

OFFICIAL JOURNAL
OF THE
HOUSE OF
REPRESENTATIVES

OF THE
STATE OF LOUISIANA

THIRTY-SEVENTH DAY'S PROCEEDINGS

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

House of Representatives
State Capitol
Baton Rouge, Louisiana

Thursday, May 10, 2012

The House of Representatives was called to order at 9:00 A.M., by the Honorable Chuck Kleckley, Speaker of the House of Representatives.

Morning Hour

ROLL CALL

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

PRESENT

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

Franklin
Gaines
Total - 105

Lopinto
Lorusso

Williams, P.
Willmott

The Speaker announced that there were 105 members present and a quorum.

Prayer

Prayer was offered by Rev. David McGuffie of Pineville Baptist Church, Olla.

Pledge of Allegiance

Rep. Alfred Williams 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. Tim Burns, the reading of the Journal was dispensed with.

On motion of Rep. Tim Burns, the Journal of May 9, 2012, was adopted.

Petitions, Memorials, and Communications

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

Message from the Senate

SENATE BILLS

May 10, 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. 47, 763, and 764

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. 47—

BY SENATOR GUILLORY

AN ACT

To amend and reenact R.S. 11:102(B)(1) and (3)(a) and (d)(i), (iv), (v), and (vii) and (C)(2), (3), and (4)(a), 403(5)(a)(i) and (b)(i) and (ii), 502(B)(1), and 701(5)(a)(introductory paragraph) and to enact R.S. 11:102(D) and 701(5)(f) and to repeal R.S. 11:403(5)(b)(iii), relative to certain members of the Louisiana State Employees' Retirement System and certain postsecondary education members of the Teachers' Retirement System of Louisiana; to provide with respect to benefit calculation; to provide an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 763 (Substitute of Senate Bill No. 560 by Senator Donahue)—

BY SENATORS DONAHUE AND LAFLEUR

AN ACT

To amend and reenact R.S. 23:1201(F)(introductory paragraph) and (H), 1210(A), 1221(3)(a) and (4)(s)(i), 1224 and the heading of

1314, and to enact R.S. 23:1020.1 and 1314(D) and (E), relative to workers' compensation; to provide for legislative purpose; to provide for legislative intent; to provide for construction; to provide with respect to nonpayment of benefits; to provide with respect to burial benefits; to provide with respect to supplemental earnings benefits; to provide with respect to benefits for catastrophic injury; to provide with respect to prematurity of actions; and to provide for related matters.

Read by title.

SENATE BILL NO. 764 (Substitute of Senate Bill No. 709 by Senator Ward)—

BY SENATORS WARD, ALARIO, ALLAIN, AMEDEE, APPEL, BROOME, BROWN, BUFFINGTON, CHABERT, CROWE, DORSEY-COLOMB, GALLOT, GUILLORY, JOHNS, KOSTELKA, LONG, MARTINY, MURRAY, NEVERS, PERRY, RISER, TARVER, THOMPSON, WALSWORTH AND WHITE AND REPRESENTATIVE SCHRODER

AN ACT

To amend and reenact R.S. 17:415, 416(A)(1)(a), (b)(i) and (ii)(introductory paragraph), and (c)(i), (3)(a)(introductory paragraph) and (xvii), (4)(introductory paragraph), (a)(i)(ee), and (b), 416.4(C), 416.13, and 416.20(A), to enact R.S. 17:416(A)(1)(c)(ii)(dd), (2)(d), (3)(a)(xviii), and (4)(c) and 3996(B)(30), and to repeal R.S. 17:416.14, relative to bullying; to provide relative to the student code of conduct; to provide relative to student discipline; to provide for duties; to provide for reporting; to provide for parental notification; 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 CONCURRENT RESOLUTION NO. 135—

BY REPRESENTATIVES COX AND BURFORD
A CONCURRENT RESOLUTION

To urge and request the secretary of the Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission to reexamine the agreement relative to creel limits applicable to waters shared between Louisiana and Texas.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 136—

BY REPRESENTATIVE ORTEGO
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to conduct a study relative to the potential of frontage roads being constructed adjacent to interstate roadways and or urban arterials.

Read by title.

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

Ordered to the Senate.

Senate Concurrent Resolutions Lying Over

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

SENATE CONCURRENT RESOLUTION NO. 8—

BY SENATOR DORSEY-COLOMB
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study improving the operational safety of the exit from Interstate 10 to East Washington Street in Baton Rouge.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 101—

BY SENATOR HEITMEIER
A CONCURRENT RESOLUTION

To declare the month of May as "National Military Appreciation Month" in Louisiana.

Read by title.

Motion

On motion of Rep. Cox, the resolution was returned to the calendar.

House Bills and Joint Resolutions on Second Reading to be Referred

The following House Bills and Joint Resolutions on second reading to be referred to committees were taken up, read, and referred to committees, as follows:

Motion

On motion of Rep. Barrow, the Committee on House and Governmental Affairs was discharged from further consideration of House Bill No. 982.

HOUSE BILL NO. 982—

BY REPRESENTATIVE BARROW
AN ACT

To enact R.S. 15:1110(F), 1110.1, and 1110.2, relative to juvenile detention facilities; to provide for annual licensing fees; to provide for fines, sanctions, and penalties; to provide for the Juvenile Detention Licensing Trust Fund and for its uses; to require and provide relative to the disclosure of recordation on the state central registry for the abuse or neglect of children for certain persons associated with the juvenile detention facility; to provide for a process of appeal; to provide for an effective date; and to provide for related matters.

