

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

FORTY-SIXTH DAY'S PROCEEDINGS

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

House of Representatives
State Capitol
Baton Rouge, Louisiana

Thursday, May 24, 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	Geymann	Miller
Abramson	Gisclair	Moreno
Adams	Greene	Morris, Jay
Anders	Guinn	Morris, Jim
Armes	Harris	Norton
Arnold	Harrison	Ortego
Badon	Havard	Pearson
Barras	Hazel	Pierre
Barrow	Henry	Ponti
Berthelot	Hensgens	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, H.	Huval	Robideaux
Burns, T.	Jackson, G.	Schexnayder
Burrell	Jackson, K.	Schroder
Carmody	James	Seabaugh
Carter	Jefferson	Shadoin
Champagne	Johnson	Simon
Chaney	Jones	Smith
Cox	Lambert	St. Germain
Cromer	Landry, N.	Talbot
Danahay	Landry, T.	Thibaut
Dixon	LeBas	Thierry
Edwards	Leger	Thompson
Fannin	Leopold	Whitney
Foil	Ligi	Williams, A.
Franklin	Lopinto	Williams, P.
Gaines	Lorusso	Willmott
Garofalo	Mack	

Total - 101

The Speaker announced that there were 101 members present and a quorum.

Prayer

Prayer was offered by Dr. Michael Sprague of Grace Adventures, Mandeville.

Pledge of Allegiance

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

On motion of Rep. Tim Burns, the Journal of May 23, 2012, was adopted.

**Petitions, Memorials, and
Communications**

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

**Message from the Senate
ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

May 24, 2012

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

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

Senate Concurrent Resolution No. 130

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

SENATE BILLS

May 24, 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 No. 408

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. 408—
BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 38:2225.2.1(A)(1) and (3), relative to sewerage and water boards; to authorize the Sewerage and Water Board of New Orleans to use design-build contracts; to extend the authorization time for use of design-build contracts by certain public entities in areas damaged by Hurricane Katrina, Hurricane Rita, or both; and to provide for related matters.

Read by title.

**Senate Concurrent Resolutions
Lying Over**

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

SENATE CONCURRENT RESOLUTION NO. 126—
BY SENATORS LONG AND GALLOT AND REPRESENTATIVES BROWN, COX AND HOWARD

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Joe Sampite', former mayor of Natchitoches, to commend a life well spent in service to his community, and to note the proud legacy he leaves to the city of Natchitoches and the state of Louisiana.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 127—
BY SENATOR DORSEY-COLOMB

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Dr. Wallace Hart Dunlap, to commend a life well spent in service to his community, and to note the proud legacy he leaves to the state of Louisiana.

Read by title.

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

**Senate Bills and Joint Resolutions on
Second Reading to be Referred**

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

SENATE BILL NO. 670—
BY SENATOR LAFLEUR

AN ACT

To amend and reenact R.S. 56:302.9(A) and 302.9.1(A), relative to charter boat and charter boat fishing guides; to provide for licensing requirements; to provide for proof of liability insurance; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 766 (Substitute of Senate Bill No. 593 by
Senator Alario)—**
BY SENATORS ALARIO, MILLS, JOHNS AND NEVERS

AN ACT

To To enact R.S. 40:1299.30.1, relative to abortion; to provide for the Pain-Capable Unborn Child Protection Act; to provide for

legislative intent; to provide for definitions; to provide for the determination of postfertilization age; to provide for penalties; 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 Health and Welfare.

**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. 40—
BY SENATOR MORRISH

AN ACT

To amend and reenact R.S. 40:1429, relative to the insurance fraud investigation unit within the Department of Public Safety and Corrections; to extend the enforcement provisions of the unit to July 1, 2014; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Insurance.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 86—
BY SENATOR BUFFINGTON

AN ACT

To amend and reenact the introductory paragraph of R.S. 40:4(A)(2), relative to the Sanitary Code; to provide with respect to the duties of a healthcare provider with regard to any general duty to warn concerning communicable diseases; 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 regular calendar.

SENATE BILL NO. 106—
BY SENATOR GALLOT

AN ACT

To enact R.S. 24:31.4(E), relative to legislators; to authorize and provide for surplus space in state-owned property to be utilized as offices for legislators; to provide for a procedure for requesting such space; 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. 155—
BY SENATOR LAFLEUR

AN ACT

To amend and reenact R.S. 17:24.10(C)(1)(c), relative to early childhood education; to authorize the Department of Education to grant waivers for certain enrichment activity classes required in the Cecil J. Picard LA 4 Early Childhood Program; to provide for annual renewal of such waivers; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

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 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. 207 by Senator Morrish

AMENDMENT NO. 1

On page 1, line 6, after "insurance;" insert "to provide for confidentiality of certain information;"

AMENDMENT NO. 2

On page 4, line 1, after "state." delete "Products," and insert "'Product'."

AMENDMENT NO. 3

On page 6, line 5, after "shall be" delete "a be"

AMENDMENT NO. 4

On page 9, line 15, after "commissioner" delete the remainder of the line, and at the beginning of line 16, delete "law, refrain from releasing" and insert "shall not release"

AMENDMENT NO. 5

On page 9, at the end of line 18, insert "Such information shall not be subject to the Louisiana public records law."

AMENDMENT NO. 6

On page 10, line 6, after "benefits," delete "high deductible health plans."

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. 207 by Senator Morrish

AMENDMENT NO. 1

On page 1, line 14, at the beginning of the line change "U.S." to "United States"

AMENDMENT NO. 2

On page 7, line 8, following "Paragraph" change "C(2)" to "(2) of this Subsection"

AMENDMENT NO. 3

On page 7, line 11, following "Paragraphs" and before "(1)" change "C" to "(C)"

AMENDMENT NO. 4

On page 9, line 17, following "provisions of" and before "of this Section" change "Paragraph C(2)(c)" to "Subparagraph (C)(2)(c)"

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. 309—
BY SENATOR DONAHUE

AN ACT

To amend and reenact R.S. 17:10.2 and to repeal R.S. 17:7(19), relative to the school and district accountability system; to provide relative to certain requirements for educational improvement plans; to remove certain requirements relative to submission of school improvement plans; to require the Department of Education to provide trend data reports to the governing authority of each public school; to repeal provision relative to implementation of a school improvement pilot program; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 327—
BY SENATOR BROOME

AN ACT

To enact R.S. 40:2023, relative to the availability of vaccines for the elderly; to provide for availability of certain immunizations for elderly inpatients; to provide for the payment of such immunizations; 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. 371—
BY SENATOR HEITMEIER AND REPRESENTATIVE BROSSETT

AN ACT

To enact R.S. 40:1300.332, relative to Medicaid; to provide for the Department of Health and Hospitals upper payment limit mechanism for outpatient behavioral health services for certain Medicaid recipients; to provide for rules and regulations; 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 regular calendar.

SENATE BILL NO. 458—
BY SENATOR LAFLEUR

AN ACT

To amend and reenact R.S. 17:3092(5), relative to the Student Tuition Assistance and Revenue Trust program; to amend the definition of institution of postsecondary education for eligibility purposes; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 461—
BY SENATOR WALSWORTH

AN ACT

To amend and reenact R.S. 17:151(B), relative to public schools; to provide for pupil-classroom-teacher ratios; to provide for waivers; to provide for reporting requirements; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

Reported without amendments by the Legislative Bureau.

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

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

SENATE BILL NO. 494—
BY SENATOR APPEL

AN ACT

To amend and reenact R.S. 17:24.2, 46(F), 500.2(A)(1), (C)(2), and (E)(1), 1176(B), 1202(A)(1), (C)(2), and (E)(1), and 1206.2(A)(1), (C)(2), and (E)(1), and to repeal Section 2 of Act No. 470 of the 2010 Regular Session of the Legislature, relative to elementary and secondary education; to provide with respect to school improvement; to provide for technical assistance to local public school systems; to provide relative to selection of certain teachers; to provide relative to extended sick leave for teachers, school bus operators, and other school employees; to provide relative to the duration of such leave, compensation during such leave, and conditions under which requests for such leave shall be granted; to remove provisions excepting school boards from complying with requirements with respect to extended sick leave during certain fiscal years; to provide relative to the granting of sabbatical leave by a city, parish, or other local public school board or by the governing authority of a state special school; to provide relative to the requirement that certain sabbatical leave requests be granted; to provide relative to exceptions to such requirement; to remove a specific limitation on the eligibility of certain school employees for sabbatical leave; to provide an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 500—
BY SENATORS BUFFINGTON AND MILLS

AN ACT

To amend and reenact R.S. 36:919.4 and R.S. 40:1231, 1231.1(A), 1232(A) and (B), 1232.1(A) and (B), 1232.2(B)(1)(b) and (d), (B)(2), and (G), 1232.3(A)(1) through (3) and (B), 1232.4(1), (3), and (5), 1232.5, the introductory paragraph of 1232.6 and 1232.6(1), (2), and (12), 1232.7(D) and (E), 1232.9, 1232.11, 1233, 1234, 1235(A)(1), (2)(a), (c), and (d), 1235.1(A), 1236, 1236.1, 1236.13(B) and (F), 1299.58.2(4), 1299.64.2(3); to enact R.S. 40:1232.4(10) and 1232.6(15), and to repeal R.S. 40:1236.3, relative to the changes within the emergency medical services provisions; to provide for changes in references to emergency medical personnel; to provide with respect to title designations for certain licensee providing emergency medical services; to provide with respect to grounds for disciplinary proceedings relative to intentional falsification of documents; to provide relative to the duties of emergency medical personnel; to provide relative to the permissible functions which an emergency medical services practitioner student may perform and under what conditions they may be performed; to provide with respect to the certifications necessary for an emergency medical services practitioner to hold; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Reengrossed Senate Bill No. 500 by Senator Buffington

AMENDMENT NO. 1

On page 1, line 3, after "and (G)," delete the remainder of the line and at the beginning of line 4 delete "(3)" and insert in lieu thereof "1232.3(A)(2), (3),"

AMENDMENT NO. 2

On page 1, line 6, delete "1236.1,"

AMENDMENT NO. 3

On page 1, at the beginning of line 7, delete "1299.58.2(4), 1299.64.2(3);" and insert "1299.58.2(3), 1299.58.7(E), 1299.58.8(D), 1299.64.2(2), 1299.64.4(D), and 1299.64.5(B);"

AMENDMENT NO. 4

On page 1, delete line 8 in its entirety and insert in lieu thereof "repeal R.S. 40:1236.3, 1299.58.2(4), and 1299.64.2(3), relative to changes within the emergency medical services"

AMENDMENT NO. 5

On page 1, line 10, change "licensee" to "licensees"

AMENDMENT NO. 6

On page 1, line 15, change "they" to "those functions"

AMENDMENT NO. 7

On page 2, line 17, change "1232.3(A)(1) through (3)" to "1232.3(A)(2), (3),"

AMENDMENT NO. 8

On page 2, delete line 20 in its entirety and insert in lieu thereof the following:

"1236, 1236.13(B) and (F), 1299.58.2(3), 1299.58.7(E), 1299.58.8(D), 1299.64.2(2), 1299.64.4(D), and 1299.64.5(B) are hereby amended and"

AMENDMENT NO. 9

On page 7, line 16, change "objective" to "objectives"

AMENDMENT NO. 10

On page 8, at the end of line 17, change "license and license" to "licensure and license"

AMENDMENT NO. 11

On page 8, at the end of line 19, change "license or" to "licensure or"

AMENDMENT NO. 12

On page 8, line 27, change "license or license renewal" to "licensure or license renewal"

AMENDMENT NO. 13

On page 9, line 1, change "license" to "licensure"

AMENDMENT NO. 14

On page 9, line 16, delete "certification" and insert "licenses"

AMENDMENT NO. 15

On page 10, line 22, delete "Certification" and insert "License"

AMENDMENT NO. 16

On page 12, delete lines 22 and 23 in their entirety and insert in lieu thereof a set of asterisks "* * *"

AMENDMENT NO. 17

On page 12, line 24, delete "scope of practice" and insert "standards of practice"

AMENDMENT NO. 18

On page 13, line 27, change "license and license" to "licensure and license"

AMENDMENT NO. 19

On page 14, line 2, delete "scope of practice" and insert "standards of practice"

AMENDMENT NO. 20

On page 14, line 11, change "license" to "licensure"

AMENDMENT NO. 21

On page 15, line 5, after "an" and before "emergency" insert "EMS professional"

AMENDMENT NO. 22

On page 17, delete line 13 in its entirety

AMENDMENT NO. 23

On page 17, at the end of line 15, insert "licensed"

AMENDMENT NO. 24

On page 27, delete lines 6 through 14 in their entirety and insert the following:

"(3) ~~"Certified emergency medical technician"~~ "Licensed emergency medical services practitioner" means a certified emergency medical technician licensed emergency medical services practitioner as defined in R.S. 40:1231."

