

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

**TWENTY-SIXTH DAY'S PROCEEDINGS**

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

House of Representatives  
State Capitol  
Baton Rouge, Louisiana

Monday, April 23, 2012

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

**Morning Hour**

**ROLL CALL**

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

**PRESENT**

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

Franklin	Ligi	Williams, A.
Gaines	Lopinto	Williams, P.
Garofalo	Lorusso	Willmott
Total - 102		

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

**Prayer**

Prayer was offered by Rep. Carmody.

**Pledge of Allegiance**

Rep. Hollis 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 April 19, 2012, was adopted.

**Petitions, Memorials, and  
Communications**

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

**Message from the Senate**

**ASKING CONCURRENCE IN  
SENATE CONCURRENT RESOLUTIONS**

April 23, 2012

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

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution No. 15

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Suspension of the Rules**

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

**Senate Concurrent Resolutions  
Lying Over**

The following Senate Concurrent Resolutions contained in the message were taken up and acted upon as follows:

**SENATE CONCURRENT RESOLUTION NO. 15—  
BY SENATOR MORRELL AND REPRESENTATIVE HODGES  
A CONCURRENT RESOLUTION**

To urge and request the Department of Health and Hospitals to promote the department's EarlySteps system with the Louisiana Hospital Association, the Louisiana State Medical Society, and the Optometry Association of Louisiana.

Read by title.

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

**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**

April 23, 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. 258, 271, 553, and 565

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. 258—**  
BY SENATOR APPEL

AN ACT

To amend and reenact the introductory paragraph of R.S. 9:2772(A) and (B)(3) and to enact R.S. 9:2772(A)(1)(c), relative to peremptive periods for certain actions; to authorize the filing of certain contribution, indemnity or third-party claims; to provide certain terms, conditions and requirements; and to provide for related matters.

Read by title.

**SENATE BILL NO. 271—**  
BY SENATOR PERRY

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 Dreams Come True, Inc.; to provide for the administration and disbursement of donated monies; and to provide for related matters.

Read by title.

**SENATE BILL NO. 553—**  
BY SENATOR CLAITOR

AN ACT

To amend and reenact Code of Criminal Procedure Article 894(B)(2) and to enact Code of Criminal Procedure Article 894(A)(7) and (B)(3), relative to suspension and deferral of criminal sentences; to provide relative to probation for cases assigned to certain substance abuse programs; to provide relative to discharge and

dismissal of certain prosecutions under certain circumstances; and to provide for related matters.

Read by title.

**SENATE BILL NO. 565—**  
BY SENATOR DORSEY-COLOMB  
AN ACT

To amend and reenact R.S. 15:833(A) and R.S. 46:1816(B)(6), and to enact R.S. 14:402(D)(10) and Chapter 21-C of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:1851 through 1857, relative to prisons and offenders; to provide for definitions; to provide for the creation of escrow accounts for certain inmates who enter into contracts for profits derived from the notoriety gained from their crimes; to provide relative to the distribution of escrow account funds to certain crime victims; to provide relative to notice to crime victims of escrow account funds becoming available; to provide for definitions; to provide relative to inspection of certain inmate correspondence; to provide relative to the Crime Victims Reparations Fund; to provide for the payment of certain inmate escrow account funds into the Crime Victims Reparations Fund; 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:

**HOUSE RESOLUTION NO. 57—**  
BY REPRESENTATIVE JOHNSON  
A RESOLUTION

To express sincere and heartfelt condolences upon the death of Marilyn Larson Bordelon of Bunkie.

Read by title.

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

**HOUSE RESOLUTION NO. 58—**  
BY REPRESENTATIVE ORTEGO  
A RESOLUTION

To commend Hunter Benoit of Beau Chene High School in St. Landry Parish for his many outstanding accomplishments, including his election as governor of the state of Louisiana at the 2011 session of Boys State.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 102—**  
BY REPRESENTATIVE BARROW  
A CONCURRENT RESOLUTION

To recognize Saturday, April 28, 2012, as Workers' Memorial Day in recognition of workers killed, injured, and disabled on the job.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 103—**

BY REPRESENTATIVE BROSSETT

**A CONCURRENT RESOLUTION**

To commend Darryl C. Kilbert upon his retirement as superintendent of the Orleans Parish Public School System, to recognize and record his myriad accomplishments and contributions, and to extend to him the best wishes of the legislature as he embarks upon new challenges and endeavors.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 104—**

BY REPRESENTATIVE BARROW

**A CONCURRENT RESOLUTION**

To commend Dr. Velma Jackson for her accomplishments and contributions upon the occasion of having a scholarship named in her honor by the Greater Baton Rouge Chapter of the Meharry National Alumni Association, Incorporated.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 105—**

BY REPRESENTATIVE LORUSSO

**A CONCURRENT RESOLUTION**

To urge and request the Louisiana Department of Veterans Affairs to study Veterans Treatment Courts and the feasibility of creating and implementing such courts in the state of Louisiana.

Read by title.

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

Ordered to the Senate.

### House and House Concurrent Resolutions Lying Over

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

**HOUSE CONCURRENT RESOLUTION NO. 100—**

BY REPRESENTATIVE ORTEGO

**A CONCURRENT RESOLUTION**

To urge and request the re-creation of the Complete Streets Work Group created by Senate Concurrent Resolution No. 110 of the 2009 Regular Session of the Legislature.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 101—**

BY REPRESENTATIVE GAINES

**A CONCURRENT RESOLUTION**

To urge and request the Department of Transportation and Development to study the possible installation of crosswalks controlled by "walk" and "do not walk" indicators at two intersections in LaPlace, Louisiana.

Read by title.

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

**Motion**

On motion of Rep. Barrow, the Committee on Health and Welfare was discharged from further consideration of House Concurrent Resolution No. 88.

**HOUSE CONCURRENT RESOLUTION NO. 88—**

BY REPRESENTATIVE BARROW

**A CONCURRENT RESOLUTION**

To authorize and direct the Department of Health and Hospitals to discontinue its policy of Medicaid provider payment delays and to reinstate the Medicaid payment processing cycle in effect on June 30, 2011.

Read by title.

**Motion**

On motion of Rep. Barrow, the resolution was withdrawn from the files of the House.

### Senate Concurrent Resolutions Lying Over

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

**SENATE CONCURRENT RESOLUTION NO. 62—**

BY SENATOR MURRAY

**A CONCURRENT RESOLUTION**

To request that the commissioner of administration determine that the "best use and disposition" of the former site of the state insurance building near the state capitol is to transfer the property to the control of the legislature for the use of the legislative auditor and the legislature, and to implement the transfer.

Read by title.

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

**SENATE CONCURRENT RESOLUTION NO. 63—**

BY SENATORS JOHNS, ADLEY, APPEL, BROOME, BROWN, BUFFINGTON, CORTEZ, DONAHUE, DORSEY-COLOMB, ERDEY, KOSTELKA, LONG, MARTINY, MILLS, MORRELL, MORRISH, NEVERS, PERRY, PETERSON, RISER, GARY SMITH, WALSWORTH AND WARD AND REPRESENTATIVES ADAMS, STUART BISHOP, BROADWATER, BROSSETT, BROWN, CHAMPAGNE, CROMER, DANAHAY, EDWARDS, GAROFALO, GEYMANN, GUINN, HARRISON, HAZEL, HENSGENS, HILL, HODGES, HOFFMANN, HOWARD, KATRINA JACKSON, JEFFERSON, JOHNSON, JONES, KLECKLEY, LAMBERT, NANCY LANDRY, TERRY LANDRY, LEGER, LIGI, LOPINTO, LORUSSO, MACK, MILLER, MONTUCET, JAY MORRIS, POPE, PUGH, PYLANT, REYNOLDS, RICHARD, RICHARDSON, SCHEXNAYDER, SCHRODER, SHADOIN, SIMON, ST. GERMAIN, WHITNEY, ALFRED WILLIAMS AND PATRICK WILLIAMS

**A CONCURRENT RESOLUTION**

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Deputy Sheriff Randall L. Benoit of the Calcasieu Parish Sheriff's Office.

Read by title.

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

### 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. 156—**

BY SENATORS MURRAY AND MORRELL  
AN ACT

To enact Children's Code Art. 905.1, relative to children committed to the Department of Public Safety and Corrections; to provide for an assessment of academic grade level; to provide for creation of an academic plan; to provide for submission of the academic plan and reports to the court; to provide certain procedures, terms and conditions; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 270—**

BY SENATOR PERRY  
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 Friends of Palmetto Island State Park, Inc.; to provide for the administration and disbursement of donated monies; 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. 436—**

BY SENATORS LONG, AMEDEE, BROWN, CORTEZ, CROWE, GULLORY, JOHNS, KOSTELKA, MORRELL, MORRISH, MURRAY, PEACOCK, RISER, JOHN SMITH, TARVER, THOMPSON, WALSWORTH AND WHITE AND REPRESENTATIVE HOWARD  
AN ACT

To amend and reenact R.S. 38:2325(A)(16), relative to the Sabine River Authority; to provide for the powers and duties of the authority; to provide rules, conditions, and requirement for the sale, utilization, distribution, or consumption of water outside the state; 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. 468—**

BY SENATOR ALLAIN  
AN ACT

To amend and reenact R.S. 56:325.2(A), (B), and (C), relative to saltwater recreational fish; to provide requirements of possession; to provide exceptions for possession; to provide terms and conditions; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 472—**

BY SENATOR MURRAY  
AN ACT

To amend and reenact R.S. 23:1472(12)(E) and 1761(9) and to enact R.S. 23:1472(12)(H)(XXII) and 1711(G), relative to unemployment compensation; to provide for employers' classification of workers; to provide for independent contractors; to provide for penalties; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Labor and Industrial Relations.

