



Senate Judiciary C - Hearing on HB 727  
April 24, 2018

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1 [Starting at 2:10 mark of session footage]

2 **Chairman:** Do we have any house member that has an easy one? Thibaut, yes,  
3 let's get going with it. Let's go ahead and go. House Bill 727. Have a seat  
4 gentleman. House Bill 727.

5 [background conversation]

6 **Chairman:** As you get yourself comfortable there, House Bill 140 by one of your  
7 newer reps, this Leger person, has asked that it be deferred for one week, so 140  
8 will be deferred for one week. He does have a couple of other bills in the mix. Just  
9 before we get going on this, is there somebody here that's supposed to be  
10 presenting Leger's bills for him? We'll look into that. Just I know when we're done  
11 with you guys, they'll be some group of people getting up to leave, but we still have  
12 184, we have the Stefanski Marina Bill as it relates to the theft of goods form a  
13 merchant. Okay, Leger and Hilferty.

14 It looks like former representative, current Senator Perry will handle those when they  
15 come up after this particular bill. House Bill 727, the author pioneer is  
16 Representative Thibaut. What's the bill do, why do we need it?

17 **Thibaut:** Thank you, Mr. Chairman. Good morning, members. House Bill 727  
18 amends the statute that deals with critical infrastructure. Critical infrastructure in the  
19 state of Louisiana are things like refineries, our porch railways, LNG plants. What  
20 this law does is it gives our law enforcement agencies a legal framework to protect  
21 Louisiana citizens, jobs, and that infrastructure. Similar law was passed in Oklahoma  
22 last year and various other states are looking at it. I want to just address a few things  
23 in my opening. This bill does nothing to impact the ability to peacefully protest. It  
24 only comes into play when there is damage to that critical infrastructure, so if you  
25 don't damage anything, this law does not apply.

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1 In Louisiana, we have over 50,000 miles of pipelines. Many of those pipelines go  
2 through your districts, some in your backyards. A lot of Louisiana folks are employed  
3 by pipelines, we live by them. We all know they carry fuel and other sorts of things.  
4 It's important that we protect those pipelines.

5 **Chairman:** Representative Dwight, you want to--?

6 **Dwight:** Thank you, Mr. Chair and committee. As Representative Thibaut said,  
7 there's a right way and there's a wrong way and that's what this bill is attempting to  
8 address is those that protest the wrong way. We in no way want to inhibit anyone  
9 from doing a peaceful protest and doing it the correct way. That's not our intent,  
10 that's never been the intent. This is for those that choose to do it the wrong way.  
11 We're simply adding pipelines to the critical infrastructure language in the bill. I'll be  
12 happy to answer any questions.

13 **Chairman:** All right, the gentleman on the right, go ahead and introduce yourself  
14 then we're going to take some questions from them. Go ahead.

15 **Tyler Gray:** My name is Tyler Gray. I'm the general counsel for the Louisiana Mid-  
16 Continent Oil and Gas Association. I'm here to provide information and answer any  
17 questions that come up in a legal nature or any other things like that.

18 **Chairman:** Just for the audience members, can you hear this, the folks that are  
19 regulars here, but I'm going to repeat it which our members have lots of other places  
20 where they have to be at one time. It's not a lack of interest in your bill or what you  
21 have to say, but sometimes they have to be in other areas pertaining their own bills  
22 and issues of that sort. Sometimes they're in one of the any rooms paying attention  
23 to what's going on. If they are in another area making a presentation, they're looking  
24 at it on their phone and listening to it in the process. Don't assume that there's a lack  
25 of interest based on where they are.



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1 Okay, sure. All right. We have a couple of questions and there's also a proposed  
2 amendment from Senator Carter. I'm going to take the first round of questions and  
3 then we'll address your amendments.

4 **Carter:** I spoke with the chairman already and the chairman has supported it. Sorry,-

5 **Chairman:** The author?

6 **Carter:** - the author not the chairman.

7 **Chairman:** The same thing sometimes.

8 **Carter:** Exactly [laughs].

9 **Chairman:** All right, Senator White.

10 **White:** On page two, I think some of this language are recently put in years back on  
11 critical infrastructures. We're adding pipelines on page two line 12. That's what we're  
12 doing right there. Then we're putting in a definition on line 15, and then we're putting  
13 in a penalty on line 19.

14 **Thibaut:** Correct.

15 **White:** Then we're going into criminal damage to critical infrastructures. In that on  
16 line 24 we have the intentional damaging, right?

17 **Thibaut:** Correct.

18 **White:** Then you have a penalty for that intentional criminal damage below that on  
19 B, right? I'm just trying to break it down in changes. Then it goes on to the penalty in  
20 C. Then you have a restitution section in D. I don't mean to explain your bill, but I'm  
21 just picking up where it's adding and changing somethings to existing all right.

22 **Thibaut:** Correct.



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1 **White:** Then you have line 11 on page three, you had the conspiracy of two or more  
2 persons?

3 **Thibaut:** Correct.

4 **White:** If you conspire to do the damage. Okay, that's basically it. I see the  
5 difference here. You're just adding some things. If you have conspiracy and you  
6 have the intent to damage the infrastructure, it would include all the infrastructure,  
7 but we're adding pipelines as a critical infrastructure.

8 **Thibaut:** Those apply to all the different critical infrastructures.

9 **White:** Right. Okay, I understand, thank you.

10 **Chairman:** Thank you, Senator White. I never can be sure in this committee  
11 whether or not there's been good communication with the authors on amendments,  
12 but you've seen the amendment that's being offered by Senator Carter for page  
13 three.

14 **White:** I did.

15 **Chairman:** What the amendment does on page three between lines seven and  
16 eight, I would like to go ahead and bring the amendment up and put it on given that  
17 the author has no objection to it. Do the members have the amendment before you?

18 **Speaker 1:** I don't think so.

19 **Speaker 2:** No.

20 **Chairman:** Okay, they'll pass it out. As it's being passed out, what it does is it says  
21 that this section shall not be applied as to prohibit picketing public demonstration  
22 and similar forms of expressing ideas or views regarding legitimate matters of public



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1 interest protected by the United States Constitution, the Constitution of Louisiana.  
2 You're not looking to chill free speech.

3 **Thibaut:** Not at all. I'm fine with the amendment. Legitimate matter might be kind of  
4 broad, but I guess we could work on that if it seems to be a problem, but I  
5 understand what he's getting at. No, we're not trying to squash anybody's free  
6 speech here.

7 **Chairman:** I think what he's saying on the legitimate matters of public matters is  
8 there's some test in the Supreme Court on what type of speech is considered free  
9 speech and not. I don't think we're going to get into a huge long discussion on that.

10 **White:** It wouldn't prohibit gathering and protest on public property about an issue or  
11 a pipeline or a refinery or a chemical plant or a nuclear plant if they wanted to.

12 **Thibaut:** Correct.

13 **White:** This amendment wouldn't prohibit that.

14 **Thibaut:** This bill only deals with criminal damage to that critical infrastructure, so  
15 the intent-

16 **White:** Or that language.

17 **Thibaut:** - doesn't prohibit anything.

18 **Chairman:** Senator White.

19 **White:** I think that's all.

20 **Chairman:** Senator Mills and then we're going to have Senator Perry.

21 **Sen Mills:** Thank you, Mr Chairman. On page two line 18, it says whoever commits  
22 the crime of unauthorized entry of a critical infrastructure. If you just look at the



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1 Atchafalaya Basin, there's so many pipelines that are all over the place. There's so  
2 many that are even exposed. What's the intent of that section of law? Knowing that  
3 there's agricultural portions, tell me what you're trying to get to.

4 **Chairman:** In his question, well, inherited in that is how do you know when you're  
5 trespassing?

6 **Mills:** That's what I'm trying to get to.

7 **Gray:** That piece of the law is actually from 2015 that's already currently in law. The  
8 unauthorized entry, the way that we were able to establish exactly what you're  
9 looking at, which is where's that fine line between being on public property and  
10 private property, and there are two pieces to that. If there is a physical barrier and  
11 the infrastructure is completely enclosed and you are trespassing, you are in  
12 violation of the law. The other one is if there is not a complete enclosure but you are  
13 asked to leave the property, then you have an intent to remain, so there are two  
14 different tests.

15 Either the property is completely enclosed or if you're talking about a situation with a  
16 pipeline, you would have to be told by the property owner that they need to leave  
17 from that private property and you remain, at that point, you would be trespassing.  
18 That's how they differentiate between the two.

19 **Chairman:** You said property owner, but the property owner may have given a  
20 usufruct. Are you talking about the person with the usufruct or are you talking about  
21 the property owner?

22 **Gray:** It depends on that relationship on the lease. It would have to pact.

23 **Mills:** What about state-owned property?

24 **Gray:** That would be the determination of the state if they told them to leave.



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1 **Mills:** Your definition of unauthorized entry, that's because of critical infrastructure?  
2 That's the point that you say is a present law critical infrastructure piece?

3 **Gray:** Right, critical infrastructures, so when you're talking about state law-- I'm  
4 sorry, what I should of said is this is only critical infrastructure, so when you're  
5 talking about state water bottoms and all that kind of stuff in state law, this doesn't  
6 even apply to that. This is only critical infrastructure that is determined under this  
7 definition, you were asked to leave, it is not enclosed and you remain, you're in  
8 violation of this law. Very narrow. That's the only situation it applies.

9 **Mills:** It's a pretty broad though what are pipelines in Louisiana? Pipeline can be  
10 agriculture, it can could affect hunters, it could affect anything. Are you talking about  
11 all pipelines now are considered critical infrastructure?

12 **Gray:** Yes.

13 **Mills:** Okay, thank you.

