

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

EIGHTH 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

Thursday, March 22, 2012

The House of Representatives was called to order at 9:00 A.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 Bishop Michael Duca of the Diocese of Shreveport.

Pledge of Allegiance

Rep. Broadwater 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 21, 2012, was adopted.

**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. 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.

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

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.

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

Acting Speaker Barrow in the Chair

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.

Under the rules, the above resolution was referred to the Committee on Natural Resources and Environment.

**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. 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.

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

HOUSE BILL NO. 1007—

BY REPRESENTATIVE CHAMPAGNE
AN ACT

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

Read by title.

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

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.

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

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.

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

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.

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

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.

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

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.

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

**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. 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.

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

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.

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

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.

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

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.

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

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.

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

Speaker Kleckley in the Chair**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. 3—

BY REPRESENTATIVE LOPINTO

A CONCURRENT RESOLUTION

To authorize and direct the Louisiana State Law Institute to study and make recommendations for the revision of laws regarding expungement.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

On motion of Rep. Lopinto, 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. 98—

BY REPRESENTATIVE THIBAUT

AN ACT

To amend and reenact R.S. 17:85, relative to naming certain school athletic facilities; to authorize city, parish, and other local public school boards to name athletic facilities after living persons; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 99—

BY REPRESENTATIVE HENRY

AN ACT

To enact R.S. 15:1352(A)(30) through (44), relative to racketeering; to add enumerated crimes to the definition of "racketeering activity"; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 108—

BY REPRESENTATIVE HOFFMANN

AN ACT

To amend and reenact R.S. 17:2048.51(C)(14) and to enact R.S. 17:2048.51(C)(18) and (G)(7), relative to the Louisiana Health Works Commission; to provide for membership of such commission; to provide for membership of the executive committee within such commission; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

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

HOUSE BILL NO. 120—

BY REPRESENTATIVE LOPINTO

AN ACT

To amend and reenact R.S. 15:570(A)(4), (C), (D), (E), and (F) and to enact R.S. 15:570(G) and (H), relative to executions of death sentences; to provide relative to those persons required to be present; to provide relative to an invited person's refusal to attend; to provide relative to the confidentiality of the identity of certain persons participating in the execution; to provide relative to the licensing of certain persons participating in the execution; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 123—

BY REPRESENTATIVE LOPINTO

AN ACT

To amend and reenact R.S. 15:875(B)(1) and to enact R.S. 15:875(B)(3), relative to the imposition of restitution on offenders; to provide that restitution may be obtained from an offender for expenses incurred for an escape or attempted escape from any place where the offender is legally confined; to provide for applicability; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 136—

BY REPRESENTATIVE LOPINTO

AN ACT

To amend and reenact R.S. 14:34.2(A)(2) and to enact R.S. 14:34.2(C), relative to the crime of battery of a police officer; to provide for the definition of "police officer"; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 136 by Representative Lopinto

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 14:34.2(A)(2)" and before the comma insert "and to enact R.S. 14:34.2(C)"

AMENDMENT NO. 2

On page 1, line 5, after "reenacted" and before "to" insert "and R.S. 14:34.2(C) is hereby enacted"

AMENDMENT NO. 3

On page 1, after line 13, add the following:

"C. The definition of a "police officer" as provided in Paragraph (A)(2) of this Section shall be strictly construed solely for the purposes of this Section and shall not be construed as granting the authority to any agency not defined as a "peace officer" pursuant to the provisions of R.S. 40:2402 to make arrests, perform search and seizures, execute criminal warrants, prevent and detect crime, and enforce the laws of this state."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 146—

BY REPRESENTATIVE GREENE

AN ACT

To amend and reenact R.S. 27:65(B)(11), 239.1, and 361(F), relative to gaming; to provide with respect to the methods of wagering at gaming facilities; to prohibit the use of debit cards for wagering; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 146 by Representative Greene

AMENDMENT NO. 1

On page 2, line 2, after "credit" and before "or" insert a comma " , " and insert "savings."

AMENDMENT NO. 2

On page 2, line 11, after "credit" and before "or" insert a comma " , " and insert "savings."

AMENDMENT NO. 3

On page 2, at the end of line 20, insert a comma " , " and insert "savings."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 149—

BY REPRESENTATIVE HENRY BURNS

AN ACT

To enact R.S. 17:236(C); to define for purposes of general school law the terms "elementary school", "middle school", "junior high school", and "high school"; to specify that middle schools, junior high schools, and high schools shall be considered secondary schools; to provide applicability; to provide an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 149 by Representative Henry Burns

AMENDMENT NO. 1

On page 1, line 5, after "schools;" and before "to provide an" insert "to provide applicability;"

AMENDMENT NO. 2

On page 1, at the beginning of line 10, change "C." to "C.(1)"

AMENDMENT NO. 3

On page 1, between lines 17 and 18, insert the following:

"(2) The provisions of Paragraph (1) of this Subsection shall not be applicable to nonpublic schools approved by the State Board of Elementary and Secondary Education as provided by R.S. 17:11."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 190—

BY REPRESENTATIVE GREENE

AN ACT

To amend and reenact Code of Criminal Procedure Article 349.3(A)(1), relative to bail; to provide relative to notice provided to a commercial surety upon a judgment of bond

forfeiture; to provide relative to the registered address of a commercial surety; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 209—
BY REPRESENTATIVE FOIL

AN ACT

To amend and reenact R.S. 18:134(E) and 541, relative to voting; to provide for the hours of voting; to provide for the time for opening of the polls; to provide for the hours of the principal office of the registrar on election day; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 237—
BY REPRESENTATIVE THOMPSON
AN ACT

To amend and reenact R.S. 15:499(A)(introductory paragraph), relative to certificates of analysis; to provide with respect to proof of analysis or examination of physical evidence; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 248—
BY REPRESENTATIVE RICHARD
AN ACT

To amend and reenact R.S. 15:571.35.1(C)(2)(e), relative to the Lafourche Parish Pretrial Home Incarceration Program; to authorize the earning of credit for time served participating in the program under certain conditions; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 248 by Representative Richard

AMENDMENT NO. 1

On page 1, at the beginning of line 18, delete "The" and insert "Notwithstanding the provisions of Code of Criminal Procedure Article 880, the"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 273—
BY REPRESENTATIVE THOMPSON
AN ACT

To amend and reenact R.S. 17:3951(B)(14), relative to the College and Career Readiness Commission; to provide relative to commission membership; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 385—
BY REPRESENTATIVE MORENO
AN ACT

To amend and reenact R.S. 18:101(F), relative to voter registration and voting; to provide relative to qualifications for registration and voting; to provide relative to the residence of persons involuntarily displaced by the effects of certain states of emergency for such purposes; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 389—
BY REPRESENTATIVE SCHRODER
AN ACT

To amend and reenact R.S. 6:333(F)(14), R.S. 9:315.9(A)(6), 315.16(A), 315.40(1), 399.1(A) and (F)(3) and (4), and 406(B)(2) and (C)(2), R.S. 11:441.1(F), R.S. 13:4291(B)(1) and (C), R.S. 27:364(A)(1)(b)(vi), R.S. 40:34(B)(1)(h)(iv) and (E)(1) and 46.1(D) and (F)(introductory paragraph), R.S. 46:56(M)(1), 236.1.1(9)(b) and (13), 236.1.2(G), 236.1.4(E), 236.1.5(C), 236.1.7(B), 236.1.8(D), 236.3(A)(2), 236.10(A), (B), and (D), 236.12(B)(1), 236.14(D)(1)(introductory paragraph) and (H)(2), 236.15(A)(1), 236.16, 238(F), and 2136.2(F), and R.S. 51:1442(4), relative to the Department of Children and Family Services; to provide for proper designation of certain sections and divisions of the department; to make technical changes; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

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

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

HOUSE BILL NO. 491—

BY REPRESENTATIVE DANAHAY
AN ACT

To amend and reenact R.S. 42:162, relative to oaths of office; to provide relative to manner in which the oath of certain officials is subscribed to and recorded; to provide for the duties of certain officials relative thereto; to provide for effectiveness; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

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

HOUSE BILL NO. 533—

BY REPRESENTATIVE HODGES
AN ACT

To amend and reenact R.S. 32:662.1, relative to driving while intoxicated; to provide for admission of intoxilyzer instrument recertification forms; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 578—

BY REPRESENTATIVE DANAHAY
AN ACT

To enact R.S. 18:1309(L), relative to voting; to provide relative to early voting at certain locations; to provide relative to the days and hours of early voting at such locations; to provide relative to the authority and duties of registrars of voters and the secretary of state relative to early voting; to require notice; to provide for effectiveness; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 578 by Representative Danahay

AMENDMENT NO. 1

On page 1, at the end of line 18, delete the period "." and insert a comma "," and the following:

"and the secretary of state shall post such notice on the secretary of state's website."

