The House of Representatives was called to order at 12:01 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:

<table>
<thead>
<tr>
<th>Present</th>
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<tbody>
<tr>
<td>Mr. Speaker</td>
<td>Garofalo</td>
<td>Miller</td>
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<tr>
<td>Abramson</td>
<td>Geymann</td>
<td>Montoucet</td>
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<tr>
<td>Adams</td>
<td>Gisclair</td>
<td>Moreno</td>
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<tr>
<td>Anders</td>
<td>Guilory</td>
<td>Morris, Jay</td>
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<tr>
<td>Armes</td>
<td>Guinn</td>
<td>Morris, Jim</td>
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<tr>
<td>Arnold</td>
<td>Harris</td>
<td>Norton</td>
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<tr>
<td>Badon</td>
<td>Harrison</td>
<td>Ortego</td>
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<tr>
<td>Barras</td>
<td>Havard</td>
<td>Pearson</td>
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<tr>
<td>Barrow</td>
<td>Hazel</td>
<td>Pierre</td>
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<tr>
<td>Berthelot</td>
<td>Henry</td>
<td>Ponti</td>
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<tr>
<td>Billiot</td>
<td>Hensgens</td>
<td>Pope</td>
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<tr>
<td>Bishop, S.</td>
<td>Hill</td>
<td>Price</td>
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<tr>
<td>Bishop, W.</td>
<td>Hodges</td>
<td>Pugh</td>
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<tr>
<td>Broadwater</td>
<td>Hoffmann</td>
<td>Pylant</td>
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<tr>
<td>Brossett</td>
<td>Hollis</td>
<td>Reynolds</td>
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<tr>
<td>Brown</td>
<td>Honore</td>
<td>Richard</td>
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<tr>
<td>Burford</td>
<td>Howard</td>
<td>Richardson</td>
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<tr>
<td>Burns, H.</td>
<td>Hunter</td>
<td>Ritchie</td>
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<td>Burns, T.</td>
<td>Huval</td>
<td>Robideaux</td>
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<tr>
<td>Burrell</td>
<td>Jackson, G.</td>
<td>Schexnayder</td>
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<tr>
<td>Carmody</td>
<td>Jackson, K.</td>
<td>Schroder</td>
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<tr>
<td>Carter</td>
<td>James</td>
<td>Seabaugh</td>
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<tr>
<td>Champagne</td>
<td>Jefferson</td>
<td>Shadoin</td>
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<tr>
<td>Chaney</td>
<td>Johnson</td>
<td>Simon</td>
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<tr>
<td>Connick</td>
<td>Jones</td>
<td>Smith</td>
</tr>
<tr>
<td>Cox</td>
<td>Lambert</td>
<td>St. Germain</td>
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<tr>
<td>Cromer</td>
<td>Landry, N.</td>
<td>Talbot</td>
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<tr>
<td>Dunahay</td>
<td>Landry, T.</td>
<td>Thibaut</td>
</tr>
<tr>
<td>Dixon</td>
<td>LeBas</td>
<td>Thierry</td>
</tr>
<tr>
<td>Dove</td>
<td>Leger</td>
<td>Thompson</td>
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<tr>
<td>Edwards</td>
<td>Leopold</td>
<td>Whitney</td>
</tr>
<tr>
<td>Total - 104</td>
<td></td>
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</tbody>
</table>

The Speaker announced that there were 104 members present and a quorum.

**Prayer**

Prayer was offered by Rep. Hoffman.

**Pledge of Allegiance**

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

**HOUSE BILL NO. 974—**

An Act

Thirty-eighth Regular Session of the Legislature

Under the Adoption of the Constitution of 1974

House of Representatives
State Capitol
Baton Rouge, Louisiana

Friday, March 23, 2012

The House of Representatives was called to order at 12:01 A.M., by the Honorable Chuck Kleckley, Speaker of the House of Representatives.

**HOUSE BILL NO. 974—**

By Representatives Carter, Kleckley, Broadwater, Champagne, Connick, Henry, Hensgens, Ligi, 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, 414.1, 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.

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 5, between lines 7 and 8, insert the following:

“(7) Each local superintendent and school principal shall make all employment-related decisions and recommendations in consultation with his executive team.”

