

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

**SIXTH DAY'S PROCEEDINGS**

Thirty-eighth Regular Session of the Legislature  
Under the Adoption of the  
Constitution of 1974

House of Representatives  
State Capitol  
Baton Rouge, Louisiana

Tuesday, March 20, 2012

The House of Representatives was called to order at 4:00 P.M., by the Honorable Chuck Kleckley, Speaker of the House of Representatives.

**Morning Hour**

**ROLL CALL**

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

PRESENT

Mr. Speaker	Garofalo	Mack
Abramson	Geymann	Miller
Adams	Gisclair	Montoucet
Anders	Greene	Moreno
Armes	Guillory	Morris, Jay
Arnold	Guinn	Morris, Jim
Badon	Harris	Norton
Barras	Harrison	Ortego
Barrow	Havard	Pearson
Berthelot	Hazel	Pierre
Billiot	Henry	Ponti
Bishop, S.	Hensgens	Pope
Bishop, W.	Hill	Price
Broadwater	Hodges	Pugh
Brossett	Hoffmann	Pylant
Brown	Hollis	Reynolds
Burford	Honore	Richard
Burns, H.	Howard	Richardson
Burns, T.	Hunter	Ritchie
Burrell	Huval	Robideaux
Carmody	Jackson, G.	Schexnayder
Carter	Jackson, K.	Schroder
Champagne	James	Seabaugh
Chaney	Jefferson	Shadoin
Connick	Johnson	Simon
Cox	Jones	Smith
Cromer	Lambert	St. Germain
Danahay	Landry, N.	Talbot
Dixon	Landry, T.	Thibaut
Dove	LeBas	Thierry
Edwards	Leger	Thompson
Fannin	Leopold	Whitney

Foil	Ligi	Williams, A.
Franklin	Lopinto	Williams, P.
Gaines	Lorusso	Willmott
Total - 105		

The Speaker announced that there were 105 members present and a quorum.

**Prayer**

Prayer was offered by Rep. Smith.

**Pledge of Allegiance**

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

**Reading of the Journal**

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

On motion of Rep. Hill, the Journal of March 19, 2012, was adopted.

**Introduction of Resolutions,  
House and House Concurrent**

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

**HOUSE RESOLUTION NO. 8—**

BY REPRESENTATIVE NORTON  
A RESOLUTION

To amend and readopt House Rule 6.8(F) of the Rules of Order of the House of Representatives to provide relative to the recommittal of certain legislative instruments.

Read by title.

Lies over under the rules.

**HOUSE RESOLUTION NO. 9—**

BY REPRESENTATIVE CARTER  
A RESOLUTION

To urge and request the State Board of Elementary and Secondary Education, in collaboration with the Louisiana Serve Commission, to study the feasibility of establishing a "distinction for community service" endorsement program for students who have performed an exemplary number of community service hours during their high school careers and to provide a report to the House Committee on Education by February 1, 2013.

Read by title.

Lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 47—**

BY REPRESENTATIVE KATRINA JACKSON  
A CONCURRENT RESOLUTION

To urge and request each public school governing authority to adopt a policy providing for the availability of auto-injectable epinephrine at each elementary and secondary school under its jurisdiction.

Read by title.

Lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 48—**

BY REPRESENTATIVES KLECKLEY, ABRAMSON, ADAMS, ANDERS,  
ARMES, ARNOLD, BADON, BARRAS, BARROW, BERTHELOT,  
BILLIOT, STUART BISHOP, WESLEY BISHOP, BROADWATER,  
BROSSETT, BROWN, BURFORD, HENRY BURNS, TIM BURNS,  
BURRELL, CARMODY, CARTER, CHAMPAGNE, CHANEY, CONNICK,  
COX, CROMER, DANAHAY, DIXON, DOVE, EDWARDS, FANNIN, FOIL,  
FRANKLIN, GAINES, GAROFALO, GEYMAN, GISCLAIR, GREENE,

GUILLORY, GUINN, HARRIS, HARRISON, HAVARD, HAZEL, HENRY, HENSGENS, HILL, HODGES, HOFFMANN, HOLLIS, HONORE, HOWARD, HUNTER, HUVAL, GIROD JACKSON, KATRINA JACKSON, JAMES, JEFFERSON, JOHNSON, JONES, LAMBERT, NANCY LANDRY, TERRY LANDRY, LEBAS, LEGER, LEOPOLD, LIGI, LOPINTO, LORUSSO, MACK, MILLER, MONTOUCE, MORENO, JAY MORRIS, JIM MORRIS, NORTON, ORTEGO, PEARSON, PIERRE, PONTI, POPE, PRICE, PUGH, PYLANT, REYNOLDS, RICHARD, RICHARDSON, RITCHIE, ROBIDEAUX, SCHEXNAYDER, SCHRODER, SEABAUGH, SHADOIN, SIMON, SMITH, ST. GERMAIN, TALBOT, THIBAUT, THIERRY, THOMPSON, WHITNEY, ALFRED WILLIAMS, PATRICK WILLIAMS, AND WILLMOTT

A CONCURRENT RESOLUTION

To recognize the bicentennial of Louisiana's statehood and to encourage participation in local and statewide bicentennial observances and activities.

Read by title.

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

Ordered to the Senate.

Introduction of House Bills and Joint Resolutions

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

HOUSE BILL NO. 2— BY REPRESENTATIVE ROBIDEAUX AN ACT

To provide with respect to the capital outlay budget and the capital outlay program for state government, state institutions, and other public entities; to provide for the designation of projects and improvements; to provide for the financing thereof making appropriations from certain sources; and to provide for related matters.

Read by title.

HOUSE BILL NO. 3— BY REPRESENTATIVE ROBIDEAUX AN ACT

To enact the Omnibus Bond Authorization Act of 2012, relative to the implementation of a five-year capital improvement program; to provide for the repeal of certain prior bond authorizations; to provide for new bond authorizations; to provide for authorization and sale of such bonds by the State Bond Commission; and to provide for related matters.

Read by title.

HOUSE BILL NO. 254— BY REPRESENTATIVE BROSETT AN ACT

To enact R.S. 33:9091.19, relative to Orleans Parish; to create the Gentilly Terrace and Gardens Security District within the parish; to provide relative to the purpose, governance, and powers and duties of the district; to provide for the imposition of a parcel fee and for the use thereof; and to provide for related matters.

Read by title.

HOUSE BILL NO. 999— BY REPRESENTATIVE GUILLORY AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2012-2013 to be used to pay the consent judgment in the suit entitled "Joey E. Walker v. State of Louisiana Department of Transportation and Development, et al"; and to provide for related matters.

Read by title.

HOUSE BILL NO. 1000— BY REPRESENTATIVE ADAMS AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2012-2013 to be used to pay the consent judgment in the suit entitled "Van Jackson, on behalf of her minor child Donesha Merrick v. Charlene Jackson, Keyonta Jackson, Parish of Plaquemines, Louisiana Department of Transportation and Development, USA Agency Insurance Company, and XYZ Insurance Company"; and to provide for related matters.