On motion of Rep. Tim Burns, the amendments were adopted.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 826—

BY REPRESENTATIVE HAZEL
AN ACT

To amend and reenact R.S. 44:9(E)(2), relative to arrest and prosecution records; to make a technical correction to the provision regarding the expungement of arrest and prosecution records of sex offenders; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 827—

BY REPRESENTATIVE HAZEL
AN ACT

To amend and reenact R.S. 14:110(B)(3) and (E) and to enact R.S. 14:110(B)(4), relative to escape; to provide relative to the crime of simple and aggravated escape; to expand the listing of prison facilities to include home incarceration; to provide for penalties; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 827 by Representative Hazel

AMENDMENT NO. 1

On page 1, line 2, after "reenact" and before the comma "," delete "R.S. 14:110(E)" and insert "R.S. 14:110(B)(3) and (E) and to enact R.S. 14:110(B)(4)"

AMENDMENT NO. 2

On page 1, line 4, after "incarceration;" and before "and" insert "to provide for penalties;"

AMENDMENT NO. 3

On page 1, line 6, after "Section 1." delete the remainder of the line and insert the following:

"R.S. 14:110(B)(3) and (E) are hereby amended and reenacted and R.S. 14:110(B)(4) is hereby enacted to read as follows:"

AMENDMENT NO. 4

On page 1, between lines 8 and 9, insert the following:

"B.

* * *

(3) A person participating in a home incarceration program under the jurisdiction and control of the sheriffs of the respective parishes who commits the crime of simple escape shall be imprisoned with or without hard labor for not less than six months nor more than one year, and such sentence shall not run concurrently with any other sentence.

(3)(4) A person imprisoned, committed, or detained who commits the crime of simple escape as defined in Paragraph A(+) (A)(1) of this Section shall be imprisoned with or without hard labor for not less than two years nor more than five years; provided that such sentence shall not run concurrently with any other sentence.

* * *

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 852—

BY REPRESENTATIVE TIM BURNS
AN ACT

To amend and reenact R.S. 18:25(B), 104(A)(3), 109, 152(C)(2)(a), 154(C), 177(A), 402(B)(2), (E)(1)(b) and (2)(b), (F)(2), and (G), 427(B), 431(A)(1)(a) and (3)(a) and (B)(3), 435(A)(1), 465(E)(1)(a), 532.1(F), 562(A)(2), 591, 602(A), (B), (C), (D), (E)(1)(a), (2)(a), and (4), and (F), 604(B)(1) and (2)(a), 1272(A), 1284(F), 1299.1, 1300.13, 1302(2), 1307(B)(1)(d) and (2) and (H), 1308(A)(1) and (2)(d), (e), (f), and (g), 1308.1(A), 1309(D)(1) and (E)(4), 1309.1, 1313(F)(9) and (10) and (I)(2)(a), 1314(B)(1), (C)(1)(b) and (3), and (D)(2), 1352, 1402(C), 1405(B), 1406(B), 1415(B), (C), (D), (E), and (F), 1431, 1432(A), 1433(A) and (B), and 1941(A) and (B), to enact R.S. 18:1307(I), 1308(A)(2)(h), (i), and (j), 1309(E)(5), 1313(F)(11), 1401(F), 1404(E), 1405(H), and 1415(G), and to repeal R.S. 18:1317, relative to the Louisiana Election Code; to revise the system of laws comprising the Louisiana Election Code; to provide relative to the authority and duties of the State Board of Election Supervisors and the secretary of state; to provide relative to voter registration; to provide relative to application for voter registration; to provide relative to notice of registration and change in registration; to provide relative to precinct registers used by the registrar of voters; to provide relative to disclosure of voter information; to provide relative to reinstatement of voter registration after suspension; to provide for election dates; to provide relative to watchers; to provide relative to courses of instruction for commissioners; to provide relative to qualifying for an election; to provide relative to nominating petitions; to provide relative to changing of precinct boundaries by parish governing authorities; to provide relative to procedures for voting during early voting and on election day; to provide relative to identification of voters; to provide for the time limits for making appointments to fill vacancies in certain offices; to provide for the time limits for issuing proclamations for special elections to fill vacancies in certain offices; to provide relative to the requirements for special elections for certain offices; to provide relative to propositions submitted to voters at certain elections; to provide relative to recall elections; to provide relative to applying to vote absentee by mail; to provide relative to procedures and requirements for voting absentee by mail; to provide relative to the transmission of absentee by mail materials; to provide relative to absentee by mail ballots; to provide relative to the counting and tabulation and recounting of absentee by mail and early voting ballots; to provide relative to the preparation of voting machines; to provide relative to absentee by mail and early voting commissioners; to provide for the use of paper ballots; to provide relative to submission of certain changes in voting practice and procedure by political subdivisions; to provide for effectiveness; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 852 by Representative Tim Burns

AMENDMENT NO. 1

On page 1, line 8, after "1402(C)," insert "1405(B),"

AMENDMENT NO. 2

On page 2, at the end of line 24, after "1402(C)," insert "1405(B),"

AMENDMENT NO. 3

On page 5, delete lines 1 through 18 and insert the following:

"C. (1) Notwithstanding the provisions any provision of this Section to the contrary, neither the registrar nor the Department of State shall circulate on a commercial list or otherwise disclose the following:

(a) The fact that a registered voter is entitled to assistance in voting.

(b) ~~or the~~ The social security number; of a registered voter.

(c) The driver's license number; of a registered voter.

(d) The day and month of the date of birth; of a registered voter.

(e) The mother's maiden name; ~~or~~ of a registered voter.

(f) The electronic mail address of a registered voter, ~~or circulate the fact that registered voters are entitled to assistance in voting or the social security numbers, driver's license numbers, day and month of the dates of birth, mother's maiden names, or electronic mail addresses of registered voters on commercial lists, except when~~

(2)(a) The provisions of Paragraph (1) of this Subsection shall not apply to voter registration data ~~is~~ transmitted to the office of motor vehicles of the Department of Public Safety and Corrections, for the purposes of verifying the accuracy and authenticity of the social security number, driver's license number, or full date of birth provided by the voter. ~~The office of motor vehicles shall not disclose information concerning a registered voter transmitted pursuant to this Subparagraph, except that it may transmit such information to the United States Social Security Administration for the purposes of verifying the accuracy and authenticity of the social security number provided by the voter.~~

(b) Notwithstanding the provisions of Paragraph (1) of this Subsection, the Department of State or registrar of voters may transmit the full date of birth of a registered voter to the Supervisory Committee on Campaign Finance Disclosure to verify the identity of a candidate for purposes of campaign finance reporting. ~~The supervisory committee shall not disclose the full date of birth of a registered voter transmitted pursuant to this Subparagraph.~~

(c) Notwithstanding the provisions of Paragraph (1) of this Subsection, the Department of State or registrar of voters may provide to a clerk of court the full date of birth of a registered voter for the preparation of a general venire selection in accordance with R.S. 18:175. ~~The clerk of court shall not disclose the full date of birth of a registered voter provided pursuant to this Subparagraph.~~"

AMENDMENT NO. 4

On page 11, delete line 4 and insert "commissioner-in-charge, the applicant's employer or employer's agent, or the applicant's union agent. The"

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AMENDMENT NO. 5

On page 23, line 16, change "applicant" to "voter"

AMENDMENT NO. 6

On page 23, line 17, between "affidavit" and "and" insert a comma
" , "

AMENDMENT NO. 7

On page 23, line 18, change "applicant" to "voter"

AMENDMENT NO. 8

On page 23, line 19, after "deputy, except" delete "an" and insert "a candidate, the voter's"

AMENDMENT NO. 9

On page 23, at the beginning of line 20, after "employer's" delete "agent or" and insert "agent, or the voter's"

AMENDMENT NO. 10

On page 23, at the end of line 24, change "applicant" to "voter"

AMENDMENT NO. 11

On page 30, line 13, after "however" insert a comma " , "

AMENDMENT NO. 12

On page 30, between lines 16 and 17, insert the following:

* * *

B. An action contesting any election involving election to office shall be instituted ~~on or before~~ not later than 4:30 p.m. of the ninth day after the date of the election, and no such contest shall be declared moot because of the performance or nonperformance of a ministerial function including but not limited to matters relating to the printing of ballots for the general election."