Read by title.

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

Under the rules, placed on the regular calendar.

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. 36—

BY SENATOR GUILLORY
AN ACT

To enact R.S. 11:1755(G), 1769(F), 1785(D), and 1805(C), relative to Municipal Employees' Retirement System of Louisiana; to provide for compliance with applicable federal tax qualification

requirements; to provide an effective date; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 612—
BY SENATOR JOHNS

AN ACT

To amend and reenact R.S. 23:151 and 183, relative to the employment of minors; to provide for certain exceptions; to provide for employment certificates; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 730—

BY SENATORS THOMPSON AND RISER
AN ACT

To enact Chapter 4-A of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:1401, relative to the creation of the Bunches Bend Protection District; to provide for the purposes, powers, duties, and governance of the district; to provide for the authority to levy taxes under certain conditions; to provide for the issuance of indebtedness; to authorize cooperative endeavors with the owners of certain land; to provide for certain penalties; 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. 762 (Substitute of Senate Bill No. 690 by Senator Buffington)—
BY SENATOR BUFFINGTON

AN ACT

To amend and reenact R.S. 14:35.1(A)(3), R.S. 15:1503(4), R.S. 35:406(A) and (D), R.S. 36:258(F), R.S. 46:56(A), (B)(1), and (F)(4)(b), 61(A)(1) and (C), 932(10), and 2136.2(F), relative to the transfer of adult protection services of the office of elderly affairs in the office of the governor to the Department of Health and Hospitals, office of aging and adult services; to provide for functions of the programs and services transferred; to provide for contracts and leases; to provide for administrative rules; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Health and Welfare.

**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. 86—
BY REPRESENTATIVE THOMPSON
A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study the advantages and disadvantages of enacting a state law to limit the salary amount paid to public school administrators, with certain exceptions, to the amount

paid to teachers in the same school system and to report its findings and recommendations at least sixty days prior to the 2013 Regular Session of the Legislature of Louisiana.

Read by title.

Reported favorably by the Committee on Education.

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

**Senate Concurrent Resolutions
Reported by Committee**

The following Senate Concurrent Resolutions reported by committee 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.

Reported favorably by the Committee on Natural Resources and Environment.

On motion of Rep. Dove, the resolution was ordered passed to its third reading.

SENATE CONCURRENT RESOLUTION NO. 45—

BY SENATOR KOSTELKA
A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study and make recommendations relative to a potential conflict between provisions of law regarding the notice that must be provided to a criminal defendant as to his right to waive trial by jury, and the defendant's right to waive formal arraignment.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

On motion of Rep. Lopinto, the resolution was ordered 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. 407—

BY REPRESENTATIVE SMITH
AN ACT

To amend and reenact R.S. 17:416.13(A), (B)(1) and (2), (C), and (D)(1) and (2), to enact R.S. 17:81(W) and 3996(B)(30), and to repeal R.S. 17:416.13(B)(4), relative to harassment, intimidation, and bullying in public schools; to provide relative to codes of conduct for school employees and for students; to require such codes of conduct to have policies which prohibit the harassment, intimidation, and bullying of students and of school employees; to provide relative to definitions; to remove

provisions excepting certain parishes from certain requirements relative to student codes of conduct; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Education.

The substitute was read by title as follows:

HOUSE BILL NO. 1214 (Substitute for House Bill No. 407 by Representative Smith)—
BY REPRESENTATIVES SMITH, WESLEY BISHOP, BROSSETT, HENRY BURNS, CARMODY, JEFFERSON, AND PRICE
AN ACT

To amend and reenact R.S. 17:416.13(B)(1), (2), and (3) and (D)(3), to enact R.S. 17:81(W) and 3996(B)(30), and to repeal R.S. 17:416.13(B)(4), relative to harassment, intimidation, and bullying in public schools; to provide relative to codes of conduct for school employees and for students; to provide relative to the prohibition in such codes of conduct against harassment, intimidation, and bullying; to provide relative to definitions, training, reporting, and investigation; to remove provisions excepting certain parishes from certain requirements relative to student codes of conduct; to provide relative to effectiveness; and to provide for related matters.

Read by title.

On motion of Rep. Carter, the substitute was adopted and became House Bill No. 1214 by Rep. Smith, on behalf of the Committee on Education, as a substitute for House Bill No. 407 by Rep. Smith.

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

HOUSE BILL NO. 740—
BY REPRESENTATIVE LEBAS
AN ACT

To amend and reenact R.S. 17:3137(B) and to repeal R.S. 17:3137(C) and (D), relative to eligibility of high school students to participate in a dual enrollment program at participating postsecondary education institutions; to provide relative to participation in such program by a student who is enrolled in a Louisiana educational program; to provide residency requirements; to provide provisions relative to the use of state funds to pay the tuition costs of students enrolled in such a program; to remove provisions relative to a study and report by the Board of Regents concerning certain program cost estimates; to provide an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 806—
BY REPRESENTATIVE SMITH
AN ACT

To amend and reenact R.S. 17:281(A)(2), relative to the Department of Education; authorizes the department to survey students about risk behavior associated with chronic health conditions; provides relative to sex education classes; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1133—
BY REPRESENTATIVE CARMODY
AN ACT

To enact R.S. 17:3130.1, relative to the powers of the Board of Regents; to require approval by the Board of Regents of any transfer of assets of a nonprofit affiliate of a postsecondary institution to the institution's management board; to provide for conditions and procedures with respect to such approval; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Education.