Rep. Smith moved the adoption of the amendments.


By a vote of 39 yeas and 61 nays, the amendments were rejected.

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 13, line 26, after "superintendent" delete the period "." and insert "and to all court costs and attorney fees relating to his tenure action."
Rep. Dixon moved the adoption of the amendments.
By a vote of 43 yeas and 57 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. 974 by Representative Carter

AMENDMENT NO. 1
On page 11, line 3, delete “in order to be deemed eligible to acquire tenure.”

AMENDMENT NO. 2
On page 11, line 4, delete “must be”

AMENDMENT NO. 3
On page 11, line 5, after “3905" delete the period ".” and insert "shall be granted tenure." "

AMENDMENT NO. 4
On page 11, line 17, change "max" to "shall"

AMENDMENT NO. 5
On page 11, line 17, after "tenure" delete the remainder of the line and insert "if any of the following applies:" "

On motion of Rep. Edwards, the amendments were adopted.
Rep. Pope sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS
Amendments proposed by Representative Pope to Engrossed House Bill No. 974 by Representative Carter

AMENDMENT NO. 1
On page 2, line 10, after "of" and before "or "F"" change ""C", "D", " to ""D""

AMENDMENT NO. 2
On page 2, line 13, after "of" and before "or "F"" change ""C", "D", " to ""D"

AMENDMENT NO. 3
On page 2, line 15, after "of" and before "or "F"" change ""C", "D", " to ""D"

Rep. Pope moved the adoption of the amendments.
By a vote of 49 yeas and 55 nays, the amendments were rejected.
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 4, line 13, after "(a)" delete "Delegate" and insert "Except as provided in Subparagraph (c) of this Paragraph, delegate"

AMENDMENT NO. 2
On page 4, between lines 24 and 25, insert the following:

“(c) Make recommendations with respect to hiring, termination, and other personnel actions applicable to school support personnel to the local public school board, and the board shall take personnel actions only upon the recommendation of the superintendent. Such personnel are entitled to file a grievance in accordance with procedures adopted pursuant to R.S. 17:100.4 with respect to any such action.

Rep. Dixon moved the adoption of the amendments.
By a vote of 38 yeas and 62 nays, the amendments were rejected.
Rep. Ortego sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS
Amendments proposed by Representative Ortego to Engrossed House Bill No. 974 by Representative Carter

AMENDMENT NO. 1
On page 14, between lines 19 and 20, insert the following:

"Section 4. The provisions of Sections 1 through 3 of this Act shall be implemented as a three-year pilot program in certain city, parish, and other local public school systems to be selected by the state superintendent of education based on criteria established by the State Board of Elementary and Secondary Education. Such pilot program shall be administered by the state board pursuant to rules and regulations adopted by the board in accordance with the Administrative Procedure Act. The state board shall submit a written report of its findings, conclusions, and recommendations relative to such pilot program, including any recommendations for related legislation, to the House Committee on Education and the Senate Committee on Education by not later than sixty days prior to the beginning of the 2015 Regular Session of the Legislature."

AMENDMENT NO. 2
On page 14, line 20, change "Section 4." to "Section 5."

AMENDMENT NO. 3
On page 14, line 23, change "Section 5." to "Section 6."

On motion of Rep. Ortego, the amendments were withdrawn.
Rep. Carter moved the final passage of the bill, as amended.

ROLL CALL
The roll was called with the following result:
YEAS
Mr. Speaker     Foil        Moreno
Abramson        Garofalo    Morris, Jay
Adams           Harris       Pearson
Arnold          Havard      Ponti
Badon           Hazel       Pugh
Barras          Henry       Pylant
Berthelot       Hensgens    Richard
Billiot         Hodges       Richardson
Bishop, S.      Hoffmann    Robideaux
Broadwater      Hollis       Schexnayder
Brown           Howard      Schroder
Burford         Huval       Seabaugh
Burns, H.       Jackson, G. Simon
Burns, T.       Jefferson   St. Germain
Carmody         Lambert     Talbot
Carter          Landry, N. Thibaut
Champagne       Leger       Thierry
Chaney          Leopold     Thompson
Connick         Ligi        Whitney
Cromer          Lopinto     Willmott
Dove            Lorusso     Miller
Total - 64