AMENDMENT NO. 13

On page 30, line 19, after "shall be instituted" delete "at or before" and insert "not later than"

AMENDMENT NO. 14

On page 32, line 29, after "combination of" change "those" to "these"

On motion of Rep. Tim Burns, the amendments were adopted.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 878—

BY REPRESENTATIVE STUART BISHOP
AN ACT

To repeal R.S. 18:1311(A), relative to voting prior to election day; to repeal a requirement that the registrar of voters compile and post a list of certain information concerning persons who have applied to vote prior to election day; and to provide for an effective date.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

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

HOUSE BILL NO. 917—

BY REPRESENTATIVE BROSSETT
AN ACT

To amend and reenact R.S. 18:1308(B), relative to absentee voting by mail; to provide relative to procedures for voting absentee by mail; to provide relative to the means by which absentee voting materials may be returned to the registrar; to require certification under certain circumstances; to provide for limitations; to provide for definitions; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 917 by Representative Brossett

AMENDMENT NO. 1

On page 1, line 5, after "provide for limitations;" insert "to provide for definitions;"

AMENDMENT NO. 2

On page 1, line 12, after "a commercial" delete "delivery service," and insert "courier,"

AMENDMENT NO. 3

On page 1, delete line 13 and insert "hand delivery. If delivered by other than the voter, a commercial courier, or the"

AMENDMENT NO. 4

On page 1, line 16, after "marked ballot," and before "No person" insert the following:

"For purposes of this Subsection, "commercial courier" shall have the same meaning as provided in R.S. 13:3204(D)."

On motion of Rep. Tim Burns, the amendments were adopted.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 933—

BY REPRESENTATIVES CARTER, KLECKLEY, WESLEY BISHOP, BROADWATER, HENRY BURNS, CHAMPAGNE, HENSGENS, HOLLIS, JEFFERSON, NANCY LANDRY, LORUSSO, PRICE, SCHRODER, SHADOIN, TALBOT, THIERRY, AND THOMPSON AND SENATORS ALARIO AND APPEL

AN ACT

To enact Part X-A of Chapter 1 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:407.21 through 407.25, relative to early childhood education; to provide for the creation of an early childhood care and education network; to provide for the purposes of such network and the duties and responsibilities of certain state agencies related thereto; to provide relative to early childhood education programs and standards; to provide for an accountability system for early

childhood education programs; to provide relative to a quality rating system for certain day care centers; to provide for legislative findings and intent; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 933 by Representative Carter

AMENDMENT NO. 1

On page 1, line 3, change "407.24," to "407.25,"

AMENDMENT NO. 2

On page 1, line 13, change "407.24," to "407.25,"

AMENDMENT NO. 3

On page 1, between lines 14 and 15, insert the following:

"PART X-A. EARLY CHILDHOOD CARE AND EDUCATION NETWORK"

AMENDMENT NO. 4

On page 3, at the end of line 28, change "day" to "child"

AMENDMENT NO. 5

On page 3, line 29, after "care" and before "including" change "centers," to "facilities,"

AMENDMENT NO. 6

On page 4, line 8, between "Services" and "and the" delete the comma " , "

AMENDMENT NO. 7

On page 4, line 10, between "of" and "funding" insert "public"

AMENDMENT NO. 8

On page 4, at the beginning of line 12, change "(2) The state board" to "(2)(a) The state Department of Education"

AMENDMENT NO. 9

On page 4, line 13, between "Council" and "for" insert a comma " , " and add "the Childcare Association of Louisiana, and the nonpublic school commission appointed by the state board pursuant to R.S. 17:11"

AMENDMENT NO. 10

On page 4 delete lines 15 and 16 and insert in lieu thereof the following:

"(b) Each reviewing entity shall submit its comments and recommendations to the state Department of Education, which shall prepare a summary report to be submitted to the state board for its consideration not later"

AMENDMENT NO. 11

On page 4, at the beginning of line 18, change "(4)" to "(3)"

AMENDMENT NO. 12

On page 4, between lines 24 and 25, insert the following:

"§407.25. Applicability; limitation

This Part shall not apply to early childhood programs that receive public funds solely for food and nutrition assistance."

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

On motion of Rep. Carter, the bill, as amended, 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. Robideaux, the rules were suspended in order to take up and consider House Bills and Joint Resolutions on Third Reading and Final Passage at this time.

House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

Regular Calendar

HOUSE BILL NO. 626— BY REPRESENTATIVE ROBIDEAUX AN ACT

To enact R.S. 49:191(6)(a) 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.

Motion

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

HOUSE BILL NO. 969— BY REPRESENTATIVE TALBOT 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 rebates; to authorize a rebate for certain donations to certain school tuition organizations; to provide for definitions, requirements, and limitations; to provide for the amount, approval, and issuance of rebates; to authorize the Department of Education to conduct audits; to authorize the promulgation of rules and regulations; to provide for an effective date; and to provide for related matters.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Talbot gave notice of his intention to call House Bill No. 969 from the calendar on Tuesday, March 27, 2012.

HOUSE BILL NO. 974—

BY REPRESENTATIVES CARTER, KLECKLEY, BROADWATER, CHAMPAGNE, CONNICK, HENRY, HENSGENS, LORUSSO, PONTI, ROBIDEAUX, SCHRODER, SEABAUGH, TALBOT, AND THOMPSON AND SENATORS ALARIO AND APPEL
AN ACT

To amend and reenact R.S. 17:54(B)(1)(b)(i) and (iii), 81(A) and (P)(1), 81.4, 229, and 414.1, 441, 442, 443, and 444(B)(1), to enact R.S. 17:418 and 532(C), and to repeal R.S. 17:44, 45, 81(I), 154.2, 235.1(E), 346.1, 419, 419.1, 420, 421, 421.1, 421.2, 421.3, 421.5, 422, 422.1, 422.2, 422.3, 422.4, 422.5, 431, 444(A) and (B)(2) and (3), 446, 461 through 464, and 1207, relative to elementary and secondary education; to provide with respect to teachers and other school employees; to provide with respect to local school superintendents, their employment, and their duties and responsibilities; to provide relative to local school boards and their functions and powers; to provide relative to school personnel decisions; to provide relative to school board reduction in force policies; to provide with respect to the salaries and compensation of teachers and other school employees; to provide relative to tenure for school employees and the removal of tenured and nontenured teachers; to provide for effectiveness; and to provide for related matters.

Read by title.

Motion

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

Suspension of the Rules

On motion of Rep. Leger, the rules were suspended relative to the order of debate and the consideration of amendments of House Bill No. 976.

HOUSE BILL NO. 976—

BY REPRESENTATIVES CARTER, KLECKLEY, BROADWATER, CHAMPAGNE, CONNICK, HENRY, HENSGENS, LIGI, LORUSSO, PONTI, ROBIDEAUX, SCHRODER, SEABAUGH, TALBOT, AND THOMPSON
AN ACT