AMENDMENT NO. 25

On page 27, between lines 15 and 16, insert the following:

"§1299.58.7. Physician, health care provider, ~~certified emergency technician, and certified first responder~~ and licensed emergency medical services practitioner responsibility

* * *

E. ~~Certified emergency medical technicians and certified first responders~~ Licensed emergency medical services practitioners shall make a reasonable effort to detect the presence of a do-not-resuscitate identification bracelet on the patient.

§1299.58.8. Immunity from liability

* * *

D.(1) A ~~certified emergency medical technician or a certified first responder~~ licensed emergency medical services practitioner shall not be subject to criminal prosecution or civil liability for withholding life-sustaining procedures from a qualified patient who is wearing a do-not-resuscitate identification bracelet.

(2) A ~~certified emergency medical technician or a certified first responder~~ licensed emergency medical services practitioner shall not be subject to criminal prosecution or civil liability for administering life-sustaining procedures to a qualified patient who is not wearing the do-not-resuscitate identification bracelet.

* * *

AMENDMENT NO. 26

On page 27, delete lines 20 through 28 and insert in lieu thereof the following:

"(2) ~~"Certified emergency medical technician"~~ "Licensed emergency medical services practitioner" means a ~~certified emergency medical technician~~ licensed emergency medical services practitioner as defined in R.S. 40:1231."

AMENDMENT NO. 27

On page 27, after line 29, insert the following:

"§1299.64.4. Physician, health care provider, ~~certified emergency technician, and certified first responder~~ and licensed emergency medical services practitioner responsibility

* * *

D. ~~Certified emergency medical technicians and certified first responders~~ Licensed emergency medical services practitioners shall make a reasonable effort to detect the presence of an executed LaPOST form.

§1299.64.5. Immunity from liability

* * *

B. (1) A ~~certified emergency medical technician or a certified first responder~~ licensed emergency medical services practitioner shall not be subject to criminal prosecution or civil liability for withholding life-sustaining procedures from a patient who has duly executed a LaPOST form.

(2) A ~~certified emergency medical technician or a certified first responder~~ licensed emergency medical services practitioner shall not be subject to criminal prosecution or civil liability for administering life-sustaining procedures to a patient who has duly executed a LaPOST form when there is no reasonable means by which the ~~certified emergency medical technician or certified first responder~~ licensed emergency medical services practitioner could know or should have known that the patient had executed such LaPOST form, or as a result of transferring a patient to a provider with which the provisions of this Part can be effectuated."

AMENDMENT NO. 28

On page 28, delete line 1 in its entirety and insert in lieu thereof the following:

"Section 3. R.S. 40:1236.3, 1299.58.2(4), and 1299.64.2(3) are hereby repealed in their entirety."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 555—

BY SENATOR ADLEY

AN ACT

To amend and reenact R.S. 30:29(C)(1), (2), and (3) and to enact R.S. 30:29(B)(5), (6), (7), and (L), relative to the remediation of oilfield sites and exploration and production sites; to provide for the admission or finding of liability by certain parties; to provide for the issuance of subpoenas for certain individuals and the procedure for a preliminary hearing; to suspend the prescriptive period for cases involving environmental damage; to provide for indemnification; to provide terms, conditions, requirements, and procedures; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 606—

BY SENATOR MORRELL

AN ACT

To amend and reenact R.S. 44:9(A)(3)(a), (5)(a), (c) and (d), (B)(1)(b) and (2), (C)(2), and (E)(1)(b), relative to records of arrests and violations of municipal ordinances and state statutes; to provide with respect to expungement of records; 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. 606 by Senator Morrell

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 44:9(A)(3)(a), (5)(a), (c)" to "R.S. 44:9(A)(5)(c)"

AMENDMENT NO. 2

On page 1, line 2, change "(B)(1)(b) and (2)," to "(B)(2),"

AMENDMENT NO. 3

On page 1, line 3, after "(E)(1)(b)" delete the comma "," and insert "and to enact R.S. 44:9(B)(3) and (C)(3),"

AMENDMENT NO. 4

On page 1, line 7, change "R.S. 44:9(A)(3)(a), (5)(a), (c)" to "R.S. 44:9(A)(5)(c)"

AMENDMENT NO. 5

On page 1, line 7, change "(B)(1)(b) and (2)," to "(B)(2),"

AMENDMENT NO. 6

On page 1, line 8, after "reenacted" insert "and R.S. 44:9(B)(3) and (C)(3) are hereby enacted"

AMENDMENT NO. 7

On page 1, delete lines 11 through 17 and on page 2, delete lines 1 through 12 and insert the following:

"A.

* * *

(5)"

AMENDMENT NO. 8

On page 2, line 18, after "indictment." delete the remainder of the line and delete lines 19 and 20 and insert in lieu thereof "Within sixty days of receiving the movant's written request, the district attorney shall provide the certification or deny the request."

AMENDMENT NO. 9

On page 2, line 22, after "district attorney" insert "and the arresting law enforcement agency"

AMENDMENT NO. 10

On page 3, delete lines 1 through 7 and insert the following:

"B.

* * *

AMENDMENT NO. 11

On page 3, between lines 7 and 8, insert the following:

"(2) Before filing the motion of expungement, a movant shall deliver a written request to the district attorney for a certification that verifies that his office declines to prosecute on the offense, or that prosecution has been instituted, and such proceedings have been finally disposed of by acquittal, dismissal, or sustaining a motion to quash and that the record of arrest and prosecution for the offense is without substantial probative value as a prior act for any subsequent prosecution. Within sixty days of receiving the movant's written request, the district attorney shall provide the certification or deny the request."

AMENDMENT NO. 12

On page 3, at the beginning of line 8, change "(2)" to "(3)"

AMENDMENT NO. 13

On page 3, line 9, after "district attorney" insert "and the arresting law enforcement agency"

AMENDMENT NO. 14

On page 3, line 11, after "expunge the" delete "arrest record" and insert "record of the same"

AMENDMENT NO. 15

On page 3, between lines 17 and 18, insert the following:

"(2) Before filing the motion of expungement, a movant shall deliver a written request to the district attorney for a certification that verifies that the time limitation for the institution of prosecution on the offense has expired and no prosecution has been instituted. Within sixty days of receiving the movant's written request, the district attorney shall provide the certification or deny the request."

AMENDMENT NO. 16

On page 3, at the beginning of line 18, change "(2)" to "(3)"

AMENDMENT NO. 17

On page 3, at the beginning of line 19, insert "arresting agency and"

AMENDMENT NO. 18

On page 3, line 21, after "expunge" delete the remainder of the line and on line 22, delete "Section." and insert in lieu thereof "same in accordance herewith."

AMENDMENT NO. 19

On page 3, line 27, after "district attorney" insert "and the arresting law enforcement agency"

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. 623—
BY SENATOR LAFLEUR

AN ACT

To amend and reenact R.S. 46:1844(W)(2), relative to criminal procedure; to provide relative to the rights of juvenile victims of certain sex offenses; to provide that certain information relative to juvenile victims of misdemeanor sex offenses shall not be publicly disclosed; to provide for definitions; 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. 623 by Senator LaFleur

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 46:1844(W)(2)," delete the remainder of the line, delete lines 3 through 5 in their entirety, and insert the following:

"relative to the basic rights of victims and witnesses; to provide relative to the confidentiality of certain information regarding crime victims who are minors and victims of sex offenses; to amend the definition of "sex offense" for purposes of basic rights for victims and witnesses; and to provide for related matters."

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AMENDMENT NO. 2

On page 1, delete lines 13 through 17 in their entirety, and insert the following:

"(2) For purposes of this Section, "sex offense" shall include the perpetration or attempted perpetration of aggravated rape (R.S. 14:42), forcible rape (R.S. 14:42.1), simple rape (R.S. 14:43), sexual battery (R.S. 14:43.1), second degree sexual battery (R.S. 14:43.2), oral sexual battery (R.S. 14:43.3), intentional exposure to the AIDS virus (R.S. 14:43.5); stalking (R.S. 14:40.2), misdemeanor carnal knowledge of a juvenile (R.S. 14:80.1), obscenity (R.S. 14:106), or any offense listed in R.S. 15:541(24) incest (R.S. 14:78), aggravated incest (R.S. 14:78.1), felony carnal knowledge of a juvenile (R.S. 14:80), indecent behavior with juveniles (R.S. 14:81), pornography involving juveniles (R.S. 14:81.1), molestation of a juvenile (R.S. 14:81.2), crime against nature (R.S. 14:89), aggravated crime against nature (R.S. 14:89.1), sexual battery of the infirm (R.S. 14:93.5), and video voyeurism (R.S. 14:283)."

AMENDMENT NO. 3

On page 2, delete lines 1 through 9 in their entirety

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. 629— BY SENATOR JOHNS

AN ACT

To enact Part LXXII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.351 through 1300.353, relative to Medicaid; to require the Department of Health and Hospitals to submit an annual report to the legislature on the Louisiana Medicaid Bayou Health and Louisiana Behavioral Health Partnership and Coordinating System of Care programs; to provide for the information to be included in the report; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

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. 629 by Senator Johns

AMENDMENT NO. 1

On page 3, line 22, following "welfare" and before "shall" change "which" to "that"

AMENDMENT NO. 2

On page 6, line 12, following "resolved" and before "in" insert "a decision"

AMENDMENT NO. 3

On page 6, line 15, following "network" and before "broken" insert " , "

AMENDMENT NO. 4

On page 6, line 18, following "services" and before "broken" insert " , "

AMENDMENT NO. 5

On page 7, line 5, following "services" and before "were" change "which" to "that"

AMENDMENT NO. 6

On page 7, line 14, following "welfare" and before "shall" change "which" to "that"

AMENDMENT NO. 7

On page 9, line 6, following "management" and before "which" insert " , "

AMENDMENT NO. 8

On page 9, line 21, following "measure" and before "the" change "which" to "that"

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 635— BY SENATOR LAFLEUR

AN ACT

To amend and reenact R.S. 17:3802(C)(5), relative to the Louisiana Quality Education Support Fund; to provide for payment of certain costs attributable to the State Board of Elementary and Secondary Education related to the use of external peer-review consultants; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 669— BY SENATOR WARD

AN ACT

To amend and reenact R.S. 22:997, relative to visual services and choice of practitioners; to provide with respect to vision care services performed by a licensed optometrist; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Insurance.

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. 669 by Senator Ward

AMENDMENT NO. 1

On page 1, line 14, following "37:1041" and before "(5), there" insert "(C)"

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 702—

BY SENATOR HEITMEIER

AN ACT

To authorize the Board of Supervisors of the Louisiana State University System and Agricultural and Mechanical College and LSU Health Sciences Center to transfer certain state property in Orleans Parish; to authorize the commissioner of administration to transfer certain state property in Orleans Parish; 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.

Reported with amendments by the Committee on Natural Resources and Environment.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources and Environment to Engrossed Senate Bill No. 702 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, line 5, change "transfer" to "lease"

AMENDMENT NO. 2

On page 2, at the end of line 11, delete "convey" and at the beginning of line 12, delete "transfer, assign," and delete "or deliver"

AMENDMENT NO. 3

On page 2, line 17, after "any" delete the remainder of the line

AMENDMENT NO. 4

On page 2, line 18, delete "or delivery of title,"

AMENDMENT NO. 5

On page 2, at the end of line 22, insert the following:

"The term of such lease shall be as provided in R.S. 41:1217."

AMENDMENT NO. 6

On page 2, between lines 22 and 23, insert the following;

"Section 5. A. Such authority provided in Section 3 and Section 6 of this Act shall be conditioned upon the agreement authorized by Section 4 and Section 6 of this Act containing the following provisions:

(1) The property shall be administered, managed, and operated as a facility for health care, mental health care or health or mental

health education. (2) The portion of the property described in Section 1 that formally housed the New Orleans Adolescent Hospital shall be administered, managed, and operated as to provide mental health care including in-patient and out-patient services consistent with those services formally provided by the New Orleans Adolescent Hospital prior to 2010. Such services may be provided by a third party and as more particularly provided for in the lease agreement.

B. In the event the property is not administered managed, and operated as provided in the conditions provided for in Subsection A of this Section, the lease shall terminate and control of such property shall immediately revert to and vest in the state.

Section 6. The lease provided for in Section 3 and Section 4 of this Act shall be executed by February 1, 2013. Failure to execute the lease shall render Section 3 and Section 4 of this Act null, void, and without effect. After such time or when Children's Hospital refuses to enter into the lease, whichever is sooner, the commissioner of the division of administration is authorized to offer a lease of the property described in Section 1 to the highest bidder and to enter into such agreements, covenants, conditions, and stipulations and to execute such documents as necessary to properly effectuate any lease, excluding mineral rights, to the property described in Section 1, and as more specifically described in any such agreements entered into and documents executed by and between the commissioner of administration and the highest bidder, in exchange of consideration proportionate to at least the appraised value of the property. Should the commissioner fail to lease the property by August 1, 2013, or six months after Children's Hospital refuses to enter the lease, whichever is sooner, the transfer provided for in Section 1 and Section 2 of this Act shall be null, void, and without effect and title and control of the property described in Section 1 shall revert to the Board of Supervisors of the Louisiana State University System and Agricultural and Mechanical College and LSU Health Sciences Center.

