

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

**TWENTY-EIGHTH DAY'S PROCEEDINGS**

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

House of Representatives  
State Capitol  
Baton Rouge, Louisiana

Wednesday, April 25, 2012

The House of Representatives was called to order at 2:00 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	Gaines	Mack
Abramson	Garofalo	Miller
Adams	Geymann	Montoucet
Anders	Greene	Moreno
Armes	Guillory	Morris, Jay
Arnold	Guinn	Morris, Jim
Badon	Harris	Norton
Barras	Harrison	Ortego
Barrow	Havard	Pearson
Berthelot	Hazel	Pierre
Billiot	Henry	Ponti
Bishop, S.	Hill	Pope
Bishop, W.	Hodges	Price
Broadwater	Hoffmann	Pugh
Brossett	Hollis	Pylant
Brown	Honore	Reynolds
Burford	Howard	Richard
Burns, H.	Hunter	Richardson
Burns, T.	Huval	Ritchie
Burrell	Jackson, G.	Robideaux
Carmody	Jackson, K.	Schexnayder
Carter	James	Schroder
Champagne	Jefferson	Seabaugh
Chaney	Johnson	Shadoin
Connick	Jones	Simon
Cox	Lambert	St. Germain
Cromer	Landry, N.	Talbot
Danahay	Landry, T.	Thibaut
Dixon	LeBas	Thierry
Dove	Leger	Thompson
Edwards	Leopold	Whitney
Fannin	Ligi	Williams, A.

Foil	Lopinto	Williams, P.
Franklin	Lorusso	Willmott
Total - 102		

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

**Prayer**

Prayer was offered by Evangelist Carl Carrigan of World Evangelism, Princeton.

**Pledge of Allegiance**

Rep. Jim Morris 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 24, 2012, was adopted.

**Petitions, Memorials, and  
Communications**

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

**Message from the Senate**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

April 25, 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 the report of the Conference Committee on the disagreement to House Bill No. 969.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**HOUSE CONCURRENT RESOLUTIONS**

April 25, 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. 3  
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**HOUSE BILLS**

April 25, 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 House Bills:

House Bill No. 109  
Returned without amendments

House Bill No. 110  
Returned without amendments

House Bill No. 119  
Returned without amendments

House Bill No. 123  
Returned with amendments

House Bill No. 152  
Returned without amendments

House Bill No. 153  
Returned without amendments

House Bill No. 171  
Returned without amendments

House Bill No. 176  
Returned without amendments

House Bill No. 177  
Returned without amendments

House Bill No. 205  
Returned without amendments

House Bill No. 324  
Returned with amendments

House Bill No. 350  
Returned without amendments

House Bill No. 405  
Returned without amendments

House Bill No. 539  
Returned without amendments

House Bill No. 783  
Returned with amendments

House Bill No. 814  
Returned without amendments

House Bill No. 882  
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**SENATE BILLS**

April 25, 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. 389, 644, 708, 735, and 750

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. 389—**  
BY SENATOR MARTINY  
AN ACT

To enact R.S. 51:1726 and 1727, relative to sweepstakes promotions; to provide for the regulation of sweepstakes promotions by the attorney general; to provide for definitions; to provide for the display of sweepstakes promotions winners; to provide for certain terms, conditions, and procedures; and to provide for related matters.

Read by title.

**SENATE BILL NO. 644—**  
BY SENATOR DONAHUE  
AN ACT

To amend and reenact R.S. 22:453(B), 454(A), 458, 459, 461(B),(C), (D), (E), (F), (G), and (H), and 463, enact R.S. 22:462(H), and to repeal R.S. 22:454(C) and (D) and 461(I), relative to group self-insurers; to provide for application for certificates of authority; to provide for fidelity bonds and insolvency of deposits; to provide for self-insured trusts; to provide for excess stop-loss coverage; to provide for annual audits, examinations by the commissioner, and issuance of annual reports; and to provide for related matters.

Read by title.

**SENATE BILL NO. 708—**  
BY SENATORS BROOME, APPEL, CORTEZ, CROWE, DONAHUE, ERDEY, JOHNS, LAFLEUR, LONG, MARTINY, NEVERS, PEACOCK, PERRY, RISER, JOHN SMITH, TARVER, THOMPSON, WALSWORTH, WARD AND WHITE  
AN ACT

To amend and reenact R.S. 40:1299.35.2(D) and 1299.35.6(B)(3)(h), and to enact R.S. 40:1299.35.2(E), relative to abortions; to provide with respect to ultrasound requirements; to provide for informed consent; to provide for penalties; to provide for legislative intent; and to provide for related matters.

Read by title.

**SENATE BILL NO. 735—**  
BY SENATOR PETERSON  
AN ACT

To amend and reenact R.S. 36:696(A), and (C), relative to the deputy commissioner of consumer advocacy; to provide relative to the commissioner's appointment; to provide for the commissioner's salary; to provide for staff; to provide for the offices; and to provide for related matters.

Read by title.

**SENATE BILL NO. 750 (Substitute of Senate Bill No. 328 by Senator Broome)—**  
BY SENATOR BROOME  
AN ACT

To enact R.S. 49:953(A)(1)(a)(ix) and 973, relative to administrative procedure; to provide that prior to the adoption, amendment, or repeal of any rule by any state agency that a poverty impact

statement be issued; to provide for contents of the poverty impact statement; 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. 64— BY REPRESENTATIVE JOHNSON

##### A RESOLUTION

To express sincere and heartfelt condolences upon the death of Jerry Lee Laborde of Fifth Ward.

Read by title.

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

#### HOUSE RESOLUTION NO. 65—

BY REPRESENTATIVE RICHARDSON

##### A RESOLUTION

To commend Brandon C. Munley for attaining the rank of Eagle Scout.

Read by title.

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

#### HOUSE RESOLUTION NO. 66—

BY REPRESENTATIVE SMITH

##### A RESOLUTION

To recognize Wednesday, April 25, 2012, as School-Based Health Center Awareness Day at the Louisiana State Capitol and to commend the efforts of the Louisiana Assembly on School-Based Health Care, the Institute of Women and Ethnic Studies, the Louisiana Public Health Institute's School Health Connection, and the Kellogg Foundation.

Read by title.

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

#### HOUSE CONCURRENT RESOLUTION NO. 109—

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

##### A CONCURRENT RESOLUTION

To commend H. "Butch" Browning, Jr., upon his retirement for his service to the state as the Louisiana State Fire Marshal.

Read by title.

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

Ordered to the Senate.

#### HOUSE CONCURRENT RESOLUTION NO. 110—

BY REPRESENTATIVES DOVE, HARRISON, AND WHITNEY AND SENATORS ALLAIN AND CHABERT

##### A CONCURRENT RESOLUTION

To recognize October seventeenth annually as Mesothelioma Awareness Day in Louisiana.

Read by title.

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

Ordered to the Senate.

#### HOUSE CONCURRENT RESOLUTION NO. 111—

BY REPRESENTATIVE DOVE

##### A CONCURRENT RESOLUTION

To recognize Friday, June 8, 2012, as "A Day of Giving" and to commend volunteers throughout the state of Louisiana.

Read by title.

On motion of Rep. Dove, 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 RESOLUTION NO. 62—

BY REPRESENTATIVE BROADWATER

##### A RESOLUTION

To adopt House Rules 8.25(C) and 11.5.1 of the Rules of Order of the House of Representatives to provide relative to substantive floor amendments to a bill or joint resolution on the local and consent calendar and to provide relative to calendar placement of certain legislation under certain circumstances.

Read by title.

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

#### HOUSE CONCURRENT RESOLUTION NO. 106—

BY REPRESENTATIVE HOFFMANN

##### A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to provide for the inclusion of "read alouds" in early childhood education programs administered at the state level.

Read by title.

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

#### HOUSE CONCURRENT RESOLUTION NO. 107—

BY REPRESENTATIVE HOFFMANN

##### A CONCURRENT RESOLUTION

To urge and request the House Committee on House and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs to meet and function as a joint committee to study financial disclosure and ethics training requirements for the calendar year in which the terms of office end for elected officials whose terms end early in the calendar year.

Read by title.

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

**Senate Concurrent Resolutions Lying Over**

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

**SENATE CONCURRENT RESOLUTION NO. 31—**  
BY SENATORS CROWE, DONAHUE AND NEVERS AND REPRESENTATIVES TIM BURNS, HOLLIS, SCHRODER AND SIMON  
A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to urge the United States Army Corps of Engineers, New Orleans District, to follow the recommendations of the Louisiana Department of Natural Resources, office of coastal management, as to the implementation of fair and reasonable regulations on wetland habitat assessment and compensation for wetland impacts.

Read by title.

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

**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. 128—**  
BY SENATOR CLAITOR  
AN ACT

To amend and reenact R.S. 37:711.15(A)(4)(b), and to repeal R.S. 37:711.4(D) relative to the Louisiana Professional Geoscience Practice Act; to provide for license eligibility; to provide for exemptions from examination requirements; to repeal certain prohibitions and limitations upon the receipt and use of state funds; 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. 144—**  
BY SENATOR MILLS  
AN ACT

To enact R.S. 47:337.11.4, relative to the sales and use tax of political subdivisions of the state; to provide for a conditional phased-in exemption for certain inhibitors and complex biologics; 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. 177—**  
BY SENATOR ADLEY  
AN ACT

To amend and reenact the introductory paragraph of R.S. 47:1705(B)(2)(c)(i) and (ii), relative to information provided regarding millage rates; to provide relative to certain notice publication deadline to the public in any year in which a tax recipient body intends to consider the levy of additional or increased millage rates without voter approval; 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. 239—**  
BY SENATOR MURRAY  
AN ACT

To amend and reenact Part XXII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1299.39.5 through 1299.39.7, 1299.58(C), 1299.131(A)(3), and 1300.11, to enact R.S. 36:259(MM), and to repeal R.S. 40:1299.40, relative to informed consent; to provide for methods in which informed consent may be obtained; to create the Louisiana Medical Disclosure Panel within the Department of Health and Hospitals; to provide for definitions; to provide for membership and terms; to provide for powers and duties; to provide for medical disclosure lists; to provide for exceptions to obtaining informed consent; to provide for attendance of meetings via telecommunications; to provide for limitations of liability; to provide for the promulgation of rules and regulations; 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 Civil Law and Procedure.

**SENATE BILL NO. 353—**  
BY SENATORS MURRAY, ALARIO, ALLAIN, APPEL, BROOME, BROWN, CLAITOR, CORTEZ, DONAHUE, DORSEY-COLOMB, HEITMEIER, JOHNS, KOSTELKA, LONG, MARTINY, MORRELL, MORRISH, PEACOCK, PETERSON, GARY SMITH, TARVER, THOMPSON AND WARD  
AN ACT

To enact R.S. 49:170.17, relative to Irish-American Heritage Month; to designate the month of March as Irish-American Heritage Month; 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. 481—**  
BY SENATOR PERRY  
AN ACT

To enact Code of Criminal Procedure Article 718.1 and to repeal R.S. 46:1845, relative to discovery; to provide relative to discovery procedures in certain criminal cases; to prohibit the reproduction of certain evidence in certain cases involving pornography involving juveniles, video voyeurism, and obscenity; 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. 485—**  
BY SENATOR PERRY  
AN ACT

To enact R.S. 14:32.1(A)(7) and 32.8(A)(2)(g), relative to operating a vehicle while intoxicated; to provide that certain crimes involving operating a vehicle while intoxicated include operating a vehicle when any detectable amount of certain controlled dangerous substances is present in the operator's blood; 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. 686—**  
BY SENATORS ADLEY AND THOMPSON  
AN ACT

To amend and reenact R.S. 14:106(A)(7)(a) and to enact R.S. 14:106(A)(8), relative to the crime of obscenity; to add the intentional transmission of sexually explicit text messages to the definition of the crime of obscenity; to provide for additional definitions; 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 Administration of Criminal Justice.

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

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

**HOUSE CONCURRENT RESOLUTION NO. 65—**  
BY REPRESENTATIVE GISCLAIR  
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to conduct a study relative to the intersection of Louisiana Highway 1 and Louisiana Highway 3090 in Lafourche Parish.

Read by title.

