

OFFICIAL JOURNAL
OF THE
HOUSE OF
REPRESENTATIVES
OF THE
STATE OF LOUISIANA

FOURTH DAY'S PROCEEDINGS

**Forty-eighth Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

House of Representatives
State Capitol
Baton Rouge, Louisiana

Thursday, March 17, 2022

The House of Representatives was called to order at 2:02 P.M., by the Honorable Clay Schexnayder, Speaker of the House of Representatives.

Morning Hour

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. Speaker	Freiberg	McFarland
Adams	Frieman	McKnight
Amedee	Gadberry	McMahen
Bacala	Gaines	Miguez
Bagley	Garofalo	Miller, D.
Beaulieu	Geymann	Miller, G.
Bishop	Glover	Mincey
Bourriaque	Goudeau	Moore
Boyd	Green	Muscarello
Brass	Harris	Nelson
Brown	Hilferty	Newell
Butler	Hodges	Orgeron
Carpenter	Hollis	Owen, C.
Carrier	Horton	Owen, R.
Carter, R.	Hughes	Phelps
Carter, W.	Huval	Pierre
Cormier	Illg	Pressly
Coussan	Ivey	Riser
Cox	Jefferson	Romero
Crews	Jenkins	Schlegel
Davis	Johnson, M.	Seabaugh
DeVillier	Johnson, T.	Selders
DuBuisson	Jordan	St. Blanc
Duplessis	Kerner	Stefanski
Echols	LaCombe	Tarver
Edmonds	Landry	Thomas
Edmonston	Larvadain	Thompson
Emerson	Lyons	Turner
Famum	Mack	Villio
Firment	Magee	Wheat
Fisher	Marcelle	White
Fontenot	Marino	Willard
Freeman	McCormick	Zeringue

Total - 99

The Speaker announced that there were 99 members present and a quorum.

Prayer

Prayer was offered by Rep. Riser.

Pledge of Allegiance

Rep. Glover led the House in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Rep. McFarland, the reading of the Journal was dispensed with.

On motion of Rep. McFarland, the Journal of March 16, 2022, was adopted.

**Petitions, Memorials, and
Communications**

The following petitions, memorials, and communications were received and read:

Message from the Senate

**ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

March 17, 2022

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution Nos. 3 and 7

Respectfully submitted,

YOLANDA J. DIXON
Secretary of the Senate

**Senate Concurrent Resolutions
Lying Over**

The following Senate Concurrent Resolutions contained in the message were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 3—

BY SENATOR FRED MILLS

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the passing of pharmacist and public servant, Carl W. Aron, and to honor the legacy of compassion and love he leaves for his family, friends, community, and the state of Louisiana.

Read by title.

On motion of Rep. Huval, and under a suspension of the rules, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 7—

BY SENATOR BOUDREAUX AND REPRESENTATIVE HUVAL

A CONCURRENT RESOLUTION

To designate Tuesday, June 14, 2022, as Mr. Tony Chachere Day and to recognize and celebrate the fiftieth anniversary of his company, Tony Chachere's Famous Creole Cuisine.

Read by title.

On motion of Rep. Huval, and under a suspension of the rules, the resolution was concurred in.

Suspension of the Rules

On motion of Rep. Duplessis, the rules were suspended in order to take up and consider Introduction of Resolutions, House and House Concurrent at this time.

Introduction of Resolutions, House and House Concurrent

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

HOUSE RESOLUTION NO. 10—

BY REPRESENTATIVE DUPLESSIS

A RESOLUTION

To commend Isabella McFarland Southall on the occasion of her ninetieth birthday.

Read by title.

On motion of Rep. Duplessis, and under a suspension of the rules, the resolution was adopted.

HOUSE CONCURRENT RESOLUTION NO. 22—

BY REPRESENTATIVE PRESSLY AND SENATOR PEACOCK

A CONCURRENT RESOLUTION

To commend John Gholson on his retirement after fifty years of service to First Baptist Church School in Shreveport.

Read by title.

On motion of Rep. Pressly, and under a suspension of the rules, the resolution was adopted.