NAYS
Anders          Guillory    Morris, Jim
Armes           Guinn       Norton
Barrow          Harrison    Ortego
Bishop, W.      Hill        Pierre
Brosset         Honore      Pope
Burrell         Hunter      Price
Cox             Jackson, K. Reynolds
Danahey         James       Ritchie
Dixon           Johnson     Shadoin
Edwards         Jones       Smith
Franklin        Landry, T. Williams, A.
Gaines          LeBas       Williams, P.
Geymann         Mack        Montoucet
Total - 40

ABSENT
Greene
Total - 1

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.

Suspension of the Rules

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

Petitions, Memorials, and
Communications

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

Message from the Senate
SENATE BILLS
March 22, 2012

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

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

Senate Bill Nos. 193, 581, and 610

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Senate Bills and Joint Resolutions
on First Reading

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

SENATE BILL NO. 193—
BY SENATORS GUILLORY AND THOMPSON
AN ACT
To enact R.S. 47:463.155, relative to special prestige motor vehicle
license plates; to provide for the creation, issuance, and design
of such license plates for the Phi Beta Sigma Fraternity, Inc.; to
provide relative to the fee and distribution of fees for such plates; to authorize the promulgation of rules and regulations;
and to provide for related matters.

Read by title.

SENATE BILL NO. 581—
BY SENATORS APPEL AND ALARIO AND REPRESENTATIVES
CARTER AND KLECKLEY
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.

SENATE BILL NO. 610—
BY SENATOR RISER
AN ACT
To amend and reenact R.S. 47:120.37(A), (C), and (D), relative to
the Department of Revenue; to provide for distribution dates for
donations from individual state income tax returns to donees;
and to provide for related matters.

Read by title.

Introduction of Resolutions,
House and House Concurrent

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

Suspension of the Rules

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

Suspension of the Rules

On motion of Rep. Henry, the rules were suspended in order to
take up and consider Introduction of Resolutions, House and House
Concurrent at this time.
HOUSE CONCURRENT RESOLUTION NO. 50—
BY REPRESENTATIVE HENRY
A CONCURRENT RESOLUTION
To urge and request the National Football League to reconsider the penalties imposed upon the New Orleans Saints.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 51—
BY REPRESENTATIVES KATRINA JACKSON, BARROW, BURRELL, DIXON, GAINES, GUILLOiry, HARRISON, HONORE, HUNTER, JAMES, TERRY LANDRY, LEBAR, LEGER, NORTON, PIERRE, PRICE, REYNOLDS, SMITH, ALFRED WILLIAMS, AND PATRICK WILLIAMS AND SENATOR BROOME
A CONCURRENT RESOLUTION
To suspend until sixty days after the date of adoption of this Resolution, in areas where a Medicaid Coordinated Care Network has not been implemented as of the date of adoption of this Resolution, the provisions of Chapters 31 through 40 of Subpart 3 of Part I of Title 50 of the Louisiana Administrative Code, relative to Medicaid coordinated care.

Read by title.

Lies over under the rules.

Privileged Report of the Committee on Enrollment

March 22, 2012

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

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

The following House Resolutions have been properly enrolled:

HOUSE RESOLUTION NO. 11—
BY REPRESENTATIVES ARNOLD AND HENRY
A RESOLUTION
To commend Taiwan’s participation as an observer in the International Civil Aviation Organization and the United Nations Framework Convention on Climate Change.

HOUSE RESOLUTION NO. 13—
BY REPRESENTATIVES STUART BISHOP, BARRAS, NANCY LANDRY, TERRY LANDRY, MONTOUCEt, ORTEGO, PIERRE, AND ROHIDEAUX
A RESOLUTION
To commend the St. Thomas More High School girls basketball team of Lafayette upon winning the Class 4A state championship.

Respectfully submitted,

HAROLD RITCHIE
Chairman

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

Adjournment

On motion of Rep. Billiot, at 12:45 A.M., the House agreed to adjourn until Monday, March 26, 2012, at 4:00 P.M.