The substitute was read by title as follows:

HOUSE BILL NO. 1215 (Substitute for House Bill No. 1133 by Representative Carmody)—
BY REPRESENTATIVE CARMODY
AN ACT

To enact R.S. 17:3390(G), relative to the management boards of public postsecondary education systems; to provide relative to transfers of assets of nonprofit entities affiliated with public postsecondary education institutions; and to provide for related matters.

Read by title.

On motion of Rep. Carter, the substitute was adopted and became House Bill No. 1215 by Rep. Carmody, on behalf of the Committee on Education, as a substitute for House Bill No. 1133 by Rep. Carmody.

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

HOUSE BILL NO. 1213 (Substitute for House Bill No. 664 by Representative Ortego)—
BY REPRESENTATIVE ORTEGO
AN ACT

To amend and reenact R.S. 39:364, relative to motor vehicles used by state agencies; to provide for the purchase or lease of vehicles which use certain bi-fuels; to provide for the types of vehicles; to provide for the use of certain funds administered by the Department of Natural Resources; to provide for an effective date; and to provide for related matters.

Read by title.

On motion of Rep. Fannin, 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. 5—
BY SENATOR MURRAY
AN ACT

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

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 87—

BY SENATOR BUFFINGTON

AN ACT

To enact R.S. 49:191(6) and to repeal R.S. 49:191(4)(e), relative to the Department of Health and Hospitals; to provide for the re-creation of the Department of Health and Hospitals 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.

Reported favorably by the Committee on Health and Welfare.

Reported without amendments by the Legislative Bureau.

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

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

SENATE BILL NO. 96—

BY SENATOR MORRELL

AN ACT

To amend and reenact R.S. 15:1228.6(6) and (7), relative to component systems of the Integrated Criminal Justice Information System (ICJIS) operated by the Department of Public Safety and Corrections; to change the name of certain component systems; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 99—

BY SENATORS GALLOT AND RISER

AN ACT

To amend and reenact R.S. 18:532.1(C)(3)(a) and 532.1(D)(1), relative to the election code; to allow certain parish governing authorities to merge certain precincts; to provide for approval and review of certain precinct changes; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Reengrossed Senate Bill No. 99 by Senator Gallot

AMENDMENT NO. 1

On page 1, line 14, after "(B)(2)" change "and" to "or"

AMENDMENT NO. 2

On page 2, line 10, change "Paragraph (1)(a) of this Subsection" to "Subparagraph (a) of this Paragraph"

AMENDMENT NO. 3

On page 2, line 11, after "contrary," insert "if the legislature has completed the reapportionment required by Article III, Section 6 of the Constitution of Louisiana following the latest federal decennial census and has received preclearance pursuant to the Voting Rights Act of 1965,"

AMENDMENT NO. 4

On page 2, line 11, after "authority" delete the remainder of the line and at the beginning of line 12, delete "authority to" and insert "may"

AMENDMENT NO. 5

On page 2, line 13, after "state" delete the remainder of the line and insert "that the parish governing authority and all"

AMENDMENT NO. 6

On page 2, line 15, after "census and" change "has" to "have"

AMENDMENT NO. 7

On page 2, at the end of line 25, insert the following:

"The secretary of state, the secretary of the Senate, and the clerk of the House of Representatives, or their designees shall send a report of the findings of the review to the parish governing authority within forty-five days after receipt of the proposed precinct changes. If the secretary of state, the secretary of the Senate, or the clerk of the House of Representatives, or their designees fail to respond within forty-five days after receipt of the proposed precinct changes, the proposed precinct changes shall be deemed to be approved by the official or designee who failed to respond."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 105—

BY SENATOR MORRELL

AN ACT

To amend and reenact R.S. 14:402(G), relative to contraband in correctional facilities; to require imposition of a monetary penalty for the introduction of contraband into a correctional facility; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 107—
BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 18:107(A) and (D), 109, 463(A)(1)(a) and 551(D), relative to the Louisiana Election Code; to provide for consistency of presentation of political party affiliations on voter identification cards, notices of candidacy, voter registration cards and precinct registers; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 111—
BY SENATOR JOHNS

AN ACT

To amend and reenact R.S. 44:9(F) and (G), relative to the Public Records Law; relative to records of violations of municipal ordinances and of state statutes classified as a misdemeanor or felony; to provide the Louisiana Board of Pharmacy and the office of financial institutions with access to expunged records under certain circumstances; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 135—
BY SENATORS MORRELL AND MURRAY AND REPRESENTATIVE LEGER

AN ACT

To enact Part I-B of Chapter 5 of Title 18 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 18:418.1 and 418.2, relative to the election code; to provide for certain municipal and parochial elections; to provide for dates for elections to be held in 2014; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Reengrossed Senate Bill No. 135 by Senator Morrell

AMENDMENT NO. 1

On page 1, line 3, after "418.2" delete the comma "," and insert "and to repeal Part I-B of Chapter 5 of Title 18 of the Louisiana Revised

Statutes of 1950, comprised of R.S. 18:418.1 and 418.2, effective June 1, 2014,"

AMENDMENT NO. 2

On page 2, line 6, after "Section 2." delete the remainder of the line and insert the following:

"Part I-B of Chapter 5 of Title 18 of the Louisiana Revised Statutes of 1950, comprised of R.S. 18:418.1 and 418.2, as enacted by this Act is hereby repealed in its entirety effective June 1, 2014."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 156—
BY SENATORS MURRAY AND MORRELL

AN ACT

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

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Re-Engrossed Senate Bill No. 156 by Senator Murray

AMENDMENT NO. 1

On page 1, line 2, after "Code" and before "905.1," change "Art." to "Article"

AMENDMENT NO. 2

On page 1, line 8, after "Code" and before "905.1" change "Art." to "Article"

AMENDMENT NO. 3

On page 2, delete line 29 in its entirety and insert "Section 2. The legislature finds the following:"

AMENDMENT NO. 4

On page 3, at the beginning of line 1, change "(1)" to "(A)(1)"

AMENDMENT NO. 5

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

AMENDMENT NO. 6

On page 3, delete line 21 in its entirety and insert "(C) The purpose of this Act is to implement the policy stated in Subsection (B) of this Section by providing a uniform"

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 213—
BY SENATOR BROWN

AN ACT

To amend and reenact R.S. 44:9(F) and (G), relative to criminal arrest and disposition records; to authorize the Louisiana Department of Public Safety and Corrections to provide the Louisiana Department of Insurance access to criminal arrest and disposition records; to provide that the Louisiana Department of Insurance may use criminal arrest and disposition records which have been expunged; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 264—
BY SENATOR MORRELL

AN ACT

To amend and reenact R.S. 15:874(5), relative to the inmate compensation fund; provides relative to disbursements from the fund; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 281—
BY SENATOR JOHNS

AN ACT

To amend and reenact R.S. 22:42.1 and 43(A) and (B), relative to confidentiality of records in the custody of the Department of Insurance; to provide with respect to disclosure of categorical descriptors relative to complaints filed against all persons and entities subject to the jurisdiction of the department; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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. 281 by Senator Johns

AMENDMENT NO. 1

On page 3, line 22, following "party" and before "written" change "where" to "when"

AMENDMENT NO. 2

On page 4, line 2, following "party" and before "written" change "where" to "when"

AMENDMENT NO. 3

On page 6, line 3, following "voice" and before "prints." insert "—"

AMENDMENT NO. 4

On page 8, line 14, following "in" and before "database" change "this" to "the"

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 285—
BY SENATOR ADLEY

AN ACT

To enact R.S. 22:835(F) and 835.1, relative to the dedication of a portion of the fire marshal tax receipts; to provide for the dedication of a portion of such receipts for fire protection at Camp Minden; to create the Camp Minden Fire Protection Fund as a special fund in the state treasury; to provide for the use of monies in the fund; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 304—
BY SENATORS PETERSON, MORRELL, MURRAY, RISER AND TARVER
AN ACT

To enact R.S. 49:149.30, relative to the names of state buildings; to name the new University Medical Center/Louisiana State University Hospital in New Orleans the "Reverend Avery C. Alexander Academic Research Hospital"; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

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SENATE BILL NO. 329—

BY SENATOR MORRELL

AN ACT

To enact Code of Criminal Procedure Article 334.4, relative to bail; to prohibit the release of a defendant arrested for certain crimes on his own recognizance; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 329 by Senator Morrell

AMENDMENT NO. 1

On page 1, line 8, after "crimes" delete the remainder of the line and insert a semi-colon ";"

AMENDMENT NO. 2

On page 1, line 11, after "crimes" delete the remainder of the line

AMENDMENT NO. 3

On page 1, at the beginning of line 12, delete "mandatory minimum sentences"

AMENDMENT NO. 4

On page 1, delete lines 15 through 17 in their entirety and insert the following:

"(2) R.S. 14:40.3 (cyberstalking), if the person has two prior convictions for the same offense."

AMENDMENT NO. 5

On page 2, delete line 1 in its entirety

AMENDMENT NO. 6

On page 2, at the beginning of line 2, change "(4)" to "(3)"

AMENDMENT NO. 7

On page 2, delete lines 3 and 4 in their entirety and insert the following:

"(4) R.S. 14:79 (violation of protective orders), if the person has a prior conviction for the same offense."

AMENDMENT NO. 8

On page 2, delete line 5 in its entirety

AMENDMENT NO. 9

On page 2, at the beginning of line 6, change "(7)" to "(5)"

AMENDMENT NO. 10

On page 2, at the beginning of line 7, change "(8)" to "(6)"

AMENDMENT NO. 11

On page 2, delete lines 8 through 11 in their entirety and insert the following:

"(7) R.S. 14:93.3 (cruelty to the infirmed), if the person has a prior conviction for the same offense."

"(8) R.S. 14:98 (operating a vehicle while intoxicated), if the person has a prior conviction for the same offense."