14 **Chairman:** All right, just a little follow up on that for my edification as well. I have a  
15 piece of property, I'm a farmer and I got a pipeline going through my property. Given  
16 the usufruct or maybe the state or somebody else's taking it through eminent domain  
17 and says that it's going through, who has the right to tell the people to get off the  
18 pipeline?

19 **Gray:** This is something we're actually working to define through the Sheriffs  
20 Association. Current law is that it would have to be the property owner unless it's  
21 detailed in the lease. It's really a fact by fact situation in which you go through that.  
22 Based on what you're describing, whether it's a usufruct or the naked owner, the  
23 landowner, the leaseholder it depends on what that relationship is between the  
24 property owner. Now this is only with a pipeline because all the critical infrastructure  
25 would end up being fully enclosed.



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1 **Chairman:** There's no way we can fully enclose 60,000 miles of pipeline.

2 **Gray:** Correct.

3 **Chairman:** What I'm hearing is for now it's a case by case basis where I'm the  
4 farmer and I like the idea of the pipeline coming through my property, I like the idea  
5 of making my neighbors in the north warm in the winter, and safely getting product  
6 into the refineries. I can tell folks that were unhappy with that, "Don't come on my  
7 property." Maybe, I don't know, Marathon wouldn't be in the position to say that  
8 unless it's nuance through what the actual lease or the manner in which they got it.  
9 All right, so it would require some cooperation with the property owner.

10 **Gray:** Correct.

11 **Chairman:** I sometimes worry about the usufruct folks having command over the  
12 peoples' property that if granted the usufruct. I don't they necessarily ever thought  
13 they were giving up all the rights that they have to their property. Do you see that  
14 being an issue?

15 **Gray:** The naked owner, where if you've granted a usufruct, then the naked owner  
16 would have the right to alienate, so the usufruct, if it's not defined in that relationship  
17 in the lease or whatever that usufruct is granted, then it would defer back to the  
18 naked owner under property law, but they would have to be detailed. It'd be a case  
19 by case basis in that situation. coming all the way back to the actual situation with  
20 the farmer and what happens, I want to make sure it's clear that if there were ever  
21 any unintentional damage, then this law would not apply.

22 This law only applies in a very narrow situation, critical infrastructure, it has to fall  
23 within the definition. There must be a damage for anything in this thing to be  
24 triggered. I want to just make sure that that point is clear when we're looking at this.





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1 **Chairman:** All right, I'm looking if we have other questions in here, but one of the  
2 thing that sort of jumps out at me on this and maybe there are others in your group  
3 that can answer this better, maybe not, I don't know, but we have conspiracy on the  
4 books in Louisiana and I rarely see it used in any particular instance. We already  
5 have conspiracies, so why do we need the section starting on page three that deals  
6 with conspiracy when we already have it?

7 **Gray:** The primary reason to have it in this place is the way current conspiracy law is  
8 written, we didn't want it to be triggered without a damage, so it's important that you  
9 cannot violate this statute unless conspiracy results in someone acting in  
10 furtherance of that conspiracy to actual damage the critical infrastructure.

11 **Chairman:** Where is that in there?

12 **Gray:** The conspiracy is 14 proposed 61.2.

13 **Chairman:** I get that, but where does the damage part come in?

14 **Gray:** In order to be convicted of a conspiracy, you have a meeting of the minds.

15 **Chairman:** Yes, the overt act.

16 **Gray:** You have to have an overt act in furtherance of that conspiracy. In this case,  
17 it's referring to this particular law so it would have to be a damage. It would have to  
18 be a violation of the critical infrastructure.

19 **Chairman:** All right, so you're saying I couldn't just have the agreement to do it and  
20 that the overt act actually has to be damage as opposed to going to get my  
21 explosives, I guess.

22 **Gray:** Right, it has to be intentional damage, it's not an inadvertent damage. There  
23 has to be intent in this law too.



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1 **Chairman:** All right, but the mere agreement to create the damage which is what I  
2 see in federal court all the time on these conspiracies, nothing's happened but  
3 there's been an agreement and they get hooked up on that. That part concerns me  
4 as far as what's the duplicitous part of the conspiracy? My original thought on it was  
5 that the reason that you had your own conspiracy section in there was it related to  
6 the penalties. How do the penalties related to the ordinary conspiracy penalties?

7 **Gray:** These penalties are greater than ordinary conspiracy penalties.

8 **Chairman:** Okay, and the ordinary conspiracy penalties are just tagged to whatever  
9 the underlying crime is.

10 **Gray:** Correct.

11 **Chairman:** All right, Senator Perry. Thank you for answering my questions. Senator  
12 Perry.

13 **Perry:** Thank you, Mr Chairman. What was the initial reasoning for creating a new  
14 statue as opposed to taking the language here and just amending it under  
15 aggravated criminal damage to property? I understand the intent, I get that, but just  
16 why not?

17 **Gray:** Louisiana has a lot of critical infrastructure. If you look at a map of the Gulf  
18 Coast between Louisiana and Southeast Texas, we provide a lot of products to the  
19 entire East Coast all the way to New York City. As part of that, we were paying  
20 attention to what goes on in other states. Oklahoma passed a law to protect their  
21 critical infrastructure. When that happened, we evaluated Louisiana statutes. We  
22 spent a lot of time with former US attorney, Walt Green. If you're not familiar with  
23 him, he spent over 20 years in the justice department prosecuting federal crimes  
24 and he spent time in the DA's office.



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1 We felt that he was someone that we could go to, analyze the way current law was,  
2 and establish a framework that could be utilized here in the state to protect that  
3 infrastructure and look at it from a federal perspective and make sure that they all  
4 work together. From that, we went to analyze what was current law. We found that in  
5 2017, during the criminal justice reform that, inadvertently, there was a piece by  
6 reference removed dealing with criminal damage. As part of that, we got together  
7 with former US attorney Walt green. We analyzed the law and determined that we  
8 were not in line with the current US statutory code which is Federal Law 18 USCA  
9 1366 which relates to destruction of an energy facility.

10 These penalties that are in this proposed bill, House Bill 727, are still significantly  
11 less than what that energy facility destruction you would be liable for. Because of the  
12 difference nuances between intrastate definitions to dealing with this stuff, we  
13 wanted to make sure that we had something inline even if it was lesser than what  
14 the federal government had. In this way, we also did not have to wait on the federal  
15 government here in Louisiana with so much infrastructure here. In analyzing that  
16 entire scope, we determined that we did not have the protections that we needed in  
17 this state, and that's why we came out with this. In concert, the whole time we made  
18 sure that we did not infringe on any constitutional rights.

19 There's no intent, no desire to infringe on free speech. This is about criminal  
20 disobedience, not civil disobedience.

21 **Perry:** That's one of the things I'm going to be interested to hear because I don't see  
22 anything in here that infringes on first amendment rights at all. That would be  
23 interesting to be able to hear their comments on that. Thank you, Mr Chairman.

24 **Chairman:** Senator White, do you mind if we accept the amendment before I call on  
25 you?

26 **White:** Sure.



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1 **Chairman:** Senator Carter has offered amendment 3083 that goes on page three  
2 between lines seven and eight. Senator Carter, do you have any additional  
3 information on that?

4 **Carter:** I just want to make a statement that the amendment and I think the  
5 chairman has already read it, but just for the public, what the amendment does is in  
6 an abundance of caution is to make sure that a person or persons wishing to  
7 peacefully protest that there is nothing in this bill real or perceived that will prevent or  
8 prohibit them from having a peaceful protest. This is kind of a belt and suspenders  
9 just to make sure that, in an abundance of caution, that we cover those things.

10 **Chairman:** All right, Senator Carter has offered amendment 3083. Is there any  
11 objection to 3083? There are five members present, no objection. Amendment 3083  
12 will be adopted. Senator White.

13 **White:** I think most of my questions are answered. I've listened and I think this is  
14 basically just expanding the conspiracy part of it to all infrastructure. I think with the  
15 amendment it doesn't prohibit anyone from exercising their rights to demonstrate or  
16 be vocalized in one of these sites especially if you're on public property. It would  
17 probably prohibit me from coming on private property, but I think public property  
18 rights are still available here. Demonstrations and your opinions and free speech, I  
19 don't see where it's stopping that.

20 **Thibaut:** That's not our intent.

21 **Chairman:** Thank you, Senator White. I'm going to read the green cards. There's a  
22 lot of green cards, and we have some red cards, and we have some white cards.  
23 These are the green in support of cards. Not wishing to speak, Gerald Faulk, New  
24 Iberia. Nic Walts of Cheniere Energy. Carmack Blackmon, Louisiana Railroad.  
25 Lauren Shovan, Jeff Kapotski, Stephenie Cargill, Megan Manchester, Jonna



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1 Lyleson, Gifford Briggs, Fred Palmer, George Gedry, Robert Balen, Sara Rodes,  
2 Neil Buckingham, I've got him off the bench in here. Tommy Williams.

3 [laughter]

4 **Chairman:** Rondy Braxston, Kevin Hays, Liz Mangum, Bryan Farenthold, Rob  
5 Landry, Adam Haddox, Chet Chason, Darren Bovard, Laura Ferrel, Ray Wilhelm,  
6 Matthew Manning, Levil Edmonson, Phillip Fraser, Jody Montelaro, Jacob Sexton,  
7 Thomas Hornsak, Jeremy Gibson, Ben Bennett, Ecko Rodrigue, John Vikneir, Kim  
8 Jaykabear, Craig Shiro, Mr. Williams, Mr. Coons, Mr. Varnido. Mr. Badier, Mr.  
9 Haden, Mr. Mitchell, Mr. Hartman with Phillips. Johnny M Parker, Ronna Harang,  
10 Matthew Harole, Emily Rockwell, Randall Womack, Gary Meyers, Mr. Martin, Elisha  
11 Duhon, Casey Benard, Paul Hudson, John Eric, Josh Brell, John Walters.

