

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

SEVENTH 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

Wednesday, March 21, 2012

The House of Representatives was called to order at 4:00 P.M., by the Honorable Walt Leger, Speaker Pro Tempore of the House of Representatives.

Morning Hour

ROLL CALL

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

PRESENT

| | | |
|-------------|-------------|--------------|
| Mr. Speaker | Garofalo | Miller |
| Abramson | Geymann | Montoucet |
| Adams | Gisclair | Moreno |
| Anders | Greene | Morris, Jay |
| Arnold | Guillory | Morris, Jim |
| Badon | Guinn | Norton |
| Barras | Harris | Ortego |
| Barrow | Harrison | Pearson |
| Berthelot | Havard | Pierre |
| Billiot | Hazel | Ponti |
| Bishop, S. | Henry | 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 | Lorusso | Williams, P. |
| Gaines | Mack | Willmott |

Total - 102

The Speaker Pro Tempore announced that there were 102 members present and a quorum.

Prayer

Prayer was offered by Pastor Oren Conner of First Baptist Church, Baton Rouge.

Pledge of Allegiance

Rep. Pierre 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. Wilmott, the reading of the Journal was dispensed with.

On motion of Rep. Wilmott, the Journal of March 20, 2012, was adopted.

**Petitions, Memorials, and
Communications**

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

Message from the Senate

SENATE BILLS

March 21, 2012

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

I am directed to inform your honorable body that the Senate has finally passed the following Senate Bills:

Senate Bill Nos. 126, 157, 221, 396, and 557

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

**Senate Bills and Joint Resolutions
on First Reading**

The following Senate Bills and Joint Resolutions on first reading were taken up, read, and placed upon the calendar for their second reading:

SENATE BILL NO. 126—

BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 38:2225.2.1(A)(3), relative to public contracts; to extend the time relative to the utilization of design-build contracts under certain circumstances; and to provide for related matters.

Read by title.

SENATE BILL NO. 157—

BY SENATORS ADLEY, ALARIO, BROWN, BUFFINGTON, ERDEY, HEITMEIER, NEVERS AND GARY SMITH

AN ACT

To enact R.S. 32:412(K) and R.S. 40:1321(K), relative to veteran designation on a driver's license and identification card; to provide for the exhibition of the word "Veteran" on a driver's license and identification card; and to provide for related matters.

Read by title.

SENATE BILL NO. 221—
BY SENATOR ALARIO

AN ACT

To enact Subpart DD of Part 1 of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:120.102, relative to donations of refunds; to provide for such donations to the Louisiana Association of United Ways/LA 2-1-1; and to provide for related matters.

Read by title.

SENATE BILL NO. 396—
BY SENATOR CROWE

AN ACT

To amend and reenact R.S. 34:3494(A) and (B)(3) and to repeal R.S. 34:3494(B)(9), relative to the Louisiana International Gulf Transfer and Terminal Authority; to provide for changes in the board membership; and to provide for related matters.

Read by title.

SENATE BILL NO. 557—
BY SENATORS ERDEY, ADLEY, BROWN, BUFFINGTON, HEITMEIER,
NEVERS AND GARY SMITH

AN ACT

To amend and reenact R.S. 47:463.71(C), relative to the special prestige license plate for the Boy Scouts of America; to provide for an annual royalty fee and for distribution of collections; and to provide for related matters.

Read by title.

Suspension of the Rules

On motion of Rep. Arnold, 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. 11—
BY REPRESENTATIVES ARNOLD AND HENRY
A RESOLUTION

To commend Taiwan's participation as an observer in the International Civil Aviation Organization and the United Nations Framework Convention on Climate Change.

Read by title.

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

HOUSE RESOLUTION NO. 12—
BY REPRESENTATIVE HUNTER
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. 13—
BY REPRESENTATIVES STUART BISHOP, BARRAS, NANCY LANDRY,
TERRY LANDRY, MONTOUCE, ORTEGO, PIERRE, AND ROBIDEAUX
A RESOLUTION

To commend the St. Thomas More High School girls basketball team of Lafayette upon winning the Class 4A state championship.

Read by title.