AMENDMENT NO. 12

On page 2, at the beginning of line 12, change "(11)" to "(9)"

AMENDMENT NO. 13

On page 2, at the beginning of line 13, change "(12)" to "(10)"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 352—

BY SENATOR MURRAY

AN ACT

To enact Subpart R of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:100.126, relative to state funds; to establish the Major Events Fund in the state treasury; to provide for the use of monies in the fund; to provide for an effective date; 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 Engrossed Senate Bill No. 352 by Senator Murray

AMENDMENT NO. 1

On page 2, at the end of line 8, insert the following:

"Such funding shall require prior approval of the Joint Legislative Committee on the Budget."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 354—

BY SENATOR AMEDEE

AN ACT

To amend and reenact R.S. 49:968(B), relative to the Administrative Procedure Act; provides for electronic reporting of rules to oversight committees; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 377—

BY SENATOR GARY SMITH

AN ACT

To amend and reenact R.S. 15:542.1.2(A)(4), relative to sex offender registration and notification laws; to provide for reporting changes of name, address, and other information by certain offenders required to register with law enforcement officials; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Engrossed Senate Bill No. 377 by Senator Gary Smith

AMENDMENT NO. 1

On page 1, line 2, after "reenact" and before "relative" change "R.S. 15:542.1.2(A)(4)," to "R.S. 15:542.1.2(A),"

AMENDMENT NO. 2

On page 1, line 7, after "Section 1." and before "is" change "R.S. 15:542.1.2(A)(4)" to "R.S. 15:542.1.2(A)"

AMENDMENT NO. 3

On page 2, delete line 1 in its entirety and insert the following:

"(1) The offender changes his place of residence or establishes a new or additional residence;~~or,~~

(2) ~~When the~~ The offender has vacated his current address of registration with the intent not to return;~~or,~~

(3) ~~When the~~ The offender has been absent from his current address of registration for more than thirty consecutive days or an aggregate of thirty days or more per calendar year and is physically present at another address during that same time period;~~or,~~"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 403—

BY SENATOR MORRELL

AN ACT

To enact R.S. 44:9(E)(1)(c) and (d), relative to expungement of criminal records; to authorize the expungement of criminal records of persons who have successfully completed the Department of Public Safety and Corrections intensive incarceration program; to provide relative to other conditions necessary for the expungement of criminal records; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 417—

BY SENATOR RISER

AN ACT

To amend and reenact R.S. 18:461(A)(1), and to enact R.S. 18:461(A)(2)(d) and 463(A)(1)(d), relative to the Louisiana Election Code; to provide for the manner of qualifying for elections for candidates serving outside of the United States in the armed forces; to provide relative to fees; to provide for filing by facsimile or electronic mail; to provide for qualifying with the secretary of state or a person in his office designated to receive qualifying papers; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 421—

BY SENATOR DONAHUE

AN ACT

To amend and reenact the introductory paragraph of R.S. 22:347(A)(4)(a) and the introductory paragraph of R.S. 48:756(A)(1), relative to population estimates used in certain fund distributions; to provide for an entity under the latest federal-state cooperative program for local population estimates; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 531—

BY SENATOR PEACOCK

AN ACT

To amend and reenact R.S. 56:39(A) and to enact R.S. 14:63(G)(5), relative to criminal trespass; to provide relative to penalties for criminal trespass; to provide for forfeiture of and payment for the killing of wildlife in the course of a criminal trespass; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 549—
BY SENATOR MILLS

AN ACT

To amend and reenact R.S. 47:302.27, relative to disposition of certain collections in St. Martin Parish; to provide for appropriations from the St. Martin Parish Enterprise Fund to the St. Martin Parish government; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 595—
BY SENATOR CROWE

AN ACT

To enact R.S. 12:2.1 and R.S. 44:4(45) and 4.1(B)(37), relative to access of certain public records; to provide for the "Business Identity Theft Prevention Act"; to make confidential certain electronic mail addresses; to provide for notifications; to provide relative to the duties of the secretary of state; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Reengrossed Senate Bill No. 595 by Senator Crowe

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 12:2.1 and R.S. 44:4(45) and 4.1(B)(37)," to "R.S. 12:2.1 and 2.2 and R.S. 44:4.1(B)(37),"

AMENDMENT NO. 2

On page 1, delete lines 7 through 17 and on page 2, delete lines 1 through 14 and insert the following:

"Section 1. This Act shall be known and may be cited as "The Business Identity Theft Prevention Act".

Section 2. R.S. 12:2.1 and 2.2 are hereby enacted to read as follows:

§2.1. Electronic mail addresses; confidentiality

Any electronic mail address submitted to or captured by the secretary of state pursuant to the provisions of this Title shall be confidential and shall not be disclosed by the secretary of state or any employee or official of the Department of State.

§2.2. Electronic notification of status changes

The secretary of state shall notify any person who subscribes to the secretary of state's electronic mail notification service and who is an officer of a corporation, member or manager of a limited liability company, or partner in a partnership, or any agent thereof, when a filing has occurred which may have removed that person's name from documents and records of that entity held by the secretary of state.

Section 3. R.S. 44:4.1(B)(37) is hereby enacted to read as follows:"

AMENDMENT NO. 3

On page 2, delete lines 25 through 29, and insert the following:

"Section 4. This Act shall become effective on January 1, 2013."