Read by title.

HOUSE BILL NO. 1001— BY REPRESENTATIVE ROBIDEAUX AN ACT

To enact R.S. 39:1405.5, relative to the issuance of debt by political subdivisions; to prohibit the State Bond Commission from approving the issuance of bonds, notes, or other evidences of indebtedness of political subdivisions against whom there is filed certain unpaid judgments; to provide for the filing of notices of certain unpaid eligible judgments with the State Bond Commission; to provide that eligible judgments shall include judgments owed for goods, services, or work performed under a contractual obligation; and to provide for related matters.

Read by title.

HOUSE BILL NO. 1002— BY REPRESENTATIVE JONES AN ACT

To amend and reenact R.S. 23:921(I)(2)(b), the heading of Chapter 4-C of Title 32 of the Louisiana Revised Statutes of 1950, R.S. 32:781(2) and (8), 782, 783, 784(A)(introductory paragraph), (B), (C), and (D), 785(A), (B)(1)(introductory paragraph) and (b) and (2), (C), and (E), 786(A), (B), (C), and (D)(1), (2), and (3), 788(A), (B)(1), (C), and (D), 790(C), 791(B)(1), (2)(introductory paragraph), (3)(b), (4)(b), (d), (e), and (f), and (5), (C), (D)(introductory paragraph), (E), (G)(1)(introductory paragraph) and (c), (2), and (3) and (J), 792(A)(introductory paragraph), (1), and (4), (B)(introductory paragraph) and (6), (C)(introductory paragraph), (D), and (E), 794(A)(2) and (B), and 1252(31)(c), and R.S. 47:305.36(C)(2), 520(A) and (C)(3), and 522(C) and to repeal R.S. 36:4.1(D)(1), relative to the Louisiana Used Motor Vehicles Commission; to transfer its powers and duties to the Louisiana Department of Public Safety and Corrections, office of motor vehicles; and to provide for related matters.

Read by title.

HOUSE BILL NO. 1003— BY REPRESENTATIVE HAZEL AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2012-2013 to be used to pay the consent judgment against the Department of Transportation and Development in the suit entitled "Rebecca Ann Vines Welch and Christopher Vines v. George R. Bryant, II, et al"; and to provide for related matters.

Read by title.

HOUSE BILL NO. 1004— BY REPRESENTATIVE TALBOT AN ACT

To enact R.S. 11:786(F), relative to the Deferred Retirement Option Plan for the Teachers' Retirement System of Louisiana; to provide for rescission of election to participate subject to certain limitations; to provide for the disposition of amounts credited to the rescinding member's Deferred Retirement Option Plan; to provide with respect to service credit during the period of plan

participation; to provide for calculation of average compensation of a rescinding member; to provide for an effective date; and to provide for related matters.

Read by title.

**HOUSE BILL NO. 1005—**

BY REPRESENTATIVE RICHARD

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2012-2013 to be used to pay the consent judgment in the suit entitled "Don Daniels, et al v. State of Louisiana, through the Louisiana Department of Transportation and Development"; and to provide for related matters.

Read by title.

**House and House Concurrent Resolutions  
Lying Over**

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

**HOUSE CONCURRENT RESOLUTION NO. 46—**

BY REPRESENTATIVE ORTEGO

A CONCURRENT RESOLUTION

To urge and request state agencies, when translating information from the English language to the French language, to make every effort to make such translations using Louisiana French by utilizing dictionaries and other resources dedicated to the preservation and celebration of this unique language.

Read by title.

Under the rules, the above resolution was referred to the Committee on Municipal, Parochial and Cultural Affairs.

**Senate Concurrent Resolutions  
Lying Over**

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

**SENATE CONCURRENT RESOLUTION NO. 23—**

BY SENATOR THOMPSON

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of John Clifton McDonald, MD, chancellor emeritus of the Louisiana State University Health Sciences Center at Shreveport and dean emeritus of the School of Medicine in Shreveport.

Read by title.

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

**SENATE CONCURRENT RESOLUTION NO. 24—**

BY SENATOR THOMPSON

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of William "Billy" Brown III.

Read by title.

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

**House Bills and Joint Resolutions on  
Second Reading to be Referred**

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

**HOUSE BILL NO. 168—**

BY REPRESENTATIVE THIERRY

AN ACT

To amend and reenact R.S. 27:392(B)(3)(b)(i), relative to the St. Landry Parish Excellence Fund; to provide for use of monies appropriated from the fund; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 179—**

BY REPRESENTATIVE LEGER

AN ACT

To repeal R.S. 25:745(A)(2), relative to historic preservation districts and landmark commissions in New Orleans; to remove an exemption from the application of laws relative to such districts and commissions; to provide relative to the application of Sections 15 and 16 of Act No. 804 of the 1975 Regular Session of the Legislature to properties included in such exemption; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

**HOUSE BILL NO. 241—**

BY REPRESENTATIVE HENSGENS

AN ACT

To enact R.S. 42:1123(18)(b), relative to ethics; to allow a member of the board of commissioners of Hospital Service District No. 3 of Vermilion Parish to engage in certain transactions and to own an interest in entities that engage in certain transactions with the district; to provide for recusal; to provide for restrictions and limitations; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on House and Governmental Affairs.

**HOUSE BILL NO. 242—**

BY REPRESENTATIVE HARRIS

AN ACT

To enact R.S. 33:2481.5, relative to the city of Alexandria; to provide relative to the municipal fire and police civil service; to provide relative to the position of deputy chief of police; to include the governing authority of the city of Alexandria among those authorized to create that position; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

**HOUSE BILL NO. 250—**

BY REPRESENTATIVE ANDERS

AN ACT

To amend and reenact R.S. 33:130.472(I)(1), relative to the Concordia Economic and Industrial Development District; to provide relative to meetings of the board of commissioners of the district; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

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**HOUSE BILL NO. 256—**

BY REPRESENTATIVE ANDERS  
AN ACT

To enact R.S. 46:1053(Q)(3), relative to the parish of Concordia; to provide relative to the governing board of Concordia Parish Hospital Service District Number One; to increase the maximum per diem authorized to be paid to members of such board for attending board meetings; to provide relative to the number of meetings for which board members may be paid; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

**HOUSE BILL NO. 334—**

BY REPRESENTATIVE BROSSETT  
AN ACT

To amend and reenact R.S. 33:9613(A)(2) and (B) through (G) and 9614(B) and (C), to enact R.S. 33:9613(H) and (I) and 9614(D), and to repeal R.S. 33:9613(A)(3), relative to local ethics entities, including but not limited to an ethics review board or office of inspector general in the parishes of East Baton Rouge, Jefferson, and Orleans; to provide relative to subpoena powers; to provide for protective orders; to provide relative to enforcement of subpoenas; to provide relative to the privileged nature of certain documents; to provide relative to public access to public documents; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

**HOUSE BILL NO. 335—**

BY REPRESENTATIVE LORUSSO  
AN ACT

To amend and reenact R.S. 33:9038.59(G), relative to the New Orleans City Park Taxing District; to provide relative to tax increment financing and the dedication of state sales tax increments for such purpose; to provide relative to approval of agreements related to such state sales tax increment financing; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

**HOUSE BILL NO. 382—**

BY REPRESENTATIVE ABRAMSON  
AN ACT

To enact Chapter 3 of Subtitle VII of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:6301, relative to sales and use tax rebates; to establish the BioDistrict New Orleans Tax Rebate program; to provide for a state and local sales and use tax rebate program in Jefferson and Orleans parishes; to provide for certain eligibility requirements and limitations; to authorize the payment of such rebates; to provide for the administration of the program; to provide for an effective date; and to provide for related matters.