Section 7. Notwithstanding the provisions of R.S. 41:131 through 140 or any other provision to the contrary, the provisions of this Act shall be the exclusive authority and procedure to transfer any interest the state may have in the property described in Section 1 of this Act."

AMENDMENT NO. 7

On page 2, at the beginning of line 23, change "Section 5." to "Section 8."

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. 702 by Senator Heitmeier

AMENDMENT NO. 1

In House Committee Amendment No. 6 proposed by the House Committee on Natural Resources and Environment to Engrossed Senate Bill No. 702 by Senator Heitmeier, on page 1, line 19, following "care" and before "or" insert ";

AMENDMENT NO. 2

In House Committee Amendment No. 6 proposed by the House Committee on Natural Resources and Environment to Engrossed Senate Bill No. 702 by Senator Heitmeier, on page 1, line 20, change "formally" to "formerly"

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AMENDMENT NO. 3

In House Committee Amendment No. 6 proposed by the House Committee on Natural Resources and Environment to Engrossed Senate Bill No. 702 by Senator Heitmeier, on page 1, line 23, change "formally" to "formerly"

AMENDMENT NO. 4

In House Committee Amendment No. 6 proposed by the House Committee on Natural Resources and Environment to Engrossed Senate Bill No. 702 by Senator Heitmeier, on page 1, line 26, following "administered" and before "managed" insert "."

AMENDMENT NO. 5

In House Committee Amendment No. 6 proposed by the House Committee on Natural Resources and Environment to Engrossed Senate Bill No. 702 by Senator Heitmeier, on page 2, line 7, following "effect" and before "and title" insert "."

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 707— BY SENATOR AMEDEE

AN ACT

To amend and reenact R.S. 44:2, relative to public records; to exempt certain records obtained by the Senate for the purpose of confirmation of the public records law; 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. 707 by Senator Amedee

AMENDMENT NO. 1

On page 1, line 3, change "Senate for the purpose of confirmation" to "legislature for certain specified purposes"

AMENDMENT NO. 2

On page 1, line 8, after "A.(1)" delete the remainder of the line and at the beginning of line 9, delete "44:3(B), the" and insert "The"

AMENDMENT NO. 3

On page 1, line 11, after "control of" delete the remainder of the line and at the beginning of line 12, delete "under the authority of"

AMENDMENT NO. 4

On page 1, line 12, after "legislature" insert a comma "," and "or either house or any committee or officer thereof."

AMENDMENT NO. 5

On page 1, line 13, after "legislature," insert "or either house or any committee or officer thereof."

AMENDMENT NO. 6

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

"(2) All records, files, documents, and communications, and information contained therein, obtained or developed pursuant to Paragraph (1) of this Subsection that pertain to or impart the identity of any confidential source of information shall be privileged, and no court shall order the disclosure of same except on grounds of due process or constitutional law. No member, officer, or employee of the legislature shall disclose or produce such privileged records, files, documents, communications, or information except on a court order."

AMENDMENT NO. 7

On page 1, at the beginning of line 15, delete "(2) After" and insert

"(3) After Except as otherwise provided in Paragraph (2) of this Subsection, after"

AMENDMENT NO. 8

On page 2, line 1, after "B.(1)" delete the remainder of the line and insert "The"

AMENDMENT NO. 9

On page 2, line 3, change "Senate" to "legislature or either house thereof"

AMENDMENT NO. 10

On page 2, line 5, delete "Senate"

AMENDMENT NO. 11

On page 2, line 5, after "approval" insert "by the legislature or either house thereof"

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. 712—

BY SENATORS LAFLEUR, ALLAIN, CORTEZ, GUILLORY, JOHNS, MILLS, MORRISH AND PERRY AND REPRESENTATIVES BARRAS, BERTHELOT, STUART BISHOP, CHAMPAGNE, DANAHAY, GISCLAIR, GUILLORY, GUINN, HARRISON, HENSGENS, HUVAL, JOHNSON, JONES, NANCY LANDRY, TERRY LANDRY, MONTOUCET, ORTEGO, PIERRE, PRICE, RICHARD, ST. GERMAIN, THIBAUT, THIERRY AND WHITNEY

AN ACT

To enact Part II-C of Chapter 8 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:1970.31 through 1970.33, relative to establishment of an international language immersion school exploratory committee; to provide relative to the development of an implementation plan for an international school; to provide for membership, duties and functions of such committee; to provide for a report; 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 Reengrossed Senate Bill No. 712 by Senator LaFleur

AMENDMENT NO. 1

On page 2, line 26, after "The" delete the remainder of the line and delete line 27 in its entirety and insert "membership of the committee shall be as follows:"

AMENDMENT NO. 2

On page 3, between lines 23 and 24, insert the following:

"(13) The president of the University of Louisiana at Lafayette, or his designee.

(14) The president of the Lafayette Economic Development Authority, or his designee."

AMENDMENT NO. 3

On page 4, at the beginning of line 18, change "Seven" to "Nine"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

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 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.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Reengrossed Senate Bill No. 762 by Senator Buffington

AMENDMENT NO. 1

On page 3, line 8, after "elderly" delete the remainder of the line and insert a comma ", " and the long-term care of the elderly, and the protection and long-term care of services to persons with

AMENDMENT NO. 2

On page 7, after line 6, insert the following:

"Section 10. For a period of one year following the effective date of this Act, the chairman of the House Committee on Health and

Welfare and the chairman of the Senate Committee on Health and Welfare shall submit for approval by the respective committees, by roll call vote or mail ballot, any rules promulgated by the department pursuant to the provisions of this Act, and such rules shall not be adopted except by a favorable vote of both committees."

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. 762 by Senator Buffington

AMENDMENT NO. 1

On page 1, line 4, following "relative" and before "the" insert "to"

AMENDMENT NO. 2

On page 4, line 16, following "department" and before "this" change "under" to "pursuant to"

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

On motion of Rep. Simon, 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. 765 (Substitute of Senate Bill No. 251 by Senator Morrish)—

BY SENATORS MORRISH AND THOMPSON

AN ACT

To enact R.S. 22:1923(3) and Part II-A of Chapter 7 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1931 through 1931.13, relative to insurance fraud; to provide definitions; to prohibit insurance fraud; to provide for civil actions and monetary penalties; to provide with respect to civil investigative demand and deposition; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Reengrossed Senate Bill No. 765 by Senator Morrish

AMENDMENT NO. 1

On page 1, at the end of line 16, change the comma "," to a period "." and delete line 17 in its entirety

AMENDMENT NO. 2

On page 2, delete line 1 in its entirety

AMENDMENT NO. 3

On page 8, line 7, after "assessment" and before "as" insert "allocation to the attorney general's office"

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

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

House and House Concurrent Resolutions on Third Reading for Final Consideration

The following House and House Concurrent Resolutions on third reading for final consideration were taken up and acted upon as follows:

HOUSE RESOLUTION NO. 72—
BY REPRESENTATIVE HENRY BURNS
A RESOLUTION

To urge and request the Louisiana Department of Veterans Affairs to study the necessity and feasibility of establishing a Veterans Business Enterprise Program.

Read by title.

On motion of Rep. Henry Burns, the resolution was adopted.

HOUSE CONCURRENT RESOLUTION NO. 101—
BY REPRESENTATIVE GAINES
A CONCURRENT RESOLUTION

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

Read by title.

On motion of Rep. Price, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 124—
BY REPRESENTATIVE DIXON
A CONCURRENT RESOLUTION

To urge and request that Innocence Project New Orleans submit an application to the Judicial Council of the Supreme Court of Louisiana for review of a new court cost to fund the Innocence Compensation Fund.

Read by title.

On motion of Rep. Dixon, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 146—
BY REPRESENTATIVE CONNICK
A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Transportation and Development to study the need for the creation of local transportation districts by parishes and municipalities in order to assist the department in addressing transportation needs in Louisiana and to report its findings to the House Committee on Transportation, Highways and Public Works, the Senate Committee on Transportation, Highways and Public Works, the House Committee on Municipal, Parochial and Cultural Affairs, and the Senate Committee on Local and Municipal Affairs prior to the convening of the 2013 Regular Session of the Legislature of Louisiana.

Read by title.

On motion of Rep. Billiot, the resolution was adopted.

Ordered to the Senate.

Suspension of the Rules

On motion of Rep. Pugh, the rules were suspended in order to take up and consider Senate Bills and Joint Resolutions on Third Reading and Final Passage at this time.

Senate Bills and Joint Resolutions on Third Reading and Final Passage

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

Local and Consent Calendar

SENATE BILL NO. 224—
BY SENATORS RISER AND AMEDEE AND REPRESENTATIVE PUGH
AN ACT

To enact R.S. 32:410(A)(6), relative to the form and information on a driver's license; to provide an option to include certain special endorsement codes on a driver's license; to authorize endorsement codes for a lifetime hunting license, a lifetime sports fishing license, a combination lifetime hunting and sports fishing license, a firearm and hunter education certificate, and a boating safety education certificate; and to provide for related matters.

Read by title.

Rep. Pugh moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 84

NAYS

Total - 0

ABSENT

Armes	Geymann	Norton
Bishop, S.	Greene	Ortego
Bishop, W.	Guillory	Richard
Burns, T.	Jackson, K.	Smith
Connick	Ligi	St. Germain

Cromer
Dove
Total - 21

Lopinto
Montoucet

Whitney
Williams, A.

The Chair declared the above bill was finally passed.

Rep. Pugh 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.

SENATE BILL NO. 376—
BY SENATOR GARY SMITH

AN ACT

To amend and reenact R.S. 32:1525(A)(1) and (3), relative to motor carrier violations; to provide for notice of a violation of provisions regarding the transportation of hazardous waste; and to provide for related matters.

Read by title.

Rep. Miller moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Armes	Geymann	Lopinto
Bishop, S.	Greene	Montoucet
Burns, T.	Guillory	Morris, Jim
Connick	Havard	Richard
Cromer	Hodges	Williams, A.
Dove	Jackson, K.	
Fannin	Ligi	

Total - 19

The Chair declared the above bill was finally passed.

Rep. Miller 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.

SENATE BILL NO. 538—
BY SENATOR WHITE

AN ACT

To amend and reenact R.S. 40:1730.42 and 1730.45(A) and (B), relative to the state fire marshal; to provide for definitions; to provide for enforcement and rules; and to provide for related matters.

Read by title.

Rep. Ponti moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 85

NAYS

Total - 0

ABSENT

Armes	Greene	Morris, Jim
Barras	Guillory	Reynolds
Bishop, S.	Havard	Richard
Burns, T.	Jackson, K.	Robideaux
Connick	LeBas	Smith
Dove	Ligi	Williams, A.
Geymann	Montoucet	

Total - 20

The Chair declared the above bill was finally passed.

Rep. Ponti 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.

Regular Calendar

SENATE BILL NO. 70—
BY SENATOR MURRAY

AN ACT

To amend and reenact Code of Civil Procedure Articles 3421 and 3431(A)(introductory paragraph), and to repeal Code of Civil Procedure Article 3422.1(G), relative to small successions; to provide relative to small succession procedures and effects; to provide certain definitions, conditions, terms, and requirements; and to provide for related matters.

Read by title.

Rep. Abramson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 89

NAYS

Total - 0

ABSENT

Mr. Speaker	Geymann	Richard
Armes	Greene	Robideaux
Burns, T.	Guillory	Simon
Connick	Ligi	Williams, A.
Dove	Montoucet	
Garofalo	Morris, Jim	

Total - 16

The Chair declared the above bill was finally passed.

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.

SENATE BILL NO. 79—
BY SENATOR MORRISH

AN ACT

To enact R.S. 32:388(B)(1)(b)(iv), relative to trucks hauling concrete or construction aggregates; to authorize ready-mixed concrete trucks to exceed licensed gross vehicle weight under certain conditions; and to provide for related matters.

Read by title.

Rep. St. Germain moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 95

NAYS

Total - 0

ABSENT

Carter	Guillory	Robideaux
Connick	Guinn	Williams, A.
Dove	Ligi	
Geymann	Montoucet	

Total - 10

The Chair declared the above bill was finally passed.

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.

Explanation of Vote

Rep. Guinn disclosed a possible conflict of interest and recused himself from casting his vote on the final passage of the above bill.

