEABAUGH**

(Constitutional Amendment) Removes geographic limitations on the legislature's authority to create new school boards and on provisions relative to financing education

**Motion made by:** Seabaugh, Alan

**Motion:** Adopt House Rule 6.8(A) report

<b>Vote:</b>	8-0	Seabaugh, Alan	Yea
<b>Vote Date:</b>	4/24/2012 12:50:41 PM	Arnold, Jeffery "Jeff" J.	Yea
		Gaines, Randal L.	Yea
		Garofalo, Raymond E.	Yea
		Hunter, Marcus L.	Yea
		Huval, Mike	Yea
		Jefferson, Patrick O.	Yea
		Miller, Gregory A.	Yea

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**Motion made by:** Seabaugh, Alan

**Motion:** Without Amendments

<b>Vote:</b>	8-0	Seabaugh, Alan	Yea
<b>Vote Date:</b>	4/24/2012 12:50:50 PM	Arnold, Jeffery "Jeff" J.	Yea
		Gaines, Randal L.	Yea
		Garofalo, Raymond E.	Yea
		Hunter, Marcus L.	Yea
		Huval, Mike	Yea
		Jefferson, Patrick O.	Yea
		Miller, Gregory A.	Yea

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**HB609 by SEABAUGH**

**Final Action:** Reported without amendments. (8-0) (Regular)

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**HB674 by ROBIDEAUX**

(Constitutional Amendment) Authorizes the granting of ad valorem tax exemption contracts by the Board of Commerce and Industry for certain businesses

**Motion made by:** Seabaugh, Alan

**Motion:** Adopt House Rule 6.8(A) report

<b>Vote:</b>	8-0	Seabaugh, Alan	Yea
<b>Vote Date:</b>	4/24/2012 12:48:21 PM	Arnold, Jeffery "Jeff" J.	Yea
		Gaines, Randal L.	Yea
		Garofalo, Raymond E.	Yea
		Hunter, Marcus L.	Yea
		Huval, Mike	Yea
		Jefferson, Patrick O.	Yea
		Miller, Gregory A.	Yea

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**Motion made by:** Arnold, Jeffery "Jeff" J.

**Motion:** Without Amendments

<b>Vote:</b>	8-0	Seabaugh, Alan	Yea
<b>Vote Date:</b>	4/24/2012 12:48:48 PM	Arnold, Jeffery "Jeff" J.	Yea
		Gaines, Randal L.	Yea
		Garofalo, Raymond E.	Yea
		Hunter, Marcus L.	Yea
		Huval, Mike	Yea
		Jefferson, Patrick O.	Yea
		Miller, Gregory A.	Yea

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**HB674 by ROBIDEAUX**

**Final Action:** Reported without amendments. (8-0) (Regular)

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**HB862 by LAMBERT**

Provides with respect to civil actions for environmental damages

**Motion made by:** Seabaugh, Alan

**Motion:** Defer Voluntary

<b>Vote:</b>	13-0	Seabaugh, Alan	Yea
<b>Vote Date:</b>	4/24/2012 11:42:45 AM	Arnold, Jeffery "Jeff" J.	Yea
		Edwards, John Bel	Yea
		Gaines, Randal L.	Yea
		Garofalo, Raymond E.	Yea
		Hunter, Marcus L.	Yea
		Huval, Mike	Yea
		Jefferson, Patrick O.	Yea
		Landry, Nancy	Yea
		Miller, Gregory A.	Yea
		Schexnayder, Clay	Yea
		Shadoin, Robert E.	Yea
		Williams, Alfred C.	Yea

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**HB862 by LAMBERT**

**Final Action:** Defer Voluntary. (13-0)

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**HB910 by JOHNSON**

Provides for child support obligations due to nonparent custodians and other third parties

**Amendment:** A - adopt substitute**Motion made by:** Seabaugh, Alan**AMD Motion:** Adopt**Vote:** 13-0**Vote Date:** 4/24/2012 9:53:55 AM