HOUSE CONCURRENT RESOLUTION NO. 23—

BY REPRESENTATIVE HARRIS

A CONCURRENT RESOLUTION

To approve the formula that was developed by the State Board of Elementary and Secondary Education pursuant to Article VIII, Section 13(B) of the Constitution of Louisiana to determine the cost of a minimum foundation program of education in all public elementary and secondary schools as well as to equitably allocate the funds to parish and city school systems and that was adopted by the board on March 9, 2022.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 24—

BY REPRESENTATIVE BISHOP

A CONCURRENT RESOLUTION

To urge and request the Department of Environmental Quality to report to the legislature regarding requirements for remediation of Capitol Lake.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 25—

BY REPRESENTATIVE ORGERON

A CONCURRENT RESOLUTION

To commend Breaux Petroleum Products on the occasion of its one hundredth anniversary.

Read by title.

On motion of Rep. Orgeron, and under a suspension of the rules, the resolution was adopted.

HOUSE CONCURRENT RESOLUTION NO. 26—

BY REPRESENTATIVE COUSSAN

A CONCURRENT RESOLUTION

To urge and request the president of the United States to consider the current geopolitical tensions and support policies and take measures to ensure America's long-term energy affordability, security, leadership, and progress, including actions that result in the continued operation of existing oil and natural gas pipelines, the construction of new oil and gas pipelines, and an end to restrictions on developing our nation's onshore and offshore oil and natural gas resources.

Read by title.

Lies over under the rules.

Introduction of House Bills and Joint Resolutions

The following named members introduced the following House Bills and Joint Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

HOUSE BILL NO. 825—

BY REPRESENTATIVE GREGORY MILLER

AN ACT

To repeal R.S. 32:664(D) and 666(D), relative to chemical tests for intoxication; to provide relative to the authority of certain persons to withdraw blood and administer such tests; and to provide for related matters.

Read by title.

Lies over under the rules.

HOUSE BILL NO. 826—

BY REPRESENTATIVE BAGLEY

AN ACT

To amend and reenact R.S. 40:1223.3(3) and to enact R.S. 37:3386.3(B)(3), relative to healthcare services delivered through telehealth; to provide for powers and duties of the Addictive Disorder Regulatory Authority; to provide relative to telehealth services delivered by certain professionals who are licensed, certified, or registered by the authority; to authorize the promulgation of certain rules by the authority; to revise the definition of "healthcare provider" within the Louisiana Telehealth Access Act; and to provide for related matters.

Read by title.

Lies over under the rules.

HOUSE BILL NO. 827—

BY REPRESENTATIVE GADBERRY

AN ACT

To enact Part VIII of Chapter 5-A of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1091, relative to health services for children; to provide relative to screening of children under a certain age for autism spectrum disorder; to require such screening in certain instances; to provide for exceptions to the screening requirement; and to provide for related matters.

Read by title.

Lies over under the rules.

HOUSE BILL NO. 828—

BY REPRESENTATIVE HORTON

AN ACT

To amend and reenact R.S. 40:4.9(B), relative to preparation in private homes of foods for sale; to provide relative to an exemption for home-based preparers of low-risk foods for sale

from laws and regulations pertaining to food preparation; to provide for the annual sales threshold qualifying home-based food preparers for this exemption; and to provide for related matters.

Read by title.

Lies over under the rules.

HOUSE BILL NO. 829—

BY REPRESENTATIVE STEFANSKI
AN ACT

To amend and reenact R.S. 26:274(A)(2) and 308(B), (C)(8), (11)(c), and (J) and to enact R.S. 26:308(C)(12)(b)(i) and (ii), relative to the delivery of alcoholic beverages; to provide relative to third party delivery companies and platforms; to provide for requirements for alcoholic beverage delivery agreements; to provide for penalties; to provide for an effective date; and to provide for related matters.

Read by title.

Lies over under the rules.

HOUSE BILL NO. 830—

BY REPRESENTATIVE DAVIS
AN ACT

To amend and reenact R.S. 49:222(B)(1)(a) and to enact R.S. 49:222(B)(15), relative to fees chargeable by the secretary of state; to provide for transferring a limited liability company name; to establish a fee for certain termination services; to establish fees relative to structured settlement purchase companies; to make technical changes; and to provide for related matters.

Read by title.

Lies over under the rules.

HOUSE BILL NO. 831—

BY REPRESENTATIVE FIRMENT
AN ACT

To enact R.S. 22:1338, relative to additional living expense coverage for homeowner's insurance; to provide for an advance payment in the event of a total loss; to provide for payment after the advance period; and to provide for related matters.