12 Two more green cards. One didn't check anything as far as what their position was.  
13 Graham Pickering with Marathon Petroleum, do you wish to speak? Then Madam  
14 President will provide information if requested. Tyler Gray, Mid-continent who's done  
15 that and he's turned in a green card instead of a white card which I appreciate it. I  
16 always find it odd when somebody turns in a white card but it sounds as though  
17 they're opposing or supporting. I appreciate that. We have a Julie Cherry with  
18 Louisiana AFL-CIO, do you want to provide information?

19 **Julie Cherry:** I think most of my concerns have been addressed. I did have a couple  
20 of concerns. I'm not here in opposition.

21 **Chairman:** All right. Before we bring up the opponents, I want to present an  
22 amendment for the committee to consider as well. It's been the practice of this  
23 committee for a while to try to steer away from mandatory minimum sentences. In  
24 this bill on page two line 27, line 28, there's a mandatory minimum of one year for  
25 criminal damage to infrastructure. Then when you go over to the next page on part



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1 C, once foreseeable that human life will be threatened or operations of criminal of  
2 the critical infrastructure will be disrupted, there's a mandatory minimum of six years.

3 The amendment seeks to eliminate both of those mandatory minimums. It doesn't do  
4 anything to the cap, it just eliminates the mandatory minimum. Those certainly are  
5 aspects of the amendment 3098, but the bigger aspect of the amendment is that it  
6 eliminates the conspiracy section beginning at page two line nine to the end of the  
7 conspiracy section. That the chair believes that the conspiracy portion is not  
8 necessary but the members may believe otherwise, but that's what the amendment  
9 does. It eliminates the conspiracy section and then I believe that's already the law on  
10 any of it.

11 The speaker indicated that one of the things is that it alters the penalty that would  
12 ordinarily apply under ordinary conspiracy theory. That's what the amendment does.  
13 I want to give you guys an opportunity to comment on it, so go ahead and offer any  
14 comments that you might have on it as the members digest it. The mandatory  
15 minimums, I don't think there's a whole lot of opposition to that. We've tried to steer  
16 away from that, but on the conspiracy, is it duplicitice or not? If it's not duplicitice or  
17 is it it gives it an elevated penalty.

18 I'm just trying to make sure everyone has an opportunity to digest it. Do you have  
19 any comment on it?

20 **Speaker 3:** I sure don't.

21 **Speaker 4:** I think we should just amend it.

22 **Thibaut:** We're kind of in you all's playground. I guess the conspiracy part is not  
23 triggered unless there's damage to that critical infrastructure.



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1 **Chairman:** I don't read it that way. I know that may be the intent, but that's not the  
2 way I read it. I'm not saying you guys are purposely misleading us either, it's just a  
3 difference of opinion. Senator White has a question.

4 **White:** I just wanted to ask staff if these amendments were separable.

5 **Chairman:** Sure, we can divide them. If you want to vote on them separately we can  
6 do that.

7 **White:** I would make a notion that we vote on one through 10 on the mandatory and  
8 then on the conspiracy number 11, we vote on it separately.

9 **Chairman:** All right.

10 Author, everything to say about that or you need a second?

11 **Speaker 5:** No, that's fine.

12 **Chair:** We'll vote on amendments one through 10.

13 **White:** Order 1 through 10 is technical, take that out. That's okay, they understand.

14 **Chair:** The chair is going to state what amendments 1 through 10 do. 1 through 10  
15 eliminate the mandatory minimum that you see on page two for one year and on  
16 page three for six years. Authors have indicated that they don't have any real issue  
17 with those. The chair will make the motion to adopt 30, 98 amendments 1 through  
18 10, is there any objection? There's no objection on amendment 1 through 10.  
19 Amendment number 11, Senator White I expect has an objection to amendment  
20 number 11.

21 **White:** Yes, and if we're setting it up to a matter of federal law, do they have  
22 conspiracy in federal law?

23 **Gray:** They do.

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1 **White:** That's what I thought. I think the conspiracy is a lot more important, not for  
2 some folks that may be in this audience that just want to protest or have a peaceful  
3 protest, but if it would be terrorists that were organized and conspiring to blow up  
4 one of our infrastructures, that maybe in some cases kill many people. Because if  
5 you blow up some of these operating refineries or camp plants, a big section of it,  
6 you may kill hundreds of people with that one explosion, and for that reason, I  
7 objected the conspiracy being removed.

8 **Chair:** I appreciate Senator White's point of view. I would say that it would be  
9 covered by other charges that would apply and I think conspiracy can still be  
10 charged without this, but the chair has made a motion that we adopt amendment  
11 number 11 of 3098 to which Senator White has made an objection. We'll call a vote  
12 on amendment number 11.

13 A yay process amendment number 11, a no-- Senator White does not want  
14 amendment 11 to pass, so he opposes amendment number 11.

15 **White:** The conspiracy part.

16 **Chair:** A yes would be in favor of opposing the amendment. You want to keep the  
17 conspiracy portion within the bill if you vote yes, if you vote no, there will be another  
18 vote.

19 **Berra:** Senator Claitor?

20 **Claire:** No.

21 **Berra:** No. Senator Perry?

22 **Perry:** Yes.

23 **Berra:** Yes. Senator carter?





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1 **Carter:** No.

2 **Berra:** No. Senator Lewis?

3 **Lewis:** No

4 **Berra:** No. Senator White?

5 **White:** Yes.

6 **Berra:** Yes. Three yays and three nays.

7 **Chair:** The motion fails. The chair now renews the motion to report amendment  
8 number 11 favorably to which Senator White- do you have an objection Senator  
9 White? Would you like to vote again?

10 **Senator White:** No.

11 **Chair:** There's no opposition to amendment number 11. Amendment number 11  
12 would be adopted. We go from the opponents now. Thank you, gentlemen. On the  
13 opponents, we have a lot red cards and it looks like every one of them are almost  
14 flecked as far as which to speak. We're going to read those that do not wish speak  
15 first that oppose it. Ann Rose, Louisiana Bucket Brigade. Jenna Shoket doesn't wish  
16 to speak but opposes. Catherine Worskim, Ms. Worskim doesn't wish to speak, I'm  
17 going to frame that one, good to have you. Jonathan Anderson does not wish to  
18 speak but opposes. Ricky Veered does not wish to speak but opposes.

19 All right, we have one, two, three, four, five, six, seven, eight, nine, ten, eleven,  
20 twelve in opposition wishing to speak. Senator Berra previous has made the motion  
21 to limit the speaking time to five minutes. I'm not going to deny anybody the  
22 opportunity to speak that has made the script here, but at the same time, I would ask  
23 that you to not be repetitive.



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1 The first group, William Quigley, Loyola University. Mr. Quigley. Let's see here, Jody  
2 Meche if would you come forward. **[pause 00:35:00]** Annet O'Connor if you would  
3 come forward. I have Ms. Paskomis and I have a good relationship, I'm sorry if I hurt  
4 your feeling.

5 When we were talking about people that are sensitive up here from time to time, she  
6 has always advocate for what she believes in. We are going to go left to right and I  
7 know in some instances it's difficult to be brief on longer subjects. Go ahead, Mr.  
8 Quigley.

9 **Quigley:** Thank you.

10 **Chair:** I'm sorry, go ahead and pass it out. Mr. Quigley has previously provided us  
11 with writing from the Loyola University Clinic. I got inbox a while ago but we want to  
12 make sure that all the members of the committee have it and, We also have  
13 something from Mr. Mich, okay? Thank you. Mr. Quigley.

14 **Quigley:** I thank the committee and I thank you for the actions you've already taken  
15 which have addressed a couple of very serious concerns in terms of the first  
16 amendment implication of this and the conspiracy issues. I do think however, there's  
17 still remain some constitutional issues with this bill as its drafted, not under the first  
18 amendment but under the 5th and 14th amendment where the due process requires  
19 that criminal laws give very specific and clear instructions about what is legal and  
20 what is not legal.

21 As the questions that have already been raised to the proponents indicate, when  
22 you're talking about access to pipeline in a state that is interlaced with pipeline, that  
23 some are on private property, some are on public property and alike, then the issues  
24 of property ownership, as the chair pointed out, use of fraud and alike. We don't  
25 have as much problem with the issue of trespass, but the issue of damage and that I  
26 think we had characterized it as a hyper or super criminalizing the people who were



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1 protesting the pipelines. I do think a couple of your amendment have addressed  
2 that.

3 I would point out that a very similar bill was just beetled last month by the  
4 Republican governor of Wyoming. Wyoming doesn't take second place to anybody  
5 in terms of their use of natural resources either. They told that because it's poorly  
6 drafted and had unintended consequences. I think even the law as it's currently  
7 amended, it's not really clear who the law is focused on and exactly what conduct is  
8 focused upon. If in fact, people are protesting, as we've had a number of protest  
9 already in the state, some are on private property with the permission of the private  
10 property owner, and some are on public property.

11 In some cases, law enforcement says you can be there and you have to go out to  
12 the roadway. Others they say, well, if the private property owner allows you there,  
13 then you can be there. Where then the pipeline people say we have an easement  
14 here and we are saying that you can't be on the property at all. I think there's, in  
15 terms of this Senator White's concern about terrorism, I think that we have plenty of  
16 laws about terrorism and clearly we're not talking about that. We do talk about the  
17 need and the constitutional need to prevent vagueness and overbreadth. Those are  
18 the two concepts that we pointed up in the paper and I think others have pointed out.