SENATE BILL NO. 82—
BY SENATOR BUFFINGTON

A JOINT RESOLUTION

Proposing to add Article VII, Section 10(F)(4)(g) of the Constitution of Louisiana, relative to the expenditure of state funds; to prohibit the limited redirection and transfer of funds from the Medicaid Trust Fund for the Elderly in certain circumstances; and to specify an election for submission of the proposition to electors; and provide a ballot proposition.

Read by title.

Rep. Carmody 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	Gisclair	Miller
Anders	Greene	Moreno
Badon	Guinn	Morris, Jim
Barras	Harris	Norton
Barrow	Harrison	Ortego
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.	Seabaugh
Champagne	James	Shadoin
Chaney	Jefferson	Simon
Connick	Johnson	Smith
Cox	Jones	St. Germain
Cromer	Lambert	Talbot
Danahay	Landry, T.	Thibaut
Dixon	LeBas	Thierry
Edwards	Leger	Williams, A.
Fannin	Leopold	Williams, P.
Foil	Ligi	Willmott
Franklin	Lopinto	

NAYS

Landry, N.
Total - 2

Whitney

ABSENT

Armes	Guillory	Pearson
Arnold	Havard	Schroder
Dove	Montoucet	Thompson
Geymann	Morris, Jay	

Total - 11

The chair declared the above bill, having received a two-thirds vote of the elected members, was finally passed.

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

SENATE BILL NO. 139—
BY SENATOR LONG

AN ACT

To amend and reenact R.S.9:3306(9), relative to leases of movables; to provide with respect to definitions; to provide an exception for employer-sponsored lease programs; and to provide for related matters.

Read by title.

Rep. Seabaugh moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 94

NAYS

Total - 0

ABSENT

Armes	Guillory	Montoucet
Barras	Hunter	Pearson
Dove	Landry, N.	Schroder
Geymann	LeBas	

Total - 11

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 176—

BY SENATOR BUFFINGTON

AN ACT

To enact R.S. 40:1299.41(L), relative to medical malpractice; to provide for definitions and general applications; to provide relative to certain acts or omissions regarding declarations or orders related to life-sustaining procedures; to provide for prospective application; to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Nancy Landry to Engrossed Senate Bill No. 176 by Senator Buffington

AMENDMENT NO. 1

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

"To amend and reenact R.S. 37:3241(8) and (12), 3244(B) and (C), 3245(D)(1), and 3248 and to enact R.S. 37:3241(15) and (16), 3244(D), (E), (F), and (G), 3255(D), 3258, and 3259 and R.S. 40:1299.41(L), relative to healthcare; to define the scope of practice as it relates to requirements for physician evaluations and examinations and risk management physician referrals; to provide authority for the issuance of a midwifery license to applicants who are members of certain midwifery certifying organizations; to exempt certain students participating in a board approved, accredited midwifery education program from the rules governing midwives; to provide authority for the board to accept an examination administered by the North American Registry of Midwives or other approved certifying examination; to establish professional liability and immunity for physicians performing risk assessments in certain settings; to provide for limitations on the Louisiana State Board of Nursing; to provide for definitions and"

AMENDMENT NO. 2

On page 1, between lines 6 and 7, insert the following:

"Section 1. R.S. 37:3241(8) and (12), 3244(B) and (C), 3245(D)(1), and 3248 are hereby amended and reenacted and R.S. 37:3241(15) and (16), 3244(D), (E), (F), and (G), 3255(D), 3258, and 3259 are enacted to read as follows:

§3241. Definitions

As used in this Chapter, the following terms shall apply unless the context clearly states otherwise:

* * *

(8) "Licensed midwife" means a person who has completed all requirements of R.S. 37:3247, 3253, and 3255, has successfully completed the examination process, and is certified as a midwife by the North American Registry of Midwives along with being in good standing on the registry of licensed midwives maintained by the board.

* * *

(12) "Physician", except as provided in R.S. 37:3244(G) means a person who is currently practicing obstetrics and is licensed to practice medicine or osteopathy in Louisiana.

* * *

(15) "Certified professional midwife" means a person certified by the North American Registry of Midwives.

(16) "Low risk patient" means an individual who is at low or normal risk of developing complications during pregnancy and childbirth as evidenced by the absence of any preexisting maternal disease or disease arising during pregnancy or such other conditions as the board may identify in rules.

* * *

§3244. Scope of practice

* * *

B. The licensed midwife may provide care to low risk patients as defined by the board and as determined by physician evaluation and examination to be essentially normal for pregnancy and childbirth. Such care includes prenatal supervision and counseling; preparation for childbirth; and supervision and care during labor and delivery and care of the mother and the newborn in the immediate postpartum period if progress meets criteria generally accepted as normal as defined by the board.

C. The physician who performs the evaluation and examination required by this Section shall disclose the reason and effect of the evaluation and examination to the patient and midwife using a form developed by the board for this purpose.

D. A licensed midwife shall refer to a physician for risk assessment a patient whose progress at any time during pregnancy or the postpartum period deviates from criteria generally accepted as normal as defined by the board, including but not limited to diseases such as gestational diabetes, and preeclampsia or conditions such as post-term pregnancy, forty-two weeks of completed pregnancy, multiple births, or breech presentation.

E. A patient has the right to refuse a licensed midwife's referral to any physician; provided, however, that a licensed midwife shall not knowingly accept or thereafter maintain responsibility for the care of a woman who does not obtain physician referral or when the results of the referral indicate that she no longer qualifies as a low risk patient.

F. Prior to providing any services, a licensed midwife shall obtain informed consent, in writing, of the patient in a manner and form prescribed by the board which shall include but not be limited to the following:

(1) The name and license number of the licensed midwife.

(2) The patient's name, address, telephone number, and the name of the patient's primary care provider if the patient has one.

(3) A statement that the licensed midwife is not an advanced practice registered nurse midwife or physician.

(4) A description of the education, training, continuing education, and experience of the licensed midwife.

(5) A description of the licensed midwife's philosophy of practice.

(6) A statement recognizing the obligation of the licensed midwife to provide the client, upon request, separate documents describing the law and regulations governing the practice of midwifery, including the requirement for an evaluation and examination by a physician, the protocol for transfer or mandatory transfer, and the licensed midwife's personal written practice guidelines.

(7) A description of the protocol for transfer to a hospital and disclosure of the hospital with which the licensed midwife has a current transfer agreement.

(8) A complete and accurate description of the services to be provided to the patient.

(9) Whether the licensed midwife maintains a professional liability policy and if insurance is maintained a description of the liability conditions and limits of such insurance.

(10) Any additional information or requirement which the board deems necessary to protect the health, safety, or welfare of the patient.

C. G. A person may be issued a license as a licensed midwife, or permit as an apprentice midwife, or a senior apprentice midwife, such that:

(1) A licensed midwife may provide any care or services provided for in ~~R.S. 37:3244(B)~~ Subsection B of this Section.

(2) A senior apprentice midwife may ~~only~~ provide care or services only under the supervision of a licensed physician, certified nurse midwife, or licensed midwife.

(3) An apprentice midwife may provide care or services only under the supervision of a licensed physician, certified nurse midwife, or licensed midwife.

§3245. Permits and licenses

* * *

D. Upon meeting the educational and clinical experience requirements provided by the board, a person may apply for a midwifery license by submitting the following:

(1) An application for the license and to take the next qualifying examination; provided, however, the board may issue a midwifery license to an applicant who holds current certification by the North American Registry of Midwives or such other certifying organization as the board may subsequently approve.

* * *

§3248. Persons not affected

A. Any person authorized by the Louisiana State Board of Nursing to practice as a certified nurse midwife in the state shall not be affected by the provisions of this Chapter.

B. Any student pursuing a course of study in an accredited midwifery education program that is approved by the board who provides midwifery services, provided that such services are an integral part of the student's course of study and are performed under the direct supervision of a physician, certified nurse midwife, or a licensed midwife, and the student is designated by a title which clearly indicates his status as a student or trainee.

* * *

§3255. Examination

* * *

D. The examination administered by the North American Registry of Midwives, or such other certifying examination as the board may subsequently approve, shall be accepted by the board as a qualifying examination for purposes of midwifery licensure.

* * *

§3258. Professional liability

A. Physician evaluation and examination as provided in R.S. 37:3244 shall be deemed to constitute a risk assessment. A physician performing a risk assessment is responsible only for determining that at the time of the risk assessment the individual is at low or normal risk of developing complications during pregnancy and childbirth.

B. Physician risk assessment as defined in this Section shall not create either of the following:

(1) A physician-patient relationship or any legal duty, responsibility, or obligation by the physician to provide continuing care.

(2) A legal relationship between the physician and the licensed midwife or any duty, responsibility, or obligation by the physician to supervise, collaborate, back-up, or oversee the licensed midwife's care of the patient.

C. No physician or other health care provider as defined in R.S. 40:1299.41, no hospital as defined in R.S. 40:2102, or no institution, facility, or clinic licensed by the department shall be:

(1) Deemed to have established a legal relationship with a licensed midwife solely by providing a risk assessment as defined in this Section or accepting a transfer of a patient from a licensed midwife.

(2) Liable for civil damages arising out of the negligent, grossly negligent, or wanton or willful acts or omissions of the licensed midwife solely for providing a risk assessment as defined in this Section or accepting a transfer of a patient from a licensed midwife.

§3259. Reporting

A. Every licensed midwife shall report to the board semiannually in a manner and form prescribed by the board. The report shall be submitted within the months of January and July of each year and shall include all of the following:

(1) The licensed midwife's name and license number.

(2) The calendar year being reported.

(3) The total number of clients served.

(4) The total number and parish of live births attended as a primary caregiver.

(5) The total number and parish of stillbirths attended as a primary caregiver.

(6) The number of patients whose primary care was transferred to another health care provider during the antepartum period and the reason for each transfer.

(7) The number, reason, and outcome for each elective hospital transfer.

(8) The number, reason, and outcome for each emergency transport of an expectant mother prior to labor.

(9) A brief description of any complications resulting in the mortality of a mother or an infant.

(10) Any other information prescribed by the board through rule or regulation.

B. A licensed midwife shall report within forty-eight hours to the board any maternal, fetal, or neonatal mortality or morbidity in patients for whom care has been given. The report shall include the

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sex, weight, date and place of delivery, method of delivery, congenital anomalies of the fetus, and cause of death.

C. In addition to the penalties set forth in R.S. 37:3256, any licensed midwife failing to satisfy the provisions of this Section shall be subject to a civil fine not to exceed one hundred dollars each day the report is filed late. In no case shall the fine exceed five hundred dollars."

AMENDMENT NO. 4

On page 1, line 7, change "Section 1." to "Section 2."

AMENDMENT NO. 5

On page 1, line 16, change "Section 2." to "Section 3."

AMENDMENT NO. 6

On page 2, line 1, change "Section 3." to "Section 4."

Point of Order

Rep. Hoffmann asked for a ruling from the Chair as to whether the above amendments were germane to the subject matter contained in the bill as introduced.

Ruling of the Chair

The Chair ruled that the above amendments were not germane to the subject matter contained in the bill as introduced.

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

Rep. Lorusso moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of representatives who voted 'YEAS', including Mr. Speaker, Adams, Anders, Arnold, Badon, Barras, Barrow, Berthelot, Billiot, Bishop, S., Bishop, W., Broadwater, Brown, Burford, Burns, H., Burns, T., Burrell, Carmody, Carter, Champagne, Chaney, Cox, Cromer, Danahay, Dixon, Edwards, Fannin, Foil, Greene, Guinn, Harris, Harrison, Havard, Hazel, Henry, Hensgens, Hill, Hodges, Hoffmann, Hollis, Honore, Howard, Hunter, Huval, Jackson, G., Jackson, K., James, Jefferson, Johny, Jones, Lambert, Landry, T., LeBas, Leger, Leopold, Ligi, Moreno, Morris, Jay, Morris, Jim, Norton, Ortego, Pierre, Ponti, Pope, Price, Pugh, Pylant, Reynolds, Richard, Richardson, Ritchie, Robideaux, Schexnayder, Seabaugh, Shadoin, Simon, Smith, St. Germain, Talbot, Thibaut, Thierry, Thompson, Whitney, Williams, A.

Table listing names of representatives who voted 'NAYS': Franklin, Gaines, Garofalo, Gisclair, Lopinto, Lorusso, Mack, Miller, Williams, P., Willmott. Total - 94.

Table listing names of representatives who were 'ABSENT': Landry, N. Total - 1.

Table listing names of representatives who were present: Abramson, Armes, Brossett, Connick, Dove, Geymann, Guillory, Montoucet, Pearson, Schroder. Total - 10.

The Chair declared the above bill was finally passed.

Rep. Lorusso 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.

SENATE BILL NO. 258

BY SENATOR APPEL

AN ACT

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

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Abramson to Reengrossed Senate Bill No. 258 by Senator Appel

AMENDMENT NO. 1

Delete Amendment No. 4 proposed by the House Committee on Civil Law and Procedure and adopted by the House on May 16, 2012.