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. 595 by Senator Crowe

AMENDMENT NO. 1

In House Committee Amendment No. 2 proposed by the House Committee on House and Governmental Affairs to Reengrossed Senate Bill No. 595 by Senator Crowe, on page 1, line 20, following "occurred" and before "may" change "which" to "that"

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 616—
BY SENATOR MORRELL AND REPRESENTATIVE LEGER
AN ACT

To enact R.S. 47:1641.1, relative to criminal penalties for falsifying retail sales records; to prohibit automated sales suppression devices; to provide for definitions; to provide for penalties; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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. 616 by Senator Morrell

AMENDMENT NO. 1

On page 1, line 15, following "is" and before ":" change "either" to "any of the following"

AMENDMENT NO. 2

On page 2, line 25, following "contains" and before "but" delete "1"

AMENDMENT NO. 3

On page 2, line 25, following "to" and before "documentation" delete "1"

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 633—
BY SENATOR JOHNS

AN ACT

To amend and reenact R.S. 14:68.2 and to enact R.S. 14:68.2.1, relative to crimes involving the supplemental nutrition assistance program; to create the crime of unauthorized use of supplemental nutrition assistance program benefits or supplemental nutrition assistance program benefit access devices and the crime of failure to report unauthorized use of supplemental nutrition assistance program benefits; to provide for definitions; to provide for penalties; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Engrossed Senate Bill No. 633 by Senator Johns

AMENDMENT NO. 1

On page 1, line 3, after "program;" delete the remainder of the line, delete lines 4 through 6 in their entirety, and insert the following:

"to amend the crime of unauthorized use of food stamp coupons, authorization cards, or access devices; to change all references to "supplemental nutrition assistance program benefits"; to amend criminal penalties; to create the crime of failure to report the unauthorized use of supplemental nutrition assistance program benefits; to provide"

AMENDMENT NO. 2

On page 1, line 14, after "Section" and before "the following terms" insert "and in R.S. 14:68.2.1."

AMENDMENT NO. 3

On page 4, delete lines 1 and 2 in their entirety and insert the following:

"report each instance of known fraud or abuse of SNAP benefits, or any known unauthorized use of SNAP benefits or a SNAP benefit access device as defined in R.S. 14:68.2, to the fraud detection section, office of children and family services of the Department of Children and Family Services via the"

AMENDMENT NO. 4

On page 4, line 6, after "dollars." delete the remainder of the line and delete line 7 in its 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 Engrossed Senate Bill No. 633 by Senator Johns

AMENDMENT NO. 1

On page 2, line 20, following "knowing" and before "to have" change "the same" to "it"

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 652—
BY SENATOR CLAITOR

AN ACT

To amend and reenact R.S. 47:9010(A)(7), relative to the Louisiana Lottery Corporation; to provide for the content of the annual budget report submitted to the Joint Legislative Committee on the Budget; to provide for the reporting of certain personnel information; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 706—
BY SENATOR GALLOT

AN ACT

To enact R.S. 47:1508(B)(30) and (31), relative to the Department of Revenue; to provide with respect to the confidentiality of taxpayer records; to authorize the sharing of information to the Louisiana Public Service Commission and the Louisiana Senate and House of Representatives in certain circumstances; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Reengrossed Senate Bill No. 706 by Senator Gallot

AMENDMENT NO. 1

On page 1, line 14, delete "Louisiana"

AMENDMENT NO. 2

On page 1, line 17, delete "Louisiana"

AMENDMENT NO. 3

On page 2, delete lines 2 through 5, and insert the following:

"(31) The furnishing of information to the secretary of the Senate and the clerk of the House of Representatives regarding whether any person nominated or appointed to a board, commission, committee, corporation, district, or other office or position that requires confirmation, approval, or election by the Senate or the House of Representatives has filed tax returns or owes a liability for the previous five years. Any information so furnished shall be"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

**Senate Bills on Second Reading
Reported by Committee**

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

SENATE BILL NO. 207—
BY SENATOR MORRISH

AN ACT

To enact R.S. 22:1098, relative to review of health coverage premium rates; to provide for definitions; to enact requirements that meet the provisions of effective rate review as defined by the U.S. Department of Health and Human Services; to provide for information to be filed by health insurance issuers; to provide for review of filed information by the commissioner of insurance; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Reengrossed Senate Bill No. 207 by Senator Morrish

AMENDMENT NO. 1

On page 1, line 2, after "To" insert "amend and reenact R.S. 44:4.1(B)(10) and"

AMENDMENT NO. 2

On page 4, line 2, after "benefits" delete "plans, high deductible health plans" and insert "plans"

AMENDMENT NO. 3

On page 4, delete lines 9 and 10 in their entirety and insert "(11) "Small group" or"

AMENDMENT NO. 4

On page 4, at the end of line 13, change "2014," to "2016,"

AMENDMENT NO. 5

On page 5, line 12, after "exceeds" delete "ten percent of the rate implemented," and insert the following:

"a rate specified by the United States Department of Health and Human Services in accordance with the Patient Protection and Affordable Care Act."

AMENDMENT NO. 6

On page 7, line 9, after "confidential" delete "according" and insert "and not subject"

AMENDMENT NO. 7

On page 8, line 16, after "unreasonable rate increase" delete the remainder of the line and delete line 17 in its entirety and insert a colon ":"

AMENDMENT NO. 8

On page 9, at the beginning of line 12, insert "required by Subparagraphs C(2)(a) and (b) of this Section"

AMENDMENT NO. 9

On page 10, between lines 11 and 12, insert the following:

"Section 2. R.S. 44:4.1(B)(10) is hereby amended and reenacted to read as follows:

§4.1. Exceptions

* * *

B. The legislature further recognizes that there exist exceptions, exemptions, and limitations to the laws pertaining to public records throughout the revised statutes and codes of this state. Therefore, the following exceptions, exemptions, and limitations are hereby continued in effect by incorporation into this Chapter by citation:

* * *

(10) R.S. 22:2, 14, 42.1, 88, 244, 461, 572, 572.1, 574, 618, 706, 732, 752, 771, 1098, 1203, 1460, 1466, 1546, 1644, 1656, 1723, 1927, 1929, 1983, 1984, 2036, 2303

* * *"

AMENDMENT NO. 10

On page 10, line 12, after "Section" change "2." to "3."