Seabaugh, Alan	Yea
Arnold, Jeffery "Jeff" J.	Yea
Edwards, John Bel	Yea
Gaines, Randal L.	Yea
Garofalo, Raymond E.	Yea
Hunter, Marcus L.	Yea
Huval, Mike	Yea
Jefferson, Patrick O.	Yea
Landry, Nancy	Yea
Miller, Gregory A.	Yea
Schexnayder, Clay	Yea
Shadoin, Robert E.	Yea
Williams, Alfred C.	Yea

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**Motion made by:** Miller, Gregory A.**Motion:** By Substitute**Vote:** 13-0**Vote Date:** 4/24/2012 9:54:04 AM

Seabaugh, Alan	Yea
Arnold, Jeffery "Jeff" J.	Yea
Edwards, John Bel	Yea
Gaines, Randal L.	Yea
Garofalo, Raymond E.	Yea
Hunter, Marcus L.	Yea
Huval, Mike	Yea
Jefferson, Patrick O.	Yea
Landry, Nancy	Yea
Miller, Gregory A.	Yea
Schexnayder, Clay	Yea
Shadoin, Robert E.	Yea
Williams, Alfred C.	Yea

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**HB910 by JOHNSON****Final Action:** Reported by substitute. (13-0) (Regular)**HB1077 by W.BISHOP**

Provides relative to the La. Governmental Claims Act

**Amendment:** A-Edwards - adds gross negligence**Motion made by:** Edwards, John Bel**AMD Motion:** Adopt**Vote:** 10-0**Vote Date:** 4/24/2012 10:41:38 AM

Seabaugh, Alan	Yea
Edwards, John Bel	Yea
Garofalo, Raymond E.	Yea
Hunter, Marcus L.	Yea
Huval, Mike	Yea
Jefferson, Patrick O.	Yea
Landry, Nancy	Yea
Miller, Gregory A.	Yea
Shadoin, Robert E.	Yea
Williams, Alfred C.	Yea

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**HB1077 by W.BISHOP**

Provides relative to the La. Governmental Claims Act

**Motion made by:** Arnold, Jeffery "Jeff" J.**Motion:** With Amendments**Vote:** 8-5**Vote Date:** 4/24/2012 10:45:07 AM**Objection by:** Edwards, John Bel

Seabaugh, Alan	Nay
Arnold, Jeffery "Jeff" J.	Yea
Edwards, John Bel	Nay
Gaines, Randal L.	Yea
Garofalo, Raymond E.	Nay
Hunter, Marcus L.	Yea
Huval, Mike	Yea
Jefferson, Patrick O.	Yea
Landry, Nancy	Yea
Miller, Gregory A.	Nay
Schexnayder, Clay	Yea
Shadoin, Robert E.	Nay
Williams, Alfred C.	Yea

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**Amendment:** A-Miller**Motion made by:** Miller, Gregory A.**AMD Motion:** Adopt**Vote:** 9-0**Vote Date:** 4/24/2012 10:06:28 AM

Seabaugh, Alan	Yea
Arnold, Jeffery "Jeff" J.	Yea
Gaines, Randal L.	Yea
Garofalo, Raymond E.	Yea
Hunter, Marcus L.	Yea
Huval, Mike	Yea
Jefferson, Patrick O.	Yea
Landry, Nancy	Yea
Miller, Gregory A.	Yea

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**HB1077 by W.BISHOP****Final Action:** Reported with amendments. (8-5) (Regular)**HB1081 by BROSSETT**

Provides with respect to intrafamily adoptions

**Motion made by:** Landry, Nancy**Motion:** Defer Involuntary**Vote:** 9-2**Vote Date:** 4/24/2012 12:43:43 PM**Objection by:** Hunter, Marcus L.