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

HOUSE RESOLUTION NO. 14—
BY REPRESENTATIVES SMITH, HUNTER, AND KATRINA JACKSON
A RESOLUTION

To require additional public hearings and opportunities for public testimony on certain specified proposed legislation and to require such hearings to be held on Fridays after 5:00 p.m., Saturdays, or Sundays.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 49—
BY REPRESENTATIVE ORTEGO
A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries to study Bayou Teche for possible inclusion into the Historic and Scenic Rivers program.

Read by title.

Lies over under the rules.

**Introduction of House Bills
and Joint Resolutions**

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

HOUSE BILL NO. 1006—
BY REPRESENTATIVE PYLANT
AN ACT

To amend and reenact R.S. 13:5554(S), relative to payment of group insurance premiums for sheriffs and deputy sheriffs retired from the Franklin Parish Sheriff's Office; to provide for requirements relative to age and years of service with the Franklin Parish Sheriff's Office; and to provide for related matters.

Read by title.

HOUSE BILL NO. 1007—
BY REPRESENTATIVE CHAMPAGNE
AN ACT

To designate Louisiana Highway 90 as the "Energy Corridor to the Nation".

Read by title.

HOUSE BILL NO. 1008—
BY REPRESENTATIVE CHAMPAGNE
AN ACT

To designate a certain portion of Interstate Highway 10 as the "Louisiana Seafood Highway".

Read by title.

HOUSE BILL NO. 1009—
BY REPRESENTATIVES ORTEGO AND PATRICK WILLIAMS
AN ACT

To amend and reenact R.S. 32:1(4), 219, and 263(C) and to enact R.S. 32:197.1 and 263(D), relative to vehicles; to provide relative to the use of bicycles and vehicles on highways, interstates, and sidewalks; and to provide for related matters.

Read by title.

HOUSE BILL NO. 1010—
BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 13:392 and to enact R.S. 13:352(D), (E), and (F), relative to furniture and equipment purchased or owned

by the courts of appeal; to require the title of all furniture and equipment purchased and in possession of the courts of appeal to vest in the purchasing court; to require an itemized statement of furniture and equipment requested for purchase; to authorize certain persons to complete the sale of furniture or equipment; to authorize any judge to purchase furniture and equipment with nonpublic funds upon termination of office; to require sale proceeds to be retained by the clerk or court; and to provide for related matters.

Read by title.

HOUSE BILL NO. 1011—
BY REPRESENTATIVE PRICE

AN ACT

To amend and reenact R.S. 13:691(B)(5), relative to vehicle expenses for certain judges; to authorize an increase in the amount of reimbursements for vehicle expenses; and to provide for related matters.

Read by title.

HOUSE BILL NO. 1012—
BY REPRESENTATIVE LORUSSO

AN ACT

To amend and reenact R.S. 40:2532, relative to the release of personal information of law enforcement officers; to prohibit the release of certain personal information without written consent of the law enforcement officer; to provide for notification requirements by the custodian and the officer regarding a pending release and a review period by the officer; to provide for civil damages related to the release of confidential or protected information for a law enforcement officer; 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 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.

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

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.

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

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.

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

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. 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.

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

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.

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

HOUSE BILL NO. 254—

BY REPRESENTATIVE BROSSETT

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.

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

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.

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

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.

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

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.

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

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.

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

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.

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

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.

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

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.

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

**House and House Concurrent Resolutions
Reported by Committee**

The following House and House Concurrent Resolutions reported by committee were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 2—
BY REPRESENTATIVE MORENO
A CONCURRENT RESOLUTION

To urge and request the Louisiana Tax Commission to study and make recommendations relative to the practicality and feasibility of establishing a statewide database to track the name and address of a property owner claiming a homestead exemption which can be used by each assessor and each registrar of voters for the purpose of curtailing property tax and voter registration fraud.

Read by title.

Reported favorably by the Committee on Ways and Means.