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

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

**HOUSE CONCURRENT RESOLUTION NO. 76—**  
BY REPRESENTATIVE SMITH  
A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study procedures for the filing of liens for unpaid wages and to make specific recommendations for legislation.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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

**HOUSE CONCURRENT RESOLUTION NO. 81—**  
BY REPRESENTATIVE HUVAL  
A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study jury trial procedures in order to create an expedited or summary jury trial and to make specific recommendations for legislation.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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

**HOUSE CONCURRENT RESOLUTION NO. 93—**  
BY REPRESENTATIVE BILLIOT  
A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study creating procedures that would enable a surety to take

possession of collateral in certain circumstances and to report its findings on or after January 1, 2014.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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

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

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

**HOUSE BILL NO. 497—**  
BY REPRESENTATIVE BARRAS AND SENATOR MILLS  
A JOINT RESOLUTION

Proposing to add Article VII, Section 21(L) of the Constitution of Louisiana, to authorize the governing authority of the city of New Iberia to grant ad valorem tax exemption contracts for certain property annexed by the city; to provide for the approval of contracts; to provide for certain contract limitations; to provide with respect to the assessment and taxation of property subject to a contract; to authorize the legislature to provide for implementation; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Engrossed House Bill No. 497 by Representative Barras

AMENDMENT NO. 1

On page 2, line 19, delete "(Effective January 1, 2013)"

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 524—**  
BY REPRESENTATIVE TIM BURNS  
A JOINT RESOLUTION

Proposing to amend Article VIII, Sections 5(B)(1), 6(B)(1), and 7(B)(1) and Article X, Sections 3(A) and 43(A) and to add Article VIII, Section 8(D) of the Constitution of Louisiana, to provide relative to the membership of constitutional boards and commissions that have members who are selected from congressional districts; to retain the existing number of members; to provide for implementation of membership from reapportioned congressional districts; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported without amendments by the Committee on Civil Law and Procedure.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 526—**

BY REPRESENTATIVES MONTOUCET, BERTHELOT, HENRY BURNS, BURRELL, CHANEY, CONNICK, HARRISON, JAMES, MORENO, POPE, AND SCHRODER

AN ACT

To amend and reenact R.S. 33:2002(A)(1) and to enact R.S. 33:2002(A)(5), relative to eligibility for state supplemental pay for firefighters; to provide for eligibility for certain firefighters who are ordered to active military duty; to waive certain requirements as to length of employment; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

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

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

**HOUSE BILL NO. 609—**

BY REPRESENTATIVE SEABAUGH

A JOINT RESOLUTION

Proposing to amend Article VIII, Sections 9 and 13(B), (C), and (D)(1) and to add Article VIII, Section 13(D)(3) of the Constitution of Louisiana, to provide for creation of school boards and school districts by the legislature, subject to voter approval; to remove provisions limiting the legislature's authority to define the geographic jurisdiction of school districts; to provide relative to funding for such districts; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported without amendments by the Committee on Civil Law and Procedure.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 648—**

BY REPRESENTATIVES PATRICK WILLIAMS AND LEBAS

AN ACT

To amend R.S. 47:337.11.1(A), relative to local sales and use taxes; to provide relative to the collection of local sales and use taxes on prescription drugs and pharmacist services; to provide relative to the amount in which local sales and use taxes are based for prescription drugs and pharmacist services; to provide for an effective date; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Ways and Means.

The substitute was read by title as follows:

**HOUSE BILL NO. 1203 (Substitute for House Bill No. 648 by Representative Patrick Williams and Lebas)—**

BY REPRESENTATIVES PATRICK WILLIAMS AND LEBAS

AN ACT

To amend and reenact R.S. 47:305(D)(5)(c)(i) and 337.10(A)(1), to enact R.S. 47:337.9(D)(33) and 337.11.4, and to repeal R.S. 47:337.11.1, relative to local sales and use taxes; to provide for an exemption from local sales and use taxes for prescription drugs and pharmacist services; to provide for definitions; to

provide relative to optional tax exemptions for political subdivisions; to provide relative to "key words" for mandatory and optional tax exemptions of political subdivisions; to provide for effectiveness; and to provide for related matters.

Read by title.

On motion of Rep. Robideaux, the substitute was adopted and became House Bill No. 1203 by Rep. Patrick Williams, on behalf of the Committee on Ways and Means, as a substitute for House Bill No. 648 by Rep. Patrick Williams.

Under the rules, lies over in the same order of business.

**HOUSE BILL NO. 670—**

BY REPRESENTATIVE PYLANT

AN ACT

To enact R.S. 32:414(D)(1)(c), relative to offenses involving operating a vehicle while intoxicated; to provide relative to a hardship license for certain persons convicted of certain offenses involving operating a vehicle while intoxicated; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 670 by Representative Pylant

AMENDMENT NO. 1

On page 1, line 12, after "a", insert "driving while intoxicated court or sobriety court certified by the Louisiana Supreme Court Drug Court Office or the Louisiana Highway Safety Commission as part of a"

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 674—**

BY REPRESENTATIVE ROBIDEAUX

A JOINT RESOLUTION

Proposing to add Article VII, Section 21(L) of the Constitution of Louisiana, to authorize the granting of ad valorem tax exemption contracts to certain businesses; to authorize the Board of Commerce and Industry to enter into contracts; to provide with respect to contract approvals; to provide for certain contract limitations; to provide with respect to the assessment and taxation of property subject to a contract; to require the legislature to establish a program for the granting of contracts; to provide for effectiveness; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported without amendments by the Committee on Civil Law and Procedure.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 682—**  
BY REPRESENTATIVE PYLANT  
AN ACT

To repeal R.S. 32:66(H), relative to driver's licenses; to repeal provision of law relative to the reinstatement of driving privileges associated with a violation of criminal law.

Read by title.

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

The substitute was read by title as follows:

**HOUSE BILL NO. 1204 (Substitute for House Bill No. 682 by Representative Pylant)—**  
BY REPRESENTATIVE PYLANT  
AN ACT

To amend R.S. 32:667(A)(2) and (3), (B)(introductory paragraph), (D)(1), and (H), relative to driver's licenses; to provide additional time to request an administrative hearing regarding a driver's license suspension; to provide relative to the reinstatement of driving privileges associated with a violation of criminal law; and to provide for related matters.

Read by title.

On motion of Rep. St. Germain, the substitute was adopted and became House Bill No. 1204 by Rep. Pylant, on behalf of the Committee on Transportation, Highways and Public Works, as a substitute for House Bill No. 682 by Rep. Pylant.

Under the rules, lies over in the same order of business.

**HOUSE BILL NO. 695—**  
BY REPRESENTATIVES BADON AND BARROW  
AN ACT

To amend and reenact R.S. 300.5(A)(1), (2)(b), and (C)(4) and 398.10(A)(6), to enact R.S. 32:300.5(B)(4) and (C)(5), and to repeal R.S. 32:289.1, 300.6, and 300.7, relative to the use of wireless communication devices while driving; to prohibit the use of wireless communication devices while driving; to repeal provisions providing for exceptions; to repeal provisions relative to minors; to provide for penalties; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 695 by Representative Badon

AMENDMENT NO. 1

On page 1, delete line 2 in its entirety and insert: "To amend and reenact R.S. 300.5(A)(1), (2)(b), and (C)(4) and 398.10(A)(6), to enact R.S. 32:300.5(B)(4) and (C)(5), and to"

AMENDMENT NO. 2

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

"Section 1. R.S. 32:300.5(A)(1), (2)(b), and (C)(4) and 398.10(A)(6) are hereby amended and reenacted and R.S. 32:300.5(B)(4) and (C)(5) are hereby enacted to read as follows:"

AMENDMENT NO. 3

On page 1, line 14, after "device" insert a comma "," and the following:

"except when the telephone is a hands-free wireless telephone or the electronic communication device is used hands free, provided that its placement does not interfere with the operation of federally required safety equipment, and the operator exercises a high degree of caution in the operation of the motor vehicle"

AMENDMENT NO. 4

On page 2, between lines 9 and 10, insert the following:

\* \* \*

B. The provisions of this Section shall not apply to the following:

\* \* \*

(4) The use of two-way mobile radio transmitters and devices used by licensees of the Federal Communications Commission in the Amateur Radio Service, or electronic communication devices with a push-to-talk function. This includes devices commonly referred to as "ham radios."

AMENDMENT NO. 5

On page 2, between lines 11 and 12, insert the following:

(4) Any violation of this Section shall constitute a moving violation. Any violation of texting while driving shall constitute a moving violation.

AMENDMENT NO. 6

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

\* \* \*

§398.10. Collection and reporting of statistical information relating to traffic stops

A. All law enforcement officers defined as a peace officer in R.S. 40:2402 shall record and retain the following information:

\* \* \*

(6) The number of persons stopped of R.S. 32:300.5 ~~and 300.6.~~

\* \* \*

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 700—**  
BY REPRESENTATIVE PYLANT  
AN ACT

To amend and reenact R.S. 32:414(A)(1)(c)(ii), relative to driver's licenses; to provide for eligibility of a restricted driver's license; and to provide for related matters.

Read by title.

# Page 8 HOUSE

28th Day's Proceedings - April 25, 2012

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 701—**  
BY REPRESENTATIVE GAROFALO  
AN ACT

To amend and reenact R.S. 38:330.7, relative to police officers for the Southeast Louisiana Flood Protection Authorities; to authorize the employment of a superintendent by the Southeast Flood Protection Authority - East; to provide for such superintendent's powers and authority; to authorize the use of police security personnel from one levee district within another under certain circumstances; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 701 by Representative Garofalo

AMENDMENT NO. 1

On page 2, line 6, after "authority," delete the remainder of the line, and delete line 7 in its entirety.

AMENDMENT NO. 2

On page 2, line 8, at the beginning of the line, delete "Constitution of Louisiana."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 910—**  
BY REPRESENTATIVE JOHNSON  
AN ACT

To amend and reenact R.S. 9:315.8(D), R.S. 46:236.2(B)(1) and (2)(a), and 236.14(E)(3)(a) and to enact R.S. 9:315(C)(3)(d)(vi), 315.27, 315.28, and R.S. 46:236.1.12, relative to obligations for support of a child; to provide for definitions; to provide for obligations due to nonparent custodians and state agencies in custody of a child; to provide for transfer of an obligation for support to a third party; to provide for employer reporting requirements of the child support program; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Civil Law and Procedure.

The substitute was read by title as follows:

**HOUSE BILL NO. 1205 (Substitute for House Bill No. 910 by Representative Johnson)—**  
BY REPRESENTATIVE JOHNSON  
AN ACT

To amend and reenact R.S. 46:236.2(A) and (B) and 236.14(E)(3)(a) and to enact R.S. 46:236.1.12, relative to obligations for child support; to provide for the transfer of an obligation for support

to a caretaker; to provide for procedures; to provide for employer reporting requirements of the child support program; and to provide for related matters.

Read by title.

On motion of Rep. Abramson, the substitute was adopted and became House Bill No. 1205 by Rep. Johnson, on behalf of the Committee on Civil Law and Procedure, as a substitute for House Bill No. 910 by Rep. Johnson.

Under the rules, lies over in the same order of business.

**HOUSE BILL NO. 1061—**  
BY REPRESENTATIVE ORTEGO  
AN ACT

To enact R.S. 40:1853.1 and to repeal R.S. 40:1853, relative to dispensing of fuels; to authorize the public use of automatic liquefied petroleum gas dispensing devices; to provide for rules and regulations; and to provide for related matters.

Read by title.

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

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

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

**HOUSE BILL NO. 1077—**  
BY REPRESENTATIVE WESLEY BISHOP  
AN ACT

To amend and reenact R.S. 13:5109(C) and to enact R.S. 13:5109(B)(3) and (D), relative to the Louisiana Governmental Claims Act; to provide with respect to liability of certain employees and covered individuals; to provide for limitations; to prohibit seizure of property in certain circumstances; to provide for limitation on the prohibition; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 1077 by Representative Wesley Bishop

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 13:5109(B)(3)" and before the comma, insert "and (D)"

AMENDMENT NO. 2

On page 1, at the beginning of line 5, delete "personal" and after "circumstances;" and before "and" insert "to provide for limitation on the prohibition;"

AMENDMENT NO. 3

On page 1, at the beginning of line 8, change "is" to "and (D) are"

AMENDMENT NO. 4

On page 1, line 10, after "of" and before "property" delete "personal"



**AMENDMENT NO. 5**

On page 1, line 18, after "the" and before "property" delete "personal"

**AMENDMENT NO. 6**

On page 2, line 17, after "the" and before "property" delete "personal"

**AMENDMENT NO. 7**

On page 2, between lines 21 and 22, insert the following:

"D. The provisions of Paragraphs (B)(3) and (C)(2) of this Section shall not apply if the injury, death, loss, or damage was caused by the gross negligence or willful or wanton misconduct of the covered individual or employee."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1091—**

BY REPRESENTATIVE FANNIN

**AN ACT**

To provide with respect to the Revenue Sharing Fund and the allocation and distribution thereof for Fiscal Year 2012-2013; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Appropriations to Original House Bill No. 1091 by Representative Fannin

**AMENDMENT NO. 1**

On page 8, on line 17, after "fund" and before "to" delete "(\$, , )" and insert "(\$9,781,703)"

**AMENDMENT NO. 2**

On page 8, on line 25, after "fund" and before "to" delete "(\$, , )" and insert "(\$2,005,660)"

**AMENDMENT NO. 3**

On page 40, delete lines 8 through 31 in their entirety, on page 41 delete lines 1 through 30 in their entirety, and on page 42 delete lines 1 through 11 in their entirety and insert the following:

"ACADIA	\$	1,238,818	\$	145,845	\$	20,999
ALLEN		519,386		72,287		9,527
ASCENSION		2,224,945		125,499		19,756
ASSUMPTION		463,692		85,199		8,003
AVOYELLES		865,614		123,543		16,266
BEAUREGARD		728,932		82,362		11,693
BIENVILLE		296,253		58,299		8,123
BOSSIER		2,328,242		166,778		45,749
CADDO		4,919,247		537,016		208,088
CALCASIEU		3,831,083		461,599		121,363
CALDWELL		219,377		46,267		6,398
CAMERON		150,595		48,713		8,023