19 Is it clear-- Excuse me. Is it clear in this law as it stands right now what conduct is  
20 legal and what is not? I would say that it is not because of the vagueness and over  
21 breath of the thing. I do really want to congratulate the committee on eliminating the  
22 conspiracy. There are 321 decisions in Westlaw in Louisiana on conspiracy and I  
23 think bringing us to that area in a new statute would unnecessarily complicate us.  
24 We do still think that there's some question about the intentional nature of this  
25 singling up pipeline protests. It's very clear that these things were launched after the  
26 protest at Standing Rock and other places. The history of the bill as it was brought  
27 up by its component, omit the fact that the American legislative exchange council  
28 drafted a model bill and it has been tried to be introduced in a number of states.

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1 To my knowledge, there have not yet been any decisions or whether it's  
2 constitutional or not. I think that there certainly will be challenges to that and I think  
3 that whether that's tried to be enforced on the local level or it's just challenged on its  
4 phase on the state level. The state is looking at considerable exposure financially in  
5 terms of the constitutionality of the action.

6 **Chairman:** All right, thank you, Mr. Quigley. Who's Law Clinic named after?

7 **Quigley:** We have a Gillis Long Poverty Law Center.

8 **Chairman:** I'm working toward Jack Nelson. That's the name I want to hear.

9 **Quigley:** John P Jack Nelson is my predecessor at the Loyola Law Clinic and I had  
10 the good fortune of clerking for him in law school. He's been a long time great honor  
11 in our community.

12 **Chairman:** I just wanted to bring up Jack Nelson's name, he's about the greatest  
13 lawyer you never heard of. Do some research on that guy sometime where he gave  
14 up a very, very promising career in the law to do what he thought was right. We  
15 passed a resolution yesterday honoring him and there's not much of his family left,  
16 but I did want to point that out.

17 **Quigley:** Thank you very much.

18 **Chairman:** I have all the respect in the world for your predecessor and appreciate  
19 your discussion. Senator Mills.

20 **Mills:** Thank you, Mr. Chairman. I'm going to give you a test from me, from a legal  
21 expertise, say there was the pipeline or the equipment or the pipeline or there was  
22 some destruction that took place from criminal activity, is there remedy with the court  
23 right now?



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1 **Quigley:** Absolutely. If somebody actually damages property, we have a whole host  
2 of laws for trespass, arson, damage to property, criminal damage to property,  
3 conspiracy, all those other things. Those laws apply to anybody who damages  
4 anybody else's property. It was clear from the proponents that they're trying to carve  
5 out a special place that if you damage pipeline property or pipelines or anything  
6 having to do with that, they want enhanced protection that is unavailable to  
7 everybody else in the State of Louisiana. No, we have plenty of laws that a  
8 prosecutor's use routinely and certainly know how to do in this circumstances as  
9 well.

10 **Mills:** Enhanced protections not usually the norm in this type of situation.

11 **Quigley:** No, this is clearly this industry particularly lead at this time by the pipeline  
12 industry is asking for a special protections. They're asking for a special pleading,  
13 special consideration that they think their property is a lot more valuable than your  
14 property or my property or properties of other businesses in our state.

15 **Mills:** Thank you.

16 **Chairman:** Senator Carter.

17 **Carter:** I don't know who might answer this, but perhaps you can, how will this  
18 potentially impact other navigable waters.

19 **Chair:** You go ahead.

20 **Quigley:** You go ahead. Do you want to start?

21 **Chair:** You're the legal head here, go ahead.

22 **Quigley:** [laughs] You're the legal escort, but this is the man on the navigable  
23 waters. Why don't you go ahead of him?



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1 **Chairman:** All right, so Senator Carter is going to defer his question for a moment.  
2 Sir, introduce yourself.

3 **Jody Meche:** My name is Jody Meche and I'm the president of the Louisiana  
4 Crawfish Producers Association West. I represent just shy of 500 members. We  
5 mainly make our living in their Atchafalaya Basin fishing crawfish and fish.  
6 Atchafalaya Basin for a recreational fishing and providing sustenance for our  
7 families. Nobody talked about the navigable waters and I and members of our  
8 organization, that's where we operate in the navigable water of the United States.  
9 We launch our boats at the many different boats launches along the basin, and we  
10 traverse across the basin in our boats on those water bottom, then we pursue  
11 crawfishing and fish and that's how we make a living.

12 We go and catch some tons up to thousands of pounds of crawfish and bring that to  
13 the market. This year I think we're going to have beautiful crayfish because we had  
14 high water for quite some time, but it is going to be a little late this year. Anyway, we  
15 were traversing those navigable waters.

16 Historically, we had natural bayous that we would always use, but because of so  
17 many pipelines crisscrossing the Atchafalaya Basin, now there are hundreds of  
18 miles of pipelines crossing that Atchafalaya Basin, we pretty much don't use the  
19 navigable bayous that we used to use because they've captured the flow of all of  
20 these bayous and have dammed off a lot of the bayous and now we refer to, well,  
21 how are you going where you thought? I take the 16-inch pipeline. I'd go down to the  
22 30-inch pipeline or around the 21-inch pipeline or the sea boat pipeline or the Florida  
23 gas pipeline, you understand?

24 Now where everything has been dike off and dammed off, we have to traverse these  
25 pipelines which go under these our navigable waters that we make our living on.



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1 It is almost impossible for us to conduct our activities in their Atchafalaya Basin  
2 without using these pipelines. Whether you fish recreationally or you commercial fish  
3 or you just want to go out there and see what the basin has to offer. The potential  
4 we have here is we can potentially be targeted whenever we cross a pipeline or we  
5 travel within a pipeline.

6 Because of the code of engineers not having personnel in regulatory or the means  
7 to go and investigate violations on the Atchafalaya Basin, Atchafalaya Basin keeper  
8 in my organization, we have become the watchdog out there. Whenever violations  
9 are happening out there or someone reports something out there or maybe a  
10 pipeline company dammed off a natural bayou and it no longer going to provide flow  
11 for our swamp so that we can catch crawfish. Some of us have to go out and  
12 investigate that and see if there's a violation.

13 Potentially when one of my members or myself or Mr. Dean Wilson, the Atchafalaya  
14 Basin keeper director which I'm on the board, also of that board, if we go out and  
15 investigate these claims, we can potentially be targeted and thrown in jail or fined.  
16 There are issues there that we're very concerned about. It is impossible, I'm telling  
17 you here today, because of all of these pipelines crossing the Atchafalaya Basin and  
18 the elevated small banks that have been piled up when they're exposed, when the  
19 water recedes, it is pretty much impossible to traverse and fish the Atchafalaya  
20 Basin because of all these pipelines in the Atchafalaya Basin.

21 We're going to have an issue there and we can potentially be targeted. We have a  
22 problem with that.

23 **Quigley:** If I could just then finished the response to Senator Carter. The statute, the  
24 bill that's before you is not just about damage to property, it is about unauthorized  
25 entry and that is a real concern for us, damage.



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1 We have all kinds of laws about damage, but if you look at the actual words in the  
2 proposed statute, it talks about criminalizing unauthorized entry, and clearly if you  
3 unauthorized entry into a place that's fenced off, as they said before, as most of our  
4 actual power stations and those things, then there's no confusion about that, but  
5 unauthorized entry to any place having to do with any pipeline in the State of  
6 Louisiana is creating an incredible variety of places that people can unintentionally  
7 and accidentally violate this law and be subjected to that.

8 **Carter:** That's where I want to go. I mentioned early on and my amendment was to  
9 clarify that people who wanted to have peaceful protests would not be disallowed.  
10 They wouldn't have any infraction on their first amendment, but now I want to go a  
11 little bit deeper because I fully support. Here's where I kind of split the difference, I  
12 fully support the need to protect their pipelines and to make sure that there's no one  
13 whether it's a terrorist or an individual or just somebody seeking to cause harm to  
14 something as significant as our ability to transport through our pipelines. Maybe you  
15 don't have the answer to this, so we'll get the other people back to the table.

16 Where I want to see if we can find a difference is how do we do that without  
17 infringing on the rights of the crawfish fisherman or others who may accidentally  
18 unbeknown to them in the commission of doing their jobs whether it's recreationally  
19 or professionally, get caught in a trick bag of being in a position where they can be  
20 prosecuted when in fact they had absolutely zero intent to harm the pipeline? I don't  
21 know how we get there, but that I think could be as close to a win-win scenario. It  
22 certainly would gain my support if we were able to figure out how we protect that  
23 pipeline and make sure that the critical infrastructure is protected while not taking  
24 away the rights of others to use those navigable waterways.

25 **Quigley:** In the bill itself, if you look at page two on sentence 18, it says, "Whoever  
26 commits the crime of unauthorized entry of a critical infrastructure." Now that's in the  
27 current law, but what the change is being proposed is to redefine what critical  
28 infrastructure is away from power stations, away from a nuclear power plants, away  
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1 from refineries to now, a part of the critical infrastructure is any pipeline in the State  
2 of Louisiana. If we have tens of thousands of miles of pipeline, that is now, in  
3 addition to the intentional damage, the bill as it's offered does talk about intentional  
4 criminal damage, but it still does penalize unauthorized entry, unauthorized  
5 trespass, unauthorized presence around any critical infrastructure that we have  
6 which is pipeline.

7 **Mr. Meche:** That's our problem. The members of my organization, that's our  
8 problem with the bill.

9 **Quigley:** If we were to, because in my estimation - and I'll let the proponent come  
10 back and further explain this - but as I appreciate it, the principle reason for wanting  
11 it to be in the critical infrastructure space, is to protect the pipeline from willful and  
12 knowingly damaging it. It seems to me that there should be some way that we can  
13 craft, specifying that the violation is if a person is attempting to violate or damage the  
14 pipeline versus coming close to it, or traveling nearby.

15 **Phil Quigley:** Trespass. Yes, essentially--

16 **Quigley:** Let's kind of hear from everybody else and maybe we may have some  
17 amendments to kind of talk about that.