Read by title.

**Motion**

On motion of Rep. Leger, the bill was returned to the calendar.

**HOUSE BILL NO. 415—**

BY REPRESENTATIVE DOVE  
AN ACT

To enact R.S. 47:364, relative to the levy and collection of occupational license tax; to provide relative to an exemption

from occupational license tax in Terrebonne Parish; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

**HOUSE BILL NO. 478—**

BY REPRESENTATIVE GISCLAIR  
AN ACT

To amend and reenact Section 1(A) of Act No. 57 of the 2005 Regular Session of the Legislature, as amended by Act No. 79 of the 2007 Regular Session of the Louisiana Legislature, relative to the Grand Isle Port Commission; to provide relative to the use of certain waters for seafood production research; to provide relative to the specification of the boundaries and size of the area in which the research will be done; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 997—**

BY REPRESENTATIVE PUGH  
AN ACT

To amend and reenact R.S. 37:3504(B), relative to the Louisiana State Board of Private Investigator Examiners; to provide for membership; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 998—**

BY REPRESENTATIVE GIROD JACKSON  
AN ACT

To amend and reenact R.S. 33:2955(A)(1)(j) and (k), relative to investments by political subdivisions; to provide relative to the power of municipalities, parishes, school boards, and other political subdivisions to invest their monies; to provide requirements relative to the investment of such monies; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

**Motion**

On motion of Rep. Hazel, the Committee on Municipal, Parochial and Cultural Affairs was discharged from further consideration of House Bill No. 842.

**HOUSE BILL NO. 842—**

BY REPRESENTATIVE HAZEL  
AN ACT

To amend and reenact R.S. 33:172(A)(1)(a) and (d)(iv) and to repeal R.S. 33:180(C), relative to municipal annexations; to prohibit the governing authority of a municipality from annexing an area that is not contiguous to the corporate limits of the municipality; to provide relative to the annexation of property owned by a public body; to provide definitions; and to provide for related matters.

Read by title.

**Motion**

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

**Motion**

On motion of Rep. Ponti, the Committee on Health and Welfare was discharged from further consideration of House Bill No. 923.

**HOUSE BILL NO. 923—**

BY REPRESENTATIVE PONTI

AN ACT

To amend and reenact R.S. 37:3552, 3553, 3554(A), (B), (D), (E), and (F), 3555, 3556, 3557, 3558(A), (B), and (D), 3559, 3561, 3563, 3564, 3565, and 3566(B) and (C) and to repeal R.S. 35:3560, relative to massage therapy; to provide for definitions; to provide for applicability of the Louisiana Massage Therapists and Massage Establishment Act; to provide for exemptions; to provide for the Louisiana Board of Massage Therapy; to provide for membership of the board; to provide for the powers and duties of the board; to require licensure for person performing massage therapy; to provide for licensure for massage establishments; to establish licensure requirements; to provide for an examination; to provide for licensing regulations; to provide for the expiration and renewal of licenses; to provide for inactive status; to provide for disciplinary actions; to regulate advertising as a massage therapist or a massage establishment; to provide for penalties; to provide for injunctions; and to provide for related matters.

Read by title.

**Motion**

On motion of Rep. Ponti, the bill was recommitted to the Committee on Commerce.

**Senate Bills and Joint Resolutions on Second Reading to be Referred**

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

**SENATE BILL NO. 96—**

BY SENATOR MORRELL

AN ACT

To amend and reenact R.S. 15:1228.6(6) and (7), relative to component systems of the Integrated Criminal Justice Information System (ICJIS) operated by the Department of Public Safety and Corrections; to change the name of certain component systems; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

**SENATE BILL NO. 264—**

BY SENATOR MORRELL

AN ACT

To amend and reenact R.S. 15:874(5), relative to the inmate compensation fund; provides relative to disbursements from the fund; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

**SENATE BILL NO. 384—**

BY SENATOR RISER

AN ACT

To enact R.S. 49:191(6) and to repeal R.S. 49:191(4)(i), relative to the Department of Revenue, including provisions to provide for the re-creation of the Department of Revenue and the statutory

entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

**House Bills and Joint Resolutions on Second Reading Reported by Committee**

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

**HOUSE BILL NO. 8—**

BY REPRESENTATIVE SIMON

AN ACT

To amend and reenact R.S. 40:1737(A), 1738(D), 1741, and 1742(A)(2), relative to equal access to governmental and public facilities for the disabled community; to provide for proper designation of a certain office of the state; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

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

Under the rules, placed on the local and consent calendar.

**HOUSE BILL NO. 12—**

BY REPRESENTATIVE ABRAMSON

AN ACT

To amend and reenact Code of Civil Procedure Article 592(A)(3)(a)(ii), relative to certification of class actions; to provide for discovery and admissibility of expert witness testimony and evidence under certain circumstances; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 12 by Representative Abramson

**AMENDMENT NO. 1**

On page 1, line 7, change "enacted" to "amended and reenacted"

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 25—**

BY REPRESENTATIVE HENRY BURNS

AN ACT

To enact R.S. 37:2156.1(N), relative to certain state contractors' licenses; to provide for an exemption from certain examination requirements for licensed arborists; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 71—**  
BY REPRESENTATIVE BERTHELOT  
AN ACT

To enact R.S. 40:1602, relative to the state fire marshal; to authorize the state fire marshal to issue a burn ban; to authorize the state fire marshal and the commissioner of agriculture to issue civil fines for violations; to provide for the amount of the civil fine; to provide for the appeal of the civil fines; to provide for the deposit of monies collected in the Life Safety and Property Protection Trust Fund; to exempt prescribed burning; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Commerce to Enrolled House Bill No. 71 by Representative Berthelot

AMENDMENT NO. 1

On page 1, line 3, after "marshal" delete the remainder of the line and delete line 4 in its entirety and insert "and the commissioner of agriculture to issue civil fines for violations; to provide for the amount of the civil fine; to provide for the appeal of the civil fines; to provide for the deposit of monies collected in the Life Safety and Property Protection Trust Fund; to exempt prescribed burning; and to provide"

AMENDMENT NO. 2

On page 1, delete lines 11 and 12 in their entirety and insert in lieu thereof the following:

"B.(1) The state fire marshal or his representative or the commissioner of the Department of Agriculture and Forestry or his representative may impose a civil fine of two hundred fifty dollars for the violation of an order issued pursuant to this Section.