CATAHOULA	224,964	45,778	6,077
CLAIBORNE	340,854	53,115	6,538
CONCORDIA	431,853	71,406	9,748
DESOTO	563,592	53,506	7,000
EAST BATON ROUGE	8,518,967	696,262	240,218
EAST CARROLL	145,242	43,333	6,639
EAST FELICIANA	415,243	47,833	4,773
EVANGELINE	686,261	71,406	10,530
FRANKLIN	437,169	71,504	15,183
GRANT	461,370	60,060	7,160
IBERIA	1,486,970	217,252	37,045
IBERVILLE	648,878	136,063	16,246
JACKSON	328,396	63,875	9,928
JEFFERSON	8,441,614	1,302,140	277,904
JEFFERSON DAVIS	632,993	67,787	15,363
LAFAYETTE	4,370,931	301,374	57,021
LAFOURCHE	1,966,857	188,591	39,271
LASALLE	312,065	53,604	7,000
LINCOLN	890,105	71,113	18,492
LIVINGSTON	2,600,639	164,235	26,515
MADISON	227,502	43,333	8,043
MOREHOUSE	562,154	97,915	18,191
NATCHITOCHE	778,693	104,860	15,544
ORLEANS	6,514,807	0	0
OUACHITA	3,005,416	267,627	64,181
PLAQUEMINES	457,142	140,465	24,890
POINTE COUPEE	472,503	62,701	8,464
RAPIDES	2,649,136	317,905	75,232
RED RIVER	181,852	41,181	2,948
RICHLAND	432,518	64,070	13,699
SABINE	509,015	67,005	10,369
ST. BERNARD	755,980	339,132	60,270
ST. CHARLES	1,048,150	103,686	19,234
ST. HELENA	228,828	43,626	5,836
ST. JAMES	446,034	90,774	15,223
ST. JOHN	916,606	115,815	14,120
ST. LANDRY	1,675,887	268,019	40,374
ST. MARTIN	1,076,884	109,653	12,555
ST. MARY	1,076,272	185,363	36,623
ST. TAMMANY	4,829,382	269,193	48,056
TANGIPAHOA	2,403,852	271,247	37,365
TENSAS	106,211	33,551	5,335
TERREBONNE	2,196,835	218,425	43,623
UNION	466,739	57,712	8,203
VERMILION	1,175,516	119,337	20,137
VERNON	1,007,875	159,148	22,303
WASHINGTON	956,309	131,955	18,492
WEBSTER	848,799	104,469	22,684
WEST BATON ROUGE	471,570	73,069	10,349
WEST CARROLL	239,736	45,387	9,346
WEST FELICIANA	283,372	39,518	3,771
WINN	307,278	61,918	7,561

TOTAL	<u>\$90,000,000</u>	<u>\$9,781,703</u>	<u>\$2,005,660"</u>
-------	---------------------	--------------------	---------------------

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1106—**

BY REPRESENTATIVES KATRINA JACKSON AND PATRICK WILLIAMS

**AN ACT**

To enact Chapter 3 of Subtitle VII of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:6301, relative to rebates; to authorize a rebate for donations to certain public schools; to provide for the amount and issuance of the rebate; to provide for certain requirements and limitations; to provide for an effective date; and to provide for related matters.

Read by title.

# Page 10 HOUSE

28th Day's Proceedings - April 25, 2012

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

## HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 1106 by Representative Katrina Jackson

### AMENDMENT NO. 1

On page 1, line 13 after "of" and before "'C.'" insert "'B.'" "

### AMENDMENT NO. 2

On page 1, line 16, after "return." and before "The" insert the following:

"(2) The donation shall be used by the public school for purchasing instructional materials and supplies used in classrooms or in tutorial programs to enhance student learning, for costs and expenses in establishing and maintaining tutorial programs designed to enhance student academic achievement, for costs and expenses in establishing and maintaining in-school child care programs for student parents, or for meeting any of the requirements prescribed for academically unacceptable schools prescribed for in Chapter 16 of LAC 28:LXXXIII.

(3)"

### AMENDMENT NO. 3

On page 2, line 5, after "of" and before "'C'" insert "'B" or"

### AMENDMENT NO. 4

On page 2, line 10, after "'A'" and before "or any" delete "or "B'"

### AMENDMENT NO. 5

On page 2, at the beginning of line 12, change "(2)" to "(4)"

### AMENDMENT NO. 6

On page 2, line 15, after "System." and before "The" insert the following:

"The receipt shall also include certification by the public school that the donation will be used for one of the authorized purposes provided for in Paragraph (2) of this Subsection "

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

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

Under the rules, placed on the regular calendar.

## HOUSE BILL NO. 1120—

BY REPRESENTATIVE LAMBERT

### AN ACT

To amend and reenact R.S. 47:301(10)(a)(ii), relative to exclusions from local sales tax; to provide with respect to the exclusion for the resale of certain services from local sales tax; to clarify certain provisions; to provide with respect to compliance with rules and regulations; to provide for the acceptance by a local collector of a resale certificate; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

## HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 1120 by Representative Lambert

### AMENDMENT NO. 1

On page 1, line 2, after "relative to" and before "the resale" delete "local sales; to exempt" and insert the following:

"exclusions from local sales tax; to provide with respect to the exclusion for

### AMENDMENT NO. 2

On page 1, line 3, after "tax;" and before "to" insert "to clarify certain provisions;"

### AMENDMENT NO. 3

On page 1, at the beginning of line 20, delete "substantial" and insert "strict"

### AMENDMENT NO. 4

On page 2, line 1, after "not in" and before "compliance" delete "substantial" and insert "strict"

### AMENDMENT NO. 5

On page 2, line 5, after "certificate." and before "The" insert the following:

"However, in the case of an intra-parish transaction from dealer to dealer, the collector may require that the local exemption certificate be used in lieu of the state certificate."

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

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

Under the rules, placed on the regular calendar.

## HOUSE BILL NO. 1150—

BY REPRESENTATIVE HUNTER

### AN ACT

To amend and reenact R.S. 13:850(B)(introductory paragraph) and to enact R.S. 13:850(E), relative to facsimile filings in civil actions; to provide for exceptions to filing an original document in certain circumstances; to provide for procedures; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

## HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 1150 by Representative Hunter

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "enact" insert "amend and reenact R.S. 13:850(B)(introductory paragraph) and to"

AMENDMENT NO. 2

On page 1, line 3, after "circumstances;" and before "and" insert "to provide for procedures;"

AMENDMENT NO. 3

On page 1, line 6, after "Section 1." and before "R.S. 13:850(E)," insert "R.S. 13:850(B)(introductory paragraph) is hereby amended and reenacted and"

AMENDMENT NO. 4

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

"B. Within ~~five~~ seven days, exclusive of legal holidays, after the clerk of court has received the transmission, the party filing the document shall forward the following to the clerk:

\* \* \*

AMENDMENT NO. 5

On page 1, line 9, after "files" and before "with" change "any paper" to "subsequent pleadings"

AMENDMENT NO. 6

On page 1, line 11, after "the" and before "account" insert "suit", and after "shall" and before "be" delete "not"

AMENDMENT NO. 7

On page 1, line 12, after "signed" and before "as" change "document" to "pleading on the earlier of any court appearance in the suit or"

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1158—**

BY REPRESENTATIVE CONNICK  
AN ACT

To amend and reenact Code of Civil Procedure Article 1551(A)(introductory paragraph), (B), and (C) and to enact Code of Civil Procedure Article 1551(D), relative to pretrial procedure in civil matters; to provide for scheduling conferences; to provide a time period within which to set conferences; to provide for the content of scheduling orders; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 1158 by Representative Connick

AMENDMENT NO. 1

On page 1, line 17, change "thirty" to "ninety"

AMENDMENT NO. 2

On page 2, line 3, after "order" delete the remainder of the line and insert the following:

"including deadlines for completion of discovery, and may set the case for trial even if discovery is not complete. In the event a trial date is not set at that time, the scheduling order shall set a new pretrial conference date, subsequent to the deadline for completion of discovery, at which time the case shall be assigned for trial, and such"

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1202 (Substitute for House Bill No. 58 by Representative Pearson)—**

BY REPRESENTATIVE PEARSON  
AN ACT

To amend and reenact R.S. 11:1581(5), 1612, 1614, 1617, and 1635 and to enact R.S. 11:1588, 1632(C), (D), (E), and (F), 1633(C), 1636(C) and (D), 1638(C), 1645, and 1646, relative to the District Attorneys' Retirement System of Louisiana; to provide relative to federal tax qualification status of the system; to authorize changes to be made using the Administrative Procedure Act; and to provide for related matters.

Read by title.

On motion of Rep. Pearson, 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. 148—**

BY SENATORS THOMPSON, ALLAIN, GALLOT, LONG, RISER AND WALSWORTH  
AN ACT

To amend and reenact R.S. 3:3408(A)(10), 3409(B) and (C), 3410(H)(3), 3411(G)(3), and 3420 and to repeal Part VII of Chapter 6 of Title 3 of the Louisiana Revised Statutes of 1950, comprised of R.S. 3:711 through 716, relative to agriculture commodities; to clarify provisions of the Agricultural Commodity Dealer and Warehouse Law; to provide relative to warehouse licenses; to repeal the Agriculture Commodity Marketing Law; to provide for technical corrections; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Anders, the bill was ordered passed to its third reading.

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

**SENATE BILL NO. 149—**

BY SENATORS THOMPSON, ALLAIN, GALLOT, LONG, RISER AND WALSWORTH

AN ACT

To amend and reenact R.S. 3:1399(A), the introductory paragraph of 1412(C), 1430.5(E), the introductory paragraph of 1430.7(A), 1431(26), 1435(3), 1439, 1440, 1441, and 1444(9), relative to the Louisiana Agricultural Liming Materials Law; to clarify the registration date for liming materials; to clarify terms relative to stop orders; to provide for technical corrections; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Anders, the bill was ordered passed to its third reading.

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

**SENATE BILL NO. 150—**

BY SENATORS THOMPSON, ALLAIN, GALLOT, LONG AND WALSWORTH

AN ACT

To amend and reenact R.S. 3:1604(A)(5), 1743(A) and (C), and 3801(C)(3) and (G), relative to changes in the membership of certain commissions within the Department of Agriculture and Forestry; to provide for the membership of the Boll Weevil Eradication Commission; to provide for the membership of the Louisiana Sweet Potato Advertising and Development Commission; to provide for the membership of the Horticulture Commission; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Agriculture, Forestry, Aquaculture, and Rural Development to Engrossed Senate Bill No. 150 by Senator Thompson

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 3:1604" change "(A)(5)" to "(A)(3) and (5)"

AMENDMENT NO. 2

On page 1, line 9, after "R.S. 3:1604" change "(A)(5)" to "(A)(3) and (5)"

AMENDMENT NO. 3

On page 1, between lines 15 and 16, insert the following:

"(3) One cotton producer ~~who does not hold membership in the Louisiana Cotton and Grain Association or the Louisiana Farm Bureau Federation~~ to be appointed by the commissioner from a list of nominees submitted by the chairman of the House Committee on Agriculture, Forestry, Aquaculture and Rural Development and a list of nominees submitted by the chairman of the Senate Committee on Agriculture, Forestry, Aquaculture and Rural Development.

\* \* \*

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 151—**

BY SENATORS THOMPSON, ALLAIN, GALLOT, LONG, RISER AND WALSWORTH

AN ACT

To amend and reenact the introductory paragraph of R.S. 3:3243(G), the introductory paragraph of 3245(C), the introductory paragraph of 3246(G), 3367(F) and 3383(B) and to enact R.S. 3:3210(C)(6) and 3365(E), relative to the Pesticide Law; to provide relative to monies in the Pesticide Fund; to authorize the Structural Pest Control Commission to issue subpoenas; to extend records retention requirements for certain entities; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Anders, the bill was ordered passed to its third reading.

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

**SENATE BILL NO. 158—**

BY SENATOR MORRELL

AN ACT

To enact R.S. 23:968, relative to whistleblower protection; to provide employment protection for a person who reports the sexual abuse of a minor child; to provide a cause of action for certain employees; to provide for damages; to provide for exceptions; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Labor and Industrial Relations.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Dixon, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 169—**

BY SENATORS ALLAIN, LONG, RISER, THOMPSON AND WALSWORTH

AN ACT

To amend and reenact R.S. 3:730.3(B)(1) and (D), relative to the membership of the Louisiana Strawberry Marketing Board; to decrease the membership of the board; to provide for quorum; to provide for technical corrections; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Anders, the bill was ordered passed to its third reading.

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

**SENATE BILL NO. 288—**

BY SENATORS ALLAIN, LONG, RISER, THOMPSON AND WALSWORTH

AN ACT

To enact R.S. 3:14, relative to the authority of the commissioner of agriculture; to authorize the commissioner to employ an executive counsel and assistants; to provide relative to qualifications; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Anders, the bill was ordered passed to its third reading.

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

**SENATE BILL NO. 367—**

BY SENATOR RISER

AN ACT

To amend and reenact R.S. 23:1123, 1142(A) and (B)(1), 1203(E), 1307, and 1317.1(A), relative to workers' compensation; to provide relative to independent medical examinations; to provide that certain information be given to certain injured workers; to provide relative to utilization review companies; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Labor and Industrial Relations.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Labor and Industrial Relations to Reengrossed Senate Bill No. 367 by Senator Riser

AMENDMENT NO. 1

On page 3, line 7, delete "payment" and insert "request for authorization pursuant to R.S. 23:1142(B)(1)."