To amend and reenact R.S. 17:158(A)(1), 3973(3) through (6), 3981(4), 3982(A)(1)(a) and (2) and (B), 3983(A)(2)(a)(i), (3)(a), and (4)(a), (b), and (d), (B)(2), and (D), 3991(B)(3) and (13), (C)(1)(c)(iv) and (6), (D)(2)(a)(i), and (H), 3992(A)(1), 3995(A)(1)(introductory paragraph) and (c) and (4)(a), 3996(C) and (G), 3998, 4001(A) and (C)(1) and (2), and 4011 through 4025, to enact R.S. 17:10.5(F), 3973(2)(b)(vi) and (7), 3981(7) and (8), 3981.1, 3981.2, 3982(A)(3), 3983(A)(2)(a)(iii) and (d) and (3)(d) and (E)(3), 3992(D), and Part VII of Chapter 42 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:4002.1 through 4002.6, and to repeal R.S. 17:3991(B)(9) and 3996(A)(16) and (B)(4), relative to school choice; to provide relative to the Student Scholarships for Educational Excellence Program; to provide relative to program eligibility and participation requirements for students and schools; to provide relative to selection and enrollment of eligible students; to provide relative to funding and payments to eligible schools including eligible nonpublic schools; to provide for reports; to provide for the submission of petitions by parents requesting that a school be transferred to the Recovery School District under certain conditions; to require rules and regulations to be adopted by the State Board of Elementary and Secondary Education for the petition process; to change charter proposal submission time lines; to provide a mechanism for Type 1 and Type 3 charter schools to convert to a Type 2 charter school under certain conditions; to authorize the state board to allow

the state superintendent of education and the superintendent of the Recovery School District to amend the charter of Type 5 charter schools to accommodate a unified enrollment system; to modify the initial charter period; to provide for charter school admission requirements; to allow foreign language immersion schools to establish special admission standards; to provide for the qualifications of teachers; to provide relative to the evaluation of charter school teachers and other school employees; to provide relative to teacher certification requirements; to remove the requirement that charter schools comply with laws relative to the length of the school year; to provide for the Course Choice Program; to provide for program definitions and funding; to provide for the powers of the State Board of Elementary and Secondary Education and local public school systems relative to course providers; to provide relative to entities that authorize charter schools; to provide for certification of certain state agencies and nonprofit corporations as charter authorizers; to provide relative to the responsibilities of the State Board of Elementary and Secondary Education with respect to certification of such authorizers; to provide relative to requirements, powers, responsibilities, and limitations of such authorizers; to provide relative to schools whose charter is authorized by such entities, including matters related to funding for such schools; to provide for procedures, processes, fees, and regulations; and to provide for related matters.

Read by title.

Rep. Barrow, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Barrow on behalf of the Legislative Bureau to Engrossed House Bill No. 976 by Representative Carter

AMENDMENT NO. 1

On page 15, line 3, following "i" insert "of"

AMENDMENT NO. 2

On page 22, line 5, following "school" and before "a fee" change "it authorizes" to "they authorize"

AMENDMENT NO. 3

On page 25, line 2, following "may" and before "to" change "only be used" to "be used only"

AMENDMENT NO. 4

On page 28, line 7, following "of" and before "courses" change "said" to "the"

AMENDMENT NO. 5

On page 29, line 12, following "R.S." and before ":" change "17:17.1" to "17:7.1"

AMENDMENT NO. 6

On page 36, line 19, following "R.S." and before ":" change "17:4022(4)" to "17:4022(3)"

AMENDMENT NO. 7

On page 37, line 19, following "R.S." and before "on" change "17:4022(4)" to "17:4022(3)"

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

Rep. Carter sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Carter to Engrossed House Bill No. 976 by Representative Carter

AMENDMENT NO. 1

On page 1, line 6, after "(2), and" and before "4011" insert "Part I of Chapter 43 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S.17:"

AMENDMENT NO. 2

On page 2, at the end of line 27, after "and" and before "4011" insert "Part I of Chapter 43 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:"

AMENDMENT NO. 3

On page 11, at the end of line 20, change "from" to "with"

AMENDMENT NO. 4

On page 11, delete lines 22 through 24 in their entirety

AMENDMENT NO. 5

On page 23, line 21, after "the charter" insert a comma "," and change "and it" to "and the charter"

AMENDMENT NO. 6

On page 26, line 9, after "quality" and before "education" insert a comma "," and insert "individualized"

AMENDMENT NO. 7

On page 28, line 1, after "agreement" and before "the" change "with" to "between the state and board and"

AMENDMENT NO. 8

On page 35, line 6, after "for" and before "scholarships." delete "awarding"

AMENDMENT NO. 9

On page 38, lines 2 and 3, change "Minimum Foundation Program" to "minimum foundation program"

AMENDMENT NO. 10

On page 38, line 18, change "Minimum Foundation Program" to "minimum foundation program"

AMENDMENT NO. 11

On page 39, lines 14 and 15, change "Minimum Foundation Program" to "minimum foundation program"

AMENDMENT NO. 12

On page 44, line 21, after "and" and before "shall" insert "the school"

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

Rep. Fannin sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Fannin to Engrossed House Bill No. 976 by Representative Carter

AMENDMENT NO. 1

On page 35, line 24, after "selection." insert "Only after each student who attended or otherwise would be attending a public school that received a letter grade of "D" or "F" or any variation thereof has been placed at a participating school which the parent or legal guardian indicated as a choice on the eligible student's application shall a student who attended a public school that received a letter grade of "C" or any variation thereof be entered into the random selection process. At such time, each student who attended or otherwise would be attending a public school that received a letter grade of "C" or any variation thereof shall be provided an equal opportunity for selection into that particular participating school."

Rep. Fannin moved the adoption of the amendments.

Rep. Smith objected.

By a vote of 88 yeas and 15 nays, the amendments were adopted.

Rep. Abramson sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Abramson to Engrossed House Bill No. 976 by Representative Carter

AMENDMENT NO. 1

On page 37, after line 28, insert the following:

"(9) On or before August 1, 2012, develop criteria for participation that includes an accountability system for participating students at participating schools. After August 1, 2012, the accountability system shall not be altered except by an act of the legislature."

Rep. Abramson moved the adoption of the amendments.

Rep. Katrina Jackson objected.

By a vote of 83 yeas and 20 nays, the amendments were adopted.

Consent to Correct a Vote Record

Rep. Thierry requested the House consent to correct her vote on the amendment proposed by Rep. Abramson to House Bill No. 976 from nay to yea, which consent was unanimously granted.

Rep. Fannin sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Fannin to Engrossed House Bill No. 976 by Representative Carter

AMENDMENT NO. 1

On page 40, at the end of line 25, insert "No locally levied school district tax revenues shall be transferred to any participating school located outside of the school district where the tax is levied."

On motion of Rep. Fannin, the amendments were withdrawn.

Rep. Broadwater sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Broadwater to Engrossed House Bill No. 976 by Representative Carter

AMENDMENT NO. 1

On page 1, line 2, between "R.S. 17:" and "158(A)(1)" insert "22(7)(a),"

AMENDMENT NO. 2

On page 1, line 11, between "to provide relative to" and "the Student Scholarships" insert "reports by the superintendent of education; to provide relative to"

AMENDMENT NO. 3

On page 2, line 24, between "R.S. 17:" and "158(A)(1)" insert "22(7)(a),"

AMENDMENT NO. 4

On page 4, between lines 23 and 24 insert the following:

"§22. Superintendent; functions and duties

The superintendent shall:

* * *

(7)(a) Make an annual report to the board, the governor, and the legislature on the condition of, the progress made, and the improvements needed in the public elementary and secondary schools. The report shall contain the following:

(i) A complete financial report on the receipts and expenditures of the department and of the various schools.

(ii) Data concerning faculty, enrollment, graduates, courses of study, and any other information required to show the condition, progress, and needs of these schools.

(iii) An abstract of the reports of the city, parish, and other local public school superintendents to the state superintendent, as well as all other facts and statistics that are of interest to the public schools.

(iv) A report on the implementation of a total system of choice.

(v) Such other information as is necessary to effectuate the purposes of this Paragraph.

* * *

Rep. Broadwater moved the adoption of the amendments.

Rep. Norton objected.

By a vote of 102 yeas and 3 nays, the amendments were adopted.

Consent to Correct a Vote Record

Rep. Huval requested the House consent to record his vote on amendments proposed by Rep. Broadwater to House Bill No. 976 as nay, which consent was unanimously granted.

Consent to Correct a Vote Record

Rep. Brown requested the House consent to record his vote on amendments proposed by Rep. Broadwater to House Bill No. 976 as yea, which consent was unanimously granted.

Rep. Foil sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Foil and Champagne to Engrossed House Bill No. 976 by Representative Carter

AMENDMENT NO. 1

On page 33, between lines 6 and 7, insert the following:

"(7) It is the intent of this Chapter to create additional options for all children, including those with special needs or requiring special education services."

AMENDMENT NO. 2

On page 38, line 5, after "resides" and before "This" change the period "." to a comma "," and insert "considering all student characteristics."

AMENDMENT NO. 3

On page 39, line 5, after "shall" and before "in" change "indicate" to "acknowledge"

AMENDMENT NO. 4

On page 39, line 6, after "process" delete the comma "," and delete the remainder of the line and delete lines 7 through 12 in their entirety and insert the following:

"that the parent or legal guardian agrees to accept only such services as are available to all students enrolled in the nonpublic school.