Read by title.

Lies over under the rules.

HOUSE BILL NO. 832—

BY REPRESENTATIVE CARRIER
AN ACT

To enact Section 2 of Act No. 444 of the 2021 Regular Session of the Legislature of Louisiana, relative to restroom access for individuals with certain conditions; to provide for designation of an Act of the Legislature of Louisiana by means of a short title; and to provide for related matters.

Read by title.

Lies over under the rules.

HOUSE BILL NO. 833—

BY REPRESENTATIVE MCMAHEN
AN ACT

To amend and reenact R.S. 8:1(introductory paragraph) and (7) and to enact R.S. 8:907, relative to pet remains; to authorize the burial of pet remains with human remains; to provide for

definitions; to provide for restrictions; and to provide for related matters.

Read by title.

Lies over under the rules.

HOUSE BILL NO. 834—

BY REPRESENTATIVE ILLG
AN ACT

To amend and reenact R.S. 9:154(A)(16) and (17) and to enact R.S. 9:153(12)(i), 154(A)(18), and 157.1, relative to unclaimed property; to provide relative to definitions; to provide relative to the definition of "property" for a sports wagering account; to provide relative to abandoned property; to provide relative to abandoned funds in a sports wagering account; to prohibit charges by a licensee or sports wagering account operator on abandoned sports wagering accounts; and to provide for related matters.

Read by title.

Lies over under the rules.

HOUSE BILL NO. 835—

BY REPRESENTATIVE MCFARLAND
AN ACT

To enact R.S. 11:710.1(C)(4) and to repeal R.S. 11:710.1(C)(4), relative to the Teachers' Retirement System of Louisiana; to provide for contract or corporate contract reemployment of retirees; to provide for costs; to provide for an effective date; and to provide for related matters.

Read by title.

Lies over under the rules.

HOUSE BILL NO. 836—

BY REPRESENTATIVE WHEAT
AN ACT

To appropriate monies out of the state general fund for Fiscal Year 2021-2022 to be used to pay a portion of the judgment captioned "Jean Boudreaux and the Victims of the Flood on April 6, 1983 on the Tangipahoa River versus the State of Louisiana, Department of Transportation, et al."; to provide for an effective date; and to provide for related matters.

Read by title.

Lies over under the rules.

HOUSE BILL NO. 837—

BY REPRESENTATIVE HORTON
AN ACT

To enact R.S. 17:412, relative to public school teachers and personnel; to prohibit classroom discussion about sexual orientation or gender identity in certain grade levels; to prohibit teachers and others from discussing their sexual orientation or gender identity with students; and to provide for related matters.

Read by title.

Lies over under the rules.

HOUSE BILL NO. 838—

BY REPRESENTATIVE GAROFALO
AN ACT

To enact Chapter 43-C of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:4037.1 through 4037.8, relative to elementary and secondary education; to create and provide for the administration of a program to provide state funding for the education of students not enrolled in public school; to provide relative to the eligibility of students, schools,

and service providers participating in the program; to provide relative to program funds; to provide relative to the testing of students participating in the program; to require the state Department of Education to submit annual reports to the legislature relative to the program; to provide relative to rules; to provide relative to definitions; to provide for an effective date; and to provide for related matters.

Read by title.

Lies over under the rules.

HOUSE BILL NO. 839—

BY REPRESENTATIVE JORDAN
AN ACT

To amend and reenact R.S. 14:14 and to enact R.S. 14:14.1, relative to the insanity defense; to provide relative to the defense of insanity; to create a defense of diminished capacity; and to provide for related matters.

Read by title.

Lies over under the rules.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on
Administration of Criminal Justice

March 17, 2022

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Administration of Criminal Justice to submit the following report:

House Bill No. 64, by Landry
Reported favorably. (11-0)

House Bill No. 162, by Marino
Reported favorably. (12-0)

House Bill No. 174, by Green
Reported favorably. (11-0)

House Bill No. 200, by Brown, Chad
Reported with amendments. (10-0)

House Bill No. 212, by Miller, D.
Reported favorably. (9-0)

House Bill No. 265, by Villio
Reported with amendments. (12-0)

House Bill No. 322, by Marino
Reported favorably. (12-0)

House Bill No. 361, by Marino
Reported favorably. (12-0)

House Bill No. 371, by McMahan
Reported favorably. (10-0)