AMENDMENT NO. 2

On page 4, line 1, after "work" and before the period "." insert "and the procedure for appealing the denial of medical treatment to the medical director as provided in R.S. 23:1203.1"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 520—**

BY SENATOR BROOME

AN ACT

To amend and reenact R.S. 23:1231(B)(2) and 1253 and to enact R.S. 23:1251(3), relative to workers' compensation benefits; to provide for death benefit awards to dependent children; to provide for payment to adopted or natural children of deceased employee; to restrict payments to certain persons; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Labor and Industrial Relations.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Labor and Industrial Relations to Reengrossed Senate Bill No. 520 by Senator Broome

AMENDMENT NO. 1

On page 1, line 5, after "employee;" and before "and" delete "to restrict payments to certain persons;"

AMENDMENT NO. 2

On page 2, delete lines 16 through 25 in their entirety

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. 520 by Senator Broome

AMENDMENT NO. 1

On page 1, line 2, following "R.S. 23:1231(B)(2)" delete "and 1253"

AMENDMENT NO. 2

On page 1, line 7, before "hereby" change "and 1253 are" to "is"

AMENDMENT NO. 3

On page 2, line 9, following "years" and before "or" change "(1" to "2"

AMENDMENT NO. 4

On page 2, line 10, following "earning" and before "with" change "2" to "1"

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

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 614—**

BY SENATORS ADLEY, ALLAIN, BUFFINGTON, DORSEY-COLOMB, ERDEY, GUILLORY, HEITMEIER, MILLS AND NEVERS

AN ACT

To amend and reenact R.S. 46:123(D)(1)(c)(iii) and (vi), relative to the Louisiana Military Family Assistance Board; to provide relative to requirements for need-based claims; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Arnold, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 646—**

BY SENATORS THOMPSON, ALLAIN, GALLOT, LONG AND RISER  
AN ACT

To amend and reenact R.S. 3:1615(A)(1) and (4), relative to Boll Weevil Eradication assessments; to provide for the transfer of assessments to the Louisiana Agricultural Finance Authority; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Anders, the bill was ordered passed to its third reading.

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

**Reconsideration**

The following legislative instruments on reconsideration were taken up and acted upon as follows:

**HOUSE BILL NO. 246—**

BY REPRESENTATIVE LORUSSO  
AN ACT

To amend and reenact R.S. 38:225(A)(1)(a), relative to levees; to prohibit the placement of any obstruction upon or within six feet of any part of levees; and to provide for related matters.

Read by title.

On motion of Rep. Lorusso, the vote by which the above House Bill failed to pass on the previous legislative day was reconsidered.

Returned to the calendar under the rules.

**Notice of Intention to Call**

Pursuant to House Rule No. 8.26(A), Rep. Lorusso gave notice of his intention to call House Bill No. 246 from the calendar on Tuesday, May 1, 2012.

**Suspension of the Rules**

On motion of Rep. Barrow, 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**

**Notice of Intention to Call**

Pursuant to House Rule No. 8.26(A), Rep. Jim Morris gave notice of his intention to call House Bill No. 532 from the calendar on Wednesday, May 2, 2012.

**HOUSE BILL NO. 787—**

BY REPRESENTATIVES BARROW AND BADON  
AN ACT

To amend and reenact R.S.32:300.5(A)(1) and (2)(b) and (C)(4) and 398.10(A)(6), to enact R.S. 32:300.5(B)(4) and (C)(5), and to repeal R.S. 32:289.1, 300.6, and 300.7, relative to the use of

wireless communication devices while driving; to prohibit the use of wireless communication devices while driving; to repeal provisions providing for exceptions; to repeal provisions relative to minors; to provide for penalties; and to provide for related matters.

Read by title.

**Motion**

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

**Notice of Intention to Call**

Pursuant to House Rule No. 8.26(A), Rep. Barrow gave notice of her intention to call House Bill No. 787 from the calendar on Wednesday, May 2, 2012.

**HOUSE BILL NO. 801—**

BY REPRESENTATIVE MONTOU CET  
AN ACT

To enact R.S. 33:2490(E) and 2550(E), relative to the municipal fire and police civil service; to provide relative to employees who have resigned or retired from the classified service due to injury; to provide that any such employee may be reemployed at any time after his resignation or retirement; to provide relative to the position and class to which he may be reemployed; to provide relative to the qualifications and seniority of any such employee; to provide limitations; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Montoucet to Engrossed House Bill No. 801 by Representative Montoucet

AMENDMENT NO. 1

On page 1 , line 19, delete "to the date of his resignation or" and insert "through the date of reinstatement"

AMENDMENT NO. 2

On page 1, line 20, delete "retirement"

AMENDMENT NO. 3

On page 2, line 14, delete "to the date of his resignation or" and insert "through the date of reinstatement"

AMENDMENT NO. 4

On page 2, line 15, delete "retirement"

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Foil	Mack
Abramson	Franklin	Miller
Adams	Gaines	Montoucet

Anders	Garofalo	Moreno
Armes	Geymann	Morris, Jay
Arnold	Greene	Morris, Jim
Badon	Guillory	Norton
Barras	Guinn	Ortego
Barrow	Harris	Pierre
Berthelot	Hazel	Ponti
Billiot	Henry	Pope
Bishop, S.	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	Schexnayder
Burrell	Jackson, G.	Seabaugh
Carmody	Jackson, K.	Shadoin
Carter	James	Simon
Champagne	Jefferson	St. Germain
Chaney	Johnson	Talbot
Connick	Jones	Thibaut
Cox	Lambert	Thierry
Cromer	Landry, N.	Thompson
Dixon	Landry, T.	Whitney
Dove	Leger	Williams, A.
Edwards	Lopinto	Williams, P.
Fannin	Lorusso	Willmott
Total - 93		

NAYS

Total - 0

ABSENT

Danahay	Hensgens	Pearson
Gisclair	LeBas	Robideaux
Harrison	Leopold	Schroder
Havard	Ligi	Smith
Total - 12		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Montoucet 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. Hill requested the House consent to record her vote on final passage of House Bill No. 801 as yea, which consent was unanimously granted.

**HOUSE BILL NO. 843—**  
BY REPRESENTATIVE LORUSSO  
AN ACT

To amend and reenact R.S. 33:9091.5, relative to Orleans Parish; to provide relative to the Lake Vista Crime Prevention District; to provide relative to the purpose and governance of the district; to provide relative to district funding; to change provisions relative to the levy of a parcel fee; and to provide for related matters.

Read by title.

**Motion**

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

**Notice of Intention to Call**

Pursuant to House Rule No. 8.26(A), Rep. Lorusso gave notice of his intention to call House Bill No. 843 from the calendar on Wednesday, May 2, 2012.

**HOUSE BILL NO. 907—**  
BY REPRESENTATIVES KATRINA JACKSON AND HENRY BURNS  
AN ACT

To amend and reenact R.S. 3:2(D), 4274.1, 4276, 4279(A), 4292, 4325, and 4326 and to repeal R.S. 3:4271(B), 4274(6), 4274.2, 4279(B) and (C), 4280, 4284 through 4289, 4290, 4291, 4293 through 4295, and 4302, relative to forests and forestry; to provide for cooperative endeavors; to provide for the powers and duties of the state forester; to provide for the duties of forestry officers; to provide for the clearing of combustible material; to provide for the instruction of forestry on certain days; to provide for a parish board of forestry; to provide for a forestry program; to repeal certain provisions for the protection and reforestation of lands; to repeal certain provisions relative to forest tree seedling nurseries; to repeal the provisions of acreage tax on certain forest lands; and to provide for related matters.

Read by title.

Rep. Katrina Jackson moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Gaines	Lorusso
Abramson	Garofalo	Mack
Adams	Geymann	Miller
Anders	Greene	Montoucet
Armes	Guillory	Moreno
Arnold	Guinn	Morris, Jay
Badon	Harris	Morris, Jim
Barras	Havard	Norton
Barrow	Hazel	Ortego
Berthelot	Henry	Pierre
Billiot	Hill	Ponti
Bishop, S.	Hodges	Pope
Broadwater	Hoffmann	Price
Brossett	Hollis	Pugh
Brown	Honore	Pylant
Burford	Howard	Reynolds
Burns, T.	Hunter	Richard
Burrell	Huval	Richardson
Carmody	Jackson, G.	Ritchie
Carter	Jackson, K.	Robideaux
Champagne	James	Schexnayder
Chaney	Jefferson	Seabaugh
Connick	Johnson	Shadoin
Cox	Jones	Simon
Cromer	Lambert	St. Germain
Danahay	Landry, N.	Talbot
Dixon	Landry, T.	Thibaut
Dove	LeBas	Thierry
Edwards	Leger	Thompson
Fannin	Leopold	Whitney
Foil	Ligi	Williams, P.
Franklin	Lopinto	Willmott
Total - 96		

NAYS

Total - 0

Page 16 HOUSE

28th Day's Proceedings - April 25, 2012

ABSENT

Bishop, W. Harrison Schroder
Burns, H. Hensgens Smith
Gisclair Pearson Williams, A.
Total - 9

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1049—

BY REPRESENTATIVE STUART BISHOP
AN ACT

To enact R.S. 9:203(E)(10), relative to judges of a court of the United States; to authorize federal judges in certain municipalities to perform marriage ceremonies; 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. 1049 by Representative Stuart Bishop

AMENDMENT NO. 1

On page 1, line 15, following "shall" and before "from" change "only be effective" to "be effective only"

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

Rep. Stuart Bishop moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Gaines Miller
Abramson Garofalo Montoucet
Adams Geymann Moreno
Anders Greene Morris, Jay
Armes Guillory Morris, Jim
Arnold Guinn Norton
Badon Harris Ortego
Barras Harrison Pearson
Barrow Hazel Pierre
Berthelot Henry Ponti
Bishop, S. 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 Shadoin
Chaney Jefferson Simon

Connick Johnson St. Germain
Cox Jones Talbot
Cromer Lambert Thibaut
Danahay Landry, N. Thierry
Dixon Landry, T. Thompson
Dove Leger Whitney
Edwards Ligi Williams, A.
Fannin Lopinto Williams, P.
Foil Lorusso Willmott
Franklin Mack
Total - 95

NAYS

Total - 0

ABSENT

Billiot Hensgens Seabaugh
Bishop, W. LeBas Smith
Gisclair Leopold
Havard Schroder
Total - 10

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Stuart Bishop 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. 1125—

BY REPRESENTATIVE BROADWATER
AN ACT

To amend and reenact Code of Civil Procedure Article 1469(5), Code of Criminal Procedure Article 740, R.S. 13:3667.3(B), and R.S. 49:956.1, relative to the attendance and testimony of legislators in certain court and administrative hearings; to extend the requirement of a preliminary motion and hearing to former legislators where their attendance or testimony is being solicited on matters relating to their former service as lawmakers; to provide for definitions; and to provide for related matters.

Read by title.

Rep. Broadwater moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Gaines Miller
Abramson Garofalo Montoucet
Adams Geymann Moreno
Anders Greene Morris, Jay
Armes Guillory Morris, Jim
Arnold Guinn Norton
Badon Harris Ortego
Barras Harrison Pearson
Barrow Havard Pierre
Berthelot Henry Ponti
Billiot Hill Pope
Bishop, S. Hodges Price
Bishop, W. Hoffmann Pylant
Broadwater Hollis Reynolds
Brossett Honore Richard
Brown Howard Richardson
Burns, H. Hunter Ritchie
Burns, T. Huval Robideaux
Burrell Jackson, G. Schexnayder



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

Total - 97

NAYS

Total - 0

ABSENT

Burford	Hensgens	Schroder
Gisclair	Jackson, K.	Smith
Hazel	Pugh	

Total - 8

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Broadwater 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. 1130—**  
BY REPRESENTATIVES CROMER AND JAMES  
AN ACT

To amend and reenact R.S. 32:851, 862(B)(1), (G)(1) and (3), and (H), 863(B)(1), 863.1(A)(1)(a)(introductory paragraph) and (G)(1), and 874(B)(2) and to enact R.S. 32:862(I) and (J) and 874(C), relative to proof of insurance; to allow for the usage of mobile electronic devices as a method of providing proof of insurance; to authorize the commissioner of the Department of Public Safety and Corrections to compel a motor vehicle operator to provide a paper copy of proof insurance; to provide relative to a court's authority to compel a motor vehicle operator to provide a paper copy of proof of insurance; 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. 1130 by Representative Cromer

AMENDMENT NO. 1

On page 2, line 17, following "engines" and before "road" change ";" to ","

AMENDMENT NO. 2

On page 2, line 17, following "shovels" and before "and" insert ","

AMENDMENT NO. 3

On page 2, line 21, following "state" and before "but" delete ";"

AMENDMENT NO. 4

On page 2, line 25, at the beginning of the line change "privilege" to "privileges"

AMENDMENT NO. 5

On page 3, line 27, at the beginning of the line change "or a photocopy" to "a photocopy."