Seabaugh, Alan	Yea
Arnold, Jeffery "Jeff" J.	Nay
Gaines, Randal L.	Yea
Garofalo, Raymond E.	Yea
Hunter, Marcus L.	Nay
Huval, Mike	Yea
Jefferson, Patrick O.	Yea
Landry, Nancy	Yea
Miller, Gregory A.	Yea
Schexnayder, Clay	Yea
Shadoin, Robert E.	Yea

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**HB1081 by BROSSETT****Final Action:** Involuntarily Deferred. (9-2)

**HB1150 by HUNTER**

Provides with respect to facsimile filings

**Amendment:** A3140-adds a procedure within 7 days after the clerk has received the transmission**Motion made by:** Hunter, Marcus L.**AMD Motion:** Adopt

<b>Vote:</b>	8-0	Seabaugh, Alan	Yea
<b>Vote Date:</b>	4/24/2012 1:02:39 PM	Arnold, Jeffery "Jeff" J.	Yea
		Gaines, Randal L.	Yea
		Garofalo, Raymond E.	Yea
		Hunter, Marcus L.	Yea
		Jefferson, Patrick O.	Yea
		Landry, Nancy	Yea
		Miller, Gregory A.	Yea

**Motion made by:** Hunter, Marcus L.**Motion:** With Amendments

<b>Vote:</b>	8-0	Seabaugh, Alan	Yea
<b>Vote Date:</b>	4/24/2012 1:03:16 PM	Arnold, Jeffery "Jeff" J.	Yea
		Gaines, Randal L.	Yea
		Garofalo, Raymond E.	Yea
		Hunter, Marcus L.	Yea
		Jefferson, Patrick O.	Yea
		Landry, Nancy	Yea
		Miller, Gregory A.	Yea

**HB1150 by HUNTER****Final Action:** Reported with amendments. (8-0) (Regular)**HB1153 by HUNTER**

Mandates child visitation in certain support cases

**Motion made by:** Hunter, Marcus L.**Motion:** Defer Voluntary

<b>Vote:</b>	9-0	Seabaugh, Alan	Yea
<b>Vote Date:</b>	4/24/2012 1:03:49 PM	Arnold, Jeffery "Jeff" J.	Yea
		Gaines, Randal L.	Yea
		Garofalo, Raymond E.	Yea
		Hunter, Marcus L.	Yea
		Huval, Mike	Yea
		Jefferson, Patrick O.	Yea
		Landry, Nancy	Yea
		Miller, Gregory A.	Yea

**HB1153 by HUNTER****Final Action:** Defer Voluntary. (9-0)**HB1158 by CONNICK**

Provides with respect to pretrial procedure in civil matters

**Amendment:** A3072-adds including deadlines for completion of discovery**Motion made by:** Seabaugh, Alan**AMD Motion:** Adopt

<b>Vote:</b>	11-0	Seabaugh, Alan	Yea
<b>Vote Date:</b>	4/24/2012 11:49:45 AM	Arnold, Jeffery "Jeff" J.	Yea
		Edwards, John Bel	Yea
		Gaines, Randal L.	Yea
		Garofalo, Raymond E.	Yea
		Hunter, Marcus L.	Yea
		Huval, Mike	Yea
		Jefferson, Patrick O.	Yea
		Landry, Nancy	Yea
		Schexnayder, Clay	Yea
		Shadoin, Robert E.	Yea

**HB1158 by CONNICK**

Provides with respect to pretrial procedure in civil matters

**Motion made by:** Seabaugh, Alan

**Motion:** With Amendments

**Vote:** 10-0

**Vote Date:** 4/24/2012 11:51:19 AM

Seabaugh, Alan	Yea
Arnold, Jeffery "Jeff" J.	Yea
Edwards, John Bel	Yea
Gaines, Randal L.	Yea
Garofalo, Raymond E.	Yea
Huval, Mike	Yea
Jefferson, Patrick O.	Yea
Landry, Nancy	Yea
Schexnayder, Clay	Yea
Shadoin, Robert E.	Yea

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**HB1158 by CONNICK**

**Final Action:** Reported with amendments. (10-0) (Regular)

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