(2) The parent or legal guardian may make a parental placement to receive special education and related services from a participating nonpublic school that has demonstrated the capacity to offer such services. In such"

AMENDMENT NO. 5

On page 39, between lines 22 and 23, insert the following:

"(3)(a) A participating nonpublic school shall not discriminate against a child with special educational needs during the program admissions process. However, as a nonpublic school, a participating school is required to offer only those services that it already provides or such services as necessary to assist students with special needs that it can provide with minor adjustments. A nonpublic school may partner with the local school system to provide special education services.

(b) Information regarding the services a participating school is able to and shall provide, the services the local school system is able to and shall provide, and the services the local school system currently provides to children with special needs who are enrolled in a nonpublic school shall be made available by the department to parents and legal guardians prior to the enrollment process."

AMENDMENT NO. 6

On page 39, delete lines 23 and 24 in their entirety and insert "(4) To be determined to have demonstrated capacity to offer special education services pursuant to Paragraph (2) of this Subsection, a participating nonpublic school shall meet all of the following"

AMENDMENT NO. 7

On page 40, line 6, change "willing" to "able"

Rep. Foil moved the adoption of the amendments.

Rep. Smith objected.

By a vote of 91 yeas and 11 nays, the amendments were adopted.

Rep. Seabaugh sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Seabaugh to Engrossed House Bill No. 976 by Representative Carter

AMENDMENT NO. 1

On page 45, at the end of line 19, insert a semicolon ";" and insert "severability"

AMENDMENT NO. 2

On page 45, at the beginning of line 20, insert "A."

AMENDMENT NO. 3

On page 45, between lines 22 and 23, insert the following:

"B. If any provision of this Chapter or the application thereof is held invalid, such invalidity shall not affect other provisions or applications of this Chapter which can be given effect without the invalid provisions or applications, and to this end the provisions of this Chapter are hereby declared severable.

C. The severability provision hereof shall be broadly construed so as to give effect to each and every possible provision or application of this Chapter which is not specifically held invalid, unlawful, or unconstitutional."

Rep. Seabaugh moved the adoption of the amendments.

Rep. Barrow objected.

By a vote of 66 yeas and 36 nays, the amendments were adopted.

Rep. Thompson sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Thompson to Engrossed House Bill No. 976 by Representative Carter

AMENDMENT NO. 1

On page 33, between lines 6 and 7, insert the following:

"(7) Any delay in implementation of this Chapter would work to the detriment of children."

AMENDMENT NO. 2

On page 45, after line 24, insert the following:

"Section 3. The legislature finds that any delay in implementation of the provisions of this Act would work to the detriment of children. Therefore, should any part of this Act be

legally challenged, the courts are urged to minimize all unnecessary delays, give preferential docketing to such matter, and expedite judicial review, and may suspend all applicable rules of court in contravention hereof and for this limited purpose."

Rep. Thompson moved the adoption of the amendments.

Rep. Barrow objected.

By a vote of 85 yeas and 11 nays, the amendments were adopted.

Acting Speaker Billiot in the Chair

Rep. Nancy Landry sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Nancy Landry to Engrossed House Bill No. 976 by Representative Carter

AMENDMENT NO. 1

On page 1, line 7, after "(7)," and before "3981(7)" insert "3974,"

AMENDMENT NO. 2

On page 2, at the end of line 21, insert "to prohibit persons who have been convicted of any crime defined as a felony from being a local charter authorizer, member, officer, or director of a charter school;"

AMENDMENT NO. 3

On page 2, at the end of line 28, insert "3974,"

AMENDMENT NO. 4

On page 6, between lines 4 and 5, insert the following:

"§3974. Prohibitions: persons convicted of felony offenses

A. No local charter authorizer shall be certified which has an officer, administrator, director, or any person having managerial authority who has been convicted of or has pled nolo contendere to any crime defined as a felony or has been convicted under the laws of any other state or of the United States or of any foreign government or country of a crime which, if committed in this state, would be a felony.

B. No person who has been convicted of or has pled nolo contendere to a crime listed in R.S. 15:587.1(C) shall be hired by a charter school as a teacher, substitute teacher, bus driver, substitute bus driver, or janitor, or as a temporary, part-time, or permanent school employee of any kind, unless approved in writing by a district judge of the parish and the district attorney or, if employed on an emergency basis, unless approved in writing by the administrator of a chartering authority."

On motion of Rep. Nancy Landry, the amendments were withdrawn.

Speaker Kleckley in the Chair

Rep. Fannin sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Fannin to Engrossed House Bill No. 976 by Representative Carter

Page 14 HOUSE

8th Day's Proceedings - March 22, 2012

AMENDMENT NO. 1

On page 40, at the end of line 25, insert "No locally levied school district tax revenues shall be transferred to any participating school located outside of the school district where the tax is levied or any participating nonpublic school within the district."

Rep. Fannin moved the adoption of the amendments.

Rep. Edwards objected.

By a vote of 82 yeas and 19 nays, the amendments were adopted.

Rep. Nancy Landry sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Nancy Landry to Engrossed House Bill No. 976 by Representative Carter

AMENDMENT NO. 1

On page 1, line 7, after "(7)," and before "3981(7)" insert "3974,"

AMENDMENT NO. 2

On page 2, at the end of line 21, insert "to prohibit persons who have been convicted of any crime defined as a felony from being a local charter authorizer, member, officer, or director of a charter school;"

AMENDMENT NO. 3

On page 2, at the end of line 28, insert "3974,"

AMENDMENT NO. 4

On page 6, between lines 4 and 5, insert the following:

"§3974. Prohibitions; persons convicted of felony offenses

A. No local charter authorizer shall be certified which has an officer, administrator, director, or any person having managerial authority who has been convicted of or has pled nolo contendere to any crime defined as a felony or has been convicted under the laws of any other state or of the United States or of any foreign government or country of a crime which, if committed in this state, would be a felony. The provisions of this Subsection shall not apply to any person who has been pardoned or if more than fifteen years have elapsed after the date of the completion of his original sentence.

B. No person who has been convicted of or has pled nolo contendere to a crime listed in R.S. 15:587.1(C) shall be hired by a charter school as a teacher, substitute teacher, bus driver, substitute bus driver, or janitor, or as a temporary, part-time, or permanent school employee of any kind, unless approved in writing by a district judge of the parish and the district attorney or, if employed on an emergency basis, unless approved in writing by the administrator of a chartering authority."

Rep. Nancy Landry moved the adoption of the amendments.

Rep. Wesley Bishop objected.

By a vote of 86 yeas and 14 nays, the amendments were adopted.

Recess

On motion of Rep. Leger, the Speaker declared the House at recess until 4:30 P.M.

After Recess

Speaker Kleckley called the House to order at 4:30 P.M.

House Business Resumed

Rep. Smith sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Smith to Engrossed House Bill No. 976 by Representative Carter

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 17:158(A)(1)" delete the comma "," and delete the remainder of the line and delete lines 3 through 10 in their entirety and at the beginning of line 11 delete "(B)(4)," and insert the following in lieu thereof:

"and 4011 through 4025 and to enact R.S. 17:10.5(F),"

AMENDMENT NO. 2

On page 2, line 1, after "process;" delete the remainder of the line and delete lines 2 through 21 in their entirety

AMENDMENT NO. 3

On page 2, line 24, after "R.S. 17:158(A)(1)" delete the comma "," and delete the remainder of the page in its entirety and on page 3, delete lines 1 and 2 in their entirety and insert the following in lieu thereof:

"and 4011 through 4025 are hereby amended and reenacted and R.S. 17:10.5(F) is hereby enacted to read as follows:"

AMENDMENT NO. 4

On page 5, delete lines 5 through 28 in their entirety and delete pages 6 through 31 in their entirety and on page 32, delete lines 1 through 10 in their entirety

AMENDMENT NO. 5

On page 45, delete lines 23 and 24 in their entirety

Rep. Smith moved the adoption of the amendments.

Rep. Dove objected.

By a vote of 34 yeas and 66 nays, the amendments were rejected.