AMENDMENT NO. 2

On page 2, after line 26, add the following:

"E. The preemptive period provided by this Section shall not be asserted by way of defense by a person in possession or control, as owner, lessor, tenant, or otherwise, other possessory interest, of such an improvement at the time any deficiency in such an improvement constitutes the proximate cause of the injury, damage, or death sued upon with regard to any cause of action arising out of the alleged delict, quasi delict, or obligation of any such person arising out of his possession or control of the property.

* * *

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

Total - 95

NAYS

Total - 0

ABSENT

Adams	Guillory	Schroder
Connick	Montoucet	Thompson
Dove	Pearson	
Geymann	Pylant	

Total - 10

The Chair declared the above bill was finally passed.

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.

SENATE BILL NO. 261—
BY SENATOR NEVERS

AN ACT

To amend and reenact Civil Code Articles 136 and 137 and R.S. 9:344(D), relative to children; to provide relative to the duties of care, custody, and control of children under certain circumstances; to provide relative to rights and responsibilities; to provide relative to custody and visitation; to provide relative to awards of visitation rights; to provide relative to visitation by grandparents and other non-parents; to provide certain terms, conditions, procedures, and requirements; and to provide for related matters.

Read by title.

Motion

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

SENATE BILL NO. 263—
BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 9:3424(B), R.S. 13:3471(1)(c), R.S. 22:177(B), 335, and 442(B), and R.S. 45:200.8(B), relative to service of process; to provide for the manner in which the secretary of state effects service of process; to allow the secretary of state to obtain service of process by certified mail, and to remove the requirement that return receipt be requested; to provide for the secretary of state's service of process on a foreign corporation or foreign limited liability company; to provide for the secretary of state's service of process on an insurer's attorney-in-fact, on a foreign insurer and on an unauthorized insurer; to provide for the secretary of state's service of process on the owner of a public carrier vehicle; and to provide for related matters.

Read by title.

Rep. Ponti moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 97

NAYS

Total - 0

ABSENT

Adams	Guillory	Robideaux
Dove	Montoucet	Schroder
Geymann	Richard	

Total - 8

The Chair declared the above bill was finally passed.

Rep. Ponti 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.

SENATE BILL NO. 261—
BY SENATOR NEVERS

AN ACT

To amend and reenact Civil Code Articles 136 and 137 and R.S. 9:344(D), relative to children; to provide relative to the duties of care, custody, and control of children under certain circumstances; to provide relative to rights and responsibilities; to provide relative to custody and visitation; to provide relative to awards of visitation rights; to provide relative to visitation by grandparents and other non-parents; to provide certain terms, conditions, procedures, and requirements; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Nancy Landry to Reengrossed Senate Bill No. 261 by Senator Nevers

AMENDMENT NO. 1

On page 1, line 17, after "that" and before "it" insert "the parent of the child has unreasonably denied the grandparent visitation of the child and"

AMENDMENT NO. 2

On page 2, line 7, after "D." insert "(1)"

AMENDMENT NO. 3

On page 2, at the beginning of line 9, change "(1)" to "(a)"

AMENDMENT NO. 4

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

AMENDMENT NO. 5

On page 2, at the beginning of line 13, change "(3)" to "(c)"

AMENDMENT NO. 6

On page 2, at the beginning of line 15, change "(4)" to "(d)"

AMENDMENT NO. 7

On page 2, at the beginning of line 17, change "(5)" to "(e)"

AMENDMENT NO. 8

On page 2, between lines 17 and 18, insert the following:

"(2) For the purposes of Paragraphs B and C of this Article, there shall be a presumption in favor of the parents' decision that visitation is not in the best interest of the child. This presumption may be rebutted by the party moving for visitation by clear and convincing evidence that visitation is in the best interest of the child."

AMENDMENT NO. 9

On page 2, between line 20 and 21, insert the following:

"E. When the court determines that visitation under Paragraphs B and C of this Article is in the best interest of the child, the court may grant reasonable visitation, but the periods of visitation shall not include overnight visitation unless the party moving for visitation establishes a history of overnight visitation with the moving party and the child."

F. When visitation is sought pursuant to Paragraphs B and C of this Article, the court shall appoint an attorney to represent the child. The attorney's fees incurred to represent the child shall be cast as court costs."

AMENDMENT NO. 10

On page 2, at the beginning of line 21, change "E." to "G."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Garofalo	Mack
Abramson	Gisclair	Moreno
Adams	Greene	Morris, Jay
Anders	Guinn	Norton
Armes	Harris	Ortego
Arnold	Harrison	Pierre
Badon	Havard	Ponti
Barrow	Henry	Pope
Berthelot	Hensgens	Price
Billiot	Hill	Pugh
Bishop, S.	Hodges	Pylant
Bishop, W.	Hollis	Reynolds
Broadwater	Honore	Richard
Brossett	Howard	Richardson
Brown	Hunter	Ritchie
Burford	Huval	Robideaux
Burns, H.	Jackson, G.	Schexnayder
Burrell	Jackson, K.	Seabaugh
Carmody	James	Shadoin
Carter	Jefferson	Simon
Champagne	Johnson	Smith
Chaney	Jones	St. Germain
Connick	Lambert	Talbot
Cox	Landry, N.	Thibaut
Cromer	Landry, T.	Thompson
Danahay	LeBas	Whitney
Dixon	Leger	Williams, A.
Edwards	Leopold	Williams, P.
Foil	Ligi	Willmott
Franklin	Lopinto	
Gaines	Lorusso	
Total - 91		

NAYS

Burns, T.	Miller
Hazel	Thierry
Total - 4	

ABSENT

Barras	Guillory	Pearson
Dove	Hoffmann	Schroder
Fannin	Montoucet	
Geymann	Morris, Jim	
Total - 10		

The Chair declared the above bill was finally passed.

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

Motion

Rep. Ponti moved to take Senate Bill No. 563 out of its regular order at this time.

Rep. Barrow objected.

By a vote of 60 yeas and 38 nays, the House refused to take Senate Bill No. 563 out its regular order.

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.

Motion

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

SENATE BILL NO. 303—

BY SENATORS RISER, ADLEY, AMEDEE, BUFFINGTON, CHABERT, CROWE, ERDEY, GUILLORY, JOHNS, KOSTELKA, LAFLEUR, MORRISH, NEVERS, PEACOCK, PERRY, GARY SMITH, JOHN SMITH, THOMPSON, WALSWORTH, WARD AND WHITE AND REPRESENTATIVES ADAMS, ANDERS, ARMES, BERTHELOT, BROADWATER, HENRY BURNS, CHAMPAGNE, GAROFALO, HAVARD, HENRY, HODGES, HOFFMANN, LEOPOLD, LIGI, LORUSSO, MACK, MONTOU CET, PYLANT, SCHEXNAYDER, SEABAUGH, TALBOT AND THOMPSON

A JOINT RESOLUTION

Proposing to amend Article I, Section 11 of the Constitution of Louisiana, relative to one's right to acquire, keep, possess, transport, carry, transfer, and use arms; to provide that any denial or infringement or other restriction be subject to a strict scrutiny standard by courts in determining a violation of the right; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

Suspension of the Rules

On motion of Rep. Arnold, the rules were suspended to limit the author or proponent handling the legislative instrument to ten minutes for opening remarks and all subsequent speakers on the instrument to five minutes.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Moreno to Reengrossed Senate Bill No. 303 by Senator Riser

AMENDMENT NO. 1

In Amendment No. 4 of the set of amendments proposed by the House Committee on the Administration of Criminal Justice and adopted by the House on May 2, 2012 on page 1, line 13, after "infringed" delete the period "." and insert a comma "," and insert "but this provision shall not prevent the passage of laws to prohibit regulate the carrying of weapons concealed on the person."

Rep. Moreno moved the adoption of the amendments.

Rep. Broadwater objected.

By a vote of 35 yeas and 58 nays, the amendments were rejected.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Norton to Reengrossed Senate Bill No. 303 by Senator Riser

AMENDMENT NO. 1

On page 1, line 6, after "electors" insert a semicolon ";" and "to exempt public events;"

AMENDMENT NO. 2

On page 2, at the end of line 1, insert the following:

"This Section shall not apply to parades, athletic events including but not limited to those events occurring at elementary, middle, or high schools or colleges and universities, conventions, or any other event to which the public is invited."

Rep. Norton moved the adoption of the amendments.

Rep. Broadwater objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Armes	Gaines	Norton
Badon	Honore	Pierre
Barrow	Hunter	Price
Billiot	Jackson, G.	Smith
Bishop, W.	Jackson, K.	Thierry
Brossett	James	Williams, A.
Burrell	Jefferson	Williams, P.
Cox	Landry, T.	
Franklin	Moreno	
Total - 25		

NAYS

Mr. Speaker	Garofalo	Miller
Abramson	Geymann	Morris, Jay
Adams	Gisclair	Morris, Jim
Anders	Guinn	Ortego
Arnold	Harris	Pearson
Barras	Harrison	Ponti
Berthelot	Havard	Pope
Bishop, S.	Hazel	Pugh
Broadwater	Henry	Pylant

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Brown	Hensgens	Reynolds
Burford	Hill	Richard
Burns, H.	Hoffmann	Richardson
Burns, T.	Hollis	Ritchie
Carmody	Howard	Schexnayder
Carter	Huval	Seabaugh
Champagne	Johnson	Shadoin
Chaney	Lambert	Simon
Cromer	Landry, N.	St. Germain
Danahay	Leger	Talbot
Dixon	Leopold	Thibaut
Edwards	Lopinto	Thompson
Fannin	Lorusso	Whitney
Foil	Mack	Willmott
Total - 69		

ABSENT

Connick	Hodges	Montoucet
Dove	Jones	Robideaux
Greene	LeBas	Schroder
Guillory	Ligi	
Total - 11		

The amendments were rejected.

Motion

Rep. Lorusso moved the previous question be ordered on the entire subject matter.

Rep. Burrell objected.

By a vote of 54 yeas and 43 nays, the House agreed to order the previous question on the entire subject matter.

Rep. Broadwater moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gisclair	Miller
Adams	Greene	Morris, Jay
Anders	Guinn	Morris, Jim
Armes	Harris	Ortego
Arnold	Harrison	Pearson
Barras	Havard	Ponti
Berthelot	Hazel	Pope
Billiot	Henry	Pugh
Bishop, S.	Hensgens	Pylant
Broadwater	Hill	Reynolds
Brown	Hodges	Richard
Burford	Hoffmann	Richardson
Burns, H.	Hollis	Ritchie
Burns, T.	Howard	Robideaux
Carmody	Huval	Schexnayder
Carter	Johnson	Schroder
Champagne	Jones	Seabaugh
Chaney	Lambert	Shadoin
Cromer	Landry, N.	Simon
Danahay	LeBas	St. Germain
Dixon	Leger	Talbot
Edwards	Leopold	Thibaut
Fannin	Ligi	Thompson
Foil	Lopinto	Whitney
Garofalo	Lorusso	Willmott
Geymann	Mack	
Total - 77		

NAYS

Badon	Hunter	Pierre
Barrow	Jackson, G.	Price
Bishop, W.	Jackson, K.	Smith
Brossett	James	Thierry
Burrell	Jefferson	Williams, A.
Franklin	Landry, T.	Williams, P.
Gaines	Moreno	
Honore	Norton	
Total - 22		

ABSENT

Abramson	Cox	Guillory
Connick	Dove	Montoucet
Total - 6		

The chair declared the above bill, having received a two-thirds vote of the elected members, was finally passed.

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.

Recess

The Speaker declared the House at recess until 1:15 P.M.

After Recess

Speaker Kleckley called the House to order at 1:20 P.M.

House Business Resumed

SENATE BILL NO. 338—
BY SENATOR APPEL

AN ACT

To amend and reenact R.S. 38:2215(C) and to enact R.S. 38:2215(D) and (E), relative to certain public works; to provide for the time period between award of the contract and execution of the contract; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Henry moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gisclair	Moreno
Adams	Greene	Norton
Anders	Harris	Ortego
Armes	Havard	Pearson
Arnold	Hazel	Pierre
Badon	Henry	Ponti
Barras	Hensgens	Pope
Berthelot	Hill	Price
Billiot	Hodges	Pugh
Bishop, S.	Hoffmann	Pylant
Broadwater	Honore	Reynolds
Brown	Howard	Richard
Burford	Hunter	Richardson
Burns, H.	Huval	Ritchie
Carmody	Jackson, K.	Schexnayder
Carter	James	Schroder
Champagne	Johnson	Seabaugh

Chaney	Jones	Shadoin
Cox	Lambert	Simon
Cromer	Landry, N.	Smith
Danahay	Landry, T.	St. Germain
Edwards	LeBas	Talbot
Fannin	Leger	Thibaut
Foil	Leopold	Thompson
Gaines	Lorusso	Whitney
Garofalo	Mack	Willmott

Total - 78

NAYS

Total - 0

ABSENT

Abramson	Franklin	Lopinto
Barrow	Geymann	Miller
Bishop, W.	Guillory	Montoucet
Brossett	Guinn	Morris, Jay
Burns, T.	Harrison	Morris, Jim
Burrell	Hollis	Robideaux
Connick	Jackson, G.	Thierry
Dixon	Jefferson	Williams, A.
Dove	Ligi	Williams, P.