**SENATE BILL NO. 495—**

BY SENATOR LONG  
AN ACT

To amend and reenact R.S. 36:359(K) and (L) and 802.18, and R.S. 38:3076(A)(24), 3087.136(4), 3087.266(A)(1), Chapter 13 A-1 of Title 38 (Heading), 3097.2(3), 3097.4(A), (D)(4),(5), and (6), and 3097.7, and to enact R.S. 38:3097.4(D)(7), relative to the Ground Water Resources Commission; to change the name of the Ground Water Resources Commission; to provide for additional members to the commission; to provide for the powers and duties of the commission; to change the name of the Ground Water Management Advisory Task Force; to provide for the study of the surface waters of the state; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 513—**

BY SENATOR CROWE  
AN ACT

To enact R.S. 51:940.1, relative to standards and procedures for the state Department of Economic Development or the office of entertainment industry development; to prohibit certain certifications by the Department of Economic Development or the office of entertainment industry development; to prohibit the approval of certain certifications; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 535—**

BY SENATOR JOHNS  
AN ACT

To amend and reenact R.S. 33:441.13, relative to the mayor's court for the town of Westlake; to expand the court's jurisdiction; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 582—**

BY SENATORS GALLOT AND GARY SMITH  
AN ACT

To amend and reenact R.S. 32:191.3(B), relative to motorcycles; to provide relative to handlebars on motorcycles; 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. 626—**

BY SENATOR JOHN SMITH  
AN ACT

To amend and reenact R.S. 33:4574.1.1(P) and 4577(C)(2), to enact R.S. 33:4577.1 and to repeal R.S. 33:4577, relative to the Beaugard Parish Covered Arena Authority; to provide for board powers and duties; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 627—**  
BY SENATOR BROOME

AN ACT

To enact R.S. 33:9097.13, relative to neighborhood improvement districts; to create the Live Oak Trace Subdivision Crime Prevention and Improvement District in the city of Zachary in East Baton Rouge Parish; to provide for the boundaries and purpose of the district; to provide for the powers and duties of the district and its board of commissioners; to provide for the levy of a parcel fee upon voter approval; to provide for the district's budget; to provide with respect to termination of the district; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 632—**  
BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 33:9124(E), relative to the Jefferson Parish Communication District; to provide for the authority to fund certain dispatching services; to provide for an effective date; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 645—**  
BY SENATORS THOMPSON, RISER AND WALSWORTH AND REPRESENTATIVES ANDERS, CHANEY, HOFFMANN, KATRINA JACKSON, JEFFERSON, JAY MORRIS, PYLANT, GREENE AND SHADOIN

AN ACT

To enact R.S. 17:1994(C) and 3217.3, relative to community and technical colleges; to provide for the merger of the certain Louisiana Technical College campuses with Louisiana Delta Community College; to provide relative to the transfer of the students, employees, funds, obligations, property, programs, facilities, and functions of such technical college campuses to Louisiana Delta Community College; to provide relative to performance agreements with the Board of Regents; to provide for effectiveness; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 648—**  
BY SENATOR GARY SMITH

AN ACT

To amend and reenact R.S. 34:851.27(B)(9), relative to the regulation of air boats; to authorize St. Charles Parish and its municipalities to regulate the operation of air boats; to provide terms, conditions, and requirements; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 652—**  
BY SENATOR CLAITOR

AN ACT

To amend and reenact R.S. 47:9010(A)(7), relative to the Louisiana Lottery Corporation; to provide for the content of the annual budget report submitted to the Joint Legislative Committee on

the Budget; to provide for the reporting of certain personnel information; to provide for an effective date; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 659—**  
BY SENATOR MARTINY

AN ACT

To amend and reenact Code of Criminal Procedure Articles 521, 717, the introductory paragraph of 718 and 718(1) and 729.6 and to enact Code of Criminal Procedure Articles 434.1 and 725.1, relative to criminal discovery; to provide for exceptions to grand jury secrecy; to provide relative to pretrial discovery motions; to provide relative to disclosure of certain evidence and records; to provide relative to disclosure of certain witness information; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 667—**  
BY SENATOR GARY SMITH

AN ACT

To amend and reenact R.S. 32:402.1(A)(1)(a) and the introductory paragraph of 402.1(A)(2), relative to driver education; to provide relative to the requirements for driver education for persons who are less than eighteen years of age and for persons who are eighteen years of age or older; to provide relative to classroom instruction and actual driving instruction; 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. 700—**  
BY SENATOR BROWN

AN ACT

To amend and reenact R.S. 29:729(E)(14) and to enact R.S. 29:729(E)(15), relative to powers and duties of the parish office of homeland security and emergency preparedness; to require the office to establish a voluntary registry of persons with special needs; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 745—**  
BY SENATORS NEVERS AND WALSWORTH

AN ACT

To enact R.S. 17:1379, relative to consolidation of school systems; to provide for the call of an election for such purpose; and to provide for related matters.

Read by title.

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

**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. 1201 (Substitute for House Bill No. 1118 by Representatives Moreno and Leger)—**  
BY REPRESENTATIVES MORENO AND LEGER  
AN ACT

To amend and reenact R.S. 14:91.3(A), relative to the unlawful participation in a child-related business; to prohibit certain persons from engaging in certain acts relative to child care facilities and family child day care homes; and to provide for related matters.

Read by title.

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

Under the rules, placed on the regular calendar.

**Senate Instruments on Second Reading Returned from the Legislative Bureau**

The following Senate Instruments on second reading, returned from the Legislative Bureau, were taken up and acted upon as follows:

**SENATE BILL NO. 575—**  
BY SENATOR MORRELL AND REPRESENTATIVE LOPINTO  
AN ACT

To amend and reenact R.S. 14:90(C), R.S. 27:20(A)(1)(d)(ii), and Chapter 8 of Title 27 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 27:401 through 457, to enact Chapter 9 of Title 27 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 27:501 and 502, and to repeal Chapter 6 of Title 27 of the Louisiana Revised Statutes of 1950, comprised of R.S. 27:301 through 326, relative to the licensing and operation of video draw poker devices; to provide for a comprehensive reorganization of the Video Draw Poker Devices Control Law; to provide for definitions; to provide for the types of licensed establishments which may be issued for the operation of video draw poker devices; to provide for limits on the number of devices which may be offered at those licensed establishments; to provide for specifications of video draw poker devices; to provide for the types of games which may be played on video draw poker devices; to provide with respect to suitability criteria for the issuance of video draw poker devices; to provide for criteria and amenities which shall be offered at different licensed establishments; to provide for the calculation of fuel sales at qualified truck stop facilities; to provide with respect to the construction and location of qualified truck stop facilities; to provide for the temporary operation of video draw poker devices; to provide with respect to force majeure; to provide for applicability; to provide for exceptions; to provide with respect to leasing qualified truck stop facilities; to repeal statutory provisions which have become obsolete; to provide with respect to the sale or transfer of a license; to provide for tax clearances for the granting or renewal of a license to operate video draw poker devices; to provide for the application process for three machine locations; to provide for issuance of licenses by the office of state police for three machine locations; to provide for the regulation and enforcement regarding the operation of video draw poker devices; to provide for rulemaking; 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 Reengrossed Senate Bill No. 575 by Senator Morrell

AMENDMENT NO. 1

On page 3, line 23, change "board or division, where applicable" to "division"

AMENDMENT NO. 2

On page 3, line 28, change "board or division, where applicable" to "division"

AMENDMENT NO. 3

On page 4, line 11, change "board or division, where applicable" to "division"

AMENDMENT NO. 4

On page 6, line 8, change "board or division, where applicable." to "division"

AMENDMENT NO. 5

On page 6, at the end of line 17, delete "board" and on line 18, delete "or division, where applicable," and insert "division"

AMENDMENT NO. 6

On page 7, line 14, change "board or division, where applicable." to "division"

AMENDMENT NO. 7

On page 7, line 27, change "board or division, where applicable." to "division"

AMENDMENT NO. 8

On page 8, line 7, change "board or division, where applicable." to "division"

AMENDMENT NO. 9

On page 8, line 28, change "board or division, where" to "division"

AMENDMENT NO. 10

On page 8, at the beginning of line 29, delete "applicable."

AMENDMENT NO. 11

On page 9, line 17, change "board or division, where applicable" to "division"

AMENDMENT NO. 12

On page 9, line 29, change "board or division, where applicable." to "division"

AMENDMENT NO. 13

On page 10, line 3, change "board or division, where" to "division"

AMENDMENT NO. 14

On page 10, at the beginning of line 4, delete "applicable."

AMENDMENT NO. 15

On page 10, line 23, change "board or division, where" to "division"

AMENDMENT NO. 16

On page 10, at the beginning of line 24, delete "applicable."