(2) Any penalties imposed pursuant to this Subsection may be appealed in accordance with the provisions of the Administrative Procedure Act.

(3) The penalties collected pursuant to this Subsection shall be deposited into the Louisiana Life Safety and Property Protection Trust Fund within the state treasury as provided for in R.S. 40:1664.9. The monies shall be deposited to the credit of the fund and shall, in addition to any other monies available for such purpose, be available to the state fire marshal to support fire safety and prevention programs.

C. This Section shall not apply to prescribed burning as defined in R.S. 3:17."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 112—**  
BY REPRESENTATIVE CONNICK  
AN ACT

To amend and reenact Code of Civil Procedure Article 2128 and to enact Code of Civil Procedure Article 2128.1, relative to records for civil appeals; to provide for the form and content of the record on appeal; to provide relative to the form of depositions made a part of the record; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 113—**  
BY REPRESENTATIVE SCHEXNAYDER  
AN ACT

To amend and reenact R.S. 51:656(C)(1)(f) and 658(B) and to enact R.S. 51:650(13), relative to fireworks; to define resident; to establish a resident and nonresident subclassification of fireworks retailer; to establish fees for the resident and nonresident subclassification of fireworks retailer; to increase the maximum criminal fine for operating without a permit; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

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

Under the rules, placed on the local and consent calendar.

**HOUSE BILL NO. 117—**  
BY REPRESENTATIVE HENRY BURNS  
AN ACT

To amend and reenact R.S. 32:408(B)(7)(e), relative to commercial motor vehicle driver waivers; to prohibit certain commercial motor vehicle drivers from driving commercial motor vehicles for public utilities; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 124—**  
BY REPRESENTATIVES EDWARDS, GISCLAIR, HILL, HODGES, HONORE, HOWARD, LEOPOLD, MACK, RICHARDSON, AND ST. GERMAIN  
AN ACT

To enact R.S. 47:490.25, relative to military honor license plates; to provide for the Korean Defense Service license plate; to provide for qualified applicants; to provide for rules and regulations; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the local and consent calendar.

**HOUSE BILL NO. 126—**

BY REPRESENTATIVES DIXON AND BROADWATER  
AN ACT

To enact R.S. 23:1294(C), relative to the Workers' Compensation Advisory Council; to provide for immunity from legal proceedings; to provide with respect to subpoenas; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 126 by Representative Dixon

AMENDMENT NO. 1

On page 1, line 3, after the semicolon and before "and" insert "to provide with respect to subpoenas;"

AMENDMENT NO. 2

On page 1, delete line 11 in its entirety and insert "discovery, both written and oral."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 133—**

BY REPRESENTATIVES ARMES, GISCLAIR, HILL, HODGES, HONORE,  
HOWARD, LEOPOLD, MACK, RICHARDSON, AND ST. GERMAIN  
AN ACT

To enact R.S. 32:412(K) and R.S. 40:1321(K), relative to driver's licenses and special identification cards; to authorize the designation of "VETERAN" on drivers' licenses and special identification cards; to provide for rules; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the local and consent calendar.

**HOUSE BILL NO. 144—**

BY REPRESENTATIVE PONTI  
AN ACT

To amend and reenact R.S. 51:708(8)(introductory paragraph), relative to securities; to change a reference to the Financial Industry Regulatory Authority to the Nasdaq Stock Market, LLC; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

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

Under the rules, placed on the local and consent calendar.

**HOUSE BILL NO. 205—**

BY REPRESENTATIVE BERTHELOT  
AN ACT

To amend and reenact R.S. 47:462(C), relative to motor vehicles; to authorize the use of prestige license plates on certain trucks; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 234—**

BY REPRESENTATIVE HODGES  
AN ACT

To enact R.S. 47:463.155, relative to motor vehicle special prestige plates; to provide for the creation, issuance, and design of such license plates; to provide relative to the fee and distribution of fees for such plates; to authorize the promulgation of rules and regulations; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 234 by Representative Hodges

AMENDMENT NO. 1

On page 1, line 8, after "plate:" delete "Protect" and insert "Save"

AMENDMENT NO. 2

On page 1, line 10, at the end of the line delete "Protect" and insert "Save"

AMENDMENT NO. 3

On page 2, delete lines 9 through 11 in their entirety and insert in lieu thereof:

"The monies received shall be used solely for financial aid for graduate students working on applied honey bee research projects at the United States Department of Agriculture Honey Bee Breeding, Genetics and Physiology Research Laboratory in Baton Rouge, Louisiana. The Louisiana Beekeepers Association, Incorporated, shall establish and disburse the funds for the scholarship program."

On motion of Rep. St. Germain, the amendments were adopted.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 300—**

BY REPRESENTATIVES LEGER, BARROW, WESLEY BISHOP, BROADWATER, BURFORD, HAZEL, HOFFMANN, JOHNSON, LAMBERT, LORUSSO, RITCHIE, ROBIDEAUX, THIBAUT, WHITNEY, PATRICK WILLIAMS, AND WILLMOTT  
AN ACT

To enact Subpart DD of Part I of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:120.106, relative to state individual income tax return checkoffs for certain donations; to provide for a method for individuals to donate all or a portion of any refund due to them to the American Red Cross; to provide for the administration and disbursement of donated monies; to provide for reporting; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 300 by Representative Leger

AMENDMENT NO. 1

On page 1, at the beginning of line 6, after "Red Cross;" delete the remainder of the line and delete lines 7 and 8 in their entirety and at the beginning of line 9 delete "the fund;" and insert "to provide for the administration and disbursement of donated monies;"

AMENDMENT NO. 2

On page 2, line 4, after "Revenue." and before "No" insert the following:

"Donated monies shall be administered by the secretary and distributed to the American Red Cross in accordance with the provisions of R.S. 47:120.37."

AMENDMENT NO. 3

On page 2, delete lines 6 through 11 in their entirety and from the beginning of line 12 delete "C." and insert "B."

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

Under the rules, the above bill, as amended, was ordered engrossed and recommitted to the Committee on Appropriations.

**Motion**

On motion of Rep. Robideaux, the vote by which House Bill No. 300 was recommitted to the Committee on Appropriations was reconsidered and the bill was passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 310—**

BY REPRESENTATIVES PONTI AND REYNOLDS  
AN ACT

To amend and reenact R.S. 32:717(B), relative to scrap motor vehicles; to provide for permits to dismantle vehicles over a certain number of years old; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 350—**

BY REPRESENTATIVE ARNOLD  
AN ACT

To amend and reenact Code of Civil Procedure Article 2379, relative to evictions; to provide for rights of reimbursement; to provide for limitations; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 386—**

BY REPRESENTATIVE PONTI  
AN ACT

To amend and reenact R.S. 37:2175.1(A)(introductory paragraph), 2175.2(C), and 2175.3(B) and to enact R.S. 37:2175.1(A)(6) and (7) and (D) and 2175.3(A)(9), relative to home improvement contracting; to lower the minimum threshold amount for home improvement contracting; to provide for a right to cancel a contract for home improvement contracting; to require notice of the right to cancel; to provide for refund of payments; to require proof of general liability insurance in a minimum amount; to prohibit a home improvement contractor from advertising or promising to pay or rebate all or any portion of an applicable insurance deductible as an inducement to the sale of goods or service; to provide for nullification of the contract and a cause of action for violations; to provide for an unfair trade practice violation; to provide for remedies for violations; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

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

Under the rules, placed on the local and consent calendar.