18 **Claitor:** Thank you Senator Claitor. Senator Mills, do you want to hold your  
19 question or go forward with it?

20 **Mills:** It's on that same [unintelligible 00:51:10].

21 **Claitor:** All right, Senator Mills.

22 **Mills:** I totally agree with Senator Carter. First of all, Mr. Meche, I want to thank you  
23 for being here because unlike so many people in this room that's being paid to be  
24 here today, you lost money. You couldn't crawfish.



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1 **Mr. Meche:** Sure. I should have been running crawfish [unintelligible 00:51:24]  
2 today.

3 **Mills:** That's right.

4 **Mr. Meche:** I'm just trying to catch crawfish. That's how I make my living. I'm on the  
5 town council for the town of Henderson. I'm on the Levy board. I'm vice-chairman of  
6 the Louisiana Crawfish Promotion and Research Board. I'm on the board of  
7 Directors of the Atchafalaya Basin Keeper. I get paid by catching those crawfish out  
8 at Atchafalaya Basin. I'm not getting paid to be here today.

9 **Mills:** I want to thank you. Tell me actually something, in your day-to-day function, if  
10 that part that was talked about, line 18, "Whoever commits the crime of an  
11 unauthorized entry," what does that do to a crawfisherman that's getting up everyday  
12 to work? What does that do to a hunter that wants to have accessibility to state  
13 land? Tell me what that does.

14 **Mr. Meche:** Everyday that we go out and try to make our living in the Atchafalaya  
15 Basin we could potentially be thrown in jail or fined according to how this bill reads.  
16 Everyday, because we have to traverse through or across thee pipelines. It is  
17 impossible for us to conduct our activity in the Atchafalaya Basin because there are  
18 so many of them and the way that they have been laid they go underneath our  
19 navigable waters that we fish on. We have to go through them or across them.

20 **Mills:** Because of the spoils and the height of the spoils, you probably have to do  
21 different things that mandate you get there to make your living.

22 **Mr. Meche:** No doubt about it. They block off natural slews and bayous. You can be  
23 traversing through the bottom running your traps and you're going to run into like this  
24 wall. It's a spall bank wall that should have been pulled back into the ride away to  
25 not disrupt the flow of water or our navigational ability. You know what I'm saying?



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1 That bayou, that slew is right across that spall bank but I can't get into it because it's  
2 damned off.

3 **Mills:** Last question. What caused the spall bank?

4 **Mr. Meche:** The dredging of the ride away when the pipes were laid. They  
5 excavated the dirt out of the water bottom and piled it up adjacent to the ride away  
6 leaving a damning effect and a navigational hazard across the Atchafalaya Basin.  
7 Almost everyone of these pipelines has it and I serve on a committee trying to  
8 address that issue of what it has done to our water quality in Atchafalaya Basin.  
9 They channel sediment into the Atchafalaya Basin, our bottoms are filling up with  
10 sand because that's what they do. We've lost areas and we pretty much have to  
11 navigate these pipelines to get to the areas that we fish.

12 **Mills:** Thank you for what you do.

13 **Mr. Meche:** Thank you all. Thank you all for having me.

14 **Claitor:** Thank you Senator Mills. Senator Perry, somebody that's also familiar with  
15 you eat what you kill.

16 **Mr. Meche:** [laughs] I don't kill them. They kill them when you boil them. I bring them  
17 alive.

18 **Perry:** Thank you, Mr. Chairman. Mr. Meche, this is one of the things that I just  
19 want to clarify on. Revised statute 14:61, which addresses unauthorized entry of a  
20 critical infrastructure. Everywhere is throughout there-- I'll call you professor?

21 **Phil:** Phil is fine.

22 **Perry:** If I misspeak correct me. I want the proponents to also do the same. When  
23 you all, as you say, traversing back and forth across, my opinion, let's say someone  
24 would get charged. My opinion as somebody who would be hired as a defense



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1 attorney, let's say, is, I don't think it falls within the example which you give because  
2 it has to be intent to be in there unauthorized. I think by just going and traversing, my  
3 opinion is, I don't think you're breaking the law. That's the first issue.

4 The second issue is, this Bill won't penalize you intentionally damage. So without the  
5 intent of the damage and without the intent of intentionally being unauthorized in that  
6 particular area, that's where I think it's getting pulled off what the Bill is.

7 **Mr. Meche:** May I address what you're saying?

8 **Perry:** Yes, sir, absolutely.

9 **Claitor:** That's the purpose.

10 **Mr. Meche:** I understand your understanding there. In all due respect, Senator  
11 Perry, you don't have a real good understanding or you may have forgotten what  
12 has been going over the last 20-25 years in the Atchafalaya Basin. I have been  
13 approached by private claimants who say the areas I fish is private property.  
14 Numerous occasions. I've been in court over it, I've been shot at for being on a water  
15 bottom frogging with my boys that I was trespassing on private property. I defeated  
16 that. I had a federal ruling saying I was on the navigable waters of the United States  
17 of America. Meche versus [inaudible 00:55:54] lake area.

18 Other fisherman have been challenged by private claimants in the Atchafalaya Basin  
19 who say that these areas are their private property and we have prevailed in court  
20 saying that it's the navigable waters of the United States of America. Any one of  
21 these claimants accuses any of us of trespassing in the area of the pipeline. The  
22 trespass law has already been modified through this legislature. The burden of proof  
23 is on the accused. So I'm guilty, I have to prove myself innocent.

24 I have to prove I'm on a navigable waters and I have to miss all my fishing and be in  
25 court while I'm doing that. That's how I make my living. We're like a farmer. When



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1 we have that window of opportunity and those crawfish are ready to be caught, at  
2 whatever time of the year it is, because we never know when the conditions are  
3 going to be right. Maybe early, maybe late. This years it's going to go late.

4 **Perry:** I'm listening.

5 **Mr. Meche:** We have that window of opportunity. It's ready, set, let's go. We got to  
6 go get them and we got to catch as much as we can while we can. I can't be in  
7 Baton Rouge testifying before you people. I can't be in court defending what I do for  
8 a living and that I have every right to be there doing my living. Do you understand?

9 **Perry:** Yes.

10 **Mr. Meche:** That is the issue that we are faced with. We're guilty and we have to  
11 prove ourselves innocent. The burden of proof is on the accused. You're guilty of  
12 trespassing. The burden of proof is on the accused that you're not trespassing. I  
13 have to have hydrologists come into play. I have to have expert testimony. I have to  
14 have other fishermen testify that they've been fishing these areas for decades to  
15 prove my innocence. That's already out there. That potential is already out there.  
16 This is just another target that they can target us with. It's a means to target us with.

17 **Perry:** Look, I understand everything you're saying. I think even without you being  
18 here, without this Bill ever being filed, I think the issues you've stated, you're going  
19 to continue to have. Would you agree? What your saying, that basically they're  
20 saying that the burden is on you, that you're guilty until you prove innocent.

21 **Mr. Meche:** This is also another avenue for me to be targeted, because I'm the go-to  
22 guy whenever a violation is faulted, "Hey Gordy, we got bayou that's been blocked  
23 off by this pipeline. They damned it off. The water can't flow through anymore. I can't  
24 access the areas I fish anymore." [unintelligible 00:58:09] off, whatever. I'm the  
25 guy that's got to go check it out. Everytime I go out there now I can potentially be  
26 prosecuted.

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1 **Phil:** The other clarifying point, just to respond, Senator, is that section C, which  
2 again is on page two line 18, it is a crime just entry. It is not a requirement that there  
3 be damage. It's unauthorized entry on anything that is defined as a pipeline.

4 **Perry:** I agree with you that the damage doesn't have to take place, but 14:61 says,  
5 "The intent has to be there to be unauthorized."

6 **Claitor:** I think we've framed that very well and we're going to hear from the  
7 proponents again in a little bit, but I think we're plowing the same ground a little bit.  
8 We have framed it up-- Sir, I'm sorry, say your bit.

9 **Perry:** Along the same lines as Senator Mills, my father-in-law is a crawfisherman. I  
10 don't want it to get lost that I don't understand and I don't appreciate. I truly, truly  
11 appreciate you coming and testifying.

12 **Mr. Meche:** You've been a friend to our industry over the years, Senator Perry, I  
13 know that. You fish crawfish ponds, you don't fish the Atchafalaya Basin.

14 **Perry:** I understand that.

15 **Mr, Meche:** It's a different animal. [chuckles]

16 **Perry:** The people from that area owe you a lot of respect for coming forward.

17 **Mr. Meche:** I don't want respect. I Just want to be able to continue--

18 **Perry:** I understand.

19 **Mr. Meche:** - conducting my way of life and leave something for our kids and our  
20 grandkids and not just let it get trampled on.

21 **Perry:** I understand. Thank you.



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1 **Claitor:** All right, Mr. Meche, Mr Quigley, if you all would excuse yourselves. I'm  
2 going to call up two more to the table and then we're going to get started with--

3 **Mr. Meche.:** Thank you all. You all have a great day.

4 **Phil:** Thank you very much.

5 **Mary Yanik:** Excuse me. Some of our speakers have to leave. Is it okay if they  
6 come next after the current [unintelligible 00:59:50] speaker?

7 **Claitor:** Have a seat. You. No, ma'am, you have a seat.

8 **Mary:** Excuse me, my name is Mary Yanik. I'm an attorney with the New Orleans  
9 Workers Center for Racial Justice. Here today to also speak on this issue is a  
10 member of our organization, Eusebia Gonzalez.

11 **Claitor:** All right, just wait. We're going to hear from Ms O'Connor and then we're  
12 going to come to you guys. I would appreciate it if you'd pass that card to a staff  
13 member and we do it that way rather than hollering from the audience, okay?

14 **Mary:** Apologies. I think you have that card in your sack.