AMENDMENT NO. 6

On page 4, line 16, following "device" and before "~~used~~" insert "."

AMENDMENT NO. 7

On page 5, line 20, following "device" and before "~~or~~" delete "."

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Franklin	Mack
Abramson	Gaines	Miller
Adams	Garofalo	Montoucet
Anders	Geymann	Morris, Jay
Armes	Greene	Morris, Jim
Arnold	Guillory	Norton
Badon	Guinn	Ortego
Barras	Harris	Pierre
Barrow	Harrison	Ponti
Berthelot	Havard	Pope
Billiot	Hazel	Price
Bishop, S.	Henry	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	Huval	Seabaugh
Carmody	Jackson, G.	Shadoin
Champagne	James	Simon
Chaney	Jefferson	St. Germain
Connick	Johnson	Talbot
Cox	Lambert	Thibaut
Cromer	Landry, N.	Thierry
Danahay	Landry, T.	Thompson
Dixon	Leger	Whitney
Dove	Leopold	Williams, P.
Edwards	Ligi	Willmott
Fannin	Lopinto	
Foil	Lorusso	

Total - 94

NAYS

Total - 0

ABSENT

Carter	Jones	Schroder
Gisclair	LeBas	Smith
Hensgens	Moreno	Williams, A.
Jackson, K.	Pearson	

Total - 11

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Cromer 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. 1131—**

BY REPRESENTATIVE PEARSON  
AN ACT

To amend and reenact R.S. 11:102(B)(1), (2)(introductory paragraph), (b)(introductory paragraph) and (ii), and (c), (3)(a) and (d)(vii), (4), and (5)(b) and 927(B) and to enact R.S. 11:102(D), relative to employer contribution rates for the Teachers' Retirement System of Louisiana; to provide for calculation of individualized employer contribution rates for classes of employees; to provide for system valuations; to provide for employer contribution rates for employees in the Optional Retirement Plan; and to provide for related matters.

Read by title.

**Motion**

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

**Notice of Intention to Call**

Pursuant to House Rule No. 8.26(A), Rep. Pearson gave notice of his intention to call House Bill No. 1131 from the calendar on Tuesday, May 1, 2012.

**HOUSE BILL NO. 1145—**

BY REPRESENTATIVE FOIL  
AN ACT

To amend and reenact Code of Civil Procedure Articles 2166 and 2167 and Children's Code Article 1143(C)(1), (2), and (3) and (D)(1), to enact Children's Code Article 1143(E), and to repeal R.S. 13:4446, relative to appellate procedure; to provide for notices of judgment; to provide for electronic and facsimile transmission; and to provide for related matters.

Read by title.

Rep. Foil moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Foil	Mack
Abramson	Franklin	Miller
Adams	Gaines	Montoucet
Anders	Garofalo	Moreno
Armes	Geymann	Morris, Jay
Arnold	Greene	Morris, Jim
Badon	Guillory	Norton
Barras	Guinn	Ortego
Barrow	Harris	Pierre
Berthelot	Harrison	Ponti
Billiot	Havard	Pope
Bishop, S.	Hazel	Price
Bishop, W.	Henry	Pugh
Broadwater	Hill	Pylant
Brossett	Hodges	Reynolds
Brown	Hollis	Richard
Burford	Honore	Richardson
Burns, H.	Howard	Ritchie

Burns, T.	Hunter	Robideaux
Burrell	Jackson, G.	Schexnayder
Carmody	James	Seabaugh
Carter	Jefferson	Shadoin
Champagne	Johnson	Simon
Chaney	Jones	St. Germain
Connick	Lambert	Talbot
Cox	Landry, N.	Thibaut
Cromer	Landry, T.	Thierry
Danahay	Leger	Thompson
Dixon	Leopold	Whitney
Dove	Ligi	Williams, P.
Edwards	Lopinto	Willmott
Fannin	Lorusso	

Total - 95

NAYS

Total - 0

ABSENT

Gisclair	Jackson, K.	Smith
Hensgens	LeBas	Williams, A.
Hoffmann	Pearson	
Huval	Schroder	

Total - 10

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Foil 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. 618—**

BY REPRESENTATIVE ABRAMSON  
AN ACT

To enact Code of Civil Procedure Article 1563, relative to liability for environmental damage; to provide for limitations on the effect of an admission of liability; to provide for admissibility of evidence; to provide for referral to the Department of Natural Resources; to provide for admissibility of admission of responsibility; to provide for funding of the department's review; to provide for reimbursement to plaintiff; to provide for primary jurisdiction; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Jay Morris to Engrossed House Bill No. 618 by Representative Abramson

AMENDMENT NO. 1

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

"Section 2. The provisions of this Act shall only apply prospectively."

Rep. Jay Morris moved the adoption of the amendments.

Rep. Abramson objected.

By a vote of 13 yeas and 83 nays, the amendments were rejected.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Lambert to Engrossed House Bill No. 618 by Representative Abramson

AMENDMENT NO. 1

On page 2, line 4, after "department" and before "as" change "shall be admissible" to "may be admissible in the discretion of the court"

Rep. Lambert moved the adoption of the amendments.

Rep. Abramson objected.

By a vote of 36 yeas and 63 nays, the amendments were rejected.

**Consent to Correct a Vote Record**

Rep. Cox requested the House consent to correct his vote on the amendment proposed by Rep. Lambert to House Bill No. 618 from yea to nay, which consent was unanimously granted.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Abramson to Engrossed House Bill No. 618 by Representative Abramson

AMENDMENT NO. 1

On page 2, line 4, after "admissible" and before "as" insert "in accordance with Articles 702 through 705 of the Code of Evidence and Article 1425 of the Code of Civil Procedure"

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Geymann	Morris, Jay
Abramson	Greene	Morris, Jim
Adams	Harris	Norton
Arnold	Harrison	Ortego
Badon	Havard	Pearson
Barras	Henry	Pierre
Barrow	Hodges	Ponti
Berthelot	Hoffmann	Pope
Billiot	Hollis	Price
Bishop, S.	Honore	Pugh
Bishop, W.	Howard	Pylant
Broadwater	Hunter	Richard
Brossett	Huval	Richardson
Burford	Jackson, G.	Robideaux
Burns, H.	Jackson, K.	Schexnayder
Burns, T.	James	Schroder
Carmody	Jefferson	Seabaugh
Carter	Jones	Shadoin
Champagne	Lambert	Simon
Chaney	Landry, N.	Talbot
Cox	Leger	Thibaut
Cromer	Leopold	Thierry
Danahay	Ligi	Thompson
Dove	Lopinto	Whitney

Foil	Lorusso	Williams, A.
Franklin	Mack	Williams, P.
Gaines	Miller	Willmott
Garofalo	Moreno	
Total - 83		

**NAYS**

Anders	Fannin	Landry, T.
Armes	Guillory	LeBas
Brown	Guinn	Montoucet
Burrell	Hazel	Reynolds
Dixon	Hill	Ritchie
Edwards	Johnson	St. Germain
Total - 18		

**ABSENT**

Connick	Hensgens
Gisclair	Smith
Total - 4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Abramson 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. Norton requested the House consent to correct her vote on final passage of House Bill No. 618 from nay to yea, which consent was unanimously granted.

**Consent to Correct a Vote Record**

Rep. Leger requested the House consent to record his vote on final passage of House Bill No. 618 as yea, which consent was unanimously granted.

**HOUSE BILL NO. 857—**  
BY REPRESENTATIVE JOHNSON  
AN ACT

To enact R.S. 32:900.1, relative to for-hire motor vehicles used to transport railroad workers; to provide for minimum liability coverage for passengers; 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. 857 by Representative Johnson

AMENDMENT NO. 1

On page 1, line 19, following "vehicle" and before "is" change "which" to "that"

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

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

**ROLL CALL**

The roll was called with the following result:

Page 20 HOUSE

28th Day's Proceedings - April 25, 2012

YEAS		
Mr. Speaker	Garofalo	Montoucet
Abramson	Geymann	Moreno
Adams	Greene	Morris, Jay
Anders	Guillory	Morris, Jim
Armes	Guinn	Norton
Arnold	Harris	Ortego
Badon	Harrison	Pearson
Barras	Havard	Pierre
Barrow	Hazel	Ponti
Berthelot	Henry	Pope
Billiot	Hill	Price
Bishop, S.	Hodges	Pugh
Bishop, W.	Hoffmann	Pylant
Broadwater	Hollis	Reynolds
Brossett	Honore	Richard
Brown	Howard	Richardson
Burford	Hunter	Ritchie
Burns, T.	Huval	Robideaux
Burrell	Jackson, G.	Schexnayder
Carmody	Jackson, K.	Schroder
Carter	James	Seabaugh
Chaney	Jefferson	Shadoin
Connick	Johnson	Simon
Cox	Jones	St. Germain
Cromer	Lambert	Talbot
Danahay	Landry, N.	Thibaut
Dixon	Landry, T.	Thierry
Dove	LeBas	Thompson
Edwards	Ligi	Whitney
Fannin	Lopinto	Williams, A.
Foil	Lorusso	Williams, P.
Franklin	Mack	Willmott
Gaines	Miller	
Total - 98		
NAYS		
Total - 0		
ABSENT		
Burns, H.	Hensgens	Smith
Champagne	Leger	
Gisclair	Leopold	
Total - 7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Johnson 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.

**Speaker Pro Tempore Leger in the Chair**

**HOUSE BILL NO. 1053—**  
BY REPRESENTATIVE GAROFALO  
AN ACT

To repeal R.S. 32:392.1, relative to motor vehicles; to repeal the prohibition on the impoundment of motor vehicles in certain circumstances.

Read by title.

Rep. Garofalo moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS		
Abramson	Greene	Moreno
Adams	Guillory	Morris, Jay
Anders	Guinn	Ortego
Armes	Harris	Pearson
Arnold	Harrison	Pierre
Badon	Havard	Ponti
Barras	Henry	Pope
Berthelot	Hill	Price
Billiot	Hodges	Pugh
Bishop, S.	Hoffmann	Pylant
Broadwater	Hollis	Reynolds
Brossett	Honore	Richard
Brown	Howard	Ritchie
Burns, H.	Huval	Robideaux
Burns, T.	Jackson, G.	Schexnayder
Carmody	Johnson	Schroder
Carter	Jones	Seabaugh
Champagne	Lambert	Shadoin
Chaney	Landry, N.	Simon
Danahay	Landry, T.	St. Germain
Dixon	Leger	Talbot
Dove	Leopold	Thibaut
Edwards	Ligi	Thierry
Fannin	Lopinto	Thompson
Foil	Lorusso	Whitney
Franklin	Mack	Willmott
Gaines	Miller	
Garofalo	Montoucet	
Total - 82		
NAYS		
Barrow	Hazel	Williams, A.
Burrell	Hunter	
Cox	James	
Total - 7		
ABSENT		
Mr. Speaker	Gisclair	Norton
Bishop, W.	Hensgens	Richardson
Burford	Jackson, K.	Smith
Connick	Jefferson	Williams, P.
Cromer	LeBas	
Geymann	Morris, Jim	
Total - 16		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Garofalo 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. 1054—**  
BY REPRESENTATIVE HILL  
AN ACT

To enact R.S. 56:1948.5(57)(f) through (l), and (62)(b) through (l), and (64), relative to Louisiana Byways designation, to provide for route additions; and to provide for related matters.

Read by title.

Rep. Hill moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Adams	Greene	Miller
Anders	Guillory	Montoucet
Armes	Guinn	Moreno
Arnold	Harris	Morris, Jay
Badon	Harrison	Morris, Jim
Barras	Havard	Norton
Barrow	Hazel	Ortego
Billiot	Henry	Pearson
Bishop, S.	Hill	Pierre
Bishop, W.	Hodges	Ponti
Broadwater	Hoffmann	Pope
Brossett	Hollis	Price
Brown	Honore	Pugh
Burford	Howard	Pylant
Burns, T.	Hunter	Reynolds
Burrell	Huval	Richard
Carmody	Jackson, G.	Ritchie
Carter	Jackson, K.	Robideaux
Champagne	James	Schexnayder
Chaney	Jefferson	Schroder
Connick	Johnson	Seabaugh
Cox	Jones	Shadoin
Danahay	Lambert	Simon
Dixon	Landry, N.	St. Germain
Dove	Landry, T.	Talbot
Edwards	LeBas	Thibaut
Fannin	Leger	Thierry
Foil	Leopold	Thompson
Franklin	Ligi	Whitney
Gaines	Lopinto	Williams, A.
Garofalo	Lorusso	Williams, P.
Geymann	Mack	Willmott
Total - 96		

NAYS

Total - 0

ABSENT

Mr. Speaker	Burns, H.	Hensgens
Abramson	Cromer	Richardson
Berthelot	Gisclair	Smith
Total - 9		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 1072—**  
BY REPRESENTATIVE HENRY  
AN ACT

To amend and reenact R.S. 51:2454(B), relative to tax rebates; to provide for contracts under the Quality Jobs Program; to authorize contract renewals for certain franchises of the National Basketball Association; to provide for conditions of contract renewals; to provide for limitations; to provide for effectiveness; and to provide for related matters.

Read by title.