AMENDMENT NO. 17

On page 11, line 21, change "board or division, where applicable" to "division"

AMENDMENT NO. 18

On page 17, line 10, change "board or division, where applicable." to "division"

AMENDMENT NO. 19

On page 17, line 13, after "restaurant" and before "for" insert a comma "," and delete "which," and insert "except for reason of force majeure affecting the ability to maintain the on-site restaurant for a reasonable period of time as determined by the division following the interruption of such ability, which"

AMENDMENT NO. 20

On page 17, between lines 22 and 23 insert the following:

"(e) In Orleans Parish, qualified truck stop facility restaurants shall provide full table service for sit-down meals."

AMENDMENT NO. 21

On page 17, line 27, after "specifications," delete the remainder of the line and insert "subject to approval by the division, except for reason of force majeure affecting the ability to maintain the stable parking area for a reasonable period of time as determined by the division following the interruption of such ability."

AMENDMENT NO. 22

On page 18, at the end of line 6, delete the period "." and insert "as provided for in R.S. 27:416."

AMENDMENT NO. 23

On page 18, line 8, after "vehicles." and before "The" delete the period "." and insert a comma "," and insert "except for reason of force majeure affecting the ability to maintain the onsite repair service for a reasonable period of time as determined by the division following the interruption of such ability."

AMENDMENT NO. 24

On page 18, line 14, after "the" delete the remainder of the line and on line 15, delete "applicable," and insert "division"

AMENDMENT NO. 25

On page 18, delete lines 27 through 29 in their entirety

AMENDMENT NO. 26

On page 19, delete lines 1 through 3 in their entirety

AMENDMENT NO. 27

On page 19, at the beginning of line 4, change "C." to "B."

AMENDMENT NO. 28

On page 19, at the beginning of line 17, change "D." to "C."

AMENDMENT NO. 29

On page 22, line 22, after "the" delete the remainder of the line and on line 23, delete "applicable" and insert "division"

AMENDMENT NO. 30

On page 22, line 26, after "the" delete the remainder of the line and on line 27, delete "applicable." and insert "division"

AMENDMENT NO. 31

On page 23, delete lines 1 through 29 in their entirety

AMENDMENT NO. 32

On page 24, delete lines 1 through 14 in their entirety and insert the following:

"§422. Truck stop locations; prohibited distances; prohibited structures

A. No license shall be granted to any qualified truck stop facility located, at the time application is made for a license to operate video draw poker devices, within one mile from any property on the National Register of Historic Places, any public playground, any residential property, or a building used primarily as a church, synagogue, public library, or school. The measurement of the distance shall be a straight line from the nearest point of the truck stop facility to the nearest point of the property on the National Register of Historic Places, the public playground, residential property, or a building used primarily as a church, synagogue, public library, or school.

B. After an application is filed with the division, the subsequent construction, erection, development, or movement of a property identified in Subsection A of this Section which causes the location of a qualified truck stop facility to be within the prohibited distance shall not be cause for denial of an initial or renewal application or revocation of a license.

C. The prohibition in Subsection A of this Section shall not apply to the location of a qualified truck stop facility which applied for a license or was issued a license on or before June 1, 2010, or which applied for or was issued a certificate of compliance as required by R.S. 27:452(C) or a valid building permit on or before June 1, 2010, and subsequently issued a license. Such location shall be eligible for a qualified truck stop facility license without reference to the prohibition in Subsection A of this Section unless after having obtained a license, a qualified truck stop facility has not been licensed at that location for thirty-six consecutive months and application for licensing is not made within that thirty-six-month period.

D.(1) For locations on which a truck stop facility has not been completely constructed, if application for licensing is made on or before December 31, 2012, the prohibited distance shall be in accordance with the following:

(a) For facilities which applied for or were issued a certificate of compliance or a valid building permit on or before January 1, 2008 - five hundred feet from any property on the National Register of Historic Places, any public playground, or a building used primarily as a church, synagogue, public library, or school.

(b) For facilities which applied for or were issued a certificate of compliance or a valid building permit after January 1, 2008, but on or before June 1, 2010 - two thousand five hundred feet from any property on the National Register of Historic Places, any public playground, or a building used primarily as a church, synagogue, public library, or school.

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(c) For facilities which applied for or were issued a certificate of compliance or a building permit after June 1, 2010 - one mile from any property on the National Register of Historic Places, any public playground, residential property, or a building used primarily as a church, synagogue, public library, or school.

(2) The measurement of the distances shall be a straight line from the nearest point of the truck stop facility to the nearest point of the property on the National Register of Historic Places, the public playground, residential property, or a building used primarily as a church, synagogue, public library, or school.

E. If a parish or municipality does not have a zoning ordinance which designates certain property within their jurisdiction as residential property, the governing authority of the parish or municipality shall have the authority to designate to certain areas of their jurisdiction as residential districts for the purpose of this Section.

F. If application for licensing is made after December 31, 2012, the prohibition in Subsection A of this Section shall apply.

G. "Residential property" shall mean any property which is wholly or partly used for or intended to be used for living or sleeping by human occupants and which includes one or more rooms, including a bathroom and complete kitchen facilities. Residential property shall include a mobile home or manufactured housing, provided that it shall have been in its present location for at least sixty days. Residential property shall not include any hotel or motel."

## AMENDMENT NO. 33

On page 25, line 18, change "board or division, where applicable." to "division"

## AMENDMENT NO. 34

On page 25, line 22, change "board or division, where applicable." to "division"

## AMENDMENT NO. 35

On page 25, line 25, change "board or division, where" to "division"

## AMENDMENT NO. 36

On page 25, at the beginning of line 26, delete "applicable."

## AMENDMENT NO. 37

On page 25, line 28, change "board or division, where applicable." to "board"

## AMENDMENT NO. 38

On page 26, line 2, change "board or division, where applicable." to "division"

## AMENDMENT NO. 39

On page 26, line 7, change "board or division, where applicable." to "division"

## AMENDMENT NO. 40

On page 26, line 11, change "board or division, where applicable." to "division"

## AMENDMENT NO. 41

On page 26, line 15, change "board or division, where applicable" to "division"

## AMENDMENT NO. 42

On page 26, at the end of line 20, delete "board"

## AMENDMENT NO. 43

On page 26, line 21, change "or division, where applicable" to "division"

## AMENDMENT NO. 44

On page 26, line 23, change "board or division, where applicable." to "division"

## AMENDMENT NO. 45

On page 29, line 17, change "board or division, where applicable." to "division"

## AMENDMENT NO. 46

On page 29, line 19, after "Section" insert a period "." and delete the remainder of the line

## AMENDMENT NO. 47

On page 29, delete line 20 in its entirety and at the beginning of line 21 delete "Section."

## AMENDMENT NO. 48

On page 29, line 25, change "board or division, where applicable." to "division"

## AMENDMENT NO. 49

On page 29, line 27, change "board or division, where applicable." to "division"

## AMENDMENT NO. 50

On page 30, line 6, change "board or division." to "board"

## AMENDMENT NO. 51

On page 30, at the beginning of line 7, delete "where applicable."

## AMENDMENT NO. 52

On page 30, line 12, delete "or division, where applicable."

## AMENDMENT NO. 53

On page 30, line 21, after "Board" delete the remainder of the line

## AMENDMENT NO. 54

On page 30, at the beginning of line 22, delete "applicable."

## AMENDMENT NO. 55

On page 30, line 26, change "board or division, where applicable." to "board"

## AMENDMENT NO. 56

On page 32, line 3, after "Board" delete the remainder of the line

## AMENDMENT NO. 57

On page 32, at the beginning of line 4, delete "applicable."



AMENDMENT NO. 58

On page 32, line 5, after "Board" and before "become" delete "or division"

AMENDMENT NO. 59

On page 32, line 16, after "the" delete the remainder of the line

AMENDMENT NO. 60

On page 32, line 17, delete "division, where applicable," and insert "division"

AMENDMENT NO. 61

On page 32, line 21, change "board or division, where applicable," to "division"

AMENDMENT NO. 62

On page 33, line 5, change "board or division, where applicable," to "board"

AMENDMENT NO. 63

On page 33, line 9, change "board or division, where" to "division"

AMENDMENT NO. 64

On page 33, line 10, delete "applicable,"

AMENDMENT NO. 65

On page 33, line 16, change "board or division, where applicable," to "division"

AMENDMENT NO. 66

On page 33, line 24, change "board or division, where applicable" to "division"

AMENDMENT NO. 67

On page 33, delete line 27 in its entirety and insert the following "board, the board"

AMENDMENT NO. 68

On page 34, line 2, change "board or division, where applicable," to "board"

AMENDMENT NO. 69

On page 34, between lines 9 and 10, insert the following:

"§431. Powers and duties of the board or division; restrictions; permits

A. The board shall promulgate rules and regulations necessary to facilitate implementation of this Chapter and specifically to:

- (1) Provide permit, application, and licensing procedures.
- (2) Prescribe necessary application and reporting forms.
- (3) Establish qualifications and duties of certified technicians.

(4) Provide for the protection of legitimate economic interests of licensees, creditors, and other parties involved in the operation, financing, manufacture, distribution, sale, and servicing of video draw poker devices and equipment.