**HOUSE BILL NO. 405—**

BY REPRESENTATIVE DANAHAY  
AN ACT

To enact Code of Civil Procedure Article 1922(C), relative to judgments; to provide for required information in a judgment; to provide relative to affidavits of distinction of judgments; to provide for recording fees; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 405 by Representative Danahay

AMENDMENT NO. 1

On page 1, line 11, change "this Article," to "Paragraph B of this Article"



AMENDMENT NO. 2

On page 1, line 17, change "this Article," to "Paragraph B of this Article"

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 425—**

BY REPRESENTATIVE BROSETT  
AN ACT

To enact R.S. 47:469.1, relative to special license plates; to create a special "For Hire" plate for use in the city of New Orleans; to provide for the design and cost; to provide for rules and regulations; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 490—**

BY REPRESENTATIVE ROBIDEAUX  
AN ACT

To amend and reenact R.S. 47:120.37, relative to the Department of Revenue; to provide with respect to donations made on income tax returns for certain charitable and philanthropic purposes; to require a uniform policy of administration for donated monies; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 490 by Representative Robideaux

AMENDMENT NO. 1

On page 1, line 9, after "Notwithstanding" delete the remainder of the line and delete line 10 in its entirety and insert "any provision set forth in R.S. 47:120.3 through 120.101 or any other provision of law"

AMENDMENT NO. 2

On page 1, line 18, after "Notwithstanding" delete the remainder of the line and delete line 19 in its entirety and insert "any provision set forth in R.S. 47:120.3 through 120.101 or any other provision of law"

AMENDMENT NO. 3

On page 2, line 2, after "donor." and before "amount" delete "The" and insert the following:

"Notwithstanding any provision set forth in R.S. 47:120.3 through 120.101 or any other provision of law to the contrary, the"

AMENDMENT NO. 4

On page 2, line 7, after "filed" delete the remainder of the line and delete lines 8 and 9 in their entirety and insert a period "." and insert the following:

"Following the initial disbursement of monies, the secretary shall quarterly disburse monies to the designated donees. The provisions of this Subsection shall supercede any other provision of law in Title 47 of the Louisiana Revised Statutes of 1950, to the contrary."

AMENDMENT NO. 5

On page 2, line 11, after "refund donations" delete the comma "," and delete the remainder of the line and delete line 12 in its entirety and insert "as provided for in Chapter 1 of Title 47 of the"

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 508—**

BY REPRESENTATIVE PONTI  
AN ACT

To enact R.S. 6:1083(24) and 1086(D), relative to residential mortgages; to define "regularly engaged"; to exempt from licensure as a mortgage loan originator or a mortgage broker or lender those persons not regularly engaged in residential mortgage lending; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

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

Under the rules, placed on the local and consent calendar.

**HOUSE BILL NO. 512—**

BY REPRESENTATIVE MORENO  
AN ACT

To enact Code of Evidence Article 803(8)(b)(v), relative to the admission of evidence; to provide with respect to hearsay; to prohibit the introduction into evidence any admission made during an administrative sanction proceeding; and to provide for related matters.

Read by title.

Reported without action by the Committee on Civil Law and Procedure with recommendation that it be recommitted to the Committee on Administration of Criminal Justice.

On motion of Rep. Abramson, the above bill was recommitted to the Committee on Administration of Criminal Justice.

**HOUSE BILL NO. 544—**

BY REPRESENTATIVE MONTUCET  
AN ACT

To amend and reenact R.S. 32:424(A), relative to driver's licenses; to require a suspected unqualified licensee to retake the skills and knowledge test; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 544 by Representative Montoucet

AMENDMENT NO. 1

On page 1, line 9, after "A.", insert "(1)"

AMENDMENT NO. 2

On page 1, line 11, after "submit to" insert "one, any combination of, or all of the following:" and delete the remainder of the line and insert the following:

- "(a) Knowledge test.
- (b) Skills test.
- (c) Medical examination."

AMENDMENT NO. 3

On page 1, delete line 12 in it's entirety and on page 1, line 13, at the beginning of the line, delete "examination." and insert "(2)"

AMENDMENT NO. 4

On page 1, line 13, after "test", insert ", or tests," and after "examination" insert ", or examinations"

AMENDMENT NO. 5

On page 1, line 16, after "submit to", delete "the knowledge or skills test or a medical examination" and insert "any test or examination required pursuant to this Subsection"

On motion of Rep. St. Germain, the amendments were adopted.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 584—**  
BY REPRESENTATIVE ST. GERMAIN  
AN ACT

To amend and reenact R.S. 32:706.2, relative to peace officers; to clarify whom is qualified to perform inspections for vehicle identification number; to provide for rules and regulations; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Commerce to Original House Bill No. 584 by Representative St. Germain

AMENDMENT NO. 1

On page 1, line 8, after "A." and before "Any" insert "(1)".

AMENDMENT NO. 2

On page 1, between lines 12 and 13, insert the following:

"(2) No peace officer shall conduct a physical inspection of a vehicle in which he has a fiduciary interest, an ownership interest, or is in the process of acquiring an interest through a company or entity in which he has a fiduciary interest."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 585—**  
BY REPRESENTATIVE ST. GERMAIN  
AN ACT

To amend and reenact R.S. 32:898(A) and 901, relative to certificates of insurance; to provide for method of filing proof and notice of cancellation or termination; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the local and consent calendar.

**HOUSE BILL NO. 586—**  
BY REPRESENTATIVE ST. GERMAIN  
AN ACT

To amend and reenact R.S. 32:405.1, relative to age requirements of Class "E" driver's license; to increase the age of which a person must submit a signed statement attesting to supervised driving practice; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the local and consent calendar.