Rep. Wesley Bishop sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Wesley Bishop to Engrossed House Bill No. 976 by Representative Carter

AMENDMENT NO. 1

On page 1, at the end of line 6, between "17:10.5(F)" and the comma "," insert "and (G)"

AMENDMENT NO. 2

On page 1, line 17, after "transferred to" and before "the" insert "or removed from the jurisdiction of"

AMENDMENT NO. 3

On page 2, line 28, after "R.S." and before "3973(2)(b)(vi)," change "17:10.5(F)," to "17:10.5(F) and (G),"

AMENDMENT NO. 4

On page 4, between lines 22 and 23, insert the following:

"G.(1) Notwithstanding the provisions of Paragraph (A)(1) of this Section, a public school or public charter school shall be removed from the jurisdiction of the Recovery School District and returned to the administration and management of the school system from which it was transferred if such return is approved by the State Board of Elementary and Secondary Education and both of the following conditions are met:

(a) Parents or legal guardians representing at least fifty-one percent of the students attending the school sign a petition requesting that the school be removed from the jurisdiction of the Recovery School District and returned to the administration and management of the school system from which it was transferred.

(b) The school has received a letter grade of "F" or any variation thereof, pursuant to the Louisiana School and District Accountability System for three consecutive years.

(2) The State Board of Elementary and Secondary Education shall develop and adopt rules and regulations for implementation of this Subsection which shall include but not be limited to:

(a) The format and procedures for submitting a petition pursuant to this Paragraph to the state superintendent of education to be brought by him before the State Board of Elementary and Secondary Education for review, consideration, and action.

(b) A requirement that each student may be signed for by his parents or legal guardians only one time on any given petition such that each student equals one signature.

(c) Signature validation procedures that include the following requirements:

(i) That upon submission of a petition, the state Department of Education shall determine if the number of signatures represents at least fifty-one percent of the students attending the school.

(ii) That the signatures be assumed valid unless challenged or there is reasonable doubt of their validity. If validity is challenged or doubted, the department shall, within forty-five calendar days, review and verify the signatures. If the department finds that the number of valid signatures is fewer than the fifty-one percent required, parents or legal guardians shall have thirty calendar days, commencing with a date specified by the department, to resolve such discrepancies and collect the signatures of additional parents or legal guardians. Signatures shall not be discounted over technicalities if the clear intent of the parent or legal guardian was to support the petition.

(d) Transfer procedures for students who choose not to remain enrolled at the school as a result of the state board's decision to return the school to the administration and management of the school system from which it was transferred.

(3) The state Department of Education shall maintain records regarding the contents and outcomes of the petitions.

(4) Parents or legal guardians shall be free from harassment, threats, and intimidation related to circulation of or signing a petition.

(5) School and district resources shall not be used to support or oppose any effort by petitioning parents or legal guardians to gather signatures and submit a petition.

Rep. Wesley Bishop moved the adoption of the amendments.

Rep. Henry objected.

By a vote of 36 yeas and 65 nays, the amendments were rejected.

Rep. Reynolds sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Reynolds to Engrossed House Bill No. 976 by Representative Carter

AMENDMENT NO. 1

On page 1, line 4, between "and (13)," and "(D)(2)(a)(i)," delete "(C)(1)(c)(iv) and (6),"

AMENDMENT NO. 2

On page 2, line 7, after "requirements;" delete the remainder of the line and at the beginning of line 8 delete "special admission standards;"

AMENDMENT NO. 3

On page 2, line 26, between "(13)," and "(D)(2)(a)(i)," delete "(C)(1)(c)(iv) and (6),"

AMENDMENT NO. 4

Delete page 18 in its entirety and on page 19, delete lines 1 through 11 in their entirety

Rep. Reynolds moved the adoption of the amendments.

Rep. Ligi objected.

By a vote of 42 yeas and 59 nays, the amendments were rejected.

Consent to Correct a Vote Record

Rep. Leopold requested the House consent to record his vote on amendments proposed by Rep. Reynolds to House Bill No. 976 as nay, which consent was unanimously granted.

Rep. Ritchie sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Ritchie to Engrossed House Bill No. 976 by Representative Carter

AMENDMENT NO. 1

That the House Floor Amendment (#1831) proposed by Representative Fannin and adopted by the House on March 22, 2012, be rejected.

AMENDMENT NO. 2

On page 34, line 10, after "of" and before "or" delete "'C', 'D', or 'F'" and insert "'D' or 'F'."

AMENDMENT NO. 3

On page 37, line 11, after "of" and before "or" delete "'C', 'D', or 'F'," and insert "'D' or 'F'."

Rep. Ritchie moved the adoption of the amendments.

Rep. Simon objected.

By a vote of 46 yeas and 52 nays, the amendments were rejected.

Consent to Correct a Vote Record

Rep. Shadoin requested the House consent to correct his vote on amendments proposed by Rep. Ritchie to House Bill No. 976 from nay to yea, which consent was unanimously granted.

Rep. Ortego sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Ortego to Original House Bill No. 976 by Representative Carter

AMENDMENT NO. 1

On page 27, line 6, after "thereof," and before "to" change "according" to "and the student scored below his grade level on any test required that school year pursuant"

AMENDMENT NO. 2

On page 34, at the end of line 10, insert a comma "," and add "and the student scored below his grade level on any test required that school year"

Rep. Ortego moved the adoption of the amendments.

Rep. Robideaux objected.

By a vote of 35 yeas and 64 nays, the amendments were rejected.

Rep. Katrina Jackson sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Katrina Jackson to Engrossed House Bill No. 976 by Representative Carter

AMENDMENT NO. 1

On page 1, line 8, between "3992(D)," and "Part" delete "and"

AMENDMENT NO. 2

On page 1, line 10, between "4002.6," and "and" insert "and 4026,"

AMENDMENT NO. 3

On page 2, line 21, between "to provide for" and "procedures" insert "accountability,"

AMENDMENT NO. 4

On page 3, line 1, between "3992(D)," and "Part" delete "and"

AMENDMENT NO. 5

On page 3, line 2, between "4002.6," and "are" insert "and 4026"

AMENDMENT NO. 6

On page 45, between lines 22 and 23, insert the following:

"§4026. Accountability; participating nonpublic schools

A. The State Board of Elementary and Secondary Education shall develop and implement a school accountability system for participating nonpublic schools.

B. The system, to the extent possible, shall be comparable to and contain the same components, requirements, and criteria as the school and district accountability system for public schools, including but not limited to requirements for high stakes testing, assignment of letter grades to schools, and publishing and reporting of results.

Section 2. The State Board of Elementary and Secondary Education shall implement a school accountability system for certain nonpublic schools as provided in this Act effective for the 2012-2013 school year and thereafter."

AMENDMENT NO. 7

On page 45, at the beginning of line 23, change "Section 2." to "Section 3."

Rep. Katrina Jackson moved the adoption of the amendments.

Rep. Dove objected.

By a vote of 34 yeas and 61 nays, the amendments were rejected.

Rep. Reynolds sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Reynolds to Engrossed House Bill No. 976 by Representative Carter

AMENDMENT NO. 1

Delete Amendments No. 2 through 7 of the set of seven House Floor Amendments (#1808) proposed by Representatives Foil and Champagne and adopted by the House on March 22, 2012

AMENDMENT NO. 2

On page 39, line 5, after "attending," delete the remainder of the line and delete lines 6 through 29 in their entirety and insert "the participating nonpublic school shall provide such services and shall have an established program in place or establish such program for incoming special education students at the"

AMENDMENT NO. 3

On page 40, delete lines 4 through 6 in their entirety

Rep. Reynolds moved the adoption of the amendments.

Rep. Foil objected.

By a vote of 38 yeas and 59 nays, the amendments were rejected.

Rep. Smith sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Smith to Engrossed House Bill No. 976 by Representative Carter

AMENDMENT NO. 1

On page 33, line 27, after "located" delete the remainder of the line and insert "and that school received a letter grade of "D" or "F", or any variation thereof, for the most recent year or has enrolled in a school"

Rep. Smith moved the adoption of the amendments.

Rep. Seabaugh objected.

By a vote of 37 yeas and 61 nays, the amendments were rejected.

Rep. Edwards sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Edwards to Engrossed House Bill No. 976 by Representative Carter

AMENDMENT NO. 1

On page 38, line 3, after "the" and before "amount" insert "state share of the"

AMENDMENT NO. 2

On page 38, line 5, delete "This amount shall be counted toward the equitable allocation of funds" and delete lines 6 and 7 in their entirety

AMENDMENT NO. 3

On page 38, line 13, after "than the" and before "amount" insert "state share of the"

AMENDMENT NO. 4

On page 38, line 15, after "state" delete the remainder of the line and delete lines 16 through 20 in their entirety and insert a period "."

Rep. Edwards moved the adoption of the amendments.

Rep. Seabaugh objected.