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

**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. 81—

BY REPRESENTATIVE LIGI

AN ACT

To amend and reenact R.S. 32:1253(A)(2), relative to the Louisiana Motor Vehicle Commission; to provide for membership; 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. 125—

BY REPRESENTATIVE LOPINTO

AN ACT

To enact Civil Code Article 2315.1(F), relative to survival actions; to provide a preference to the survival action to certain persons; 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. 125 by Representative Lopinto

AMENDMENT NO. 1

On page 1, line 9, after "legacy," and before "the" insert "regardless of whether the right of action is specifically identified in the testament,"

AMENDMENT NO. 2

On page 1, line 11, after "any" and before the period change "existing forced heir" to "forced heirs"

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. 162—

BY REPRESENTATIVE GISCLAIR

AN ACT

To amend and reenact R.S. 32:301, relative to motor vehicles; to provide that lighted lamps are required to be used while driving through a tunnel; 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. 169—

BY REPRESENTATIVE HENRY

AN ACT

To amend and reenact R.S. 9:2743(B) and (D)(2), relative to certificates of encumbrances; to provide procedures for identifying the mortgagor or obligor of debt; to provide for affidavit to serve as satisfactory evidence; to provide with respect to liability; 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. 169 by Representative Henry

AMENDMENT NO. 1

On page 2, at the end of line 6, change "those of" to "against"

AMENDMENT NO. 2

On page 2, line 9, after "upon the" and before "affidavit" delete "certificate by"

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. 170—

BY REPRESENTATIVE HENRY

AN ACT

To amend and reenact R.S. 9:5175(B), relative to erasure or cancellation of mortgages; to provide with respect to mortgages discharged in bankruptcy; to provide for the use of an affidavit to designate the judgments, mortgages, or privileges to be discharged; to provide for procedures; 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. 170 by Representative Henry

AMENDMENT NO. 1

On page 1, line 18, delete "If an order of cancellation" and insert "If a bankruptcy court order authorizing the sale of property free and clear of all judgments, mortgages, and privileges"

AMENDMENT NO. 2

On page 2, line 1, after "privileges" and before the period change "are cancelled" to "are to be partially cancelled as to the particular property subject to the order"

Page 6 HOUSE

7th Day's Proceedings - March 21, 2012

AMENDMENT NO. 3

On page 2, line 2, after "the" and before the period change "order of cancellation" to "bankruptcy court order"

AMENDMENT NO. 4

On page 2, line 4, after "the" and before "debtor" delete "judgment"

AMENDMENT NO. 5

On page 2, line 8, after "judgment" and before "is" insert a comma and "mortgage, or privilege"

AMENDMENT NO. 6

On page 2, line 11, after "property" and before "is" delete "to be sold" and after "all" and before "judgments" delete "discharged"

AMENDMENT NO. 7

On page 2, line 13, after "A" before "the judgments" change "copy of the schedule or schedules listing" to "listing of"

AMENDMENT NO. 8

On page 2, line 16, after "A" and before "order" change "copy of the discharge" to "certified copy of the bankruptcy court"

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. 197—

BY REPRESENTATIVE HENRY BURNS
AN ACT

To amend and reenact R.S. 32:295.1(A) and (B), relative to seat belts; to require all passengers in motor vehicles to wear a seat belt; to prohibit a driver from transporting more passengers than a motor vehicle has seat belts; 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. 302—

BY REPRESENTATIVE DIXON
AN ACT

To enact R.S. 47:2129.1, relative to the collection of ad valorem taxes in Rapides Parish; to authorize the collector to accept quarterly payment of certain taxes and statutory impositions subject to approval of the governing body of the taxing authority; to provide for effectiveness; 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. 302 by Representative Dixon

AMENDMENT NO. 1

On page 1, between lines 5 and 6, insert the following:

"Notice of intention to introduce this Act has been published as provided by Article III, Section 13 of the Constitution of Louisiana."

AMENDMENT NO. 2

On page 1, line 12, after "taxing authority" and before "the tax" delete "levying" and insert "which imposes"

AMENDMENT NO. 3

On page 1, line 18, after "year." and before "The" insert the following:

"Upon receipt of the certified tax roll, the collector shall reconcile any advance payments made pursuant to this Section with the amount of taxes due according to the certified tax roll. Advance payments shall be shown on a tax debtor's tax bill as a credit against taxes due.

C."

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. 324—

BY REPRESENTATIVE DANAHAY
AN ACT

To designate a portion of Highway 12 as the "Purple Heart Recipient Highway".