**HOUSE BILL NO. 587—**  
BY REPRESENTATIVE ST. GERMAIN  
AN ACT

To amend and reenact R.S. 32:414.2(B)(2)(a) and to enact R.S. 32:414.2(A)(1)(d)(x), relative to commercial driver disqualification; to provide that texting while driving a commercial motor vehicle is a serious traffic violation for commercial motor vehicle drivers; to provide for increased disqualification periods for commercial motor vehicle drivers found to have violated out-of-service orders; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 587 by Representative St. Germain

AMENDMENT NO. 1

On page 1, line 11, after "drivers" and before the first semi-colon ";" insert "and drivers with a commercial learner's permit"

On motion of Rep. St. Germain, the amendments were adopted.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 588—**  
BY REPRESENTATIVE ST. GERMAIN  
AN ACT

To amend and reenact R.S. 47:519(L)(2), relative to temporary registration plates; to extend the time for which temporary registration plates and markers are valid; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 590—**  
BY REPRESENTATIVE ST. GERMAIN  
AN ACT

To amend and reenact R.S. 32:412.2, relative to veterans; to exempt disabled veterans from the payment of fees for special identification cards; to provide for certain exceptions; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 650—**  
BY REPRESENTATIVE PATRICK WILLIAMS  
AN ACT

To enact Subpart DD of Part I of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:120.105, relative to state individual income tax return checkoffs for certain donations; to provide for a method for individuals to donate a portion of any refund due them to the Odyssey Foundation for the Arts, LLC for purposes of the Center of Excellence for Autism Spectrum Disorder; to authorize the secretary of the Department of Revenue to administer and disburse donated monies; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 650 by Representative Patrick Williams

AMENDMENT NO. 1

On page 1, line 5, after "to the" and before "Center" insert "Odyssey Foundation for the Arts, LLC for purposes of the"

AMENDMENT NO. 2

On page 1, line 6, after "Disorder" and before the semi-colon ";" delete "Fund"

AMENDMENT NO. 3

On page 1, line 7, after "Revenue to" delete the remainder of the line and on line 8, delete "into the fund;" and insert "administer and disburse donated monies;"

AMENDMENT NO. 4

On page 1, from the beginning of line 16, delete "A."

AMENDMENT NO. 5

On page 1, line 19, after "donated to" delete the remainder of the line and insert the following:

"Odyssey Foundation for the Arts, LLC for the Center of Excellence for Autism Spectrum Disorder, in lieu of"

AMENDMENT NO. 6

On page 2, line 2, between "designated." and "The" insert the following:

"For purposes of listing this donation option on the tax return, the donation authorized by this Section shall be referred to as the "Center for Excellence for Autism Spectrum Disorder"."

AMENDMENT NO. 7

On page 2, line 4, after "Revenue" delete the comma, delete the remainder of the line and insert a period "."

AMENDMENT NO. 8

On page 2, at the beginning of line 5, delete "the secretary" and before the period "." insert the following:

"Donated monies shall be administered by the secretary and disbursed to the Odyssey Foundation for the Arts, LLC for purposes of the Center of Excellence for Autism Spectrum Disorder in accordance with the provisions of R.S. 47:120.37."

AMENDMENT NO. 9

On page 2, delete lines 7 through 12 in their entirety

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 668—**  
BY REPRESENTATIVE ST. GERMAIN  
AN ACT

To amend and reenact R.S. 32:403.4(A), relative to commercial motor vehicle drivers; to require persons applying for commercial driver's licenses to make certain certifications; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 687—**

BY REPRESENTATIVE GREENE  
AN ACT

To enact R.S. 40:1299.96(A)(2)(b)(iii), relative to health care information; to provide notice; to provide for civil liability for noncompliance; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 687 by Representative Greene

AMENDMENT NO. 1

On page 1, line 2, after "To" and before the comma change "amend and reenact R.S. 40:1299.96(A)(2)(b)" to "enact R.S. 40:1299.96(A)(2)(b)(iii)"

AMENDMENT NO. 2

On page 1, delete line 3 in its entirety and insert "provide notice;"

AMENDMENT NO. 3

On page 1, at the beginning of line 4, delete "provider;"

AMENDMENT NO. 4

On page 1, line 7, after "Section 1." change "R.S. 40:1299.96(A)(2)(b)" to "R.S. 40:1299.96(A)(2)(b)(iii)" and after "hereby" change "amended and reenacted" to "enacted"

AMENDMENT NO. 5

On page 1, line 14, after "(b)" delete the remainder of the line and delete lines 15 through 20 in their entirety and insert asterisks "\*" \*"

AMENDMENT NO. 6

On page 2, delete lines 1 through 29 in their entirety

AMENDMENT NO. 7

On page 3, delete lines 1 through 23 in their entirety

AMENDMENT NO. 8

On page 3, line 24, after "(iii)" and before "violation" delete "Any" and insert the following:

"A health care provider shall be provided with written notice of any violation of Items (i) or (ii) and of this Subparagraph shall be given three days to correct the noticed violation. If the violation is not corrected within three days of receipt of notice, any"

AMENDMENT NO. 9

On page 3, line 24, after "of" and before "shall" change "items (b)(i) and (ii)" to "Items (i) or (ii) of this Subparagraph"

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 696—**

BY REPRESENTATIVE ST. GERMAIN  
AN ACT

To amend and reenact R.S. 15:587(A)(1)(e) and R.S. 32:408(A)(4)(b) and (d), (B)(2)(introductory paragraph) and (a)(ii) and (F)(1) and to enact R.S. 32:408.1(5) and 414(K)(3), relative to commercial motor vehicle driver's licenses; to provide for background checks; to provide for commercial motor vehicle driver's licenses tests matters; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 696 by Representative St. Germain

AMENDMENT NO. 1

On page 1, line 2, after "R.S." delete "405,"

AMENDMENT NO. 2

On page 1, line 3, after "408.1(5)" insert "and 414(K)(3)"

AMENDMENT NO. 3

On page 1, line 13, after "(e)", insert "(i)"

AMENDMENT NO. 4

On page 1, line 16, at the end of the line, delete the comma "," and insert a period ".".

AMENDMENT NO. 5

On page 1, delete lines 17 and 18 in their entirety and insert the following:

"(ii) The office of motor vehicles shall submit fingerprint cards or other identifying information of the principal of any third-party tester or examiner who has or is seeking a contract to administer commercial driving examinations and tests pursuant to R.S. 32:408.1 to the bureau. The bureau shall, upon request and after receipt of fingerprint cards or other identifying information from the office of motor vehicles, make available to the office of motor vehicles all arrest and conviction information contained in the bureau's criminal history record and identification files which pertains to the principal. In addition, in order to determine a principal's eligibility or suitability, the fingerprints shall be forwarded by the bureau to the Federal Bureau of Investigation for a national criminal history record check.

"(iii) The office of motor vehicles may submit fingerprint cards or other identifying information of a person seeking employment with the office of motor vehicles whose duties will include the issuance of commercial drivers' licenses or any current office of motor vehicles employee who as part of his employment issues

commercial driver's licenses. The bureau shall, upon request and after receipt of fingerprint cards or other identifying information from the office of motor vehicles, make available to the office of motor vehicles all arrest and conviction information contained in the bureau's criminal history record and identification files which pertains to the employee or potential employee. In addition, in order to determine an employee or potential employee's eligibility or suitability, the fingerprints shall be forwarded by the bureau to the Federal Bureau of Investigation for a national criminal history record check."

AMENDMENT NO. 6

On page 2, delete lines 1 and 2 in their entirety

AMENDMENT NO. 7

On page 2, line 4, after "R.S. 32:" delete "405,"

AMENDMENT NO. 8

On page 2, line 5, after "408.1(5)", delete "is" and insert "and 414(K)(3) are"

AMENDMENT NO. 9

On page 2, delete lines 7 through 19 in their entirety

AMENDMENT NO. 10

On page 5, after line 11, insert the following:

\*\*                    \*                    \*

§414. Suspension, revocation, renewal, and cancellation of licenses; judicial review

\*                    \*                    \*

K.