Total - 27

The Chair declared the above bill was finally passed.

Rep. Henry 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. Nancy Landry requested the House consent to record her vote on final passage of Senate Bill No. 338 as yea, which consent was unanimously granted.

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.

Rep. Ponti moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Greene	Moreno
Abramson	Harris	Morris, Jay
Adams	Harrison	Norton
Anders	Havard	Ortego
Arnes	Hazel	Pearson
Arnold	Henry	Pierre
Badon	Hensgens	Ponti
Barras	Hill	Pope
Berthelot	Hodges	Price
Billiot	Hoffmann	Pugh
Bishop, S.	Hollis	Pylant
Brossett	Honore	Reynolds
Brown	Howard	Richard

Burford	Hunter	Richardson
Burns, H.	Huval	Ritchie
Carmody	Jackson, K.	Schexnayder
Carter	James	Schroder
Champagne	Johnson	Seabaugh
Chaney	Jones	Shadoin
Cox	Lambert	Simon
Cromer	Landry, N.	Smith
Danahay	Landry, T.	St. Germain
Edwards	LeBas	Talbot
Fannin	Leger	Thibaut
Foil	Leopold	Thompson
Gaines	Ligi	Whitney
Garofalo	Lorusso	Williams, A.
Gisclair	Mack	Willmott

Total - 84

NAYS

Total - 0

ABSENT

Barrow	Dove	Lopinto
Bishop, W.	Franklin	Miller
Broadwater	Geymann	Montoucet
Burns, T.	Guillory	Morris, Jim
Burrell	Guinn	Robideaux
Connick	Jackson, G.	Thierry
Dixon	Jefferson	Williams, P.

Total - 21

The Chair declared the above bill was finally passed.

Rep. Ponti 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. Nancy Landry requested the House consent to record her vote on final passage of Senate Bill No. 389 as yea, which consent was unanimously granted.

SENATE BILL NO. 410—
BY SENATOR CLAITOR

A JOINT RESOLUTION

Proposing to amend Article III, Section 13, of the Constitution of Louisiana, relative to local or special laws; to provide certain requirements prior to legislatively creating certain special districts; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

Motion

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

SENATE BILL NO. 420—
BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 9:2780.1(D), to enact R.S. 9:2780.1(G), and to repeal Section 2 of Act No. 492 of the 2010 Regular Session of the Legislature, relative to contract provisions; to provide relative to motor carrier transportation contracts; to provide for application of certain laws; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Arnold to Reengrossed Senate Bill No. 420 by Senator Martiny

AMENDMENT NO. 1

On page 2, after line 5, insert the following:

"Section 3. The provisions of this Act are substantive and shall only be applied prospectively."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gisclair	Miller
Adams	Greene	Moreno
Anders	Harris	Morris, Jay
Armes	Harrison	Morris, Jim
Arnold	Havard	Norton
Badon	Hazel	Ortego
Barras	Henry	Pearson
Barrow	Hensgens	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, K.	Ritchie
Burrell	James	Schexnayder
Carmody	Johnson	Schroder
Carter	Jones	Seabaugh
Champagne	Lambert	Shadoin
Chaney	Landry, N.	Simon
Cox	Landry, T.	Smith
Cromer	LeBas	St. Germain
Dixon	Leger	Talbot
Edwards	Leopold	Thibaut
Fannin	Ligi	Thompson
Foil	Lopinto	Whitney
Gaines	Lorusso	Williams, A.
Garofalo	Mack	Willmott

Total - 90

NAYS

Total - 0

ABSENT

Abramson	Franklin	Jefferson
Bishop, S.	Geymann	Montoucet
Cornick	Guillory	Robideaux
Danahay	Guinn	Thierry
Dove	Jackson, G.	Williams, P.

Total - 15

The Chair declared the above bill was finally passed.

Rep. Ligi 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.

Explanation of Vote

Rep. Abramson disclosed a possible conflict of interest and recused himself from casting his vote on the final passage of the above bill.

Consent to Correct a Vote Record

Rep. Nancy Landry requested the House consent to record her vote on final passage of Senate Bill No. 420 as yea, which consent was unanimously granted.

SENATE BILL NO. 429—
BY SENATOR NEVERS

AN ACT

To amend and reenact Code of Civil Procedure Article 970(A), relative to motions for judgment on offer of judgment; to provide relative to time periods; to provide for certain terms, conditions and procedures; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Seabaugh to Engrossed Senate Bill No. 429 by Senator Nevers

AMENDMENT NO. 1

On page 1, line 2, change "970(A)" to "970(A), (C), and (D)"

AMENDMENT NO. 2

On page 1, line 6, change "970(A) is" to "970(A), (C), and (D) are"

AMENDMENT NO. 3

On page 2, after line 3, add the following:

"C. If the final judgment obtained by the plaintiff-offeree is at least twenty-five percent less than the amount of the offer of judgment made by the defendant-offeror or if the final judgment obtained against the defendant-offeree is at least twenty-five percent greater than the amount of the offer of judgment made by the plaintiff-offeror, or if final judgment is rendered in favor of the defendant-offeror, the offeree must pay the offeror's costs, exclusive of attorney fees, incurred after the offer was made, as fixed by the court.

D. The fact that an offer is made but not accepted does not preclude a subsequent offer or a counter offer. When the liability of one party to another has been determined by verdict, order, or judgment, but the amount or extent of the damages remains to be determined by future proceedings, either party may make an offer of judgment, which shall have the same effect as an offer made before trial if it is served within a reasonable time not less than ~~thirty~~ **twenty** days before the start of hearings to determine the amount or extent of damages.

* * *

Rep. Seabaugh moved the adoption of the amendments.

Rep. Edwards objected.

By a vote of 35 yeas and 55 nays, the amendments were rejected.

Rep. Edwards moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gaines	Mack
Abramson	Garofalo	Miller
Adams	Gisclair	Moreno
Anders	Greene	Morris, Jay
Armes	Guinn	Morris, Jim
Arnold	Harris	Norton
Badon	Harrison	Ortego
Barras	Havard	Pearson
Barrow	Hazel	Pierre
Berthelot	Henry	Ponti
Billiot	Hensgens	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	Schroder
Burrell	Jackson, K.	Seabaugh
Carmody	James	Shadoin
Carter	Johnson	Simon
Champagne	Jones	Smith
Chaney	Lambert	St. Germain
Cox	Landry, N.	Talbot
Cromer	Landry, T.	Thibaut
Danahay	LeBas	Thompson
Dixon	Leger	Whitney
Edwards	Leopold	Williams, A.
Fannin	Ligi	Willmott
Foil	Lopinto	
Franklin	Lorusso	
Total - 94		

NAYS

Total - 0

ABSENT

Connick	Jackson, G.	Schexnayder
Dove	Jefferson	Thierry
Geymann	Montoucet	Williams, P.
Guillory	Robideaux	
Total - 11		

The Chair declared the above bill was finally passed.

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

Consent to Correct a Vote Record

Rep. Nancy Landry requested the House consent to record her vote on final passage of Senate Bill No. 429 as yea, which consent was unanimously granted.

**SENATE BILL NO. 489—
BY SENATOR PERRY**

AN ACT

To amend and reenact the introductory paragraph of R.S. 32:668(A), relative to hearing procedures following revocation or denial of drivers' licenses; to provide relative to testimony of law enforcement officers; 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

Mr. Speaker	Edwards	Lorusso
Abramson	Fannin	Moreno
Adams	Franklin	Morris, Jim
Anders	Gaines	Norton
Armes	Garofalo	Ortego
Arnold	Gisclair	Pierre
Badon	Guinn	Ponti
Barras	Harrison	Pope
Barrow	Henry	Price
Berthelot	Hensgens	Pugh
Billiot	Hill	Pylant
Bishop, W.	Hoffmann	Reynolds
Broadwater	Hollis	Richard
Brossett	Honore	Richardson
Brown	Howard	Ritchie
Burford	Hunter	Schexnayder
Burns, H.	Huval	Schroder
Burns, T.	Jackson, K.	Simon
Burrell	James	Smith
Carter	Johnson	Talbot
Champagne	Lambert	Thibaut
Chaney	Landry, T.	Whitney
Cox	LeBas	Williams, A.
Cromer	Leger	Willmott
Danahay	Leopold	
Dixon	Ligi	
Total - 76		

NAYS

Carmody	Hodges	Morris, Jay
Foil	Landry, N.	Seabaugh
Greene	Lopinto	Shadoin
Harris	Mack	St. Germain
Hazel	Miller	Thompson
Total - 15		

ABSENT

Bishop, S.	Havard	Pearson
Connick	Jackson, G.	Robideaux
Dove	Jefferson	Thierry
Geymann	Jones	Williams, P.
Guillory	Montoucet	
Total - 14		

The Chair declared the above bill was finally passed.

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.

Consent to Correct a Vote Record

Rep. Nancy Landry requested the House consent to record her vote on final passage of Senate Bill No. 489 as nay, which consent was unanimously granted.

Consent to Correct a Vote Record

Rep. Foil requested the House consent to correct his vote on final passage of Senate Bill No. 489 from yea to nay, which consent was unanimously granted.

SENATE BILL NO. 506—
BY SENATOR CLAITOR

AN ACT

To enact Code of Civil Procedure Article 1426.1, relative to discovery; to provide relative to a stay of discovery in certain civil matters for good cause shown by a district attorney or defendant in a related criminal matter; to provide certain terms, conditions and procedures; and to provide for related matters.

Read by title.

Rep. Edwards moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Franklin	Mack
Abramson	Gaines	Miller
Adams	Garofalo	Moreno
Anders	Gisclair	Morris, Jay
Arnold	Greene	Morris, Jim
Badon	Guinn	Norton
Barras	Harris	Ortego
Berthelot	Harrison	Pearson
Billiot	Hazel	Pierre
Bishop, S.	Henry	Ponti
Bishop, W.	Hensgens	Pope
Broadwater	Hill	Price
Brossett	Hodges	Pugh
Brown	Hoffmann	Pylant
Burford	Hollis	Reynolds
Burns, H.	Honore	Richard
Burns, T.	Howard	Richardson
Burrell	Huval	Ritchie
Carmody	Jackson, K.	Schexnayder
Carter	James	Schroder
Champagne	Johnson	Seabaugh
Chaney	Jones	Shadoin
Cox	Lambert	Simon
Cromer	Landry, N.	St. Germain
Danahay	Landry, T.	Talbot
Dixon	LeBas	Thompson
Edwards	Leger	Whitney
Fannin	Ligi	Williams, A.
Foil	Lorusso	Willmott
Total - 87		

NAYS

Hunter
Total - 1

ABSENT

Armes	Havard	Robideaux
Barrow	Jackson, G.	Smith
Connick	Jefferson	Thibaut
Dove	Leopold	Thierry
Geymann	Lopinto	Williams, P.
Guillory	Montoucet	
Total - 17		

The Chair declared the above bill was finally passed.

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

Consent to Correct a Vote Record

Rep. Nancy Landry requested the House consent to record her vote on final passage of Senate Bill No. 506 as yea, which consent was unanimously granted.

SENATE BILL NO. 509—
BY SENATOR CLAITOR

AN ACT

To enact Code of Civil Procedure Article 4919(D), relative to service of citation in justice of the peace courts; to provide for service by certified mail; to provide relative to service under certain terms, procedures, and conditions; 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	Garofalo	Miller
Abramson	Geymann	Moreno
Adams	Gisclair	Morris, Jay
Anders	Greene	Morris, Jim
Armes	Guinn	Norton
Arnold	Harris	Ortego
Badon	Harrison	Pearson
Barras	Havard	Pierre
Barrow	Hazel	Ponti
Berthelot	Hensgens	Pope
Billiot	Hill	Price
Bishop, W.	Hodges	Pugh
Broadwater	Hoffmann	Pylant
Brossett	Hollis	Reynolds
Brown	Honore	Richard
Burford	Howard	Richardson
Burns, H.	Hunter	Ritchie
Burns, T.	Huval	Schexnayder
Burrell	Jackson, K.	Schroder
Carmody	James	Seabaugh
Carter	Johnson	Shadoin
Champagne	Jones	Simon
Chaney	Lambert	Smith
Cox	Landry, N.	St. Germain
Cromer	Landry, T.	Talbot
Danahay	LeBas	Thibaut
Dixon	Leger	Thompson
Edwards	Leopold	Whitney
Fannin	Ligi	Williams, A.
Foil	Lopinto	Willmott
Franklin	Lorusso	
Gaines	Mack	
Total - 94		

NAYS

Total - 0

ABSENT

Bishop, S.	Henry	Robideaux
Connick	Jackson, G.	Thierry
Dove	Jefferson	Williams, P.
Guillory	Montoucet	
Total - 11		

The Chair declared the above bill was finally passed.