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. 342—

BY REPRESENTATIVE JAY MORRIS
AN ACT

To amend and reenact R.S. 9:5554, relative to the registry of certain documents; to provide for documents not required to be registered for purposes of executory process; 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. 342 by Representative Jay Morris

AMENDMENT NO. 1

On page 1, line 11, after "a" and before "collateral" insert "mortgage."

AMENDMENT NO. 2

On page 1, line 12, after "mortgage" and before "or" insert a comma ","

AMENDMENT NO. 3

On page 1, line 14, after "the" and before "collateral" insert "mortgage." and at the end of the line after "mortgage" insert a comma ","

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. 374—

BY REPRESENTATIVE ARMES

AN ACT

To amend and reenact R.S. 32:1305(B), relative to motor vehicle inspections; to delete certain provisions of motor vehicle inspection law relative to issuance of permits to inspection stations; 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. 450—

BY REPRESENTATIVE ABRAMSON

AN ACT

To amend and reenact R.S. 9:4823(A)(introductory paragraph) and (2), 4831(A), 4833(E), 4835(A) and (B), 4862(B)(3), 4865(C), 4872(A) and (B), and 4885(C), relative to claims and privileges; to provide for a one-year time limitation within which to file a suit to enforce a Private Works Act privilege; to provide with respect to a notice of pendency of action; to provide for technical corrections; 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. 452—

BY REPRESENTATIVE ABRAMSON

AN ACT

To amend and reenact R.S. 13:4344.1(A)(introductory paragraph), (6), and (7), (D), (E), and (F) and to enact R.S. 13:4344.1(G) and (H), relative to inscriptions on mortgage certificates; to provide for deletion of inscriptions; to delete antiquated references to the recorder of mortgages for Orleans Parish; to provide for technical corrections; to provide for inscriptions of cancelled and prescribed mortgages; to provide for retroactive application; 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. 453—

BY REPRESENTATIVE ABRAMSON

AN ACT

To amend and reenact Code of Civil Procedure Article 2293(B)(1), relative to notice of seizure in judgment debtor cases; to provide for the form of such notice; 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. 469—

BY REPRESENTATIVE ABRAMSON

AN ACT

To amend and reenact R.S. 9:2092(A) and (B)(2) and 2262.2(A) and (B)(2), to enact R.S. 9:2092(B)(3) and 2262.2(B)(3), and to repeal R.S. 9:2092(B)(1)(f) and 2262.2(B)(1)(g), relative to property held in a trust; to provide for recordation of certain documents; to provide for the contents of an extract of trust relative to the authority of a trustee; 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. 469 by Representative Abramson

AMENDMENT NO. 1

On page 1, line 14, after "extract" delete the remainder of the line and at the beginning of line 15, delete "of conveyances for any parish, for record" and insert the following:

"of trust, or a copy of the trust instrument or extract of trust certified by the recorder of conveyances for the parish in which the original trust instrument or extract of trust was filed"

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. 470—

BY REPRESENTATIVE ABRAMSON

AN ACT

To amend and reenact R.S. 35:2.1(A), relative to notaries; to provide for the execution of an act of correction; to provide for notaries who may execute an act of correction; to provide for the form of the act of correction; and to provide for related matters.

Read by title.

Page 8 HOUSE

7th Day's Proceedings - March 21, 2012

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. 485—

BY REPRESENTATIVES THIERRY, BROWN, FRANKLIN, GISCLAIR, GUINN, HILL, HODGES, HONORE, HOWARD, LEBAS, LEOPOLD, NORTON, RICHARD, AND ST. GERMAIN

AN ACT

To amend and reenact R.S. 32:80(A)(4), relative to traffic violations; to provide for enhanced penalties for overtaking or passing a school bus when injury or death occurs as a result; 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. 535—

BY REPRESENTATIVE JAY MORRIS

AN ACT

To amend and reenact R.S. 9:4422(introductory paragraph) and (3), relative to obligations secured by mortgages or privileges; to provide with the respect to promissory notes; 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. 615—