\*                    \*                    \*

(3) Reinstatement under this provision does not apply to the commercial driver license (CDL) disqualification of the license."

On motion of Rep. St. Germain, the amendments were adopted.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 732—**  
BY REPRESENTATIVES HENRY BURNS AND LORUSSO  
AN ACT

To enact R.S. 37:3650, relative to professions and occupations; to provide for certain licensure of individuals with military training and experience; to provide for terms, conditions, procedures, and requirements; to provide for licensure by endorsement for spouses of such individuals; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Commerce to Original House Bill No. 732 by Representative Henry Burns

AMENDMENT NO. 1

On page 2, delete lines 1 through 4 in their entirety

AMENDMENT NO. 2

On page 2, line 5, change "(4)" to "(3)"

AMENDMENT NO. 3

On page 2, between lines 7 and 8, insert the following:

"B. Notwithstanding any other provision of law, a professional or occupational licensing board shall issue a license, certification, or registration to a military-trained applicant to allow the individual to lawfully practice an occupation in this state if, upon application to a professional or occupational licensing board, the individual holds a current license, certification, or registration from another jurisdiction and that jurisdiction's requirements for licensure, certification, or registration are substantially equivalent to or exceed the requirements for licensure, certification, or registration in this state."

AMENDMENT NO. 4

On page 2, line 8, change "B." to "C."

AMENDMENT NO. 5

On page 2, line 24, after "permit" delete the remainder of the line and insert a period "."

AMENDMENT NO. 6

On page 2, line 25, change "C." to "D."

AMENDMENT NO. 7

On page 3, line 7, change "D." to "E."

AMENDMENT NO. 8

On page 3, line 11, change "E." to "F."

AMENDMENT NO. 9

On page 3, line 14, change "F." to "G."

AMENDMENT NO. 10

On page 3, line 18, change "G." to "H."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 814—**  
BY REPRESENTATIVE HILL  
AN ACT

To enact R.S. 47:463.155, relative to motor vehicle special prestige plates; to provide for creation, issuance, and design of such license plates; to provide relative to the fee and distribution of fees for such plates; to authorize promulgation of rules and regulations; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the local and consent calendar.

**HOUSE BILL NO. 898—**  
BY REPRESENTATIVE ROBIDEAUX  
AN ACT

To amend and reenact R.S. 47:114(A) through (H), relative to tax administration, to provide for the quarterly filing of withholding tax returns; to provide for the due date of payments of the withholding return; to authorize rulemaking; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 898 by Representative Robideaux

AMENDMENT NO. 1

On page 4, line 8, after "secretary" insert a period "." and delete the remainder of the line in its entirety

AMENDMENT NO. 2

On page 5, line 25, after "R.S. 47:112(L)" and before "described" insert "as"

AMENDMENT NO. 3

On page 5, line 26, after "submission of," and before "or the" delete the comma "," and delete "the failure to submit."

AMENDMENT NO. 4

On page 6, at the beginning of line 20, delete "statute" and insert "Section"

AMENDMENT NO. 5

On page 6, at the beginning of line 21, delete "use" and insert "used"

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 904—**  
BY REPRESENTATIVE HUNTER  
AN ACT

To amend and reenact R.S. 9:2799(A)(1) and 2799.3, relative to limitation of liability for damages from donated food; to provide for limitation of liability of schools; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 929—**  
BY REPRESENTATIVE MILLER  
AN ACT

To amend and reenact R.S. 35:191(A)(1)(d) and (e), 191.2(3), 191.4(B) through (H), and 192(A) and to enact R.S. 35:191(A)(1)(f) and (g), 191.1(C), and 191.4(I), relative to notaries; to provide for qualifications of notaries; to provide for education of notaries; to provide for fees; to provide for requirements for instructors; to provide for bonding requirements for certain notaries; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 929 by Representative Miller

AMENDMENT NO. 1

On page 2, line 16, after "of" and before "education" change "notary" to "academically credentialed"

AMENDMENT NO. 2

On page 4, line 17, after "parish" delete the remainder of the line and insert a period

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 948—**  
BY REPRESENTATIVE SEABAUGH  
AN ACT

To amend and reenact R.S. 13:3733(D)(introductory paragraph) and 3733.1(C), relative to the admissibility of certain business records; to provide for admissibility; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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

Under the rules, placed on the regular calendar.

**Suspension of the Rules**

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

**Introduction of Resolutions,  
House and House Concurrent**

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

**HOUSE RESOLUTION NO. 10—**

BY REPRESENTATIVE JAMES

**A RESOLUTION**

To commend Pastor Eric A. Williams upon his fifth anniversary as pastor of the Beacon Light Baptist Church of Baton Rouge.

Read by title.

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

**Reports of Committees**

The following reports of committees were received and read:

**Report of the Committee on  
Civil Law and Procedure**

March 20, 2012

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Civil Law and Procedure to submit the following report:

House Bill No. 125, by Lopinto  
Reported with amendments. (12-0) (Regular)

House Bill No. 169, by Henry  
Reported with amendments. (14-0) (Regular)

House Bill No. 170, by Henry  
Reported with amendments. (14-0) (Regular)

House Bill No. 342, by Morris, Jay  
Reported with amendments. (14-0) (Regular)

House Bill No. 450, by Abramson  
Reported favorably. (12-0) (Regular)

House Bill No. 452, by Abramson  
Reported favorably. (14-0) (Regular)

House Bill No. 453, by Abramson  
Reported favorably. (14-0) (Regular)

House Bill No. 469, by Abramson  
Reported with amendments. (11-0) (Regular)

House Bill No. 470, by Abramson  
Reported favorably. (13-0) (Regular)

House Bill No. 535, by Morris, Jay  
Reported favorably. (13-0) (Regular)

House Bill No. 940, by Abramson  
Reported favorably. (13-0) (Regular)

House Bill No. 941, by Abramson  
Reported favorably. (12-0) (Regular)

NEIL C. ABRAMSON  
Chairman

**Report of the Committee on  
Commerce**

March 20, 2012

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Commerce to submit the following report:

House Bill No. 81, by Ligi  
Reported favorably. (17-0) (Local & Consent)

House Bill No. 660, by Bishop, Stuart  
Reported favorably. (17-0) (Local & Consent)

ERICH E. PONTI  
Chairman

**Report of the Committee on  
Transportation, Highways, and Public Works**

March 20, 2012

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Transportation, Highways, and Public Works to submit the following report:

House Bill No. 162, by Gisclair  
Reported favorably. (16-0) (Local & Consent)

House Bill No. 197, by Burns, Henry  
Reported favorably. (14-0) (Regular)

House Bill No. 324, by Danahay  
Reported favorably. (14-0) (Local & Consent)

House Bill No. 374, by Armes  
Reported favorably. (15-0) (Local & Consent)

House Bill No. 485, by Thierry  
Reported favorably. (16-0) (Regular)