**Speaker Kleckley in the Chair**

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Jones to Engrossed House Bill No. 1072 by Representative Henry

AMENDMENT NO. 1

On page 1, line 3, after "authorize" and before "for" delete "contract renewals" and insert "contracts"

AMENDMENT NO. 2

On page 1, line 4, after "Association;" delete the remainder of the line and insert "to"

AMENDMENT NO. 3

On page 2, line 8, after "for a term" delete the remainder of the line, delete line 9 in its entirety and insert "not to exceed five years with no option to renew. The"

AMENDMENT NO. 4

On page 2, line 10, after "contract" and before "pursuant" delete "which is renewed or extended"

Rep. Jones moved the adoption of the amendments.

Rep. Henry objected.

By a vote of 48 yeas and 51 nays, the amendments were rejected.

Rep. Henry moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Cromer	Lopinto
Abramson	Danahay	Lorusso
Adams	Foil	Mack
Arnold	Gaines	Miller
Badon	Garofalo	Moreno
Barras	Harris	Pearson
Berthelot	Henry	Ponti
Billiot	Hodges	Pugh
Bishop, S.	Hoffmann	Robideaux
Bishop, W.	Hollis	Schexnayder
Brossett	Huval	Schroder
Burford	Jackson, G.	Shadoin
Burns, H.	Lambert	Simon
Burns, T.	Leger	Talbot
Carter	Leopold	Thibaut
Connick	Ligi	Willmott
Total - 48		

NAYS

Armes	Hazel	Pierre
Barrow	Hill	Pope
Broadwater	Honore	Price
Brown	Howard	Pylant
Burrell	Hunter	Reynolds
Champagne	Jackson, K.	Richard
Chaney	James	Richardson
Cox	Jefferson	Ritchie
Edwards	Johnson	Seabaugh
Fannin	Jones	St. Germain

Page 22 HOUSE

28th Day's Proceedings - April 25, 2012

Franklin	Landry, N.	Thierry
Geymann	Landry, T.	Thompson
Guillory	Montoucet	Whitney
Guinn	Morris, Jay	Williams, A.
Harrison	Morris, Jim	Williams, P.
Havard	Ortego	
Total - 47		

ABSENT

Anders	Gisclair	Norton
Carmody	Greene	Smith
Dixon	Hensgens	
Dove	LeBas	
Total - 10		

The Chair declared the above bill failed to pass.

Motion to reconsider pending.

Consent to Correct a Vote Record

Rep. Guinn requested the House consent to correct his vote on final passage of House Bill No. 1072 from yea to nay, which consent was unanimously granted.

HOUSE BILL NO. 1096— BY REPRESENTATIVE BILLIOT

AN ACT

To amend and reenact Section 3 of Act No. 535 of the 1988 Regular Session of the Legislature, as amended by Section 2 of Act No. 285 of the 1992 Regular Session of the Legislature, Section 3 of Act No. 1291 of the 1997 Regular Session of the Legislature, Section 1 of Act No. 50 of the 1998 Regular Session of the Legislature, Section 1 of Act No. 7 of the 2001 First Extraordinary Session of the Legislature, Section 1 of Act No. 14 of the 2004 First Extraordinary Session of the Legislature, Section 1 of Act No. 76 of the 2006 Regular Session of the Legislature, and Section 1 of Act No. 232 of the 2008 Regular Session of the Legislature, relative to the Louisiana Tax Free Shopping Program; to change the termination date of the program; and to provide for related matters.

Read by title.

Rep. Billiot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gaines	Montoucet
Abramson	Garofalo	Moreno
Adams	Geymann	Morris, Jay
Anders	Guillory	Morris, Jim
Armes	Guinn	Ortego
Arnold	Harris	Pearson
Badon	Harrison	Pierre
Barras	Havard	Ponti
Barrow	Hazel	Pope
Berthelot	Henry	Price
Billiot	Hill	Pugh
Bishop, S.	Hodges	Pylant
Bishop, W.	Hoffmann	Reynolds
Broadwater	Hollis	Richard
Brossett	Honore	Richardson
Brown	Howard	Ritchie
Burford	Hunter	Robideaux
Burns, H.	Huval	Schexnayder
Burns, T.	Jackson, G.	Schroder
Burrell	James	Seabaugh

Carmody	Jefferson	Shadoin
Carter	Johnson	Simon
Champagne	Jones	St. Germain
Chaney	Lambert	Talbot
Connick	Landry, N.	Thibaut
Cox	Landry, T.	Thierry
Cromer	Leger	Thompson
Danahay	Leopold	Whitney
Dixon	Ligi	Williams, A.
Edwards	Lopinto	Williams, P.
Fannin	Lorusso	Willmott
Foil	Mack	
Franklin	Miller	
Total - 97		

NAYS

Total - 0

ABSENT

Dove	Hensgens	Norton
Gisclair	Jackson, K.	Smith
Greene	LeBas	
Total - 8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Billiot 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. 1104— BY REPRESENTATIVE KATRINA JACKSON AN ACT

To enact R.S. 47:1517.1, relative to tax incentives; to require state agencies which administer tax credits and tax rebates to make certain reports; to provide relative to the contents of such reports; to provide for certain requirements and limitations; to provide for definitions; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Katrina Jackson to Engrossed House Bill No. 1104 by Representative Katrina Jackson

AMENDMENT NO. 1

On page 2, line 17, after "administer" and before the "shall" delete "the tax credit. Administration of a tax credit" and insert "a tax incentive. Administration of a tax incentive"

AMENDMENT NO. 2

On page 2, line 19, after "tax" and before the period "." change "credit" to "incentive"

AMENDMENT NO. 3

On page 2, line 22, after "(2)" and before "or" delete "Eligibility" and insert "Determination, review, or confirmation of eligibility"

AMENDMENT NO. 4

On page 2, line 23, after "(3)" and before "contract" delete "Agency" and insert "Be party to a"

AMENDMENT NO. 5

On page 2, line 24, after "(4)" and before "or" delete "Oversight" and insert "Conduct oversight"

AMENDMENT NO. 6

On page 2, line 24, after "tax" and before "when" change "credit" to "incentive"

AMENDMENT NO. 7

On page 2, line 25, after "tax" and before "is" change "credit" to "incentive"

**Acting Speaker Arnold in the Chair**

On motion of Rep. Katrina Jackson, the amendments were adopted.

Rep. Katrina Jackson moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Total - 96

**NAYS**

Total - 0

**ABSENT**

Mr. Speaker	Hensgens	Ritchie
Gisclair	LeBas	Robideaux
Greene	Lopinto	Smith

Total - 9

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 1112—**  
BY REPRESENTATIVE ST. GERMAIN  
AN ACT

To amend and reenact R.S. 47:501(C)(1) and (2), relative to application for a motor vehicle registration; to require submission of a current and valid photo identification; 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. 1112 by Representative St. Germain

AMENDMENT NO. 1

On page 1, lines 15 and 19, before "in this state," delete "either"

AMENDMENT NO. 2

On page 2, lines 8 and 12, before "in this state," delete "either"

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

Rep. St. Germain moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Abramson	Gaines	Lorusso
Adams	Garofalo	Mack
Anders	Geymann	Miller
Armes	Greene	Montoucet
Arnold	Guillory	Moreno
Badon	Guinn	Morris, Jay
Barras	Harris	Morris, Jim
Barrow	Harrison	Norton
Berthelot	Havard	Ortego
Billiot	Hazel	Pearson
Bishop, S.	Henry	Pierre
Bishop, W.	Hill	Ponti
Broadwater	Hodges	Pope
Brossett	Hoffmann	Price
Brown	Hollis	Pugh
Burford	Honore	Pylant
Burns, H.	Howard	Reynolds
Burns, T.	Hunter	Richardson
Burrell	Huval	Schexnayder
Carmody	Jackson, G.	Schroder
Carter	Jackson, K.	Seabaugh
Champagne	James	Shadoin
Chaney	Jefferson	Simon
Connick	Johnson	St. Germain
Cox	Jones	Talbot
Cromer	Lambert	Thibaut

Page 24 HOUSE

28th Day's Proceedings - April 25, 2012

Danahay	Landry, N.	Thierry
Dixon	Landry, T.	Thompson
Edwards	Leger	Whitney
Fannin	Leopold	Williams, A.
Foil	Ligi	Williams, P.
Franklin	Lopinto	Willmott
Total - 96		

NAYS

Total - 0

ABSENT

Mr. Speaker	Hensgens	Ritchie
Dove	LeBas	Robideaux
Gisclair	Richard	Smith
Total - 9		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 1159—**  
BY REPRESENTATIVES ARNOLD AND LEGER AND SENATOR MORRELL

AN ACT

To amend and reenact Code of Civil Procedure Article 681, relative to real and actual interests; to provide for real and actual interests of certain legal entities; and to provide for related matters.

Read by title.

Rep. Leger moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Foil	Lopinto	Willmott
Franklin	Lorusso	
Gaines	Mack	
Total - 94		

NAYS

Total - 0

ABSENT

Mr. Speaker	Hensgens	Robideaux
Connick	Jackson, K.	Simon
Dove	LeBas	Smith
Gisclair	Ritchie	
Total - 11		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Leger 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. 1168—**  
BY REPRESENTATIVE TIM BURNS  
AN ACT

To enact Code of Civil Procedure Article 1293(C), relative to service of process; to provide for the appointment of certain persons as private process servers; to provide for qualifications; and to provide for related matters.

Read by title.

Rep. Tim Burns moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Abramson	Garofalo	Mack
Adams	Greene	Miller
Anders	Guillory	Montoucet
Armes	Guinn	Moreno
Arnold	Harris	Morris, Jay
Badon	Harrison	Norton
Barras	Havard	Ortego
Barrow	Hazel	Pearson
Berthelot	Henry	Pierre
Billiot	Hill	Ponti
Bishop, S.	Hodges	Pope
Bishop, W.	Hoffmann	Price
Broadwater	Hollis	Pugh
Brossett	Honore	Pylant
Brown	Howard	Reynolds
Burford	Hunter	Richard
Burns, H.	Huval	Richardson
Burns, T.	Jackson, G.	Schexnayder
Burrell	Jackson, K.	Schroder
Carmody	James	Seabaugh
Carter	Jefferson	Shadoin
Champagne	Johnson	Simon
Chaney	Jones	St. Germain
Connick	Lambert	Talbot
Cox	Landry, N.	Thibaut
Danahay	Landry, T.	Thierry
Dixon	Leger	Thompson
Edwards	Leopold	Whitney
Fannin	Ligi	Williams, A.
Foil	Lopinto	Williams, P.
Franklin	Lorusso	Willmott
Total - 93		



## NAYS

Total - 0

## ABSENT

Mr. Speaker	Geymann	Morris, Jim
Cromer	Gisclair	Ritchie
Dove	Hensgens	Robideaux
Gaines	LeBas	Smith
Total - 12		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Tim Burns 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. 1178—**

BY REPRESENTATIVES LEGER AND ORTEGO  
AN ACT

To enact Chapter 27 of Title 12 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 12:1801 through 1832, relative to benefit corporations; to enact the "Benefit Corporations Law"; to provide for applicability; to provide for definitions; to provide for formation of benefit corporations; to provide for election and termination of benefit corporation status; to provide for corporate purposes; to provide for a standard of conduct for directors and officers; to provide for a benefit director; to provide for a benefit officer; to provide for a right of action; to require an annual benefits report; to provide for stock certificates; 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. 1178 by Representative Leger

AMENDMENT NO. 1

On page 10, line 24, following "shall" and before "be" delete "only"

AMENDMENT NO. 2

On page 10, line 25, following "maintained" and before "directly" insert "only"

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Leger to Engrossed House Bill No. 1178 by Representative Leger

AMENDMENT NO. 1

On page 2, line 18, between "record" and "majority" insert "a"

AMENDMENT NO. 2

On page 2, line 27, between "create" and "general" delete "a"

AMENDMENT NO. 3

On page 2, line 28, delete "purpose"

AMENDMENT NO. 4

On page 3, at the beginning of line 13, delete "officer, or director" and insert in lieu thereof "other than a benefit officer."

AMENDMENT NO. 5

On page 3, delete lines 22 through 24 in their entirety and insert in lieu thereof the following:

"(9) "Minimum vote" means:

(a) In the case of a business corporation, the approval by holders of two-thirds of the shares present and voting of each class or series and any other approval or vote required under the Business Corporation Law or the articles.

(b) In the case of a domestic entity other than a business corporation, the approval by holders of two-thirds of each class or series of equity interests entitled to vote on any issue and any other approval or vote required under the law governing the internal affairs of the entity or its constituent documents.

AMENDMENT NO. 6

On page 3, delete line 29 in its entirety and insert in lieu thereof the following:

"(c) Preserving the environment, promoting positive impacts on the environment, or reducing negative impacts on the environment."

AMENDMENT NO. 7

On page 4, delete line 11 in its entirety and insert in lieu thereof the following:

"reporting, and assessing the performance of corporations in producing general public benefit and specific public benefits which is all of the"

AMENDMENT NO. 8

On page 4, delete line 14 in its entirety and insert in lieu thereof the following:

"operations in producing general public benefit and any specific public benefit specified in the articles."