B.(1) The board or division, as may be applicable, may deny or condition any license or permit applied for or issued pursuant to the provisions of this Chapter for any violation of the provisions of this Chapter, Chapter 2 of this Title, or any rule of the board. The board or division, as may be applicable, shall not levy a penalty against, condition the license or permit of, or reinstate the license or permit of, any person or the approval of any device unless and until the person or device meets all the criteria and requirements to be licensed or approved for play.

(2) Notwithstanding the provisions of Paragraph (B)(1) of this Subsection, no sanction or denial of a license renewal application, revocation of a license, or license suspension shall be imposed for a period in excess of ten calendar days against any person to whom a license for the operation of video draw poker devices has been issued for the failure to disclose all criminal charges resulting in any misdemeanor conviction, provided that the person has not previously been cited for the same nondisclosure regulatory offense within a one-year period prior to the current regulatory offense. However, the failure to disclose all charges resulting in any misdemeanor conviction may be considered and utilized within the provisions set forth under R.S. 27:310, and there shall be no limitation as to the sanction imposed.

(3) The board or division, as may be applicable, may initiate an administrative action as defined in R.S. 27:3 and may revoke or suspend the license of any person or approval of any device issued pursuant to the provisions of this Chapter for violations as provided for in R.S. 27:308.2(A).

(4) The board or division, as may be applicable, shall allow a licensee to temporarily turn in his license for reason of force majeure affecting the ability to operate the business described in the application for an indefinite period of time as determined by the division. During the time the license is turned in, the licensee shall be eligible to renew the license. When the licensee is able to resume business operations and is in compliance with all applicable physical amenities and permit requirements, the license shall be returned to the licensee within ten days of completion of a compliance inspection by the division.

(5) The board or division, as may be applicable, shall terminate the device operation fees paid pursuant to R.S. 27:311(A)(5) when a licensed video draw poker device is destroyed as the result of force majeure. In such a case, the device operation fees shall terminate in the quarter following the quarter in which the device was destroyed.

C. The board or division, as may be applicable, may initiate an administrative action as defined in R.S. 27:3 against any licensee issued a license, permit, or approval and may revoke or suspend the license or permit of any person or approval of any device issued pursuant to the provisions of this Chapter if the division finds that the person licensed or permitted or device approved did not meet, at the time of application, or does not continue to meet the suitability requirements provided for in this Chapter, Chapter 2 of this Title, or in any rules adopted by the board and promulgated in Chapter III or XI of Title 42 of the Louisiana Administrative Code governing the operation of video draw poker devices which provide for suitability criteria.

D. For a period of five years from the date of the revocation of the license, no license authorized by this Chapter may be granted to any person whose previous license was revoked by the division.

E. The division and its agents may:

(1) Inspect and examine all premises where video draw poker devices are offered for play or where video draw poker devices or equipment are manufactured, sold, or distributed.

(2) Inspect all video draw poker devices and related equipment and supplies in, upon, or about such premises.

(3) Summarily seize and remove from such premises and impound any video draw devices, equipment, or supplies for the purpose of examination and inspection.

(4) Request that the board promulgate rules and regulations requiring licensees or former licensees to maintain specified records, including financial and income records, of video draw poker devices and operations.

(5) Request that the board promulgate rules and regulations to provide for minimum physical security standards at licensed establishments to maintain safety and integrity within the gaming area.

F. The board or the division, as may be applicable, shall have the authority to issue subpoenas and to compel the attendance of witnesses before it, to administer oaths at its official proceedings, to require testimony under oath, and to punish as contempt the failure to obey its orders. Appeals of an action by the division holding a person in contempt shall be taken to the Nineteenth Judicial District Court.

G. The division, within ten days after granting a license for the placement of video draw poker devices in a licensed establishment, shall notify the local governing authority of the municipality or, if not in a municipality, of the parish where the licensed establishment is located of the approval and granting of the license.

H. When an establishment licensed to operate video draw poker devices requests the division to disable such devices, such licensee shall also provide the notice of such request to the owner of the devices. The board shall adopt rules to implement this process."

AMENDMENT NO. 70

On page 34, line 10, change "§431" to "§432"

AMENDMENT NO. 71

On page 35, line 15, delete "R.S. 27:308 as R.S. 27:431,"

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 575 by Senator Morrell

AMENDMENT NO. 1

In House Committee Amendment No. 28 proposed by the House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 575 by Senator Morrell, on page 3, line 11, following "page 19," delete the remainder of the line and insert "line 17, at the beginning of the line, change "D." to "C." and following "for in" and before "of" change "Subsections B and C" to "Subsection B"

AMENDMENT NO. 2

In House Committee Amendment No. 69 proposed by the House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 575 by Senator Morrell, page 7, on line 23, change "Paragraph (B)(1)" to "Paragraph (1)"

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

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

Under the rules, placed on the regular calendar.

**Suspension of the Rules**

On motion of Rep. Ponti, 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. 719—**

BY REPRESENTATIVE GREENE  
AN ACT

To amend and reenact R.S. 22:1295(1)(a)(i), relative to motor vehicle liability insurance; to provide for uninsured motorist coverage for guest passengers; and to provide for related matters.

Read by title.

**Motion**

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

**HOUSE BILL NO. 790—**

BY REPRESENTATIVE LOPINTO  
AN ACT

To amend and reenact R.S. 15:1404(A) and (B)(introductory paragraph) and to enact R.S. 15:1404(B)(9) through (13), relative to criminal gang activity; to provide for the definition of "pattern of criminal gang activity"; and to provide for related matters.

Read by title.

Rep. Lopinto moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Gisclair	Mack
Adams	Guillory	Miller
Anders	Guinn	Moreno
Armes	Harris	Morris, Jay
Arnold	Harrison	Morris, Jim
Badon	Havard	Ortego
Barrow	Hazel	Pierre
Berthelot	Henry	Ponti
Billiot	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
Dove	Landry, T.	Thibaut
Fannin	LeBas	Thierry
Foil	Leger	Thompson
Franklin	Leopold	Whitney
Gaines	Ligi	Williams, A.
Garofalo	Lopinto	Williams, P.
Geymann	Lorusso	

Total - 95

NAYS

Total - 0

ABSENT

Abramson	Edwards	Pearson
Barras	Greene	Willmott
Bishop, S.	Montoucet	
Dixon	Norton	

Total - 10

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Lopinto 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. Jones requested the House consent to record his vote on final passage of House Bill No. 790 as yea, which consent was unanimously granted.

### HOUSE BILL NO. 846—

BY REPRESENTATIVES SIMON, BADON, BERTHELOT, BILLIOT, WESLEY BISHOP, BROWN, HENRY BURNS, COX, DOVE, GAROFALO, GISCLAIR, HARRIS, HOFFMANN, HOWARD, JAMES, JEFFERSON, LEGER, LIGI, MORENO, POPE, REYNOLDS, RICHARD, RICHARDSON, SHADOIN, AND THOMPSON

#### AN ACT

To amend and reenact R.S. 28:2(14), (17), and (29)(a)(introductory paragraph), 52(A) and (C), 52.1(A), 52.2(A), 52.3(A), 53(A)(1), 55(J), 64(D), and 772(E) and to enact R.S. 28:171.1, relative to mental health law; to provide for definitions; to establish principles for the state mental health system; 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. 846 by Representative Simon

#### AMENDMENT NO. 1

On page 1, line 20, following "or" and before "suffering" change "person" to "person who is"

#### AMENDMENT NO. 2

On page 2, lines 3, 12 and 18, following "or" and before "suffering" change "person" to "person who is"

#### AMENDMENT NO. 3

On page 2, line 26, and before "suffering" change "person" to "person who is"

#### AMENDMENT NO. 4

On page 3, lines 2 and 9, following "or" and before "suffering" change "person" to "person who is"

#### AMENDMENT NO. 5

On page 3, line 18, following "or" and before "suffering" change "a person" to "a person who is"

#### AMENDMENT NO. 6

On page 3, line 26, following "or" and before "suffering" change "person" to "person who is"

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

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

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Simon to Engrossed House Bill No. 846 by Representative Simon

#### AMENDMENT NO. 1

On page 4, line 19, after "department" and before "shall" insert "and any entity which receives funding through a state contract to provide services to persons who are mentally ill"

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

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

### ROLL CALL

The roll was called with the following result:

#### YEAS

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

Total - 94

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## NAYS

Total - 0

## ABSENT

Abramson	Edwards	Morris, Jim
Bishop, S.	Geymann	Norton
Chaney	Greene	Pearson
Cromer	Huval	
Total - 11		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Simon 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. Jones requested the House consent to record his vote on final passage of House Bill No. 846 as yea, which consent was unanimously granted.

## HOUSE BILL NO. 952—

BY REPRESENTATIVES BROSSETT, WILLMOTT, ARNOLD, BADON, BARROW, BERTHELOT, BILLIOT, WESLEY BISHOP, HENRY BURNS, BURRELL, CARMODY, COX, DOVE, EDWARDS, GAROFALO, HARRIS, HUNTER, KATRINA JACKSON, JAMES, JEFFERSON, JONES, LEGER, LIGI, MORENO, PIERRE, SCHEXNAYDER, AND SMITH

### AN ACT

To enact Part I-A of Chapter 1 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:26.10.1 through 26.10.5, relative to mental and behavioral health services; to provide a short title; to provide a statement of legislative intent; to provide for management of mental and behavioral health resources; to provide for funding priorities; to provide for innovative mental and behavioral health services; and to provide for related matters.