A record vote was asked for and ordered by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Greene	Montoucet
Anders	Harrison	Moreno
Armes	Havard	Norton
Badon	Hill	Ortego
Barrow	Honore	Pierre
Bishop, W.	Hunter	Pope
Brossett	Jackson, G.	Price
Brown	Jackson, K.	Reynolds
Burrell	James	Richard
Carmody	Jefferson	Ritchie
Cox	Johnson	Smith
Dixon	Jones	St. Germain
Edwards	Lambert	Thibaut
Franklin	Landry, T.	Thierry
Gaines	LeBas	Williams, A.
Gisclair	Leger	Williams, P.
Total - 48		

NAYS

Mr. Speaker	Foil	Miller
Adams	Garofalo	Morris, Jay
Barras	Guinn	Pearson
Berthelot	Harris	Ponti
Billiot	Hazel	Pugh
Bishop, S.	Henry	Pylant

Burford	Hensgens	Robideaux
Burns, H.	Hodges	Schexnayder
Burns, T.	Hoffmann	Schroder
Carter	Hollis	Seabaugh
Champagne	Howard	Shadoin
Chaney	Huval	Simon
Connick	Landry, N.	Talbot
Cromer	Leopold	Thompson
Danahay	Ligi	Whitney
Dove	Lorusso	Willmott
Fannin	Mack	
Total - 50		

ABSENT

Arnold	Guillory	Richardson
Broadwater	Lopinto	
Geymann	Morris, Jim	
Total - 7		

The amendments were rejected.

Speaker Pro Tempore Leger in the Chair

Rep. Jones sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Jones to Engrossed House Bill No. 976 by Representative Carter

AMENDMENT NO. 1

On page 1, line 8, after "3992(D)," and before "Part" delete "and"

AMENDMENT NO. 2

On page 1, line 10, after "4002.6," and before "and to" insert "and 4026,"

AMENDMENT NO. 3

On page 3, line 1, after "3992(D)," and before "Part" delete "and"

AMENDMENT NO. 4

On page 3, line 2, after "4002.6," and before "are" insert "and 4026,"

AMENDMENT NO. 5

On page 45, between lines 22 and 23, insert the following:

"§4026. Applicability; local election

A. At the statewide election to be held on November 6, 2012, a proposition shall appear on the ballot in each school district to determine whether the Student Scholarships for Educational Excellence Program shall apply in that district.

B. The ballot for the election shall state as follows:

"LOCAL OPTION ELECTION

Within _____ (name of school district):

Shall the Student Scholarships for Educational Excellence Program, which awards eligible Louisiana students, including special education students, scholarships to attend public and nonpublic schools that meet certain eligibility requirements and which provides for scholarship funding to be allocated from the minimum foundation program to participating schools, apply in _____ (name of school district)?"

C. If the question of the applicability of such program is approved by a majority of the qualified electors voting on the proposition in the district, then the Student Scholarships for Educational Excellence Program shall apply in that district beginning in the 2013-2014 school year.

D. The secretary of state shall prepare the ballot for the election.

E. Except as otherwise provided, the election required in this Subsection shall be conducted in accordance with the Louisiana Election Code.

F. Notwithstanding Chapter 8-A of the Louisiana Election Code, the costs of the election required in this Subsection shall be borne by the state.

Rep. Jones moved the adoption of the amendments.

Rep. Ligi objected.

By a vote of 38 yeas and 55 nays, the amendments were rejected.

Speaker Kleckley in the Chair

Speaker Pro Tempore Leger in the Chair

Rep. Ortego sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Ortego to Engrossed House Bill No. 976 by Representative Carter

AMENDMENT NO. 1

On page 27, at the end of line 2, insert "However, a course provider shall not be an entity located outside of Louisiana."

AMENDMENT NO. 2

On page 30, line 24, after "of the" and before "per" insert "state share of the"

AMENDMENT NO. 3

On page 30, line 28, after "for the" and before "per" insert "state share of the"

Rep. Ortego moved the adoption of the amendments.

Rep. Ligi objected.

By a vote of 31 yeas and 60 nays, the amendments were rejected.

Rep. Carter sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Carter to Engrossed House Bill No. 976 by Representative Carter

AMENDMENT NO. 1

On page 14, line 28, after "success" delete the period "." and insert "or that propose to contract with school management organizations that have a demonstrated record of success."

AMENDMENT NO. 2

On page 15, line 1, between "groups" and "that" insert "or school management organizations"

AMENDMENT NO. 3

On page 15, line 5, after "application" change the semicolon ";" to a period "." and delete the remainder of the line and delete lines 6 through 9 and insert "The chartering authority may require that approved schools be opened sequentially and condition the opening of later schools on the performance of prior schools."

On motion of Rep. Carter, the amendments were withdrawn.

Rep. Greene sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Greene to Engrossed House Bill No. 976 by Representative Carter

AMENDMENT NO. 1

On page 33, line 24, after "budget" and before "and" delete the comma "," and insert "except as provided in R.S. 17:4015(1)."

AMENDMENT NO. 2

On page 35, at the end of line 6, delete the period "." and add the following:

"and, notwithstanding any provision of this Chapter to the contrary, award scholarships to eligible students as follows:

(a) First priority shall be given to students who meet the family income requirement as specified in R.S. 17:4013(2).

(b) If there are seats available after all scholarships have been awarded pursuant to Subparagraph (a) of this Paragraph, the family income requirement as specified in R.S. 17:4013(2) shall not apply and the department shall award the remaining scholarships using the random selection process as specified in Subparagraph (3)(a) of this Section."

AMENDMENT NO. 3

On page 35, line 22, after "grade" and before "the" delete the comma "," and insert "and in accordance with Paragraph (1) of this Section."

Rep. Greene moved the adoption of the amendments.

Rep. Price objected.

By a vote of 25 yeas and 74 nays, the amendments were rejected.

Rep. Burrell sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Burrell to Engrossed House Bill No. 976 by Representative Carter

AMENDMENT NO. 1

On page 34, delete lines 3 through 12 in their entirety and insert the following:

"(b)(i) For the 2012-2013, 2013-2014, and 2014-2015 school years, was enrolled in a public school in Louisiana on October first and on February first of the prior year pursuant to the definition of student membership established by the state board for purposes of the minimum foundation program formula and the school received a letter grade of "D" or "F", or any variation thereof, in the prior year and the student scored below his grade level on any test required that school year pursuant to the school and district accountability system. Only after each student who scored below his grade level has been placed at a participating school, shall those students who scored at or above grade level be entered into the random selection process.

(ii) For the 2015-2016 school year and thereafter, was enrolled in a public school in Louisiana on October first and on February first of the prior year pursuant to the definition of student membership established by the state board for purposes of the minimum foundation program formula and the school received a letter grade of "C", "D", or "F", or any variation thereof, in the prior year and the student scored below his grade level on any test required that school year pursuant to the school and district accountability system. Only after each student who scored below his grade level has been placed at a participating school, shall those students who scored at or above grade level be entered into the random selection process."

Motion

Rep. Harris moved to end consideration of amendments.

Rep. Katrina Jackson objected.

By a vote of 59 yeas and 42 nays, the House agreed to end consideration of amendments.

Rep. Burrell moved the adoption of the amendments.

Rep. Dove objected.

By a vote of 31 yeas and 71 nays, the amendments were rejected.

Rep. Carter moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Garofalo	Lorusso
Abramson	Greene	Moreno
Adams	Guinn	Morris, Jay
Arnold	Harris	Pearson
Badon	Havard	Ponti
Barras	Hazel	Pugh
Berthelot	Henry	Pylant
Billiot	Hensgens	Richardson
Bishop, S.	Hodges	Robideaux
Broadwater	Hoffmann	Schexnayder
Burford	Hollis	Schroder
Burns, H.	Honore	Seabaugh
Burns, T.	Howard	Shadoin
Carmody	Huval	Simon
Carter	Jackson, G.	Talbot
Champagne	Jefferson	Thierry
Connick	Landry, N.	Thompson
Cromer	Leger	Whitney
Dove	Leopold	Williams, P.
Fannin	Ligi	Willmott
Foil	Lopinto	
Total - 62		

NAYS

Anders	Gisclair	Morris, Jim
Armes	Guillory	Norton
Barrow	Harrison	Ortego
Bishop, W.	Hill	Pierre
Brossett	Hunter	Pope
Brown	Jackson, K.	Price
Burrell	James	Reynolds
Chaney	Johnson	Richard
Cox	Jones	Ritchie
Danahay	Lambert	Smith
Dixon	Landry, T.	St. Germain
Edwards	LeBas	Thibaut
Franklin	Mack	Williams, A.
Gaines	Miller	
Geymann	Montoucet	
Total - 43		

ABSENT

Total - 0

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Carter moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Consent to Correct a Vote Record

Rep. Alfred Williams requested the House consent to record his vote on final passage of House Bill No. 976 as nay, which consent was unanimously granted.