House Bill No. 377, by Huval
Reported with amendments. (9-0)

House Bill No. 378, by Marino
Reported with amendments. (10-0)

House Bill No. 447, by Hughes
Reported favorably. (10-1)

House Bill No. 460, by Brass
Reported with amendments. (11-0)

House Bill No. 462, by Mincey
Reported with amendments. (11-1)

House Bill No. 463, by Seabaugh
Reported with amendments. (11-0)

House Bill No. 568, by Edmonds
Reported favorably. (7-6)

TONY BACALA
Vice Chairman

Report of the Committee on
House and Governmental Affairs

March 17, 2022

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on House and Governmental Affairs to submit the following report:

House Resolution No. 1, by Schexnayder
Reported favorably. (11-0)

House Bill No. 44, by Miller, G.
Reported favorably. (10-0)

House Bill No. 45, by Stefanski
Reported favorably. (11-0)

House Bill No. 46, by Stefanski
Reported favorably. (11-0)

House Bill No. 420, by Miller, G.
Reported with amendments. (11-0)

House Bill No. 528, by Davis
Reported favorably. (11-0)

JOHN M. STEFANSKI
Chairman

**House and House Concurrent Resolutions
Lying Over**

The following House and House Concurrent Resolutions lying over were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 20—

BY REPRESENTATIVE KERNER
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to invest future supplemental funding in the communities of Lafitte, Barataria, and Crown Point located in Jefferson Parish aiding in flood protection and preventing future losses and damages.

Read by title.

Under the rules, the above resolution was referred to the Committee on Transportation, Highways and Public Works.

HOUSE CONCURRENT RESOLUTION NO. 21—

BY REPRESENTATIVE FONTENOT

A CONCURRENT RESOLUTION

To urge and request that the Department of Transportation and Development study the road conditions on Louisiana Highway 20 at the intersection of Louisiana Highway 3127 in St. James Parish through the Thibodaux city limits and make recommendations on safety improvements, including the feasibility of adding a shoulder.

Read by title.

Under the rules, the above resolution was referred to the Committee on Transportation, Highways and Public Works.

House Bills and Joint Resolutions on Second Reading to be Referred

The following House Bills and Joint Resolutions on second reading to be referred to committees were taken up, read, and referred to committees, as follows:

HOUSE BILL NO. 824—

BY REPRESENTATIVE SCHLEGEL

AN ACT

To enact Chapter 43-C of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:4037.1 through 4037.8, relative to elementary and secondary education; to create and provide for the administration of a program to provide state funding for the education of students not enrolled in public school; to provide relative to the eligibility of students, schools, and service providers participating in the program; to provide relative to program funds; to provide relative to the testing of students participating in the program; to require the state Department of Education to submit annual reports to the legislature relative to the program; to provide relative to rules; to provide relative to definitions; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Education.

Motion

On motion of Rep. Villio, the Committee on Administration of Criminal Justice was discharged from further consideration of House Bill No. 328.

HOUSE BILL NO. 328—

BY REPRESENTATIVE VILLIO

AN ACT

To enact R.S. 14:230.1, relative to forfeiture; to provide for definitions; to provide for offenses; to provide relative to seizure with process issued by a court; to provide for seizure without process issued by a court; to provide for return after seizure following a dismissal in a preliminary hearing or an acquittal at trial; to provide for mandatory and permissive duties of law enforcement officers; to provide relative to designation by law enforcement; to provide relative to public auction after seizure; to provide for payment into the state treasury; to provide relative to rights of mortgage holders, lien holders, and holders of a vendor's privilege; to provide for restitution; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Villio, the bill was withdrawn from the files of the House.

House Bills and Joint Resolutions on Second Reading Reported by Committee

The following House Bills and Joint Resolutions on second reading reported by committee were taken up and acted upon as follows:

HOUSE BILL NO. 70—

BY REPRESENTATIVE MCMAHEN AND SENATOR ROBERT MILLS

AN ACT

To designate mile markers 40 through 43, east and westbound, of Interstate Highway 20 in Webster Parish as the "Vietnam Veterans Memorial Highway"; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways and Public Works to Original House Bill No. 70 by Representative McMahan

AMENDMENT NO. 1

On page 1, delete lines 2 and 3 in their entirety and insert in lieu thereof the following:

"To designate mile markers 40 through 43, east and westbound, of Interstate Highway 20 in Webster Parish as the "Vietnam Veterans Memorial Highway"; and to provide for related matters."