Read by title.

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

## HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Simon to Engrossed House Bill No. 952 by Representative Brossett

### AMENDMENT NO. 1

On page 2, line 15, after "state" and before "secure" change "must" to "should"

### AMENDMENT NO. 2

On page 2, line 20, after "department" and before "the" delete "shall guarantee, to the maximum extent practicable," and insert in lieu thereof "may guarantee"

### AMENDMENT NO. 3

On page 2, line 27, after "processes" and before "be" change "shall" to "may"

### AMENDMENT NO. 4

On page 3, line 14, after "reimbursement" and before "be" change "shall" to "may"

### AMENDMENT NO. 5

On page 3, line 26, after "department" and before "ensure" change "shall" to "may"

### AMENDMENT NO. 6

On page 3, line 29, after "department" and before "evaluate" change "shall" to "may"

### AMENDMENT NO. 7

On page 4, line 3, after "effort" and before "involve" change "shall" to "may"

### AMENDMENT NO. 8

On page 4, line 5, after "department" and before "develop" change "shall" to "may"

### AMENDMENT NO. 9

On page 4, line 9, after "state" and before "continue" delete the comma " ," and "to the extent practicable, shall" and insert in lieu thereof "may"

### AMENDMENT NO. 10

On page 4, line 13, after "department" and before "develop" change "shall" to "may"

### AMENDMENT NO. 11

On page 4, line 17, after "programs" and before "achieve" change "shall" to "may"

### AMENDMENT NO. 12

On page 5, line 1, after "department" and before "collaborate" change "shall" to "may"

### AMENDMENT NO. 13

On page 5, line 6, after "department" and before "promulgate" change "shall" to "may"

### AMENDMENT NO. 14

On page 5, line 9, after "Act" and before "be" change "shall" to "may"

Rep. Simon moved the adoption of the amendments.

Rep. Brossett objected.

By a vote of 51 yeas and 41 nays, the amendments were adopted.

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

## ROLL CALL

The roll was called with the following result:

### YEAS

Mr. Speaker	Garofalo	Mack
Adams	Geymann	Miller
Anders	Gisclair	Montoucet
Armes	Guillory	Moreno
Arnold	Guinn	Morris, Jay

Badon	Harris	Morris, Jim
Barras	Harrison	Ortego
Barrow	Havard	Pierre
Berthelot	Hazel	Pope
Billiot	Henry	Price
Bishop, W.	Hensgens	Pugh
Broadwater	Hill	Pylant
Brossett	Hodges	Reynolds
Brown	Hoffmann	Richard
Burford	Hollis	Richardson
Burns, H.	Honore	Ritchie
Burns, T.	Howard	Robideaux
Burrell	Hunter	Schexnayder
Carmody	Huval	Schroder
Carter	Jackson, K.	Seabaugh
Champagne	James	Shadoin
Chaney	Jefferson	Simon
Connick	Johnson	Smith
Cox	Jones	St. Germain
Cromer	Lambert	Talbot
Danahay	Landry, N.	Thibaut
Dixon	Landry, T.	Thierry
Dove	LeBas	Thompson
Edwards	Leger	Whitney
Fannin	Leopold	Williams, A.
Foil	Ligi	Williams, P.
Franklin	Lopinto	Willmott
Gaines	Lorusso	
Total - 98		

NAYS

Total - 0

ABSENT

Abramson	Jackson, G.	Ponti
Bishop, S.	Norton	
Greene	Pearson	
Total - 7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Brossett 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. Broadwater requested the House consent to record his vote on final passage of House Bill No. 952 as yea, which consent was unanimously granted.

**HOUSE BILL NO. 957—**  
BY REPRESENTATIVE EDWARDS  
AN ACT

To enact R.S. 30:4(L), relative to hydraulic fracturing; to provide for the authority of the commissioner of conservation to promulgate rules, regulations, and orders; to provide for the reporting of additives and ingredients of hydraulic fracturing fluid; to provide for reporting of certain ingredients with trade secret protection; 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. 957 by Representative Edwards

AMENDMENT NO. 1

On page 2, line 11, change "Paragraph" to "Subsection"

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Jim Morris to Engrossed House Bill No. 957 by Representative Edwards

AMENDMENT NO. 1

On page 2, after line 15, add the following:

"(4) The provisions of this Subsection shall not apply to wells drilled above five thousand feet, or to any well drilled in the Caddo Pine Island Field."

Rep. Jim Morris moved the adoption of the amendments.

Rep. Edwards objected.

By a vote of 56 yeas and 40 nays, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Garofalo	Montoucet
Adams	Gisclair	Moreno
Anders	Greene	Morris, Jay
Armes	Guillory	Ortego
Arnold	Harris	Pearson
Badon	Harrison	Pierre
Barras	Havard	Ponti
Barrow	Hazel	Pope
Berthelot	Henry	Price
Billiot	Hensgens	Pugh
Bishop, W.	Hill	Pylant
Broadwater	Hodges	Reynolds
Brossett	Hoffmann	Richard
Brown	Hollis	Richardson
Burford	Honore	Ritchie
Burns, H.	Howard	Robideaux
Burns, T.	Hunter	Schexnayder
Burrell	Jackson, G.	Schroder
Carmody	James	Shadoin
Carter	Jefferson	Simon
Champagne	Johnson	Smith
Chaney	Jones	St. Germain
Connick	Lambert	Talbot
Cox	Landry, T.	Thibaut
Cromer	LeBas	Thierry
Danahay	Leger	Thompson
Dixon	Leopold	Whitney
Edwards	Ligi	Williams, A.
Fannin	Lopinto	Williams, P.
Foil	Lorusso	Willmott
Franklin	Mack	
Gaines	Miller	
Total - 94		

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## NAYS

Geymann Morris, Jim  
Total - 2

## ABSENT

Abramson Guinn Landry, N.  
Bishop, S. Huval Norton  
Dove Jackson, K. Seabaugh  
Total - 9

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Edwards 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.

### HOUSE BILL NO. 989—

BY REPRESENTATIVES HUVAL, PIERRE, REYNOLDS, RITCHIE, TALBOT, AND THIBAUT

#### AN ACT

To enact R.S. 22:978(E), relative to group, family group, blanket, and association health and accident insurance; to provide with respect to notice required for certain premium increase, cancellation, or nonrenewal; to provide for the release of claims data; to provide with respect to confidentiality and civil immunity; 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. 989 by Representative Huval

#### AMENDMENT NO. 1

On page 2, line 15, following "group policy" insert ",."

#### AMENDMENT NO. 2

On page 2, line 17, following "prognosis" and before "would" change "which disclosure" to ". which"

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

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

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Huval to Engrossed House Bill No. 989 by Representative Huval

#### AMENDMENT NO. 1

On page 1, line 2, after "R.S. 22:978(E)" delete the comma "," and insert "and (F)."

#### AMENDMENT NO. 2

On page 1, line 3, after "insurance" delete the semicolon ";" and insert "and health maintenance organizations;"

#### AMENDMENT NO. 3

On page 1, line 5, after "respect to" delete the remainder of line and insert "civil immunity and certifications; and to provide for"

#### AMENDMENT NO. 4

On page 1, line 8, after "R.S. 22:978(E)" delete "is" and insert "and (F) are"

#### AMENDMENT NO. 5

On page 1, line 13, after "issuer" insert a comma "," and "including a health maintenance organization."

#### AMENDMENT NO. 6

On page 2, line 10, after "of" delete the remainder of the line and insert "an agreement for immunity from civil liability."

#### AMENDMENT NO. 7

On page 2, between lines 24 and 25, insert the following:

"(7) A plan sponsor is entitled to receive protected health information under this Section only after an appropriately authorized representative of the plan sponsor makes to the health and accident insurer a certification substantially similar to the following certification:

'I hereby certify and have demonstrated that the plan documents comply with the requirements of 45 C.F.R. Section 164.504(f)(2) and that the plan sponsor will safeguard and limit the use and disclosure of protected health information that the plan sponsor may receive from the group health plan to perform the plan administration functions.'

(8) A plan sponsor that does not provide the certification required in Paragraph (7) of this Subsection is not entitled to receive the protected health information described in Subparagraphs (1)(d) and (e) of this Subsection, but is entitled to receive a report of claim information that includes the other information required by this Subsection.

F. For purposes of this Section, the term "health and accident insurer" or "health and accident insurance issuer" shall include a health maintenance organization, the term "policy" shall include a subscriber agreement, and the term "policyholder" shall include an enrollee or subscriber of a health maintenance organization."