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.

Consent to Correct a Vote Record

Rep. Nancy Landry requested the House consent to record her vote on final passage of Senate Bill No. 509 as yea, which consent was unanimously granted.

SENATE BILL NO. 516—
BY SENATOR CROWE

AN ACT

To enact Chapter 26 of Title 12 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 12:1701, relative to commercial regulations; to provide for notification to officers, members, managers, and partners of certain changes; to provide for certain terms, conditions, and procedures; to provide that notice be given to certain individuals; to provide relative to documents; to provide for a cause of action; to provide for judicial review; to provide for the duties of a certain court; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Thompson to Reengrossed Senate Bill No. 516 by Senator Crowe

AMENDMENT NO. 1

On page 2, between lines 7 and 8, insert the following:

"(c) There is a certificate from the juridical entity affirming that the pertinent requirements of the articles of incorporation and bylaws relative to removal have been satisfied."

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

Motion

On motion of Rep. Stuart Bishop, the bill, as amended, was returned to the calendar.

SENATE BILL NO. 410—
BY SENATOR CLAITOR

A JOINT RESOLUTION

Proposing to amend Article III, Section 13, of the Constitution of Louisiana, relative to local or special laws; to provide certain requirements prior to legislatively creating certain special districts; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Nancy Landry to Engrossed Senate Bill No. 410 by Senator Claitor

AMENDMENT NO. 1

On page 2, line 12, after "the district" insert a comma "," and "whether the parcel fee will be imposed or may be increased without an election."

AMENDMENT NO. 2

On page 3, line 1, after "the district" insert a comma "," and "whether the parcel fee will be imposed or may be increased without an election."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Ligi to Engrossed Senate Bill No. 410 by Senator Claitor

AMENDMENT NO. 1

On page 2, line 8, change "forty-five" to "thirty"

AMENDMENT NO. 2

On page 2, line 27, change "forty-five" to "thirty"

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

Rep. Nancy Landry moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Guinn	Miller
Adams	Harris	Moreno
Anders	Harrison	Morris, Jay
Arnold	Havard	Morris, Jim
Berthelot	Hazel	Norton
Bishop, S.	Henry	Pierre
Broadwater	Hensgens	Ponti
Brown	Hill	Pope
Burford	Hodges	Price
Burns, H.	Hoffmann	Pugh
Burrell	Hollis	Pylant
Carmody	Honore	Reynolds
Carter	Howard	Richard
Champagne	Jefferson	Richardson
Chaney	Johnson	Ritchie
Cox	Jones	Robideaux
Danahay	Lambert	Schexnayder
Edwards	Landry, N.	Schroder
Fannin	Landry, T.	Seabough
Foil	LeBas	Talbot
Gaines	Leopold	Thibaut
Garofalo	Ligi	Thompson
Geymann	Lopinto	Whitney
Gisclair	Lorusso	Williams, P.
Greene	Mack	
Total - 74		

NAYS

Abramson	Burns, T.	Pearson
Arnes	Cromer	Shadoin

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Badon	Dixon	Simon
Barras	Franklin	Smith
Barrow	Hunter	Williams, A.
Billiot	Huval	Willmott
Bishop, W.	James	
Brossett	Ortego	
Total - 22		

ABSENT

Connick	Jackson, G.	Montoucet
Dove	Jackson, K.	St. Germain
Guillory	Leger	Thierry
Total - 9		

The chair declared the above bill, having received a two-thirds vote of the elected members, was finally passed.

Rep. Nancy Landry 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.

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.

Acting Speaker Henry in the Chair

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Ponti to Re-Reengrossed Senate Bill No. 563 by Senator White

AMENDMENT NO. 1

Delete Legislative Bureau Amendment Nos. 2, 3, and 6 proposed by Legislative Bureau and adopted by the House of Representatives on May 16, 2012.

AMENDMENT NO. 2

In House Committee Amendment No. 3 proposed by the House Committee on Appropriations and adopted by the House of Representatives on May 16, 2012, on page 1, delete lines 8 through 16 and insert the following:

"To ensure that the minimum foundation program allocation to school systems is not negatively impacted by the creation of the Southeast Baton Rouge Community School District, beginning in Fiscal Year 2013-14 and continuing through the 2017-18 Fiscal Year, the State Board of Elementary and Secondary Education shall identify the districts on which there is a negative impact and determine the amount of the negative impact. The State Board of Elementary and Secondary Education shall withhold the total of the

amounts of the negative impact on all districts from the total minimum foundation program allocation to the Southeast Baton Rouge Community School District and transfer those funds to the impacted school districts."

AMENDMENT NO. 3

In House Committee Amendment No. 4 proposed by the House Committee on Appropriations and adopted by the House of Representatives on May 16, 2012, on page 1, at the beginning of line 21, change the comma "," to a period "."

AMENDMENT NO. 4

In House Committee Amendment No. 4 proposed by the House Committee on Appropriations and adopted by the House of Representatives on May 16, 2012, on page 1, delete lines 31 through 39 and insert the following:

"B. A trust to be known as the "Legacy Benefit Trust for Retirees of the East Baton Rouge Parish School System" shall be established pursuant to R.S. 17:1224. Within twelve months of beginning operation, the Southeast Baton Rouge Community School System shall deposit into the trust an initial sum of two million five hundred thousand dollars. On or before July 1, 2012, the president of the State Board of Elementary and Secondary Education shall appoint a study committee to analyze the impact of separation of the Southeast Community School System on post employment benefits owed to individuals who retired from the East Baton Rouge Parish School System prior to operation of the Southeast Community School System. The study committee shall determine the proportional amount of post employment benefits which the Southeast Baton Rouge Community School District shall be required to deposit into the trust and shall determine the schedule for such payments. The study committee shall have the authority to modify the payment schedule until such time as Southeast Baton Rouge Community School District makes the final payment."

Rep. Ponti moved the adoption of the amendments.

Rep. Smith objected.

By a vote of 56 yeas and 35 nays, the amendments were adopted.

Speaker Kleckley in the Chair

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Guinn	Morris, Jay
Adams	Harris	Morris, Jim
Barras	Harrison	Pearson
Berthelot	Havard	Ponti
Broadwater	Hazel	Pope
Brown	Henry	Pugh
Burford	Hensgens	Richard
Burns, H.	Hodges	Richardson
Burns, T.	Hoffmann	Ritchie
Carmody	Hollis	Robideaux
Carter	Howard	Schexnayder
Champagne	Huval	Schroder
Chaney	Lambert	Seabaugh
Cromer	Landry, N.	Shadoin
Danahay	Leopold	Simon
Fannin	Ligi	Talbot
Foile	Lopinto	Thibaut

Garofalo	Lorusso	Thompson
Geymann	Mack	Whitney
Greene	Miller	
Total - 59		

NAYS

Armes	Hill	Norton
Arnold	Honore	Ortego
Badon	Hunter	Pierre
Barrow	Jackson, G.	Price
Bishop, W.	Jackson, K.	Reynolds
Brossett	James	Smith
Burrell	Jefferson	St. Germain
Cox	Johnson	Thierry
Dixon	Jones	Williams, A.
Edwards	Landry, T.	Williams, P.
Franklin	LeBas	Willmott
Gaines	Leger	
Gisclair	Moreno	
Total - 37		

ABSENT

Abramson	Bishop, S.	Guillory
Anders	Connick	Montoucet
Billiot	Dove	Pylant
Total - 9		

The Chair declared the above bill was finally passed.

Rep. Ponti 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.

SENATE BILL NO. 594—
BY SENATOR BROWN

AN ACT

To enact R.S. 17:158(I), relative to school transportation; to provide for the transportation of certain students to certain technical colleges; to provide for responsibilities of city, parish, and other local public school boards; to allow local school boards to assess a fee to students using such transportation; to provide for exemptions; to provide for the adoption of rules; and to provide for related matters.

Read by title.

Rep. Price moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Geymann	Miller
Adams	Gisclair	Moreno
Anders	Greene	Morris, Jay
Armes	Guinn	Morris, Jim
Arnold	Harris	Pierre
Badon	Harrison	Ponti
Barras	Havard	Pope
Barrow	Hazel	Price
Berthelot	Hensgens	Pugh
Billiot	Hill	Pylant
Bishop, W.	Hodges	Reynolds
Broadwater	Hoffmann	Richard
Brossett	Hollis	Richardson
Brown	Honore	Ritchie
Burford	Howard	Robideaux
Burns, H.	Hunter	Schexnayder
Burns, T.	Huval	Schroder
Carmody	Jackson, G.	Seabaugh

Carter	Jackson, K.	Shadoin
Champagne	Jefferson	Simon
Chaney	Johnson	Smith
Cox	Jones	St. Germain
Cromer	Lambert	Thibaut
Danahay	Landry, N.	Thierry
Edwards	LeBas	Thompson
Fannin	Leger	Whitney
Foil	Ligi	Williams, A.
Franklin	Lopinto	Williams, P.
Gaines	Lorusso	Willmott
Garofalo	Mack	
Total - 89		

NAYS

Total - 0

ABSENT

Abramson	Guillory	Norton
Bishop, S.	Henry	Ortego
Burrell	James	Pearson
Connick	Landry, T.	Talbot
Dixon	Leopold	
Dove	Montoucet	
Total - 16		

The Chair declared the above bill was finally passed.

Rep. Price 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.

SENATE BILL NO. 596—
BY SENATOR KOSTELKA

AN ACT

To enact Code of Evidence Article 519, relative to testimonial privileges for judges in civil and criminal cases; to prohibit the issuance of a subpoena requiring a judge to testify in a civil, criminal, or juvenile proceeding without a hearing to determine privilege; to provide for specific requirements regarding the information being sought through the judge's testimony; to provide for a waiver for failure of a judge to timely object to a subpoena; to extend privilege to any judge or commissioner provided for in the constitution of Louisiana; and to provide for related matters.

Read by title.

Rep. Hunter moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adams	Gisclair	Morris, Jay
Anders	Greene	Morris, Jim
Armes	Guinn	Norton
Arnold	Harris	Ortego
Badon	Harrison	Pierre
Barrow	Havard	Ponti
Berthelot	Hazel	Pope
Billiot	Henry	Price
Bishop, S.	Hensgens	Pugh
Bishop, W.	Hill	Pylant
Broadwater	Hodges	Reynolds
Brossett	Hoffmann	Richard
Brown	Hollis	Richardson
Burford	Honore	Ritchie
Burns, H.	Howard	Robideaux
Burns, T.	Hunter	Schexnayder

Burrell	Huval	Schroder
Carmody	Jackson, G.	Seabaugh
Carter	Jackson, K.	Shadoin
Champagne	Jefferson	Simon
Chaney	Johnson	Smith
Cox	Jones	St. Germain
Cromer	Lambert	Talbot
Danahay	Landry, N.	Thibaut
Dixon	LeBas	Thierry
Edwards	Leger	Thompson
Fannin	Ligi	Whitney
Foil	Lopinto	Williams, A.
Franklin	Lorusso	Williams, P.
Gaines	Mack	Willmott
Garofalo	Miller	
Geymann	Moreno	
Total - 94		

NAYS

Total - 0

ABSENT

Mr. Speaker	Dove	Leopold
Abramson	Guillory	Montoucet
Barras	James	Pearson
Connick	Landry, T.	
Total - 11		

The Chair declared the above bill was finally passed.

Rep. Hunter 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.

SENATE BILL NO. 634—
BY SENATOR MORRISH

AN ACT

To amend and reenact R.S. 32:707(I)(1)(f) and R.S. 45:164(A), 178, and 200.3, and to enact R.S. 32:707(N) and R.S. 47:469.1, relative to vehicles; to prohibit operation of vehicles issued a reconstructed title as a motor carrier of passengers or as a public carrier vehicle; and to provide for related matters.

Read by title.