15 **Claitor:** Yes, I got a lot of cards. Young Lady.

16 **Annette O'Connor:** Thank you, Senator Claitor. The proposed House Bill 727--

17 **Claitor:** Introduce yourself first.

18 **Annette:** My name is Annette O'Connor--

19 **Claitor:** Thank you.

20 **Annette:** -with Atchafalaya Basin Keeper. The proposed House Bill 727 introduced  
21 by Representative Thibaut poses a serious threat to the federal and state protected  
22 interests of the public access, citizen enforcement, expression assembly and petition

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1 in privacy. The impact of HB727 on persons an organizations engaged in pipeline  
2 infrastructure opposition as well as everyday citizens will be significant. Atchafalaya  
3 Basin Keepers wish to voice the concerns and opposition to HB727. We are  
4 concerned with the wide sweeping breadth of this bill.

5 The effect it will have on public accessibility across the State. The chilling effects it  
6 will undoubtedly have on our rights of expression and assembly and the grave  
7 possibilities for robust invasions of privacy under the new conspiracy crime. We  
8 humbly request that you consider the significant constitutional implications of this Bill  
9 before you vote in favor. Thank you for your time and consideration of our comment.  
10 Thank you.

11 **Claitor:** Thank you, Ms O'Connor.

12 **Annette:** Thank you.

13 **Claitor:** All right, so we have an interpreter present? Introduce yourself and tell me  
14 what you're going to be interpreting.

15 **Eusebia Gonzalez:** [Spanish language]

16 **Rachel Taber:** My name is Eusebia Gonzalez, I'm a member of the Congress of  
17 Day Laborers.

18 **Claitor:** Okay, but one moment. You, the lady--

19 **Rachel:** My name is Rachel Taber. I'm also an organizer with the Congress of Day  
20 Laborers here to interpret for Jacinta.

21 **Claitor:** What language will you be interpreting?

22 **Rachel:** Spanish into English.

23 **Claitor:** All right, introduce this lady for us.

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1 **Eusebia:** [Spanish language]

2 **Rachel:** So first of all, I'm a member of the Congress of Day Laborers which is a  
3 non-profit organization.

4 **Claitor:** Her name is?

5 **Rachel:** [Spanish language]

6 **Eusebia:** [Spanish language]

7 **Rachel:** Eusebia Gonzalez.

8 **Claitor:** All right, welcome to Jud C.

9 **Rachel:** [Spanish language]

10 **Eusebia:** [Spanish language]

11 **Rachel:** Thank you so much.

12 **Claitor:** All right, go ahead.

13 **Rachel:** [Spanish language]

14 **Eusebia:** [Spanish language]

15 **Claitor:** Take a breath and let's get the interpretation. Ma'am, why don't you move  
16 over--

17 **Rachel:** I'm here to let my voice be heard because our community, we're often faced  
18 with fighting back against wage theft. Working in construction sites, and I'm very  
19 concerned from what I've heard of this Bill. That it would criminalize anybody  
20 peacefully protesting at a construction site.



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1 **Claitor:** Okay. Maybe she can scoot over one and you could have a seat and we  
2 can go that way.

3 **Rachel:** Right here.

4 **Claitor:** There we go. All right, keep going.

5 **Rachel:** [Spanish language]

6 **Eusebia:** [Spanish language]

7 **Claitor:** Take a breath.

8 **Rachel:** Our community, our organization is formed of people who came to help  
9 rebuild after Hurricane Katrina and reconstruct the city. Our organization exists to  
10 fight back against wage theft.

11 **Claitor:** All right.

12 **Eusebia:** [Spanish language]

13 **Claitor:** All right.

14 **Rachel:** I'm here to oppose any law that would impede people's ability to raise their  
15 voice in peaceful protest at any site. How else can people be heard, if not through  
16 peaceful protest.

17 **Claitor:** All right. Excuse me.

18 **Eusebia:** [Spanish language]

19 **Claitor:** Okay.

20 **Rachel:** We can often be faced with situations where we would need to protest in  
21 front of construction zones because of the nature of wage theft cases.



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1 **Claitor:** Okay. Ms Gonzalez, if you would interpret this for me. There's been an  
2 amendment to the Bill that attempts to address this issue. Through the process,  
3 you'll have an opportunity to continue to see if it actually address your issue. Senator  
4 Carter brought a motion and an amendment and we believe we have addressed this  
5 concern.

6 **Rachel:** [Spanish language] May I be allowed to respond? I'm with the same center  
7 as her and in my capacity as--

8 **Claitor:** Can you identify yourself?

9 **Rachel:** Yes, I'm Rachel Taber. I'm an organizer with the Congress of Day Laborers.  
10 We're just very concerned that this law's being brought forth not-- It's directly in  
11 response to people peacefully raising their voices around an issue. We know that in  
12 wage theft claims and situations with employers, it's a very challenging legal  
13 situation where employees have been authorized to be on a work site but yet  
14 employers retain ownership. There's always a lot of grey area in employee manager  
15 relations. We're very concerned of the economic impact that could take place, not  
16 only for day laborers, workers and their families these people who have severed an  
17 invaluable role in helping us reconstruct, not only after Katrina but here in Baton  
18 Rouge and Lafayette, we know their rebuilding after the horrible floods that so many  
19 suffered from. You wouldn't want to impede not only their well being and their  
20 families, but that of all Louisianans with the important labor they provide and their  
21 need to express their first amendment rights in cases of crime, of wage theft.

22 **Claitor:** All right, thank you, Ms Taber. Thank you, Ms Gonzales for coming to  
23 testify. Dan Crutz. Reverend Crutz. If you guys would give up your seat that would  
24 be great.

25 **Rachel:** Thank you so much.

26 **Eusebia:** Thank you.

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1 **Claitor:** Sure, thank you.

2 **Mary:** No, I haven't said anything.

3 **Claitor:** We had a card from Crutz, but I don't see it anymore. Young lady, would  
4 you identify yourself and what group you're with and if you have anything further to  
5 add.

6 **Mary:** Yes. My name is Mary Yanik. I'm an attorney with the New Orleans Workers  
7 Center for Racial Justice, which is what the Congress of Day Laborers is one  
8 organizing project of the New Orleans Workers Center for Racial Justice, which was  
9 founded after Katrina. Again, on the spirit of rebuilding the city and protecting  
10 workers in the city, I wanted to echo everything that Eusebia said about her  
11 concerns, about the chilling effect on workers, and to again mention that it's not only  
12 criminal damage that's criminalized--

13 **Claitor:** Reverend.

14 **Mary:** - through this law.

15 **Claitor:** Keep going.

16 **Mary:** Additionally, the unauthorized entry onto these critical infrastructure site. The  
17 definition not only includes pipelines and any movable or immovable property that  
18 contains the pipelines, which is extremely broad. It also includes any construction  
19 site where there's any work being done on this, which means that, as everyone  
20 knows, there's a huge number of workers that are on these sites. Louisiana workers.  
21 Many of them are suffering from wage theft or other workplace abuses that are  
22 happening.

23 So an additional Bill to criminalize and further penalize unauthorized entry into these  
24 spaces will make it that much harder for there to be outreach to workers that are  
25 suffering wage theft. It'll make it that much harder for community members to come  
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1 and support those workers. As Eusebia was explaining, has been done in the past to  
2 address the extremely pervasive wage theft. Community member, other workers  
3 have come to negotiate with bosses to ask that they pay what workers are legally  
4 owed. All of that is chilled and threatened by this. Even though these sorts of  
5 activities would generally be protected not only by the First Amendment, but  
6 additionally by federal labor law.

7 **Claitor:** I appreciate what you have to say on that. We're getting a little bit repetitive  
8 and I'm trying not to be repetitive. Thank you for your testimony. It looks like we have  
9 a representative from the Sierra Club, mayor Marjorie Pray, if you're present and you  
10 would like to join the reverend at the table, you can. There's also Kathleen Patton, if  
11 you'd like to join the Reverend at the table, you can. Again, I ask, try not to be  
12 repetitive but I certainly want to hear your particular insight as a committee issue on  
13 that subject.

14 **Dan Chris:** My name is Dan Chris. I'm the executive director of the Louisiana  
15 Interchurch Conference. I hope I'm not being repetitive, but I missed some of this. I  
16 wish to speak against households 727. As a citizen, this poll seems to go beyond  
17 what is reasonable and normal to respect to legal protection of property and critical  
18 infrastructure. As I understand it, there already very adequate protection for private  
19 property as depicted in this Bill. It seems meant to stifle dissent and sets unfair and  
20 perhaps illegal constraints on free speech. With regard to ethical and moral  
21 questions we face in our society today, can turn in protection of the environment,  
22 this Bill seems to try to silence those who would bring up the matter of what is good  
23 or what is potentially destructive to creation.

24 In many instances, we in Louisiana have failed to be good stewards of creation and  
25 that is sad because we're not caring for our creation in such a way that we're  
26 protecting lives, Rivers, streams and wetlands for future generations.



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1 It is very sad to see our legislature try to protect those who are seeking profit over  
2 what is good for the people. The people should be the first responsibility of our  
3 legislators. I hope today you will keep that imperative in mind as you make your  
4 decision on this Bill. Thank you.

5 **Claitor:** Thank you Reverend for keeping it brief and concise. Marjorie, is that right,  
6 Marjorie?

7 **Marjorie:** Marjorie, just Marjorie.

8 **Claitor:** Hey Marjorie.

9 **Marjorie:** Marjorie Virginia Pray.

10 **Claitor:** Welcome to Jud C. Tell us what you'd like to.