BY REPRESENTATIVE ST. GERMAIN

AN ACT

To amend and reenact R.S. 3:2571(A) and 2572, R.S. 30:2199(A), R.S. 33:7556, R.S. 36: 508(A), R.S. 38:17, 20, 23, 26(C), 31(2), 32(A) and (B)(introductory paragraph), 33, 34(A) and (B)(introductory paragraph), 84(B), 90.1(8), 90.4(A)(1)(introductory paragraph), (B)(1) and (2)(introductory paragraph), 90.7, 90.8, 90.12(B), 91, 226, 301(C)(2)(c), 306(C) and (D), 307(A)(1) and (2), 315, 319, 338(B), 402(A), 491, 492, 511, 2044(5), 3074(A)(4), (D)(4) and (9)(c), 3086.24(H)(1), and 3306(B), and R.S. 40:1236.2(C)(4)(a)(v), relative to the Department of Transportation and Development; to reassign duties of offices within the Department of Transportation and Development; to rename the office of public works, hurricane flood protection and intermodal transportation, within the Department of Transportation and Development; 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. 615 by Representative St. Germain

AMENDMENT NO. 1

On page 4, line 29, delete "assistant secretary" and insert "chief engineer".

AMENDMENT NO. 2

On page 5, line 2, after "Development" and before "and" insert "or his designee".

AMENDMENT NO. 3

On page 12, delete lines 8 and 9 in their entirety and insert "(c) The amount of compensation due to the owner shall be paid, from funds appropriated by the legislature, by the".

AMENDMENT NO. 4

On page 12, delete line 23 in its entirety and insert "the Department of Transportation and".

AMENDMENT NO. 5

On page 13, line 21, after "representative" delete the remainder of the line and on line 22 delete "successor," and insert "of the Department of Transportation and Development".

AMENDMENT NO. 6

On page 13, line 24, after "district." delete the remainder of the line and on line 25, delete "engineering, or its successor," and insert "The Department of Transportation and Development".

AMENDMENT NO. 7

On page 17, line 15, after the second "the" delete the remainder of the line and insert "chief engineer of the office of engineering and".

AMENDMENT NO. 8

On page 18, line 22, delete "assistant secretary" and insert "chief engineer".

AMENDMENT NO. 9

On page 19, line 12, after "(c)" delete the remainder of the line and insert "The chief engineer of the Department of Transportation and Development, if the".

AMENDMENT NO. 10

On page 19, line 13, delete "public works" and insert "engineering".

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. 623—

BY REPRESENTATIVE ST. GERMAIN

AN ACT

To amend and reenact R.S. 48:390(B) and 390.1(A)(2) and to enact R.S. 32:390(I) and 390.1(D), relative to closure of railroad crossings; to require the Department of Transportation and

Development to notify affected landowners prior to the closing of any railroad crossings; 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. 623 by Representative St. Germain

AMENDMENT NO. 1

On page 1, line 2, after "390.1(A)(2)" insert "and to enact R.S. 32:390(I) and 390.1(D)"

AMENDMENT NO. 2

On page 1, line 7, after "reenacted", insert " and R.S. 32:390(I) and 390.1(D) are hereby enacted"

AMENDMENT NO. 3

On page 1, line 14, after "action," delete the remainder of the line and insert the following:

"the department shall take the following actions:

(a) Notify any and all affected persons owning land which is within a two mile radius of the public grade crossing proposed to be improved, changed, or closed.

(b) Post a notice at the grade crossing proposed to be improved, changed, or closed."

AMENDMENT NO. 4

On page 1, line 21, after the asterisks, insert the following:

"I. The department shall, no later than December 31, 2012, promulgate rules and regulations pursuant to the Administrative Procedure Act and subject to oversight of the House and Senate committees on transportation, highways, and public works, to implement the provisions of Subsections A, B, F, and G of this Section, including but not limited to notice, whom to notify, methods of notice, and posting requirements."