House Bill No. 615, by St. Germain  
Reported without amendments. (17-0) (Regular)

House Bill No. 623, by St. Germain  
Reported with amendments. (15-0) (Regular)

House Bill No. 633, by St. Germain  
Reported favorably. (15-0) (Regular)

House Bill No. 882, by Howard  
Reported favorably. (14-0) (Regular)

KAREN GAUDET ST. GERMAIN  
Chairwoman

**Report of the Committee on  
Ways and Means**

Tuesday, March 20, 2012

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Ways and Means to submit the following report:

House Concurrent Resolution No. 2, by Moreno  
Reported favorably. (15-0)

House Bill No. 302, by Dixon  
Reported with amendments. (18-0) (Regular)

House Bill No. 635, by Barrow  
Reported with amendments. (17-0) (Regular)

House Bill No. 783, by Fannin  
Reported with amendments. (18-0) (Regular)

House Bill No. 835, by Miller  
Reported favorably. (17-0) (Regular)

JOEL C. ROBIDEAUX  
Chairman

**Privileged Report of the Committee on Enrollment**

March 20, 2012

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

I am directed by your Committee on Enrollment to submit the following report:

The following House Resolutions have been properly enrolled:

**HOUSE RESOLUTION NO. 5—**

BY REPRESENTATIVES BARROW, ABRAMSON, ADAMS, ANDERS, ARMES, ARNOLD, BADON, BARRAS, BERTHELOT, BILLIOT, STUART BISHOP, WESLEY BISHOP, BROADWATER, BROSSETT, BROWN, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, CHANEY, CONNICK, COX, CROMER, DANAHAY, DIXON, DOVE, EDWARDS, FANNIN, FOIL, FRANKLIN, GAINES, GAROFALO, GEYMANN, GISCLAIR, GREENE, GUILLORY, GUINN, HARRIS, HARRISON, HAVARD, HAZEL, HENRY, HENSGENS, HILL, HODGES, HOFFMANN, HOLLIS, HONORE, HOWARD, HUNTER, HUVAL, GIROD JACKSON, KATRINA JACKSON, JAMES, JEFFERSON, JOHNSON, JONES, KLECKLEY, LAMBERT, NANCY LANDRY, TERRY LANDRY, LEBAS, LEGER, LEOPOLD, LIGI, LOPINTO, LORUSSO, MACK, MILLER, MONTOU CET, MORENO, JAY MORRIS, JIM MORRIS, NORTON, ORTEGO, PEARSON, PIERRE, PONTI, POPE, PRICE, PUGH, PYLANT, REYNOLDS, RICHARD, RICHARDSON, RITCHIE, ROBIDEAUX, SCHEXNAYDER, SCHRODER, SEABAUGH, SHADOIN, SIMON, SMITH, ST. GERMAIN, TALBOT, THIBAUT, THIERRY, THOMPSON, WHITNEY, ALFRED WILLIAMS, PATRICK WILLIAMS, AND WILLMOTT

**A RESOLUTION**

To commend ExxonMobil and recognize Monday, March 19, 2012, as ExxonMobil Day at the Louisiana State Capitol.

**HOUSE RESOLUTION NO. 6—**

BY REPRESENTATIVE LIGI

**A RESOLUTION**

To express sincere and heartfelt condolences upon the death of Donald Joseph Grush.

**HOUSE RESOLUTION NO. 7—**

BY REPRESENTATIVE LEGER

**A RESOLUTION**

To commend Harry Lee Sluss of New Orleans on the occasion of his one hundred second birthday.

Respectfully submitted,

HAROLD RITCHIE  
Chairman

The above House Resolutions contained in the report were signed by the Speaker of the House and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

**Privileged Report of the Committee on Enrollment**

March 20, 2012

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

I am directed by your Committee on Enrollment to submit the following report:

The following House Concurrent Resolutions have been properly enrolled:

**HOUSE CONCURRENT RESOLUTION NO. 43—**

BY REPRESENTATIVE BARRAS

**A CONCURRENT RESOLUTION**

To commend Don de Mahy upon being named a National Merit Finalist.

**HOUSE CONCURRENT RESOLUTION NO. 44—**

BY REPRESENTATIVES SMITH, ABRAMSON, ADAMS, ANDERS, ARMES, ARNOLD, BADON, BARRAS, BARROW, BERTHELOT, BILLIOT, STUART BISHOP, WESLEY BISHOP, BROADWATER, BROSSETT, BROWN, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, CHANEY, CONNICK, COX, CROMER, DANAHAY, DIXON, DOVE, EDWARDS, FANNIN, FOIL, FRANKLIN, GAINES, GAROFALO, GEYMANN, GISCLAIR, GREENE, GUILLORY, GUINN, HARRIS, HARRISON, HAVARD, HAZEL, HENRY, HENSGENS, HILL, HODGES, HOFFMANN, HOLLIS, HONORE, HOWARD, HUNTER, HUVAL, GIROD JACKSON, KATRINA JACKSON, JAMES, JEFFERSON, JOHNSON, JONES, KLECKLEY, LAMBERT, NANCY LANDRY, TERRY LANDRY, LEBAS, LEGER, LEOPOLD, LIGI, LOPINTO, LORUSSO, MACK, MILLER, MONTOU CET, MORENO, JAY MORRIS, JIM MORRIS, NORTON, ORTEGO, PEARSON, PIERRE, PONTI, POPE, PRICE, PUGH, PYLANT, REYNOLDS, RICHARD, RICHARDSON, RITCHIE, ROBIDEAUX, SCHEXNAYDER, SCHRODER, SEABAUGH, SHADOIN, SIMON, ST. GERMAIN, TALBOT, THIBAUT, THIERRY, THOMPSON, WHITNEY, ALFRED WILLIAMS, PATRICK WILLIAMS, AND WILLMOTT

**A CONCURRENT RESOLUTION**

To commemorate the eightieth anniversary of the dedication of the Louisiana State Capitol and to recognize it as a great place to visit.

**HOUSE CONCURRENT RESOLUTION NO. 45—**

BY REPRESENTATIVES ROBIDEAUX, BARRAS, STUART BISHOP, NANCY LANDRY, TERRY LANDRY, MONTOU CET, ORTEGO, AND PIERRE

**A CONCURRENT RESOLUTION**

To commend Lafayette upon being named the Tastiest Town in the South by Southern Living magazine.

Respectfully submitted,

HAROLD RITCHIE  
Chairman

The above House Concurrent Resolutions contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk of the House and were signed by the President of the Senate and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

**Suspension of the Rules**

On motion of Rep. Tim Burns, the rules were suspended to permit the Committee on House and Governmental Affairs to consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill No. 491

**Adjournment**

On motion of Rep. Billiot, at 5:00 P.M., the House agreed to adjourn until Wednesday, March 21, 2012, at 4:00 P.M.

The Speaker of the House declared the House adjourned until 4:00 P.M., Wednesday, March 21, 2012.

ALFRED W. SPEER  
Clerk of the House