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

Under the rules, the bill, as amended, was recommitted to the Committee on House and Governmental Affairs.

SENATE BILL NO. 215—
BY SENATOR MILLS

AN ACT

To enact Subpart E of Part II of Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:290.1, and Subpart P of Part I of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, comprised of R.S. 47:120.39, relative to fraud and abuse detection and prevention with regard to the Supplemental Nutrition Assistance Program; to create and provide for donations to the SNAP Fraud and Abuse Detection and Prevention Fund; to provide for investment and appropriation of monies in the fund; to provide relative to donation of tax refunds; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

Under the rules, the bill was recommitted to the Committee on Appropriations.

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.

Reported favorably by the Committee on Education.

Under the rules, the bill was recommitted to the Committee on Civil Law and Procedure.

SENATE BILL NO. 563—
BY SENATOR WHITE

AN ACT

To enact R.S. 17:58.2(I), 67, and 67.1, relative to the Southeast Baton Rouge Community School System; to provide for the school system, including its establishment and geographic boundaries; to provide for the school board and an interim board of control; to provide for board membership, apportionment, qualifications, method of selection, terms of office, filling of vacancies, compensation, expenses, powers, duties, and responsibilities; to provide relative to facilities and property; to provide relative to the collection and remittance of certain taxes; to provide relative to the provision of certain student services; to provide relative to certain applications for funding; to provide for the reapportionment of the East Baton Rouge Parish School Board; to provide for effectiveness and for implementation; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Re-reengrossed Senate Bill No. 563 by Senator White

AMENDMENT NO. 1

On page 10, at the end of line 23, change "December 1, 2012," to "November 6, 2012." and delete line 24 in its entirety

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

Under the rules, the bill, as amended, was recommitted to the Committee on Appropriations.

Reconsideration

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

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.

On motion of Rep. Seabaugh, 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.

Special Order of the Day

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

HOUSE BILL NO. 1—
BY REPRESENTATIVE FANNIN
AN ACT

Making appropriations for the ordinary expenses of the executive branch of state government, pensions, public schools, public roads, public charities, and state institutions and providing with respect to the expenditure of said appropriations.

Read by title.

Acting Speaker Ritchie in the Chair

Speaker Kleckley in the Chair

Acting Speaker Arnold in the Chair

Speaker Kleckley in the Chair

Motion

Rep. Fannin moved the House authorize the appropriation of one-time money prior to considering the motion to resolve the House into the Committee of the Whole to discuss House Bill No. 1.

Rep. Ligi objected.

Point of Order

Rep. Ligi asked for a ruling from the Chair as to whether the above motion was debatable.

Ruling of the Chair

The Chair ruled that the above motion was not debatable.

Point of Order

Rep. Geymann asked for a ruling from the Chair as to the vote required to pass the above motion.

Ruling of the Chair

The Chair ruled the motion required a two-thirds vote of the members present and voting.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	Leger
Anders	Franklin	Lopinto
Armes	Gaines	Montoucet
Arnold	Gisclair	Moreno
Badon	Guillory	Norton
Barrow	Hill	Ortego
Billiot	Hoffmann	Pierre
Broadwater	Honore	Ponti
Brossett	Hunter	Price
Brown	Jackson, G.	Reynolds
Burns, H.	Jackson, K.	Ritchie
Burrell	James	Smith
Chaney	Jefferson	St. Germain
Cox	Johnson	Thibaut
Cromer	Jones	Thierry
Dixon	Landry, T.	Williams, P.
Edwards	LeBas	Willmott
Total - 51		

NAYS

Adams	Harrison	Morris, Jim
Barras	Havard	Pearson
Berthelot	Hazel	Pope
Bishop, S.	Henry	Pugh
Burford	Hensgens	Pylant
Burns, T.	Hodges	Richard
Carmody	Hollis	Richardson
Carter	Howard	Robideaux
Champagne	Huval	Schexnayder
Connick	Lambert	Schroder
Danahay	Landry, N.	Seabaugh
Foil	Leopold	Shadoin
Garofalo	Ligi	Simon
Geymann	Lorusso	Talbot
Greene	Mack	Thompson
Guinn	Miller	Whitney
Harris	Morris, Jay	
Total - 50		

ABSENT

Abramson	Dove
Bishop, W.	Williams, A.
Total - 4	

The House refused to authorize the use of one-time money pursuant to House Rule 7.19.

Explanation of Vote

Rep. Alfred Williams disclosed a possible conflict of interest and recused himself from casting his vote on the above motion.

Motion

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

Recess

The Speaker declared the House at recess upon the call of the House.

After Recess

Speaker Pro Tempore Leger called the House to order at 3:05 P.M.

House Business Resumed

Recess

The Speaker Pro Tempore declared the House at recess until 5:00 P.M.

After Recess

Speaker Kleckley called the House to order at 6:49 P.M.

House Business Resumed

HOUSE BILL NO. 822—
BY REPRESENTATIVE FANNIN
AN ACT

To amend and reenact R.S. 22:842, relative to special treasury funds; to provide for deposits into the Louisiana Medical Assistance Trust Fund; to provide for the transfer, dedication, use, and appropriations as specified of certain treasury funds; to provide for the deposit of certain funds into the state treasury; to provide for effective dates; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 134—
BY REPRESENTATIVE FANNIN
AN ACT

To provide for the establishment and reestablishment of agency ancillary funds, to be specifically known as internal service funds, auxiliary accounts, or enterprise funds for certain state institutions, officials, and agencies; to provide for appropriation of funds; and to regulate the administration of said funds.