AMENDMENT NO. 2

On page 1, delete lines 5 and 6 in their entirety and insert in lieu thereof the following:

"Section 1. The portion of Interstate Highway 20 in Webster Parish from mile markers 40 through 43, east and westbound, shall be known and is hereby designated as the "Vietnam Veterans Memorial Highway"."

AMENDMENT NO. 3

On page 1, line 11, after "of" and before "dollars" change "five hundred fifty" to "one thousand six hundred eighty"

On motion of Rep. Wright, the amendments were adopted.

On motion of Rep. Wright, the bill, as amended, was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 71—

BY REPRESENTATIVE MCMAHEN AND SENATOR ROBERT MILLS

AN ACT

To designate a portion of Louisiana Highway 371 as the "John David Crow Memorial Highway"; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways and Public Works to Original House Bill No. 71 by Representative McMahan

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AMENDMENT NO. 1

On page 1, line 8, after "be" delete the remainder of the line and insert in lieu thereof "one sign posted in the southbound direction near the northern city limits of Springhill and one sign posted in the northbound direction near the southern city limits of Cullen, with appropriate space among existing signage."

AMENDMENT NO. 2

On page 1, delete line 9 in its entirety

On motion of Rep. Wright, the amendments were adopted.

On motion of Rep. Wright, the bill, as amended, was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 444—

BY REPRESENTATIVE RISER
AN ACT

To designate a portion of the United States Highway 165 in Caldwell Parish as the "SPC Torey Jontea Dantzler, Sr. Memorial Highway"; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Wright, the bill was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 445—

BY REPRESENTATIVE RISER
AN ACT

To designate a portion of Louisiana Highway 133 in Caldwell Parish as the "Robert L. 'Doc' Owens Memorial Highway".

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Wright, the bill was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 534—

BY REPRESENTATIVES HORTON, GLOVER, AND LARVADAIN
AN ACT

To designate a portion of Louisiana Highway 527 in Bossier Parish as the "Jessie Henry Memorial Highway"; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Wright, the bill was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 748—

BY REPRESENTATIVES MCMAHEN, CORMIER, EDMONSTON,
FIRMONT, GLOVER, HORTON, LARVADAIN, MOORE, AND
SCHAMERHORN

AN ACT

To designate Exit 44 on Interstate Highway 20 in Webster Parish as the "Kim Cannon Memorial Interchange"; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways and Public Works to Original House Bill No. 748 by Representative McMahan

AMENDMENT NO. 1

On page 1, delete lines 2 through 5 in their entirety and insert in lieu thereof the following:

"To designate Exit 44 on Interstate Highway 20 in Webster Parish as the "Kim Cannon Memorial Interchange"; and to provide for related matters."

AMENDMENT NO. 2

On page 1, delete lines 7 and 8 in their entirety and insert in lieu thereof the following:

"Section 1. The portion of Interstate Highway 20 at Exit 44 in Webster Parish shall be known and is hereby designated as the "Kim Cannon Memorial Interchange"."

On motion of Rep. Wright, the amendments were adopted.

On motion of Rep. Wright, the bill, as amended, was ordered engrossed and passed to its third reading.

Suspension of the Rules

On motion of Rep. Magee, the rules were suspended in order to take up and consider Petitions, Memorials, and Communications at this time.

Petitions, Memorials, and Communications

The following petitions, memorials, and communications were received and read:

Message from the Senate

SIGNED SENATE CONCURRENT RESOLUTIONS

March 17, 2022

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Concurrent Resolutions:

Senate Concurrent Resolution No. 2

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

YOLANDA J. DIXON
Secretary of the Senate

The Senate Concurrent Resolutions contained herein were signed by the Speaker of the House.

Leave of Absence

Rep. Schamerhorn - 1 day

Rep. Stagni - 1 day

Adjournment

On motion of Rep. Thompson, at 2:43 P.M., the House agreed to adjourn until Monday, March 21, 2022, at 2:00 P.M.

The Speaker of the House declared the House adjourned until 2:00 P.M., Monday, March 21, 2022.

MICHELLE D. FONTENOT
Clerk of the House

ANGELA S. SMITH
Assistant Clerk of the House / Journal Clerk