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

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

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Garofalo	Miller
Adams	Gisclair	Montoucet
Anders	Guillory	Moreno
Armes	Guinn	Morris, Jay
Arnold	Harris	Ortego
Badon	Harrison	Pearson
Barras	Havard	Pierre
Berthelot	Hazel	Ponti
Billiot	Henry	Pope
Bishop, W.	Hensgens	Price
Broadwater	Hill	Pugh
Brossett	Hodges	Pylant
Brown	Hoffmann	Reynolds
Burford	Hollis	Richard
Burns, H.	Honore	Richardson
Burns, T.	Howard	Ritchie
Burrell	Hunter	Robideaux

Carmody	Jackson, K.	Schexnayder
Carter	James	Schroder
Champagne	Jefferson	Seabaugh
Chaney	Johnson	Shadoin
Connick	Jones	Simon
Cox	Lambert	Smith
Cromer	Landry, N.	St. Germain
Danahay	Landry, T.	Talbot
Dixon	LeBas	Thibaut
Dove	Leger	Thierry
Edwards	Leopold	Thompson
Fannin	Ligi	Whitney
Foil	Lopinto	Williams, A.
Franklin	Lorusso	Williams, P.
Gaines	Mack	Willmott

Total - 96

NAYS

Total - 0

ABSENT

Abramson	Geymann	Jackson, G.
Barrow	Greene	Morris, Jim
Bishop, S.	Huval	Norton

Total - 9

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Huval 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.

**HOUSE BILL NO. 1020—**  
BY REPRESENTATIVES DANAHAY AND KLECKLEY  
AN ACT

To amend and reenact R.S. 18:1285(A)(1) and 1293, relative to certain elections; to require certain notification to electors relative to the remittance of portions of tax collections to specified retirement systems in accordance with law; to require certain records to be kept regarding certain elections; 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. 1020 by Representative Danahay

AMENDMENT NO. 1

On page 1, line 13, following "A.(1)(a)" and before "Notice" insert "(i)"

AMENDMENT NO. 2

On page 1, line 18, change "(i)" to "(ii)"

AMENDMENT NO. 3

On page 2, line 3, change "(ii)" to "(iii)"

AMENDMENT NO. 4

On page 2, line 6, change "(iii)" to "(iv)"

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Greene	Montoucet
Adams	Guillory	Moreno
Anders	Guinn	Morris, Jay
Armes	Harris	Morris, Jim
Arnold	Harrison	Ortego
Badon	Havard	Pearson
Barras	Hazel	Pierre
Berthelot	Henry	Ponti
Billiot	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, K.	Schexnayder
Carter	James	Schroder
Champagne	Jefferson	Seabaugh
Chaney	Johnson	Shadoin
Connick	Jones	Simon
Cox	Lambert	Smith
Danahay	Landry, N.	St. Germain
Dixon	Landry, T.	Talbot
Dove	LeBas	Thibaut
Edwards	Leger	Thierry
Fannin	Leopold	Thompson
Foil	Ligi	Whitney
Franklin	Lopinto	Williams, A.
Gaines	Lorusso	Williams, P.
Garofalo	Mack	Willmott
Gisclair	Miller	

Total - 98

NAYS

Barrow  
Total - 1

ABSENT

Abramson	Cromer	Jackson, G.
Bishop, S.	Geymann	Norton

Total - 6

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Danahay 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.

**HOUSE BILL NO. 1026—**  
BY REPRESENTATIVE LOPINTO  
AN ACT

To amend and reenact R.S. 15:574.4(A)(1)(b)(ii) and (iii) and to enact R.S. 15:574.4(A)(1)(b)(iv), relative to parole eligibility; to provide for parole eligibility for certain offenders after serving a certain portion of the criminal sentence; to provide for prospective application; and to provide for related matters.

Read by title.

Rep. Lopinto moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Total - 93

**NAYS**

Havard	Landry, N.	Mack
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Total - 3

**ABSENT**

Abramson	Greene	Jackson, G.
Bishop, S.	Guinn	Norton
Geymann	Henry	Simon

Total - 9

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Lopinto 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.

**HOUSE BILL NO. 1041—**  
BY REPRESENTATIVE DOVE

**AN ACT**

To authorize and provide for the transfer of certain state property; to authorize the transfer of certain state property in Terrebonne Parish; to provide for the property description; to provide for reservation of mineral rights; to provide terms and conditions; to provide an effective date; and to provide for related matters.

Read by title.

Rep. Dove moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Total - 95

**NAYS**

Total - 0

**ABSENT**

Abramson	Guinn	Smith
Bishop, S.	Lopinto	Talbot
Geymann	Norton	
Greene	Robideaux	

Total - 10

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Dove 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.

**HOUSE BILL NO. 1068—**  
BY REPRESENTATIVE LOPINTO  
**AN ACT**

To enact Code of Criminal Procedure Article 890.1, relative to criminal sentencing; to provide that certain sentences may be served with the benefit of parole, probation, or suspension of sentence under certain circumstances; to provide for applicability; to provide for limitations; to provide for exceptions; and to provide for related matters.

Read by title.

Rep. Lopinto moved the final passage of the bill.



**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Garofalo	Mack
Adams	Geymann	Miller
Anders	Gisclair	Montoucet
Armes	Guillory	Moreno
Arnold	Guinn	Morris, Jay
Badon	Harris	Morris, Jim
Barras	Harrison	Ortego
Barrow	Havard	Pearson
Berthelot	Hazel	Pierre
Billiot	Hensgens	Ponti
Bishop, W.	Hill	Pope
Broadwater	Hodges	Price
Brossett	Hoffmann	Pugh
Brown	Hollis	Pylant
Burford	Honore	Reynolds
Burns, H.	Howard	Richard
Burns, T.	Hunter	Richardson
Burrell	Huval	Ritchie
Carmody	Jackson, G.	Robideaux
Carter	Jackson, K.	Schexnayder
Champagne	James	Schroder
Chaney	Jefferson	Seabaugh
Connick	Johnson	Shadoin
Cox	Jones	Simon
Cromer	Lambert	Smith
Danahay	Landry, N.	St. Germain
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 - 99

**NAYS**

Total - 0

**ABSENT**

Abramson	Greene	Norton
Bishop, S.	Henry	Talbot

Total - 6

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Lopinto 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. Guinn requested the House consent to record his vote on final passage of House Bill No. 1068 as yea, which consent was unanimously granted.

**HOUSE BILL NO. 1086—**

BY REPRESENTATIVES SEABAUGH, ANDERS, BARROW, BURFORD, COX, FRANKLIN, HARRIS, HAVARD, HENSGENS, KATRINA JACKSON, LEBAS, POPE, SIMON, WHITNEY, PATRICK WILLIAMS, AND WILLMOTT

**AN ACT**

To amend and reenact R.S. 40:1299.55 and 1299.58.10(A), relative to consent to medical treatment and procedures; to provide for

general application of laws providing for medical consent and declarations concerning life-sustaining procedures; and to provide for related matters.

Read by title.

Rep. Seabaugh moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Garofalo	Miller
Adams	Geymann	Montoucet
Anders	Gisclair	Moreno
Armes	Guillory	Morris, Jay
Arnold	Harris	Morris, Jim
Badon	Harrison	Ortego
Barras	Havard	Pearson
Barrow	Hazel	Pierre
Berthelot	Henry	Ponti
Billiot	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	Schexnayder
Carmody	Jackson, G.	Schroder
Carter	Jackson, K.	Seabaugh
Champagne	Jefferson	Shadoin
Chaney	Johnson	Simon
Connick	Jones	Smith
Cox	Lambert	St. Germain
Cromer	Landry, N.	Talbot
Danahay	Landry, T.	Thierry
Dixon	LeBas	Thompson
Dove	Leger	Whitney
Edwards	Leopold	Williams, A.
Fannin	Ligi	Williams, P.
Foil	Lopinto	Willmott
Franklin	Lorusso	
Gaines	Mack	

Total - 97

**NAYS**

Total - 0

**ABSENT**

Abramson	Guinn	Robideaux
Bishop, S.	James	Thibaut
Greene	Norton	

Total - 8

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Seabaugh 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. Miller requested the House consent to record his vote on final passage of House Bill No. 1086 as yea, which consent was unanimously granted.

**HOUSE BILL NO. 1177—**  
BY REPRESENTATIVE HARRISON  
AN ACT

To enact R.S. 22:1576, relative to insurance producers; to require certain training for insurance producers in order to sell annuity products; to provide for the registration of annuity training course providers as continuing education providers; to require insurers to verify that a producer who sells annuities has satisfied annuity training requirements; 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. 1177 by Representative Harrison

AMENDMENT NO. 1

On page 2, line 28, following "37:" and before "701" insert "XI."

AMENDMENT NO. 2

On page 3, lines 2 and 4, following "37:" and before "701" insert "XI."

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Geymann	Montoucet
Adams	Gisclair	Moreno
Anders	Greene	Morris, Jay
Armes	Guillory	Morris, Jim
Arnold	Harris	Ortego
Badon	Harrison	Pearson
Barras	Havard	Pierre
Barrow	Henry	Ponti
Berthelot	Hensgens	Pope
Billiot	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, K.	Schexnayder
Carter	James	Schroder
Champagne	Jefferson	Seabaugh
Chaney	Johnson	Simon
Cox	Jones	Smith
Cromer	Lambert	St. Germain
Danahay	Landry, N.	Talbot
Dixon	LeBas	Thibaut
Dove	Leger	Thompson
Edwards	Leopold	Whitney
Fannin	Ligi	Williams, A.
Foil	Lopinto	Williams, P.
Franklin	Lorusso	Willmott
Gaines	Mack	
Garofalo	Miller	

Total - 94

**NAYS**

Total - 0

**ABSENT**

Abramson	Guinn	Norton
Bishop, S.	Hazel	Shadoin
Bishop, W.	Jackson, G.	Thierry
Connick	Landry, T.	
Total - 11		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Harrison 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.