AMENDMENT NO. 9

On page 5, delete lines 11 and 12 in their entirety and insert in lieu thereof the following:

"shareholders to approve the amendment shall state the specific public benefits, if any, to be included in the purposes of the benefit corporation and shall"

AMENDMENT NO. 10

On page 5, line 16, delete "or is the exchanging entity in a share exchange."

AMENDMENT NO. 11

On page 5, delete line 18 in its entirety and insert in lieu thereof the following:

# Page 26 HOUSE

28th Day's Proceedings - April 25, 2012

"of merger or consolidation shall be adopted by at least the minimum"

## AMENDMENT NO. 12

On page 5, delete line 27 in its entirety and insert in lieu thereof the following:

"B. If a merger or consolidation of a benefit corporation"

## AMENDMENT NO. 13

On page 5, delete line 29 in its entirety and insert in lieu thereof the following:

"corporation, in order to be effective, the plan of merger or consolidation"

## AMENDMENT NO. 14

On page 6, at the beginning of line 1, delete "share exchange"

## AMENDMENT NO. 15

On page 7, line 3, delete "and officers"

## AMENDMENT NO. 16

On page 7, line 6, delete "and officers"

## AMENDMENT NO. 17

On page 8, line 5, change "either" to "any"

## AMENDMENT NO. 18

On page 8, delete line 7 in its entirety and insert in lieu thereof the following:

"(1) Any act or omission covered by a provision in the articles of incorporation that eliminates or limits the liability of the director as authorized in R.S. 12:24(C)(4).

"(2) Any act or omission as a director if the director performed the duties of"

## AMENDMENT NO. 19

On page 8, line 9, change "(2)" to "(3)"

## AMENDMENT NO. 20

On page 8, delete line 27 in its entirety and insert in lieu thereof the following:

"conduct any other assessment of the corporation's pursuit of its general public benefit purpose and any specific public"

## AMENDMENT NO. 21

On page 8, line 28, change "purposes" to "purpose"

## AMENDMENT NO. 22

On page 9, line 22, change "pursuant to" to "in the manner provided in"

## AMENDMENT NO. 23

On page 10, between lines 18 and 19, insert the following:

"C. An officer shall not be personally liable for monetary damages for any of the following:

(1) Any act or omission covered by a provision in the articles of incorporation that eliminates or limits the liability of the officer as authorized in R.S. 12:24(C)(4).

(2) Any act or omission as an officer if the officer performed the duties of office pursuant to R.S. 12:91.

(3) Failure of the benefit corporation to pursue or create general public benefit or a specific public benefit."

## AMENDMENT NO. 24

On page 10, delete lines 20 through 22 in their entirety and insert in lieu thereof the following:

"A. The duties of directors and officers under this Chapter and the general public benefit purpose and any specific public benefit purpose of a benefit corporation may be enforced only in accordance with this Section in a benefit enforcement proceeding."

## AMENDMENT NO. 25

On page 11, line 6, delete "deliver to each shareholder" and insert in lieu thereof "prepare"

## AMENDMENT NO. 26

On page 11, line 19, delete "overall public benefit purpose"

## AMENDMENT NO. 27

On page 11, line 20, between "corporation" and "against" insert "in pursuing the creation of general public benefit"

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

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

## ROLL CALL

The roll was called with the following result:

### YEAS

Mr. Speaker	Garofalo	Miller
Abramson	Greene	Moreno
Adams	Guillory	Morris, Jay
Anders	Harris	Norton
Arnold	Harrison	Ortego
Badon	Havard	Pearson
Barrow	Hazel	Pierre
Berthelot	Henry	Ponti
Billiot	Hill	Pope
Bishop, W.	Hodges	Price
Broadwater	Hoffmann	Pugh
Brossett	Hollis	Pylant
Brown	Honore	Reynolds
Burford	Howard	Richard
Burns, H.	Hunter	Richardson
Burns, T.	Huval	Ritchie
Burrell	Jackson, G.	Schexnayder
Carmody	Jackson, K.	Schroder
Carter	James	Seabaugh
Champagne	Jefferson	Shadoin
Chaney	Johnson	Simon
Connick	Jones	St. Germain
Cox	Lambert	Talbot
Cromer	Landry, N.	Thibaut
Danahay	Landry, T.	Thierry

Dixon	Leger	Thompson
Edwards	Leopold	Whitney
Fannin	Ligi	Williams, A.
Foil	Lopinto	Williams, P.
Franklin	Lorusso	Willmott
Gaines	Mack	
Total - 92		

NAYS

Geymann	Montoucet
Total - 2	

ABSENT

Armes	Gisclair	Morris, Jim
Barras	Guinn	Robideaux
Bishop, S.	Hensgens	Smith
Dove	LeBas	
Total - 11		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Leger 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. 1198 (Substitute for House Bill No. 60 by Representative Pearson)—**

BY REPRESENTATIVE PEARSON

AN ACT

To amend and reenact R.S. 11:22(B)(13), 42(B)(11), 62(11), 102(B)(1) and (3)(d)(vi) and (vii), 141, 142(F)(3), 151(B), 162(A), 182(A)(1), 204, 251, 701(introductory paragraph), (6), (7), (9), (15), (17), (18), (19), (23), (27), (29), (31), (33)(a)(v)(bb) and (cc) and (viii)(bb) and (cc) and (b)(iii), 702(A), 710(A), (B)(1)(a) and (2), (C)(1), and (D), 721.1(A) and (B), 723(A), 728(A)(introductory paragraph), (B)(1)(a)(introductory paragraph), (C)(1)(a), (E), and (F)(1) and (3), 733, 734, 738(A) and (B), 752(A), (B), and (E), 753, 755, 761(B), 762(A), (C), and (G), 765(A) and (B)(1), 768(D)(2) and (3), 780(C)(3)(a)(introductory paragraph) and (E), 780.1, 781(A)(1) and (3)(b) and (B), 783(A)(3)(a), (D)(1)(b)(iii) and (2), (E), (F), (G)(1)(b)(iii), (I)(1)(b)(iii), and (K)(2), 784(F) and (G), 784.1(A)(1)(introductory paragraph), (B)(2)(b), (C), (D), and (E), 786(A) and (D), 788(A) and (C)(introductory paragraph) and (3), 811(A), (B), and (C), 813, 822(A)(2), 826, 829, 832, 833, 834, 836, 851, 871, 872, 875(introductory paragraph), (1), (4)(b) and (c), and (5), 881(introductory paragraph), (4), and (8), 883.1(A), (B), (C)(1)(introductory paragraph) and (4)(c)(i), and (G), 885(2) and (4), 888, 896, 1001(A) and (B), 1002(introductory paragraph), (6)(a), (b), and (c), (7), (8), (9), (12), (13), (15) through (19), (22), (24), (26), and (27), 1004(A) and (C), 1006(A)(1), (B), (C), and (D), 1007(A), (B), (C)(1), and (F), 1111, 1112, 1114, 1118, 1119, 1120, 1133, 1137, 1138, 1139, 1141(B) and (C)(1)(b) and (2), 1144(B)(3) and (C), 1145.1(A)(1), (B)(1), (C)(1)(introductory paragraph) and (4)(c), and (D), 1147(B)(3) and (C)(2)(a)(i) and (ii), 1149, 1151.1(A), (C)(1), (E), and (J), 1152(E), (F), (J)(3) and (4), and (L), 1172, 1181, 1193(A)(1)(b), (2)(a), and (4) and (B)(3), 1195.1(A) and (B), 1195.2(A) and (B), 1202(A)(2) and (4) and (C), to enact Subpart P of Part II of Chapter 4 of Subtitle I of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:331, R.S. 11:701(22.1), 883.1.1(F), 1002(21.1), and to repeal R.S. 11:4(A)(1)(c), 22(B)(5), 42(B)(4), 62(4), 154(A)(3), 158(B)(6), 173(A)(3), 174(B)(3), 181(A)(3), 185(A)(3), 234(A)(5), 262(5), 272(A)(3), 281(A)(2), 312(A)(5), 323(A)(1), 730, 831, 1001(C), 1162 through 1165, 1166 through 1171, and 1173, relative to the merger of the Teachers' Retirement System of Louisiana and the Louisiana School Employees' Retirement System; to provide relative to consolidation of the administration of the two systems; to

provide relative to the maintenance of separate plans, including asset pools, actuarial valuations, contribution rates, and benefit entitlements; to provide for development of a study to consolidate the plans; to provide for the redesignation of certain provisions of Title 11 of the Louisiana Revised Statutes of 1950 and to direct the Louisiana State Law Institute with respect to such redesignations; and to provide for related matters.

Read by title.

**Motion**

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

**Notice of Intention to Call**

Pursuant to House Rule No. 8.26(A), Rep. Pearson gave notice of his intention to call House Bill No. 1198 from the calendar on Tuesday, May 1, 2012.

**Notice of Intention to Call**

Pursuant to House Rule No. 8.26(A), Rep. Pearson gave notice of his intention to call House Bill No. 61 from the calendar on Tuesday, May 1, 2012 *vice* Monday, April 30, 2012.

**HOUSE BILL NO. 1199 (Substitute for House Bill No. 817 by Representative Katrina Jackson)—**

BY REPRESENTATIVE KATRINA JACKSON

AN ACT

To repeal R.S. 40:608.3, relative to organic food; to repeal the provisions regulating the labeling of organic food.

Read by title.

Rep. Katrina Jackson moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Fannin	Lopinto	Williams, A.
Foil	Lorusso	Williams, P.
Gaines	Mack	Willmott
Garofalo	Miller	
Total - 95		

NAYS

Total - 0

ABSENT

Mr. Speaker	Gisclair	Robideaux
Bishop, S.	Guinn	Smith
Dove	Hensgens	
Franklin	LeBas	
Total - 10		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**Notice of Intention to Call**

Pursuant to House Rule No. 8.26(A), Rep. Hodges gave notice of her intention to call House Bill No. 533 from the calendar on Wednesday, May 2, 2012.

**HOUSE BILL NO. 866—**  
BY REPRESENTATIVE ABRAMSON  
AN ACT

To amend and reenact Part XXII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1299.39.5 through 1299.39.7, and R.S. 40:1299.58(C), 1299.131(A)(3), and 1300.11, relative to consent to medical treatment; to provide for methods by which informed consent may be obtained; to provide for definitions; to create the Louisiana Medical Disclosure Panel; to provide for membership, powers, and duties of such panel; to provide for attendance via telecommunications; to provide for limitations on liability; to provide for medical disclosure lists; to provide for exceptions to obtaining informed consent; to provide for the promulgation of rules and regulations; to provide for an effective date; and to provide for related matters.

Called from the calendar.

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. 866 by Representative Abramson

AMENDMENT NO. 1

On page 2, line 25, following "Subsection A" and before "," change "above" to "of this Section"

AMENDMENT NO. 2

On page 2, line 27, change "Paragraph (A)(1) of this Section" to "Subsection A of this Section"

AMENDMENT NO. 3

On page 9, line 5, following "Association" and before "Justice" change "of" to "for"

AMENDMENT NO. 4

On page 9, line 6, change "Defense Counsel Association" to "Association of Defense Counsel"

AMENDMENT NO. 5

On page 10, line 24, change "only participate" to "participate only"

AMENDMENT NO. 6

On page 11, line 7, following "this" and before "and" change "Subsection" to "Section"

AMENDMENT NO. 7

On page 11, line 29, following "this" change "Subsection" to "Section"

AMENDMENT NO. 8

On page 13, line 3, following "this" change "Subsection" to "Section"

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Abramson to Engrossed House Bill No. 866 by Representative Abramson

AMENDMENT NO. 1

On page 1, line 2, after "reenact" and before "Part" insert "R.S. 36:802(introductory paragraph),"

AMENDMENT NO. 2

On page 1, line 4, after "1300.11," and before "relative" insert "and to enact R.S. 36:259(MM),"

AMENDMENT NO. 3

On page 1, line 10, after "regulations;" and before "to" insert "to provide for placement of the Louisiana Medical Disclosure Panel within the Department of Health and Hospitals;"

AMENDMENT NO. 4

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

"Section 1. R.S. 36:802(introductory paragraph) is hereby amended and reenacted and R.S. 36:259(MM) is hereby enacted to read as follows:

§259. Transfer of agencies and functions to Department of Health and Hospitals

\* \* \*

MM. The Louisiana Medical Disclosure Panel (R.S. 40:1299.39.6) is placed within the Department of Health and Hospitals and shall exercise and perform its powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with the provisions of R.S. 36:802.

\* \* \*

§802. Transfer; retention of policymaking and rulemaking functions

The agencies transferred by the provisions of R.S. 36:209(Q), 239(E), 259(B), 259(T), 259(MM), 309(B), 359(B), 409(C), 459(B), 509(B), 610(B), 629(I), and 769(C) shall continue to be composed and selected as provided by law, and each shall continue to exercise all of the powers, duties, functions, and responsibilities provided or authorized for each by the constitution or laws which are in the nature of policymaking, rulemaking, licensing, regulations, enforcement, or adjudication and also shall continue to exercise all advisory powers, duties, functions, and responsibilities provided by law. Such powers, duties, functions, and responsibilities shall be exercised independently of the secretary and any assistant secretary, except that:

\* \* \*

**AMENDMENT NO. 5**

On page 1, at the beginning of line 13, change "Section 1." to "Section 2."