AMENDMENT NO. 5

On page 2, line 10, after "highway," delete "any affected landowner" and insert "any and all affected persons owning land which is within a two-mile radius of the public grade crossing proposed to be closed"

AMENDMENT NO. 6

On page 2, line 14, after "railroad," delete "any affected landowner" and insert "any and all affected persons owning land which is within a two-mile radius of the public grade crossing proposed to be closed"

AMENDMENT NO. 7

On page 2, line 17, after "railroad," delete "any affected landowner" and insert "any and all affected persons owning land which is within a two-mile radius of the public grade crossing proposed to be closed"

AMENDMENT NO. 8

On page 2, after line 20, insert the following:

"D. The department shall, no later than December 31, 2012, promulgate rules and regulations pursuant to the Administrative Procedure Act and subject to oversight of the House and Senate committees on transportation, highways, and public works, to implement the provisions of Subsection A of this Section, including but not limited to notice, whom to notify, methods of notice, and posting requirements."

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. 633—

BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 32:390(C), relative to commercial motor vehicles; to provide relative to the Weigh-In-Motion System; 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. 635—

BY REPRESENTATIVE BARROW
AN ACT

To amend and reenact R.S. 47:1621(D)(1), relative to the payment of tax refunds; to authorize the payment of refunds for overpayments by means of a debit card under certain circumstances; 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. 635 by Representative Barrow

AMENDMENT NO. 1

On page 1, at the beginning of line 3, delete "authorized" and insert "authorize"

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. 660—

BY REPRESENTATIVE STUART BISHOP
AN ACT

To enact Subpart C of Part VIII of Chapter 1 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S.

Page 10 HOUSE

7th Day's Proceedings - March 21, 2012

51:391, relative to solicitations; to prohibit solicitations with misleading governmental appearances; to provide for a disclaimer; to provide for a civil penalty; to provide for a remedy; 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. 783—

BY REPRESENTATIVES FANNIN, ADAMS, BARRAS, BROADWATER, GUILLORY, HAZEL, HOFFMANN, JOHNSON, LAMBERT, RITCHIE, ROBIDEAUX, THIBAUT, AND PATRICK WILLIAMS AND SENATORS RISER AND KOSTELKA

AN ACT

To amend and reenact R.S. 48:196(A) and to enact R.S. 48:196.1, relative to the issuance of bonds; to authorize the State Bond Commission to issue bonds secured by monies in the State Highway Improvement Fund; to provide for the use of the proceeds of the bonds; to provide for a special fund; to provide for certain requirements and limitations on the issuance of bonds; to provide for a procedure to contest the validity of issuance of the bonds; to provide for the rights of bondholders; to authorize the issuance of refunding bonds; 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 with recommendation that it be recommitted to the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 783 by Representative Fannin

AMENDMENT NO. 1

On page 2, at the beginning of line 1, change "49:196.1" to "48:196.1"

AMENDMENT NO. 2

On page 2, line 2, after "R.S." and before "and" change "49:196.1" to "48:196.1"

AMENDMENT NO. 3

On page 2, at the beginning of line 17, after "R.S." and before "and pledge" change "49:196" to "48:196.1"

AMENDMENT NO. 4

On page 3, line 12, after "R.S." and before the comma "," change "47:492" to "47:462"

AMENDMENT NO. 5

On page 3, line 21, after "47:462" and before "be" delete the comma "," and delete "and as provided in R.S. 47:481," and insert "and 481"

AMENDMENT NO. 6

On page 3, line 22, after "provided" and before "R.S. 48:196" delete "in of" and insert "for in"

AMENDMENT NO. 7

On page 4, line 1, after "taxes" and before "therefor" change "whatever" to "whatsoever"

AMENDMENT NO. 8

On page 4, line 14, after "Except" and before "the provision" change "fo" to "for"

AMENDMENT NO. 9

On page 6, at the beginning of line 26, after "P." and before "commission" change "he" to "The"

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.

HOUSE BILL NO. 835—

BY REPRESENTATIVE MILLER

AN ACT

To amend and reenact R.S. 13:5121(2), 5124(B), and 5125, relative to bond validation suits; to provide for an online database for posting notice of filing bond validation suits; to provide for the information to be posted thereon; to provide for proof of posting; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 882—

BY REPRESENTATIVES HOWARD AND HILL

AN ACT

To designate a certain portion of Highway 463 as the "B.R. Harvey Memorial Highway".