Read by title.

Motion

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

HOUSE BILL NO. 1058—
BY REPRESENTATIVES FANNIN AND KLECKLEY AND SENATORS
ALARIO AND DONAHUE
AN ACT

To appropriate funds to defray the expenses of the Louisiana Judiciary, including the Supreme Court, Courts of Appeal, District Courts, Criminal District Court of Orleans Parish, and other courts; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 1059—
BY REPRESENTATIVE FANNIN
AN ACT

To appropriate funds and to make certain reductions in appropriations from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations and reductions for said agencies and purposes for Fiscal Year 2011-2012; to provide for an effective date; and to provide for related matters.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Fannin gave notice of his intention to call House Bill Nos. 1, 134, 822, 1058, and 1059 from the calendar on Friday, May 11, 2012.

Suspension of the Rules

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

Petitions, Memorials, and Communications

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

Message from the Senate

SIGNED SENATE CONCURRENT RESOLUTIONS

May 10, 2012

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

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

Senate Concurrent Resolution Nos. 96, 97, and 98

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

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

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

Message from the Senate

SIGNED SENATE BILLS AND JOINT RESOLUTIONS

May 10, 2012

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

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

Senate Bill Nos. 48, 95, 140, 148, 149, 151, 158, 169, 252, 288, 375, 614, and 646

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

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

The Senate Bills and Joint Resolutions contained herein were signed by the Speaker of the House.

Privileged Report of the Committee on Enrollment

May 10, 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. 96— BY REPRESENTATIVE SIMON

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to study means by which to expand access by Louisianians to telehealth services and to report its findings to the legislative committees on health and welfare.

HOUSE CONCURRENT RESOLUTION NO. 130—

BY REPRESENTATIVE WILLMOTT

A CONCURRENT RESOLUTION

To recognize the week of May 6 through 12, 2012, as National Nurses Week in Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 133—

BY REPRESENTATIVE SIMON AND SENATOR HEITMEIER

A CONCURRENT RESOLUTION

To recognize Wednesday, May 9, 2012, as Louisiana Primary Care Association Day at the legislature.

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.

Privileged Report of the Committee on Enrollment

May 10, 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 Bills have been properly enrolled:

HOUSE BILL NO. 123—

BY REPRESENTATIVE LOPINTO

AN ACT

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

HOUSE BILL NO. 324—

BY REPRESENTATIVE DANAHAY

AN ACT

To designate a portion of Highway 12 as the "Purple Heart Recipient Highway" and to designate the Interstate 20/US 371 Interchange as the "Sergeant Joshua Barrett Madden Interchange".

HOUSE BILL NO. 783—

BY REPRESENTATIVES FANNIN, ADAMS, ANDERS, ARMES, BARRAS, BERTHELOT, BILLIOT, BROADWATER, BURFORD, HENRY BURNS, BURRELL, CARTER, CHAMPAGNE, CHANEY, CONNICK, COX, DIXON, EDWARDS, GAINES, GAROFALO, GEYMAN, GISCLAIR, GUILLORY, HARRIS, HARRISON, HAVARD, HAZEL, HENRY, HENSGENS, HILL, HOFFMANN, HONORE, HOWARD, HUNTER, HUVAL, KATRINA JACKSON, JAMES, JEFFERSON, JOHNSON, JONES, LAMBERT, TERRY LANDRY, LEBAS, LEOPOLD, LIGI, LORUSSO, MILLER, MONTOUCET,

MORENO, JAY MORRIS, JIM MORRIS, NORTON, ORTEGO, PIERRE, POPE, PRICE, PYLANT, REYNOLDS, RICHARD, RICHARDSON, RITCHIE, ROBIDEAUX, SCHEXNAYDER, SCHRODER, SHADOIN, SIMON, SMITH, ST. GERMAIN, THIBAUT, THOMPSON, WHITNEY, AND PATRICK WILLIAMS AND SENATORS GALLOT, KOSTELKA, LONG, RISER, JOHN SMITH, THOMPSON, AND WALSWORTH

AN ACT

To amend and reenact R.S. 48:196(A) and to enact R.S. 48:196.1, relative to the issuance of bonds; to authorize the State Bond Commission to issue bonds secured by certain licenses and fees; to provide for the deposit of certain monies into the State Highway Improvement Fund; to provide for the use of the proceeds of the bonds; to provide for a special fund; to provide for certain requirements and limitations on the issuance of bonds; to provide for a procedure to contest the validity of issuance of the bonds; to provide for the rights of bondholders; to authorize the issuance of refunding bonds; to provide for an effective date; and to provide for related matters.

Respectfully submitted,

HAROLD RITCHIE
Chairman

The above House Bills contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk and were signed by the President of the Senate and taken by the Clerk of the House to the Governor for executive approval.

Adjournment

On motion of Rep. Billiot, at 6:50 P.M., the House agreed to adjourn until Friday, May 11, 2012, at 9:00 A.M.

The Speaker of the House declared the House adjourned until 9:00 A.M., Friday, May 11, 2012.

ALFRED W. SPEER
Clerk of the House