**AMENDMENT NO. 6**

On page 9, between lines 12 and 13, insert the following:

"(e) One member licensed to practice podiatry in the state who shall be selected from a list of nominees submitted to the governor by the Louisiana Podiatric Medical Association."

**AMENDMENT NO. 7**

On page 9, at the beginning of line 15, after "chiropractic physician," insert "the podiatrist."

**AMENDMENT NO. 8**

On page 18, at the beginning of line 3, change "Section 2." to "Section 3."

**AMENDMENT NO. 9**

On page 18, at the beginning of line 8, change "Section 3." to "Section 4."

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Garofalo	Miller
Abramson	Geymann	Montoucet
Adams	Greene	Moreno
Anders	Guillory	Morris, Jay
Armes	Guinn	Morris, Jim
Arnold	Harris	Norton
Badon	Harrison	Ortego
Barras	Havard	Pearson
Barrow	Hazel	Pierre
Berthelot	Henry	Ponti
Billiot	Hill	Pope
Bishop, S.	Hodges	Price
Bishop, W.	Hoffmann	Pugh
Broadwater	Hollis	Pylant
Brossett	Honore	Reynolds
Brown	Howard	Richard
Burford	Hunter	Richardson
Burns, H.	Huval	Ritchie
Burns, T.	Jackson, G.	Schexnayder
Burrell	Jackson, K.	Schroder
Carmody	James	Seabaugh

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

Total - 100

NAYS

Total - 0

ABSENT

Dove	Hensgens	Smith
Gisclair	Robideaux	
Total - 5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**Suspension of the Rules**

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

**Petitions, Memorials, and Communications**

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

**Message from the Senate**

**ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS**

April 25, 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 Nos. 68, 69, and 71

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**SENATE BILLS**

April 25, 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. 62, 219, 268, 299, 360, 404, 483, 486, and 488

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. 62—**  
BY SENATOR APPEL AND REPRESENTATIVE CARTER  
AN ACT

To enact R.S. 49:191(6)(a) and to repeal R.S. 49:191(4)(h), relative to the Department of Education, including provisions to provide for the re-creation of the Department of Education and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Read by title.

**SENATE BILL NO. 219—**  
BY SENATOR JOHNS  
AN ACT

To authorize McNeese State University to transfer certain state property to the Chennault International Airport Authority; to provide for the property description; to provide for reservation of mineral rights; to provide terms and conditions; and to provide for related matters.

Read by title.

**SENATE BILL NO. 268—**  
BY SENATOR LAFLEUR  
AN ACT

To amend and reenact R.S. 25:376, 379.4 and 1245, and to enact R.S. 25:380.3(C), 380.24(C), 380.34(C), 380.44(C), 380.54(C), 380.64(C), 380.74(C), 380.84(C), 380.94(C), 380.104(C), 380.114(C), 380.124(C), 380.134(C), 380.154(C) and 380.165(C), relative to operations of the Old State Capitol and certain museums; to authorize the Department of State to temporarily close the Old State Capitol and certain museums under its jurisdiction when no funds are appropriated for the operation of such facilities; and to provide for related matters.

Read by title.

**SENATE BILL NO. 299—**  
BY SENATOR WHITE  
A JOINT RESOLUTION

Proposing to amend Article VIII, Section 13(D)(1) of the Constitution of Louisiana, to provide that for certain effects and purposes the Southeast Baton Rouge community school system in East Baton Rouge Parish shall be regarded and treated as a parish and shall have the authority granted parishes, including the purposes of certain funding and the raising of certain local revenues for the support of elementary and secondary schools; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

**SENATE BILL NO. 360—**  
BY SENATOR MARTINY AND REPRESENTATIVE PONTI  
AN ACT

To amend and reenact R.S. 32:1252(4) and (19), 1261, 1261.1, and 1263, to enact R.S. 32:1252(52) through (69), 1262(C), 1264(D), 1267(C), 1268(D), and Parts II, III, and IV of Chapter 6 of Title 32 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 32:1270 through 1270.30, and to repeal R.S. 32:1257.1 and 1268.1, relative to marine products, motorcycles, all-terrain vehicles, and recreational vehicles; to provide for certain terms, conditions, requirements, and procedures; to provide for definitions; to provide for the establishment of new dealerships and the relocation of existing dealerships; to provide for payment to dealers; to provide for unauthorized acts; to provide for warranty agreements and application thereof; to provide for the sale and leasing of certain marine products, motorcycles, all-terrain vehicles, and recreational vehicles; to provide for the succession of a dealer; to provide for the procedure to terminate a dealership; to provide for the repurchase of certain products, equipment, parts, and tools; and to provide for related matters.

Read by title.

**SENATE BILL NO. 404—**  
BY SENATOR MARTINY  
AN ACT

To amend and reenact R.S. 38:2211(A)(12), relative to public contracts; to provide relative to letting contracts for public works; and to provide for related matters.

Read by title.

**SENATE BILL NO. 483—**  
BY SENATOR PERRY  
AN ACT

To enact R.S. 32:127.2, relative to golf carts; to authorize operation of golf carts on roadways within Palmetto Island State Park; and to provide for related matters.

Read by title.

**SENATE BILL NO. 486—**  
BY SENATOR PERRY  
AN ACT

To enact R.S. 32:414(D)(1)(c), relative to offenses involving operating a vehicle while intoxicated; to provide relative to a hardship license for certain persons convicted of certain offenses involving operating a vehicle while intoxicated; and to provide for related matters.

Read by title.

**SENATE BILL NO. 488—**  
BY SENATOR PERRY  
AN ACT

To amend and reenact R.S. 32:414(A)(1)(c)(ii), relative to denial of driving privileges; to provide with respect to eligibility for a restricted license by persons convicted of certain crimes involving operating a vehicle while intoxicated; 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. 67—**

BY REPRESENTATIVE RICHARDSON

**A RESOLUTION**

To commend Chase T. Cashio for attaining the rank of Eagle Scout.

Read by title.

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

**HOUSE RESOLUTION NO. 68—**

BY REPRESENTATIVE DIXON

**A RESOLUTION**

To express sincere and heartfelt condolences upon the death of Reverend Wade A. Sykes, Jr., of Alexandria.

Read by title.

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

**HOUSE RESOLUTION NO. 69—**

BY REPRESENTATIVE LORUSSO

**A RESOLUTION**

To express sincere and heartfelt condolences upon the death of Monsignor Clinton J. Doskey of New Orleans.

Read by title.

On motion of Rep. Lorusso, 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 Administration of Criminal Justice**

April 25, 2012

To the Speaker and Members of the House of Representatives:

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

House Bill No. 4, by Lopinto  
Reported favorably. (14-0) (Regular)

House Bill No. 204, by Guillory, M  
Reported favorably. (11-0) (Regular)

House Bill No. 220, by Bishop, Wesley  
Reported with amendments. (12-0) (Regular)

House Bill No. 222, by Bishop, Wesley  
Reported favorably. (12-0) (Regular)

House Bill No. 445, by Lopinto  
Reported with amendments. (15-0) (Regular)

House Bill No. 446, by Lopinto  
Reported favorably. (13-0) (Regular)

House Bill No. 982, by Barrow  
Reported with amendments. (14-0) (Regular)

Senate Bill No. 78, by Morrish  
Reported favorably. (13-0) (Regular)

Senate Bill No. 255, by Morrell  
Reported favorably. (12-0) (Regular)

Senate Bill No. 572, by Morrell  
Reported favorably. (12-0) (Regular)

JOSEPH P. LOPINTO III  
Chairman

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

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

April 25, 2012

To the Speaker and Members of the House of Representatives:

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

House Concurrent Resolution No. 84, by Jackson, K  
Reported favorably. (17-0)

House Concurrent Resolution No. 96, by Simon  
Reported with amendments. (11-0)

House Concurrent Resolution No. 108, by Simon  
Reported with amendments. (18-0)

House Bill No. 1016, by Pope  
Reported with amendments. (15-0) (Regular)

Senate Bill No. 115, by Mills  
Reported favorably. (13-0) (Regular)

Senate Bill No. 116, by Mills  
Reported favorably. (14-0) (Local & Consent)

Senate Bill No. 145, by Mills  
Reported favorably. (16-0) (Local & Consent)

Senate Bill No. 212, by Mills  
Reported favorably. (16-0) (Local & Consent)

SCOTT M. SIMON  
Chairman

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

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

April 25, 2012

To the Speaker and Members of the House of Representatives:

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

House Bill No. 357, by Brown, Terry  
Reported with amendments. (9-0) (Regular)

House Bill No. 365, by Bishop, Stuart  
Reported with amendments. (9-0) (Regular)

House Bill No. 510, by Burford  
Reported with amendments. (8-0) (Regular)

House Bill No. 580, by Abramson  
Reported with amendments. (9-0) (Regular)

House Bill No. 694, by Robideaux  
Reported with amendments. (7-0) (Regular)

House Bill No. 711, by Pugh  
Reported with amendments. (9-0) (Regular)

House Bill No. 756, by Abramson  
Reported with amendments. (9-0) (Regular)

House Bill No. 768, by Burns, Tim  
Reported with amendments. (6-0) (Regular)

House Bill No. 1036, by Brossett  
Reported with amendments. (9-0) (Regular)

House Bill No. 1095, by Leger  
Reported favorably. (10-0) (Regular)

House Bill No. 1102, by Ligi  
Reported with amendments. (8-0) (Regular)

House Bill No. 1113, by Johnson  
Reported with amendments. (8-0) (Regular)

TIMOTHY G. "TIM" BURNS  
Chairman

**Report of the Committee on  
Insurance**

April 25, 2012

To the Speaker and Members of the House of Representatives:

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

House Bill No. 921, by Johnson  
Reported by substitute. (13-0) (Regular)

Senate Bill No. 118, by Smith, Gary  
Reported favorably. (11-0) (Regular)

Senate Bill No. 167, by Smith, Gary  
Reported with amendments. (10-0) (Regular)

GREGORY CROMER  
Chairman

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

**Report of the Committee on  
Natural Resources and Environment**

April 25, 2012

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Natural Resources and Environment to submit the following report:

House Bill No. 720, by Leger  
Reported with amendments. (12-0-1) (Regular)

House Bill No. 1067, by St. Germain  
Reported with amendments. (14-0-1) (Regular)

Senate Bill No. 341, by Claitor  
Reported with amendments. (15-0-1) (Regular)

Senate Bill No. 355, by Amedee  
Reported favorably. (14-0-1) (Local & Consent)

Senate Bill No. 387, by Ward  
Reported favorably. (12-0-1) (Local & Consent)

Senate Bill No. 583, by Gallot  
Reported favorably. (14-0-1) (Local & Consent)

GORDON E. DOVE, SR.  
Chairman

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

**Privileged Report of the Legislative Bureau**

April 25, 2012

To the Speaker and Members of the House of Representatives:

I am directed by your Legislative Bureau to submit the following report:

Senate Bill No. 60  
Reported with amendments.

Senate Bill No. 313  
Reported with amendments.

Senate Bill No. 375  
Reported without amendments.

Respectfully submitted,

REGINA BARROW  
Chairman

**Privileged Report of the Committee on Enrollment**

April 25, 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. 61—**  
BY REPRESENTATIVE NANCY LANDRY  
A RESOLUTION

To commend Dr. A. David Barry for his outstanding accomplishments and singular contributions upon his retirement as dean of the College of Liberal Arts at the University of Louisiana at Lafayette and to express gratitude for his exemplary term of dedicated and highly productive public service.

**HOUSE RESOLUTION NO. 63—**  
BY REPRESENTATIVE GREENE  
A RESOLUTION

To express sincere and heartfelt condolences upon the death of David Kenneth Bahlinger 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 25, 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. 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.

**HOUSE CONCURRENT RESOLUTION NO. 103—**

BY REPRESENTATIVE BROSETT AND SENATORS ADLEY, ALARIO, ALLAIN, AMEDEE, APPEL, BROOME, BROWN, BUFFINGTON, CHABERT, CLAITOR, CORTEZ, CROWE, DONAHUE, DORSEY-COLOMB, ERDEY, GALLOT, GULLORY, HEITMEIER, JOHNS, KOSTELKA, LAFLEUR, LONG, MARTINY, MILLS, MORRELL, MORRISH, MURRAY, NEVERS, PEACOCK, PERRY, PETERSON, RISER, GARY SMITH, JOHN SMITH, TARVER, THOMPSON, WALSWORTH, WARD, AND WHITE

**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.

**HOUSE CONCURRENT RESOLUTION NO. 104—**

BY REPRESENTATIVE BARROW AND SENATOR BROOME

**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.

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. Dixon, the rules were suspended to permit the Committee on Labor and Industrial Relations to consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill Nos. 572, 621, 669, 672, and 1083

Senate Bill No. 472

**Leave of Absence**

Rep. Gisclair - 2 days

Rep. Hensgens - 1 day

Rep. Smith - 1 day

**Adjournment**

On motion of Rep. Billiot, at 6:50 P.M., the House agreed to adjourn until Thursday, April 26, 2012, at 9:00 A.M.

Acting Speaker Arnold declared the House adjourned until 9:00 A.M., Thursday, April 26, 2012.

ALFRED W. SPEER  
Clerk of the House