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. 940—

BY REPRESENTATIVE ABRAMSON

AN ACT

To amend and reenact R.S. 13:3852(A) and to enact R.S. 13:3852(C), relative to seizure of property; to provide with respect to notice of seizure; to provide that additional notice of rescheduled sale dates is not required; 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. 941—BY REPRESENTATIVE ABRAMSON
AN ACT

To amend and reenact R.S. 9:4821 and to enact R.S. 9:4820(D), relative to the Private Works Act; to provide for effective dates of privileges; to provide for priority of privileges; 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. Lopinto, the rules were suspended in order to take up and consider Reports of Committees at this time.

Reports of Committees

The following reports of committees were received and read:

**Report of the Committee on
Administration of Criminal Justice**

March 21, 2012

To the Speaker and Members of the House of Representatives:

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

House Concurrent Resolution No. 3, by Lopinto
Reported favorably. (12-0)

House Bill No. 99, by Henry
Reported favorably. (12-0) (Regular)

House Bill No. 120, by Lopinto
Reported favorably. (9-0) (Regular)

House Bill No. 123, by Lopinto
Reported favorably. (10-0) (Regular)

House Bill No. 136, by Lopinto
Reported with amendments. (12-0) (Regular)

House Bill No. 146, by Greene
Reported with amendments. (13-0) (Regular)

House Bill No. 190, by Greene
Reported favorably. (13-0) (Regular)

House Bill No. 237, by Thompson, J
Reported favorably. (13-0) (Regular)

House Bill No. 248, by Richard
Reported with amendments. (12-0) (Regular)

House Bill No. 533, by Hodges
Reported favorably. (14-0) (Regular)

House Bill No. 826, by Hazel
Reported favorably. (14-0) (Regular)

House Bill No. 827, by Hazel
Reported with amendments. (14-0) (Regular)

JOSEPH P. LOPINTO III
Chairman

**Report of the Committee on
Education**

March 21, 2012

To the Speaker and Members of the House of Representatives:

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

House Bill No. 98, by Thibaut
Reported favorably. (16-0) (Regular)

House Bill No. 108, by Hoffmann
Reported favorably. (15-0) (Local & Consent)

House Bill No. 149, by Burns, Henry
Reported with amendments. (14-3) (Regular)

House Bill No. 273, by Thompson, J
Reported favorably. (15-0) (Regular)

House Bill No. 933, by Carter
Reported with amendments. (17-0) (Regular)

STEPHEN F. CARTER
Chairman

**Report of the Committee on
Health and Welfare**

March 21, 2012

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Health and Welfare to submit the following report:

House Bill No. 389, by Schroder
Reported favorably. (14-0) (Local & Consent)

SCOTT M. SIMON
Chairman

**Report of the Committee on
House and Governmental Affairs**

March 21, 2012

To the Speaker and Members of the House of Representatives:

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

House Bill No. 209, by Foil
Reported favorably. (9-0) (Regular)

House Bill No. 385, by Moreno
Reported favorably. (9-0) (Regular)

House Bill No. 491, by Danahay
Reported favorably. (9-0) (Local & Consent)

House Bill No. 578, by Danahay
Reported with amendments. (9-0) (Regular)

Page 12 HOUSE

7th Day's Proceedings - March 21, 2012

House Bill No. 852, by Burns, Tim
Reported with amendments. (9-0) (Regular)

House Bill No. 878, by Bishop, Stuart
Reported favorably. (9-0) (Local & Consent)

House Bill No. 917, by Brossett
Reported with amendments. (9-0) (Regular)

TIMOTHY G. "TIM" BURNS
Chairman

Suspension of the Rules

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

Petitions, Memorials, and Communications

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

Message from the Senate

SIGNED SENATE CONCURRENT RESOLUTIONS

March 21, 2012

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

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

Senate Concurrent Resolution Nos. 5, 6, 7, 12, 13, 14, 18, 19, 21, 22, and 25

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

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

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

Privileged Report of the Committee on Enrollment

March 21, 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. 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.

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.

Leave of Absence

Rep. Nancy Landry - 1/2 day

Adjournment

On motion of Rep. Billiot, at 4:50 P.M., the House agreed to adjourn until Thursday, March 22, 2012, at 9:00 A.M.

The Speaker Pro Tempore of the House declared the House adjourned until 9:00 A.M., Thursday, March 22, 2012.

ALFRED W. SPEER
Clerk of the House