11 **Marjorie:** I'm the overseer of a club of Louisiana, the Delta Chapter. I've been a  
12 member, actually, since I was a young person because I always loved the outdoors.  
13 I'm a [unintelligible 01:12:36] I come from fishing, hunting family that lived off the  
14 land. We ate crabs and fish and squirrels and rabbits that my family hunted and  
15 fished. I understand what we need to do to protect it and I have seen in my lifetime  
16 the great decline of wildlife. It bothers me much that the people here in Baton Rouge  
17 don't seem to have that same caring and wanting to protect things.

18 It bothers me because I feel like if this is all we have, and these young people that  
19 are here today representing saying, they want 727, I wonder how many of them  
20 actually realize what they're doing and how many of them aren't being paid to be  
21 here. Like Mr. Meche and many others here who are testifying against this  
22 legislation, who are here because they care and not because they're being paid by  
23 anybody. They're just here because they care about the State of Louisiana and they  
24 care about our children and they care about the future of our children.



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1 It bothers me that there are people here who put money and greed because these  
2 pipelines aren't being built, these ones particularly isn't being built to help our  
3 country have better resources. It's being built to ship our resources overseas to  
4 make money for a few people mostly in other States who are going to pocket big  
5 money because they're selling oil and gas to other places. That bothers me a whole  
6 lot. If this pipeline were being built slowly, and other pipeline, slowly to help our  
7 country and to help our resources, that's one thing. When you let a company that's a  
8 private for profit company ship our resources overseas so they can make money at  
9 the expense of the people of this country, at expense of the rights, the civil rights of  
10 the people of this country.

11 The property owners who are in [unintelligible 01:14:32], I believe, it is their  
12 Virginia. Their people put themselves in trees to keep pipelines from going through  
13 their property and destroying all grown forests. Here, it's people doing it in  
14 Atchafalaya for the same reason. I know I'm making you uncomfortable, it should.  
15 [laughs]

16 **Claitor:** I don't know if you're making me uncomfortable, but though--

17 **Marjorie:** I think some some of the people are. This is not something we should do.  
18 We need to be protecting these young people that are here. If one of them suddenly  
19 comes to Jesus and realizes that we're destroying his future, I think it's  
20 [unintelligible 01:15:05] goes in and climbs in on top of a bulldozer at a pipeline  
21 stage in sight, he could be arrested, maybe end up in Angola for protesting his rights  
22 and what he cares for, for the future of America. It could be one of your children or  
23 grandchildren or a nephew or neighbor. Do they really deserve to go to jail for  
24 protesting for what they believe is right? I don't think so and I don't think you really  
25 think so. I sure hope you don't.

26 **Claitor:** There was an amendment that was put on that issue, but apparently, I'm  
27 not satisfied with the amendment, and I appreciate that we have different views on

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1 this. I've said many times that democracy is messy here and so we hear a lot of  
2 different voices. I do appreciate your comments-

3 **Marjorie:** I think the voices of the people should be first and foremost.

4 **Claitor:** That's why we vote, hopefully. Ma'am.

5 **Kathleen Danton:** Hi. My name is Kathleen Danton. First of all, thank you for  
6 serving our State and thank you and your office staff for taking the phone calls. I  
7 came here today, clearly, because I'm concerned with the idea of access to areas. I  
8 come from a family of hunting and fishermen, too. I guess, with all that's been said  
9 and all that's on your plate, not just in this hearing but with what's going on the  
10 house into and Senate in general. I think Ockham's reason is what we should apply  
11 here. I think that a lot of thought has been put in to crafting amendments that can be  
12 legally efficient and cover all these different situations.

13 When you think about trying to define intent, trying to define conspiracy, trying to  
14 enforce those concepts, it's very murky water and we already have laws on the  
15 books that protect private property. I really think this is government overreach, with  
16 all due respect. I think that we currently have laws that protect this. I think this is an  
17 attempt by one sector of industry to gain advantage by having a higher set of  
18 penalties against people who might do harm to their property.

19 I mostly drove here today in front of your offices offices because I'm very concerned  
20 with three classes of people. First the landowners. If you have something bubbling  
21 up out of the ground or you sense something wrong with a pipeline that's on your  
22 property and you go to investigate that with your little flashlight at night, you could be  
23 trespassing and you could be subject to increased penalties, if you pass this bill. If  
24 you're a hunter and you're pursuing a deer or one of the feral hogs, which  
25 **[unintelligible 01:18:01]** and you get within that area that is not fenced off but





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1 which is property of the pipeline, again, you could face higher penalties than you  
2 would right now.

3 I also think that-- I worry about who is getting in the mind and interpreting what is in  
4 the mind of the intent and conspiracy. Who's enforcing that? Are we going to have  
5 the time of fiscal constraints? Are we going to have our police out going to meetings  
6 to try to infer who has the intent to harm infrastructure?

7 I just respectfully come back to the part that I think this is overreach. I think that  
8 we're in land of laws, that we have laws now and we don't need to go this further  
9 step of analyzing these three classes of people and extending State resources in  
10 something which is primarily what private security firms should be doing. I  
11 appreciate the opportunity to speak today.

12 **Claitor:** Thank you Mrs. Kathleen. Thank you those three folks. We have three left.  
13 We have Margaret Roghue, Dillon Waguespack and Virginia Richard. Come  
14 forward. You fill that card indicating that you wish to speak. Try not to be repetitive if  
15 you can help it.

16 **Virginia Richard:** John will waive just before the moment. He should be back soon.

17 **Claitor:** All right, thank you. Identify yourself and come to what you want to tell us.

18 **Virginia:** My name is Virginia Richard. I grew up in Acadia Parish, 70516. I currently  
19 live in New Orleans, but still own land in Acadia Parish. I wrote all of you recently. I  
20 hope that you got my email. I'll briefly go over those points. Again, I'm trying not to  
21 be repetitive and then I have a few other points to address the amendments that  
22 we've discussed.

23 First off, thank you all for your time and for listening to my concerns as a landowner  
24 and as a private citizen, and thank you for the amendments that have been  
25 introduced.

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1 I'm the daughter, granddaughter, niece, cousin and step sister of a long line of  
2 Americans who have served to defend our rights. As such, I am deeply concerned  
3 about this bill.

4 As it has been mentioned before there are thousands of miles of pipelines across  
5 Louisiana. They're not marked or enclosed along their entire routes. In fact, at least  
6 one natural gas pipeline, does traverse my family land, though you can't actually tell  
7 where it is just by the markings only that there's a post every quarter mile or so  
8 saying that there is one around here.

9 The broadness of this Bill, as we've already discussed it's multiple classes of people  
10 including myself at higher risk for prosecution for things that are already crimes. I  
11 have no ill intent towards the pipeline on my property but to echo what in this patent  
12 just said. I'm concerned about the hyper criminalization of unauthorized entry  
13 trespass, things of those nature and of that nature.

14 Further, I firmly believe in freedom of speech and the right to peaceful assembly  
15 whether or not I agree with what is being said or with the reason for people's  
16 assembly. This brings me to my point that while I do very much appreciate the  
17 amendments that have been brought up, if there is concern here in this committee  
18 amongst us in the small room about how these amendments will be interpreted, then  
19 I'm even more concerned should this bill become law, how it will be interpreted in the  
20 courts. If this bill is to move forward, and I hope it doesn't, we need even further  
21 explicit protections for hunters, fishermen, landowners and anyone willing to express  
22 their First Amendment rights. Again, trying not to be duplicative, but I can't put  
23 enough focus on the fact that we need more explicit protections and I don't think that  
24 the amendments as they are now go that length.

25 Also, again, on authorized entry is not damage or intent to damage. I'm concerned  
26 about the broadness of the definition including construction sites and not just the



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1 pipelines themselves, because construction sites do extend well beyond the finished  
2 products of the pipeline. Thank you.

3 **Claitor:** Thank you. Ma'am.

4 **Meg Logue:** Well, thank you so much for being here today and for listening to all  
5 this testimony. My name is Meg Logue and I am a resident of New Orleans. I  
6 respect that this bill was introduced with the intention of protecting our infrastructure  
7 and through that, the people of Louisiana. I do respect that intent, but I disagree with  
8 some of the stuff that has come up as to how this all will actually be applied. I hope  
9 that you have heard today, and also in the many calls that I know that you have  
10 received from your constituents over the last week, that there are major concerns  
11 with the overly broad nature of the Bill and some of the potential interpretations of  
12 these statutes.

13 It makes it a real threat to a wide variety of Louisianans. It's not just protesters, as  
14 you saw, it's crawfishers, it's landowners, it's hunters. In my opinion, this bill is  
15 duplicative of protections that are already in place and it seeks to address an  
16 infrastructure sabotage that simply isn't happening on a large scale or otherwise. We  
17 are not being threatened, there have been no active cases of this happening to my  
18 knowledge.

19 Today, I really hope to provide a face for one of the groups of people that would be  
20 impacted by this Bill. I volunteer for a group called 350 New Orleans and I work very  
21 often with the No By Ridge coalition.

22 We've discussed that a little bit today in some of the testimony, but I was arrested for  
23 civil disobedience several months ago along the By Ridge pipeline route. I think as it  
24 stands, even with the amendments, one of my charges for that action was  
25 misdemeanor criminal trespass and under this legislation, I would be facing up to



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1 five years in prison and \$1,000 in fines for what I did that day, even with the  
2 protections that have been added throughout amendment and I do appreciate those.

3 This was not my first recourse in objecting to this pipeline. I have been fighting this  
4 fight for a year and a half in this very capital, in this very building. I have come to  
5 meet with the governor. We have showed up to public comment period, we have  
6 written we have called. We have done so many things to try to express our  
7 opposition for a year and a half. I want to tell you why I'm doing that. I've been doing  
8 this for a year and a half and why I chose to engage in civil disobedience. Our work  
9 comes from a deep desire to protect what we love. We love Louisiana, we love the  
10 Atchafalaya basin, we love our crawfishers, and we love our dear friends in St. John  
11 and St. James who suffer on a daily basis from the impacts of pollution. Their  
12 communities are literally dying. We love our constitutionally given rights to express  
13 dissent when all of those things are under threat, especially by a company like  
14 energy transfer partners whose social license to operate should be revoked due to  
15 their record of negligence, environmental damage and a total lack of regard for  
16 communities that they lay their pipes next to.