**HOUSE BILL NO. 1192 (Substitute for House Bill No. 922 by Representative Barras)—**  
BY REPRESENTATIVE BARRAS  
AN ACT

To enact R.S. 35:191(W), relative to notaries public; to provide for qualifications of notaries in certain parishes; to provide for authority and jurisdiction; to provide for employment; to provide for bonding and liability; to provide for provisional status; to provide for enforceability of certain notarial acts; to provide for expiration of commissions; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Barras to Engrossed House Bill No. 1192 by Representative Barras

AMENDMENT NO. 1

On page 4, line 6, after "performance" and before "component" insert "assessment or other"

AMENDMENT NO. 2

On page 4, line 8, after "assessment" and before "component" insert "or other"

AMENDMENT NO. 3

On page 4, line 9, after "the" and before "component" change "examination" to "performance assessment or other"

AMENDMENT NO. 4

On page 4, between lines 20 and 21, insert the following:

"(7) Any person receiving a notary commission pursuant to this Subsection shall have his commission revoked if any of the following occur:

(a) A court determines that the notary exceeded his authority or jurisdiction provided by the Subsection.

(b) The secretary of state determines that the notary exceeded his authority or jurisdiction provided by this Subsection after receiving sufficient proof and providing an opportunity for the notary to contest such determination.

(c) The notary violates any other provision of law providing for the revocation or suspension of a notary commission."

**AMENDMENT NO. 5**

On page 4, at the beginning of line 21, change "(7)" to "(8)"

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Garofalo	Miller
Adams	Geymann	Montoucet
Anders	Gisclair	Morris, Jim
Armes	Guillory	Pierre
Arnold	Guinn	Ponti
Barras	Harris	Pope
Barrow	Harrison	Price
Berthelot	Hazel	Pylant
Bishop, W.	Henry	Reynolds
Broadwater	Hensgens	Richard
Brown	Hoffmann	Richardson
Burns, H.	Hollis	Ritchie
Burns, T.	Honore	Robideaux
Burrell	Howard	Schexnayder
Carter	Hunter	Seabaugh
Champagne	Huval	Smith
Chaney	Jackson, K.	St. Germain
Cox	James	Talbot
Danahay	Jefferson	Thibaut
Dixon	Johnson	Thierry
Dove	Jones	Thompson
Edwards	Landry, N.	Whitney
Fannin	Landry, T.	Williams, A.
Foil	LeBas	Williams, P.
Franklin	Leopold	Willmott
Gaines	Lorusso	
Total - 77		

**NAYS**

Badon	Hill	Morris, Jay
Billiot	Hodges	Ortego
Burford	Lambert	Pearson
Carmody	Leger	Schroder
Connick	Ligi	Shadoin
Cromer	Lopinto	Simon
Greene	Mack	
Havard	Moreno	
Total - 22		

**ABSENT**

Abramson	Brossett	Norton
Bishop, S.	Jackson, G.	Pugh
Total - 6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Barras 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. Wesley Bishop requested the House consent to record his vote on final passage of House Bill No. 1192 as yea, which consent was unanimously granted.

**HOUSE BILL NO. 1193 (Substitute for House Bill No. 1009 by Representative Ortego)—**

BY REPRESENTATIVES ORTEGO AND PATRICK WILLIAMS

**AN ACT**

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

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Guinn to Engrossed House Bill No. 1193 by Representative Ortego

**AMENDMENT NO. 1**

On page 2, delete lines 13 and 14 in their entirety

**AMENDMENT NO. 2**

On page 2, line 15, change "E." to "D."

**AMENDMENT NO. 3**

On page 2, line 16, change "F." to "E."

Rep. Guinn moved the adoption of the amendments.

Rep. Nancy Landry objected.

By a vote of 31 yeas and 55 nays, the amendments were rejected.

Rep. Ortego moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Armes	Edwards	Mack
Arnold	Gisclair	Montoucet
Barrow	Guinn	Morris, Jim
Billiot	Hazel	Ortego
Bishop, W.	Hill	Pierre
Brossett	Honore	Price
Brown	Huval	Reynolds
Burns, H.	James	Simon
Burrell	Jefferson	Smith
Carmody	Johnson	St. Germain
Carter	Jones	Thierry
Connick	Landry, T.	Williams, A.
Danahay	LeBas	
Dixon	Leger	
Total - 40		

**NAYS**

Mr. Speaker	Geymann	Pearson
Adams	Harris	Ponti

Anders	Harrison	Pope
Badon	Henry	Pugh
Barras	Hensgens	Pylant
Berthelot	Hodges	Richardson
Broadwater	Hoffmann	Ritchie
Burford	Hollis	Robideaux
Burns, T.	Howard	Schexnayder
Champagne	Landry, N.	Schroder
Chaney	Leopold	Seabaugh
Cromer	Ligi	Shadoin
Dove	Lopinto	Talbot
Fannin	Lorusso	Thompson
Foil	Miller	Whitney
Franklin	Moreno	Willmott
Garofalo	Morris, Jay	
Total - 50		

ABSENT

Abramson	Guillory	Lambert
Bishop, S.	Havard	Norton
Cox	Hunter	Richard
Gaines	Jackson, G.	Thibaut
Greene	Jackson, K.	Williams, P.
Total - 15		

The Chair declared the above bill failed to pass.

Rep. Nancy Landry moved to reconsider the vote by which the above bill failed to pass, and, on her own motion, the motion to reconsider was laid on the table.

**Consent to Correct a Vote Record**

Rep. Barrow requested the House consent to record her vote on final passage of House Bill No. 1193 as yea, which consent was unanimously granted.

**Consent to Correct a Vote Record**

Rep. Brossett requested the House consent to record his vote on final passage of House Bill No. 1193 as yea, which consent was unanimously granted.

**HOUSE BILL NO. 202—**  
BY REPRESENTATIVE RICHARDSON  
AN ACT

To amend and reenact Children's Code Article 305(B)(4) and (E) and Code of Criminal Procedure Article 644.1, relative to juvenile proceedings; to amend provisions relative to divestiture of juvenile court jurisdiction; to provide relative to the jurisdiction over mental capacity determinations; to provide relative to mental capacity determination proceedings; and to provide for related matters.

Called from the calendar.

Read by title.

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. 202 by Representative Richardson

AMENDMENT NO. 1

On page 2, line 4, after "until" and before "the" insert "counsel is appointed for the child and notified in accordance with Article 809 and"

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Garofalo	Lorusso
Adams	Geymann	Mack
Anders	Gisclair	Miller
Armes	Greene	Moreno
Arnold	Guillory	Morris, Jay
Badon	Guinn	Morris, Jim
Barras	Harris	Ortego
Barrow	Harrison	Pearson
Berthelot	Havard	Pierre
Billiot	Hazel	Ponti
Bishop, W.	Henry	Pope
Broadwater	Hensgens	Price
Brossett	Hill	Pugh
Brown	Hodges	Pylant
Burford	Hoffmann	Reynolds
Burns, H.	Hollis	Richardson
Burns, T.	Honore	Ritchie
Burrell	Howard	Robideaux
Carmody	Hunter	Schexnayder
Carter	Huval	Schroder
Champagne	Jackson, K.	Seabaugh
Chaney	James	Shadoin
Connick	Jefferson	Smith
Cox	Johnson	St. Germain
Cromer	Jones	Talbot
Danahay	Lambert	Thibaut
Dixon	Landry, N.	Thierry
Dove	Landry, T.	Thompson
Edwards	LeBas	Whitney
Fannin	Leger	Williams, A.
Foil	Leopold	Williams, P.
Franklin	Ligi	Willmott
Gaines	Lopinto	
Total - 98		

**NAYS**

Total - 0

**ABSENT**

Abramson	Montoucet	Simon
Bishop, S.	Norton	
Jackson, G.	Richard	
Total - 7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Greene 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.

**Conference Committee Reports Received**

Conference Committee Reports were received for the following legislative instruments:

House Bill No. 969

The conference committee reports for the above legislative instruments lie over under the rules.

### 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

#### SIGNED SENATE CONCURRENT RESOLUTIONS

April 23, 2012

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

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

Senate Concurrent Resolution Nos. 42, 58, 59, and 64

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

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

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

### Message from the Senate

#### HOUSE CONCURRENT RESOLUTIONS

April 23, 2012

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

I am directed to inform your honorable body that the Senate has concurred in the following House Concurrent Resolutions:

House Concurrent Resolution No. 99  
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

### Message from the Senate

#### SENATE BILLS

April 23, 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. 5, 243, and 248

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. 5— BY SENATOR MURRAY

AN ACT

To amend and reenact Code of Criminal Procedure Article 793, 801, and 808, relative to jury trials; to provide for use of evidence during jury deliberations; to provide for note taking; to provide for evidence in jury room; to provide for jury charges; and to provide for related matters.

Read by title.

#### SENATE BILL NO. 243— BY SENATOR MARTINY

AN ACT

To enact R.S. 14:131.1, relative to the failure to report certain crimes; to create the crime of failure to report the commission of certain felonies; to provide for penalties; and to provide for related matters.

Read by title.

#### SENATE BILL NO. 248— BY SENATOR ADLEY

AN ACT

To amend and reenact R.S. 42:1132(B)(4)(c), relative to the Board of Ethics; to provide for changes relative to persons eligible for nomination to the board; and to provide for related matters.