Consent to Correct a Vote Record

Rep. Lopinto requested the House consent to record his vote on final passage of House Bill No. 976 as yea, which consent was unanimously granted.

HOUSE BILL NO. 974—

BY REPRESENTATIVES CARTER, KLECKLEY, BROADWATER, CHAMPAGNE, CONNICK, HENRY, HENSGENS, LORUSSO, PONTI, ROBIDEAUX, SCHRODER, SEABAUGH, TALBOT, AND THOMPSON AND SENATORS ALARIO AND APPEL

AN ACT

To amend and reenact R.S. 17:54(B)(1)(b)(i) and (iii), 81(A) and (P)(1), 81.4, 229, and 414.1, 441, 442, 443, and 444(B)(1), to enact R.S. 17:418 and 532(C), and to repeal R.S. 17:44, 45, 81(I), 154.2, 235.1(E), 346.1, 419, 419.1, 420, 421, 421.1, 421.2, 421.3, 421.5, 422, 422.1, 422.2, 422.3, 422.4, 422.5, 431, 444(A) and (B)(2) and (3), 446, 461 through 464, and 1207, relative to elementary and secondary education; to provide with respect to teachers and other school employees; to provide with respect to local school superintendents, their employment, and their duties and responsibilities; to provide relative to local school boards and their functions and powers; to provide relative to school personnel decisions; to provide relative to school board reduction in force policies; to provide with respect to the salaries and compensation of teachers and other school employees; to provide relative to tenure for school employees and the removal of tenured and nontenured teachers; to provide for effectiveness; and to provide for related matters.

Called from the calendar.

Read by title.

Speaker Pro Tempore Leger in the Chair

Acting Speaker Henry in the Chair

Speaker Kleckley in the Chair

Rep. Barrow, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Barrow on behalf of the Legislative Bureau to Engrossed House Bill No. 974 by Representative Carter

AMENDMENT NO. 1

On page 3, line 1, following "Subsection" and before "null" change "is" to "shall be"

AMENDMENT NO. 2

On page 9, line 19, following "(c)" and before "teacher" change "When a" to "A"

AMENDMENT NO. 3

On page 11, line 6, following "shall" and before "eligible" change "be not" to "not be"

AMENDMENT NO. 4

On page 11, line 19, following "R.S." and before ":" change "17:3883(5)" to "17:3883(A)(5)"

AMENDMENT NO. 5

On page 14, line 2, following "3905" change "and wherein he was rated" to "evaluating the teacher's performance as"

AMENDMENT NO. 6

On page 14, line 13, following "tenure" and before "acquired" delete "status"

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

Rep. Carter sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Carter and Hoffmann to Engrossed House Bill No. 974 by Representative Carter

AMENDMENT NO. 1

On page 9, line 1, after "Demand" delete the remainder of the line and delete line 2 in its entirety and insert "inclusive of area of certification, particular school need, geographic area, and subject area, which may include advanced degree levels."

AMENDMENT NO. 2

On page 11, line 14, between "C.(1)" and "teacher" change "Any" to "Beginning with the 2013-2014 school year, any"

Motion

Rep. Katrina Jackson moved that the bill be returned to the calendar.

Rep. Ligi objected.

By a vote of 32 yeas and 66 nays, the House refused to return the bill to the calendar.

Rep. Carter moved the adoption of the amendments.

Rep. Hunter objected.

By a vote of 98 yeas and 2 nays, the amendments were adopted.

Rep. Carter sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Carter and Barras to Engrossed House Bill No. 974 by Representative Carter

AMENDMENT NO. 1

On page 11, line 4, after "five" and before "pursuant" change "consecutive years" to "years within a six-year period"

AMENDMENT NO. 2

On page 11, at the beginning of line 22, change "consecutive years" to "years within a six-year period"

Rep. Carter moved the adoption of the amendments.

Rep. Hunter objected.

By a vote of 97 yeas and 2 nays, the amendments were adopted.

Rep. Carter sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Carter to Engrossed House Bill No. 974 by Representative Carter

AMENDMENT NO. 1

On page 4, line 6, after "persons" and before "have" delete "recommended"

AMENDMENT NO. 2

On page 11, before line 3, insert the following:

"A.(1)(a) A teacher who has acquired tenure before July 1, 2012, retains tenure and is subject to the provisions of this Section."

AMENDMENT NO. 3

On page 11, at the beginning of line 3, before "July" change "A.(1) Effective" to "(b) Effective beginning on"

AMENDMENT NO. 4

On page 11, line 14, After "C.(1)" and before "teacher" change "Any" to "A tenured"

AMENDMENT NO. 5

On page 12, at the beginning of line 1, change "(B)(1)" to "B.(1)"

AMENDMENT NO. 6

On page 12, at the beginning of line 12, before "dismissal" change "Upon" to "Within seven days after"

AMENDMENT NO. 7

On page 12, line 28, after "and shall" delete the remainder of the line and insert "begin within seven business days after receipt of the teacher's request for such hearing. The"

AMENDMENT NO. 8

On page 12, line 30, after "witnesses" and before "his behalf" change "in" to "on"

AMENDMENT NO. 9

On page 13, line 1, between "at" and "hearing." change "said" to "the"

AMENDMENT NO. 10

On page 13, at the end of line 15, insert "the superintendent shall notify the teacher of his final determination, in writing, and"

AMENDMENT NO. 11

On page 13, line 16, after "from the" delete the remainder of the line and at the beginning of line 17, delete "finding," and insert "the postmarked date of such written notification."

AMENDMENT NO. 12

On page 13, line 21, after "shall" delete the remainder of the line and on line 22, delete "scheduling to review the matter." and insert "review the matter not later than ten days after the petition has been filed."

AMENDMENT NO. 13

On page 13, line 25, after "he" and before "may" delete "or she"

Rep. Carter moved the adoption of the amendments.

Rep. Smith objected.

By a vote of 93 yeas and 7 nays, the amendments were adopted.

Rep. Fannin sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Fannin to Engrossed House Bill No. 974 by Representative Carter

AMENDMENT NO. 1

On page 9, between lines 11 and 12, insert the following:

"(2) Each vocational agricultural teacher employed by a city, parish, or other local public school board shall teach a twelve-month program for a twelve-month budget period and shall be paid a proportional salary for a twelve-month budget period according to the salary schedule established by his employing school board."

AMENDMENT NO. 2

On page 9, at the beginning of line 12, change "(2)" to "(3)"

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

Rep. Dixon sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Dixon to Engrossed House Bill No. 974 by Representative Carter

AMENDMENT NO. 1

On page 5, line 24, change "September" to "October"

Motion

Rep. Lopinto moved to end consideration of amendments.

Rep. Edwards objected.

By a vote of 28 yeas and 67 nays, the House refused to end consideration of amendments.

Rep. Dixon moved the adoption of the amendments.

Rep. Foil objected.

By a vote of 49 yeas and 52 nays, the amendments were rejected.

Rep. Smith sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Smith to Engrossed House Bill No. 974 by Representative Carter

AMENDMENT NO. 1

On page 1, line 2, after "R.S." delete the remainder of the line and insert "17:81(A), 81.4, 229,"

AMENDMENT NO. 2

On page 1, line 8, after "superintendents," and before "their" delete "their employment, and" and insert "including"

AMENDMENT NO. 3

On page 1, line 16, after "R.S." delete the remainder of the line and insert "17:81(A), 81.4, 229, and 414.1"

AMENDMENT NO. 4

On page 2, delete lines 1 through 28, and on page 3, delete lines 1 through 10

Rep. Smith moved the adoption of the amendments.

Rep. Carter objected.

By a vote of 41 yeas and 55 nays, the amendments were rejected.

Adjournment

On motion of Rep. Billiot, at 11:55 P.M., the House agreed to adjourn until Friday, March 23, 2012, at 12:01 A.M.

The Speaker of the House declared the House adjourned until 12:01 A.M., Friday, March 23, 2012.

ALFRED W. SPEER
Clerk of the House