17 I know that you may not agree with my fight or the reasons for why I do what I do,  
18 but I hope today that you will protect my right to express those views and not hyper  
19 criminalize the work that we are doing to try and make Louisiana a better place.  
20 There is a long long history in this country of civil disobedience, intent to break laws  
21 that highlights the injustice. To discourage people who are trying to do good work  
22 from calling attention to the injustice that people in Louisiana are facing every day, I  
23 think it's going to be harmful for our State. We need to protect those freedoms and  
24 we need to make it available for people.

25 I urge you to stand for our rights and to stand for our protections for our landowners  
26 to make the very least, make provisions to protect these people. I'm happy to  
27 answer any questions.



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1 **Claitor:** We don't have any questions. We thank you for your testimony and also  
2 remind you that I'm sure you're registered to vote, but one of the things that you can  
3 do when you have an issue like this is, sign people up to vote so that they can vote  
4 for candidates that they like and vote against candidates they don't like and run the  
5 candidates that they want.

6 Frequently, I don't mean to be rude, but I often tell people, if you don't like the way  
7 that I vote, register the vote and vote against me next time and register to vote and  
8 run against me next time.

9 It's a lot to pass to participate in politics and we constantly lament about people not  
10 participating. You're here, you're participating and sometimes it feels like you're  
11 losing in the face, but you're being heard or I haven't won every battle that I've  
12 attempted to fight as well but being in the fight is-- Being in the arena, we all admire  
13 the man and the woman in the arena.

14 Thank you for coming to testify and you-- **[unintelligible 01:29:04]** the card and  
15 apparently, I read it and didn't call you. Introduce yourself and tell us what you want.  
16 This is the last red card, try not to be repetitive. You ladies are welcome to get up or  
17 stay there or whatever suits your fancy.

18 Yes ma'am.

19 **Patroma:** My name is Patroma and I'm not going to be repetitive, I filled out a red  
20 card and didn't check to speak, but after listening, I think I should. I am one of the  
21 landowners on the by-bridge pipeline. We got notice two years ago that they were  
22 coming through our property and after fighting against it, we got letters of eminent  
23 domain threat. We had to allow it.

24 We are crawfish pond owner. We had to drain one of our crawfish ponds for this  
25 pipeline. We were promised a lot of things that this was going to happen and



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1 proceed. I promise you, the pittance we got for it will not replace my concern of  
2 environmental damage that I'm sure is going to happen.

3 I watched the first time they came out and started the construction going through our  
4 property for this third year trucks that are on our land, I promise you not one of them  
5 had a Louisiana plate on them. This is not Louisiana jobs being brought there. I've  
6 watched the construction go through and everything-- All the equipment that they  
7 brought out there, the first couple of days they were really conscientious they sweep  
8 the dirt off the street and stop the traffic. Well, that's progress till this morning I'm  
9 driving here from a justice reform and I have to dodge big chunks of mud in the road  
10 at seven O'clock in the morning. They've already started.

11 Some of the neighbors who didn't receive compensation for this going on, I have  
12 called the police that they're waking him up at seven O'clock with this massive  
13 equipment digging huge holes through our property back there. The police are also  
14 at our property today. My husband told me the show is not here where I am for  
15 criminal justice, it's in my yard. The police are trying to stop the protesters or friends  
16 of mine that I've allowed to be on my property against this. There is somebody  
17 stopping protest, peaceful protest. It's on my property, now.

18 I want you to be aware that I think all the environmental promises they promised are  
19 being broken now. What would they do when it's finished? I'm concerned, and I do  
20 work for oil. I have a son that's a rig manager in North Dakota. I'm totally proper to  
21 **[unintelligible 01:31:22]** my work in the industry too, but I think there needs to be  
22 responsible for State and what's going on. I would appreciate that some thought and  
23 concern is given to the protesters deserve trying to protect the end result of what's  
24 going on in my property now. We have several acres if this is running through. I'm  
25 not somebody in the subdivision, it's in rural Cladia Parish. I want you to be aware  
26 that we do have property owners that are watching what's going on and it's in my  
27 yard now. Thank you for listening to me.



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1 **Claitor:** Thank you for your testimony. I would suggest that on, even if the main  
2 issues that are-- Is not following under this critical infrastructure deal and I think  
3 most of people were are very concerned about imminent domain and how that works  
4 and taking a property not only by the government but non-government entities, but  
5 that's a conversation for another day. I did invite the proponents back to the table.  
6 Thank you ladies.

7 If we can have the lawyer for the proponents come. I think there's a question or two,  
8 and the two representatives for the table. Did you pull out the red card?

9 **Dylan:** I did, my apologies. I ran out of the room and my testimony was waved. I just  
10 like two seconds literally. I just shared a couple of handouts with you all and-- By the  
11 way, I'm Dylan Waguespack. I'm here today as a citizen but representing Hope  
12 Resensky who is a landowner on the pipeline route. You should have a letter from  
13 her and also a letter from David Levy who's the owner of **[unintelligible 01:33:02]**  
14 Technologies Inc. both in opposition to the Bill, one as an industry represented and  
15 the other as a land owner. I just wanted to make sure that I got those for you all for  
16 the record and just to let you all know that there are opposed to the Bill as well.

17 **Claitor:** We will introduce copies of that to the record. Thank you. Have a seat. All  
18 right. I don't see the light lit, I'm going to let him go into their clothes unless we have  
19 other questions. Any other questions?

20 I would ask you just to address a little bit some of these concerns and I think you got  
21 murky about when it's prosecute, when it's eligible to be prosecuted and when it's  
22 not. I don't think there's-- I think we've framed the issue pretty well is by prime critical  
23 infrastructure or not and that's a policy question that we're going to answer here, but  
24 if there's--I don't want to engage in a whole lot of back and forth but I thought there  
25 were some questions but I'm not seeing the light to. Are there any questions  
26 members?





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1 Okay, there's no questions. I'm going to skip any further discussion on that unless  
2 you go into your clothes. Members, we don't interrupt them on their clothes. All right,  
3 go.

4 **Quigley** Thank you members and I appreciate the debate and the folks who  
5 testified. We got into all sorts of things that give me of much different bill ideas, I  
6 guess and probably all too, but I don't think a lot of those things apply to what we're  
7 discussing today, and that's criminal intent to damage critical infrastructure. The  
8 chairman said it best, do we consider pipelines to be critical infrastructure? I've got  
9 three gone across the back of my property that I know of. The reverend said we  
10 need to be worried about people. We have over 50,000 miles of pipelines in  
11 Louisiana. We're not moving them any time soon and I think by deciding whether or  
12 not they're critical infrastructure, we don't want people tampering with them, blowing  
13 them up, is about protecting people.

14 A few of the different things-- I don't want to even delve off in some of the things that  
15 we got into, but I'll tell you, evidently, our laws as it deals with pipelines aren't strong  
16 enough. This was influenced by what happened in North Dakota. A \$38 million cost  
17 to straighten local taxpayers and again we've got over 50,000 miles just since this  
18 bill was filed. Somebody said we didn't have any cases going on. No but we should  
19 have instances they brought up by you bridge pipeline.

20 **Claitor:** Don't feel compelled to respond to every single one. We've heard.

21 **Quigley** But this is an issue that I think that we're going to have to deal with in the  
22 future and not dealing with it now. Critical infrastructure, if you look at the millions  
23 out of thousands of miles that we have running across the State, what they carry,  
24 the importance to us. We can't do anything about where they are right now or  
25 whether you like them or don't like them. It's a question of whether we dim them in  
26 the same breath as a nuclear power plant or an LNG facility or refinery.





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1 I think we do and this gives those law enforcement, our law enforcement guys the  
2 tools they need and it's also a deterrence. I have ask that you move this bill  
3 favorable. You had some good amendments today and possibly there will be some  
4 more on the floor of it, but clean it up a little bit.

5 **Claitor:** All right. Representative of Table it's close on it's Bill. Senator White makes  
6 a motion to report 727 favorably as amended. Is there any objections? Senator Mills  
7 has objected, so a yes will be to report it favorably and no will be not to report it  
8 favorably. I'll call the law.

9 **?Speaker:** Senator Perry.

10 **Perry:** Yes.

11 **?Speaker:** Yes. Senator Barrel.

12 **Senator Barrel:** Yes.

13 **?Speaker:** Yes. Senator Carter.

14 **Quigley:** Yes

15 **?Speaker:** Yes. Senator Mills

16 **Mills:** No.

17 **?Speaker:** No. Senator White.

18 **White:** Yes.

19 **?Speaker:** Senator Claitor.

20 **Claitor:** Yes.

21 **?Speaker:** Yes. Five yes, one nay.

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1 **Claitor:** A house bill 727 will be reported favorably as amended. We appreciate  
2 your time. We appreciate this discussion. We appreciate your willingness to consider  
3 the various amendments that we thought would improve opponent. Senator Perry  
4 has many bills to present. I know you may want to participate and have some  
5 discussion added in the hall as we continue on with the work of the committee  
6 placing. [crosstalk].

7 Okay. We got Regina. We're good. Senator Perry, **[inaudible 01:38:41]** to the order  
8 that you want to go and, I think the 242 might be-- Are you doing Stefanski and  
9 Merinos on the loss?

10 **Perry:** Yes.

11 **[01:38:53] [END OF AUDIO]**

12 **[01:38:53] [END OF AUDIO]**