Read by title.

### Suspension of the Rules

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

### Introduction of Resolutions, House and House Concurrent

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

#### HOUSE RESOLUTION NO. 59— BY REPRESENTATIVE LOPINTO

A RESOLUTION

To repeal House Rule 6.8(J) of the Rules of Order of the House of Representatives to remove the requirement that certain legislative instruments relative to felonies be recommitted to the House Committee on Administration of Criminal Justice.

Read by title.

### Motion

Rep. Lopinto moved to suspend the rules to consider the final adoption of the above resolution, which motion was agreed to.

Rep. Lopinto moved the adoption of the resolution.

By a vote of 89 yeas and 2 nays, the resolution was adopted.

**HOUSE RESOLUTION NO. 60—**  
BY REPRESENTATIVE JAMES

**A RESOLUTION**

To commend Willie C. Johnson upon the memorable and historic occasion of "The Ultimate Graduation", hosted by the Leadership Greater Baton Rouge Alumni.

Read by title.

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

**Reports of Committees**

The following reports of committees were received and read:

**Report of the Committee on  
Agriculture, Forestry, Aquaculture, and Rural Development**

April 23, 2012

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on April 19, 2012, I am directed by your Committee on Agriculture, Forestry, Aquaculture, and Rural Development to submit the following report:

Senate Bill No. 148, by Thompson, F  
Reported favorably. (13-0) (Local & Consent)

Senate Bill No. 149, by Thompson, F  
Reported favorably. (12-0) (Local & Consent)

Senate Bill No. 150, by Thompson, F  
Reported with amendments. (14-0) (Regular)

Senate Bill No. 151, by Thompson, F  
Reported favorably. (13-0) (Local & Consent)

Senate Bill No. 169, by Allain  
Reported favorably. (15-0) (Local & Consent)

Senate Bill No. 288, by Allain  
Reported favorably. (15-0) (Local & Consent)

Senate Bill No. 646, by Thompson, F  
Reported favorably. (14-0) (Local & Consent)

JOHN F. "ANDY" ANDERS  
Chairman

The above Senate Bills reported favorably or with amendments were referred to the Legislative Bureau.

**Report of the Committee on  
Judiciary**

April 23, 2012

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on April 19, 2012, I am directed by your Committee on Judiciary to submit the following report:

House Bill No. 936, by Danahay  
Reported with amendments. (13-0) (Regular)

House Bill No. 977, by Burns, Henry  
Reported favorably. (13-0) (Regular)

House Bill No. 1011, by Price  
Reported favorably. (13-0) (Regular)

Senate Bill No. 614, by Adley  
Reported favorably. (14-0) (Regular)

JEFFERY "JEFF" J. ARNOLD  
Chairman

The above Senate Bills reported favorably or with amendments were referred to the Legislative Bureau.

**Report of the Committee on  
Labor and Industrial Relations**

April 23, 2012

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on April 19, 2012, I am directed by your Committee on Labor and Industrial Relations to submit the following report:

House Bill No. 534, by Williams, A  
Reported with amendments. (10-0) (Regular)

House Bill No. 637, by Leger  
Reported favorably. (11-0) (Regular)

House Bill No. 1121, by James  
Reported with amendments. (12-0) (Regular)

Senate Bill No. 158, by Morrell  
Reported favorably. (8-0) (Regular)

Senate Bill No. 367, by Riser  
Reported with amendments. (12-0) (Regular)

Senate Bill No. 520, by Broome  
Reported with amendments. (11-0) (Regular)

HERBERT B. DIXON  
Chairman

The above Senate Bills reported favorably or with amendments were referred to the Legislative Bureau.

**Report of the Committee on  
Municipal, Parochial and Cultural Affairs**

April 23, 2012

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on April 19, 2012, I am directed by your Committee on Municipal, Parochial and Cultural Affairs to submit the following report:

House Bill No. 242, by Harris  
Reported favorably. (11-0-1) (Regular)

House Bill No. 788, by St. Germain  
Reported favorably. (12-0-1) (Local & Consent)

House Bill No. 905, by Edwards  
Reported with amendments. (13-0-1) (Local & Consent)

House Bill No. 924, by Bishop, Wesley  
Reported favorably. (14-0-1) (Local & Consent)

House Bill No. 934, by Ligi  
Reported with amendments. (12-0) (Regular)

House Bill No. 971, by Barrow  
Reported with amendments. (14-0-1) (Regular)

House Bill No. 1051, by Smith, Patricia  
Reported favorably. (14-0-1) (Local & Consent)

House Bill No. 1105, by Jackson, K  
Reported favorably. (10-0-1) (Local & Consent)

House Bill No. 1117, by Billiot  
Reported favorably. (12-0-1) (Local & Consent)

GIROD JACKSON III  
Chairman

**Report of the Committee on  
Retirement**

April 23, 2012

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on April 19, 2012, I am directed by your Committee on Retirement to submit the following report:

House Bill No. 9, by Ligi (Joint Resolution)  
Reported with amendments. (12-0) (Regular)

House Bill No. 10, by Ligi  
Reported with amendments. (12-0) (Regular)

House Bill No. 38, by Jones, Sam  
Reported with amendments. (9-0) (Regular)

House Bill No. 58, by Pearson  
Reported by substitute. (9-0) (Regular)

House Bill No. 986, by Hazel  
Reported favorably. (11-0) (Regular)

House Bill No. 1048, by Pope  
Reported favorably. (11-0) (Regular)

House Bill No. 1050, by Ritchie  
Reported favorably. (11-0) (Regular)

House Bill No. 1064, by Hoffmann  
Reported favorably. (9-0) (Regular)

J. KEVIN PEARSON  
Chairman

**Privileged Report of the Committee on Enrollment**

April 23, 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. 9—**  
BY REPRESENTATIVES CARTER, BARROW, WESLEY BISHOP, BROADWATER, CARMODY, CHAMPAGNE, HENRY, HOLLIS, JEFFERSON, NANCY LANDRY, PRICE, SHADOIN, SMITH, AND ALFRED WILLIAMS

**A RESOLUTION**

To urge and request the State Board of Elementary and Secondary Education, in collaboration with the Louisiana Serve

Commission, to study the feasibility of establishing a "distinction for community service" endorsement program for students who have performed an exemplary number of community service hours during their high school careers and to provide a report to the House Committee on Education by February 1, 2013.

**HOUSE RESOLUTION NO. 56—**

BY REPRESENTATIVES BARROW, CARTER, FOIL, GREENE, JAMES, PONTI, AND HONORE

**A RESOLUTION**

To express sincere and heartfelt condolences upon the death of Bishop Richard V. Allmon, Sr., of Baton Rouge.

Respectfully submitted,

HAROLD RITCHIE  
Chairman

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

**Privileged Report of the Committee on Enrollment**

April 23, 2012

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

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

The following House Concurrent Resolutions have been properly enrolled:

**HOUSE CONCURRENT RESOLUTION NO. 41—**

BY REPRESENTATIVE ORTEGO

**A CONCURRENT RESOLUTION**

To designate the city of Scott as the Boudin Capital of the World.

**HOUSE CONCURRENT RESOLUTION NO. 97—**

BY REPRESENTATIVES HOFFMANN, ANDERS, CHANEY, FANNIN, HUNTER, KATRINA JACKSON, JAY MORRIS, PYLANT, AND SHADOIN AND SENATORS GALLOT, KOSTELKA, RISER, JOHN SMITH, THOMPSON, AND WALSWORTH

**A CONCURRENT RESOLUTION**

To commend Charles "Charlie Mac" McDonald of Bastrop, former state representative, and to express enduring gratitude for his outstanding contributions to education in the state of Louisiana.

**HOUSE CONCURRENT RESOLUTION NO. 98—**

BY REPRESENTATIVES HONORE, BADON, BARROW, WESLEY BISHOP, BROSSETT, BURRELL, COX, DIXON, FRANKLIN, GAINES, HUNTER, GIROD JACKSON, KATRINA JACKSON, JAMES, JEFFERSON, TERRY LANDRY, NORTON, PIERRE, PRICE, SMITH, THIERRY, ALFRED WILLIAMS, PATRICK WILLIAMS, AND LÉGER AND SENATORS BROOME, BROWN, DORSEY-COLOMB, GALLOT, GUILLORY, MORRELL, MURRAY, PETERSON, AND TARVER

**A CONCURRENT RESOLUTION**

To recognize Thursday, April 19, 2012, as Southern University Day at the Louisiana State Capitol.

Respectfully submitted,

HAROLD RITCHIE  
Chairman

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

**Suspension of the Rules**

On motion of Rep. Seabaugh, the rules were suspended to permit the Committee on Civil Law and Procedure to meet at 9:00 A.M. on Tuesday, April 24, 2012, and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill Nos. 214, 299, 524, 609, and 674

**Leave of Absence**

Rep. Norton - 1 day

**Adjournment**

On motion of Rep. Billiot, at 6:25 P.M., the House agreed to adjourn until Tuesday, April 24, 2012, at 2:00 P.M.

The Speaker of the House declared the House adjourned until 2:00 P.M., Tuesday, April 24, 2012.

ALFRED W. SPEER  
Clerk of the House