Rep. Cromer moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Garofalo	Mack
Adams	Geymann	Miller
Anders	Gisclair	Moreno
Armes	Greene	Morris, Jay
Arnold	Guinn	Morris, Jim
Badon	Harris	Norton
Barras	Harrison	Ortego
Barrow	Havard	Pierre
Berthelot	Hazel	Ponti
Billiot	Henry	Pope
Bishop, S.	Hensgens	Price
Bishop, W.	Hill	Pugh
Broadwater	Hodges	Pylant
Brossett	Hoffmann	Reynolds
Brown	Hollis	Richardson
Burford	Honore	Ritchie
Burns, H.	Howard	Robideaux
Burns, T.	Hunter	Schexnayder
Burrell	Huval	Schroder

Carmody	Jackson, K.	Seabaugh
Carter	James	Shadoin
Champagne	Jefferson	Simon
Chaney	Johnson	Smith
Cox	Jones	St. Germain
Cromer	Lambert	Talbot
Danahay	Landry, N.	Thibaut
Dixon	Landry, T.	Thierry
Edwards	LeBas	Thompson
Fannin	Leger	Whitney
Foil	Ligi	Williams, P.
Franklin	Lopinto	Willmott
Gaines	Lorusso	
Total - 95		

NAYS

Total - 0

ABSENT

Abramson	Jackson, G.	Richard
Connick	Leopold	Williams, A.
Dove	Montoucet	
Guillory	Pearson	
Total - 10		

The Chair declared the above bill was finally passed.

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.

SENATE BILL NO. 698—

BY SENATORS MORRISH AND JOHNS AND REPRESENTATIVE KLECKLEY

AN ACT

To enact R.S. 34:218, relative to the Lake Charles Harbor and Terminal District; to provide for additional powers and authority of the district; to provide for the Calcasieu River and Pass Project; to provide for the acquisition of certain lands; to provide terms, conditions, and requirements; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Hensgens and Kleckley to Engrossed Senate Bill No. 698 by Senator Morrish

AMENDMENT NO. 1

Delete House Committee Amendment No. 4 proposed by the House Committee on Transportation, Highways and Public Works and adopted by the House of Representatives on May 16, 2012.

AMENDMENT NO. 2

On page 1, between line 16 and 17, insert the following:

"(2)(a) Notwithstanding the provisions of this Section to the contrary, the Lake Charles Harbor and Terminal District, or any person on behalf of the district including but not limited to lessees, assignees, or any third party otherwise occupying property, shall not as to property the district owns in Cameron Parish, other than that property which it currently owns in Sections 43 and 44, Township 12 South, Range 9 West and in Sections 1 and 12, Township 12 South, Range 10 West, in the Southwestern Land District, Louisiana Meridian, Cameron Parish, Louisiana, hereafter referred to as "the exempt property", undertake any port activities in Cameron Parish.

(b) As used in this Section, "port activities" shall mean the acquisition or leasing of land for the construction, operation, or maintenance of docks, wharfs, sheds, slips, canals, machinery, or industrial plant facilities or facilities for the handling of cargos or materials of any type and other substantially similar activities, other than dredged materials in connection with construction operation and maintenance of the Calcasieu River and Pass Project. Any function by the Lake Charles Harbor and Terminal District necessary for the construction, operation, and maintenance of the Calcasieu River and Pass Project shall not be considered port activities.

(c) The Lake Charles Harbor and Terminal District may conduct port activities on any property in Cameron Parish pursuant to an intergovernmental agreement or cooperative agreement with the approval of the governing authority of Cameron Parish. As to the exempt property as defined in Subparagraph (a) of this Paragraph, nothing in this Section shall require the Lake Charles Harbor and Terminal District to enter into any intergovernmental agreement or cooperative agreement with the governing authority of Cameron Parish."

AMENDMENT NO. 3

Delete House Committee Amendment No. 6 proposed by the House Committee on Transportation, Highways and Public Works and adopted by the House of Representatives on May 16, 2012.

AMENDMENT NO. 4

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

"The venue for any petition for expropriation filed by the district for property located in Cameron Parish shall be in accordance with R.S. 19:2.1."

AMENDMENT NO. 5

In House Committee Amendment No. 9 proposed by the House Committee on Transportation, Highways and Public Works and adopted by the House of Representatives on May 16, 2012, on page 2, at the end of line 17, change "purchased" to "purchased or expropriated"

AMENDMENT NO. 6

Delete House Committee Amendment Nos. 10 and 11 proposed by the House Committee on Transportation, Highways and Public Works and adopted by the House of Representatives on May 16, 2012.

AMENDMENT NO. 7

On page 2, at the end of line 11, change the period to a comma and insert the following:

"which right is subordinate to the following:

(a) A first right of refusal if so reserved in the act of sale by the seller of the property sold to the district.

(b) A first right of refusal in favor of the owner from whom the property was expropriated."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Bishop, S.	Guillory	Pearson
Champagne	Landry, T.	Pylant
Connick	Leopold	Williams, A.
Dove	Montoucet	
Total - 11		

The chair declared the above bill, having received a two-thirds vote of the elected members, was finally passed.

Rep. Hensgens 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.

SENATE BILL NO. 516—
BY SENATOR CROWE

AN ACT

To enact Chapter 26 of Title 12 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 12:1701, relative to commercial regulations; to provide for notification to officers, members, managers, and partners of certain changes; to provide for certain terms, conditions, and procedures; to provide that notice be given to certain individuals; to provide relative to documents; to provide for a cause of action; to provide for judicial review; to provide for the duties of a certain court; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Stuart Bishop to Reengrossed Senate Bill No. 516 by Senator Crowe

AMENDMENT NO. 1

Delete House Floor Amendment No. 1 proposed by Representative Thompson and adopted by the House on May 24, 2012.

On motion of Rep. Stuart Bishop, 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	Geymann	Moreno
Adams	Gisclair	Morris, Jay
Anders	Greene	Morris, Jim
Arnes	Harris	Norton
Arnold	Harrison	Ortego
Badon	Hazel	Pierre
Barras	Henry	Ponti
Barrow	Hensgens	Pope
Berthelot	Hill	Price
Billiot	Hodges	Pugh
Bishop, S.	Hoffmann	Reynolds
Bishop, W.	Hollis	Richard
Broadwater	Honore	Richardson
Brossett	Howard	Ritchie
Brown	Hunter	Robideaux
Burford	Huval	Schexnayder
Burns, H.	Jackson, G.	Schroder
Burns, T.	Jackson, K.	Seabaugh
Burrell	James	Shadoin
Carmody	Jefferson	Simon
Carter	Johnson	Smith
Chaney	Jones	St. Germain
Cox	Lambert	Talbot
Danahay	Landry, N.	Thibaut
Dixon	Landry, T.	Thierry
Edwards	Leger	Thompson
Fannin	Ligi	Whitney
Foil	Lopinto	Williams, P.
Franklin	Lorusso	Willmott
Gaines	Mack	
Garofalo	Miller	

NAYS

Total - 0

ABSENT

Abramson	Guillory	Montoucet
Champagne	Guinn	Pearson
Connick	Havard	Pylant
Cromer	LeBas	Williams, A.
Dove	Leopold	

Total - 14

The Chair declared the above bill was finally passed.

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.

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.

Called from the calendar.

Read by title.

Rep. Mack moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Geymann	Miller
Abramson	Gisclair	Moreno
Adams	Greene	Morris, Jay
Anders	Guinn	Morris, Jim
Arnes	Harris	Norton
Arnold	Harrison	Ortego
Badon	Havard	Pearson
Barras	Hazel	Pierre
Barrow	Henry	Ponti
Berthelot	Hensgens	Pope
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	Jackson, K.	Seabaugh
Carmody	Jefferson	Shadoin
Carter	Johnson	Simon
Champagne	Jones	Smith
Chaney	Lambert	St. Germain
Cox	Landry, N.	Talbot
Danahay	Landry, T.	Thibaut
Dixon	LeBas	Thierry
Edwards	Leger	Thompson
Fannin	Ligi	Whitney
Foil	Lopinto	Williams, A.
Franklin	Lorusso	Williams, P.
Garofalo	Mack	Willmott

Total - 96

NAYS

Total - 0

ABSENT

Connick	Gaines	Leopold
Cromer	Guillory	Montoucet
Dove	James	Price

Total - 9

The Chair declared the above bill was finally passed.

Rep. Mack 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.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Ligi gave notice of his intention to call Senate Bill No. 404 from the calendar on Tuesday, May 29, 2012.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Ponti gave notice of his intention to call Senate Bill No. 299 from the calendar on Wednesday, May 30, 2012.

SENATE BILL NO. 753 (Substitute of Senate Bill No. 162 by Senator Erdey)—
BY SENATORS ERDEY, ADLEY, APPEL, BROOME, BROWN, CORTEZ, CROWE, DORSEY-COLOMB, GUILLORY, JOHNS, KOSTELKA, LAFFLEUR, MILLS, MURRAY, NEVERS, PERRY, RISER, GARY SMITH, JOHN SMITH, THOMPSON AND WARD
AN ACT

To amend and reenact R.S. 14:91.2(D) and (E) and to enact R.S. 14:91.2(A)(5) and (6) and (F), relative to sex offenders; to add public libraries to the places at which the physical presence of sex offenders is prohibited; to provide for exceptions; to provide relative to immunity from civil and criminal liability for certain public servants; to provide for definitions; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Nancy Landry to Reengrossed Senate Bill No. 753 by Senator Erdey

AMENDMENT NO. 1

On page 1, line 2, after "14:91.2(D)" and before "and to" delete "and (E)"

AMENDMENT NO. 2

On page 1, at the end of line 2, after "(6)" delete "and" and at the beginning of line 3, delete "(F)"

AMENDMENT NO. 3

On page 1, line 4, after "prohibited;" delete the remainder of the line and delete line 5 in its entirety and insert "to"

AMENDMENT NO. 4

On page 1, line 8, after "14:91.2(D)" change "and (E) are" to "is"

AMENDMENT NO. 5

On page 1, line 9, after "and (6)" and before "are" delete "and (F)"

AMENDMENT NO. 6

On page 2, delete lines 2 through 26 in their entirety and at the beginning of line 27, change "E." to "D."

AMENDMENT NO. 7

On page 3, delete lines 17 through 19 in their entirety and insert:

"* * *

Rep. Nancy Landry moved the adoption of the amendments.

Rep. Lopinto objected.

By a vote of 29 yeas and 59 nays, the amendments were rejected.

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Broadwater to Reengrossed Senate Bill No. 753 by Senator Erdey

AMENDMENT NO. 1

On page 2, between lines 26 and 27, insert the following:

"(7) No provision of this Subsection shall apply when the sex offender is reporting to a police station or a court house which is within the distance specified herein from a library."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Garofalo	Leger
Abramson	Geymann	Leopold
Adams	Gisclair	Lorusso
Anders	Greene	Mack
Armes	Guinn	Miller
Badon	Harrison	Morris, Jay
Barrow	Havard	Ortego
Berthelot	Hazel	Pearson
Broadwater	Henry	Pierre
Brossett	Hensgens	Ponti
Brown	Hill	Pope
Burford	Hodges	Pugh
Carmody	Hoffmann	Pylant
Carter	Hollis	Richard
Chaney	Honore	Richardson
Cromer	Huval	Ritchie
Dixon	Jefferson	Schexnayder
Edwards	Johnson	Schroder
Fannin	Jones	Shadoin
Foil	Lambert	St. Germain
Franklin	Landry, T.	Whitney
Total - 63		

NAYS

Barras	Harris	Price
Billiot	Howard	Robideaux
Bishop, S.	Hunter	Simon
Burns, T.	James	Talbot
Burrell	Landry, N.	Williams, A.
Champagne	Ligi	Willmott
Danahay	Lopinto	
Gaines	Moreno	
Total - 22		

ABSENT

Arnold	Jackson, G.	Seabaugh
Bishop, W.	Jackson, K.	Smith

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Burns, H.	LeBas	Thibaut
Connick	Montoucet	Thierry
Cox	Morris, Jim	Thompson
Dove	Norton	Williams, P.
Guillory	Reynolds	
Total - 20		

The Chair declared the above bill was finally passed.

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.

SENATE BILL NO. 370— BY SENATOR CROWE

AN ACT

To amend and reenact R.S. 56:105(A), relative to wild birds and wild quadrupeds; to provide for special permits and licenses; to provide for special permits and licenses for the entertainment industry to take and possess certain wildlife; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Cromer moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Landry, N.
Total - 1

ABSENT

Connick	LeBas	Thibaut
Dove	Lopinto	Williams, A.
Guillory	Montoucet	
Jackson, K.	Reynolds	
Total - 10		

The Chair declared the above bill was finally passed.

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.

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 Returned from the Senate with Amendments at this time.

House Bills and Joint Resolutions Returned from the Senate with Amendments

The following House Bills and Joint Resolutions returned from the Senate with amendments to be concurred in by the House were taken up and acted upon as follows:

HOUSE BILL NO. 865—

BY REPRESENTATIVE BARROW

AN ACT

To amend and reenact R.S. 48:1456(A), (C), and (E) and 1460(9), relative to the Capital Area Transit System; to provide relative to membership of the board of commissioners, including qualifications and procedures for appointment; to provide for appointment of new members; to provide for powers and duties of the board; to remove a requirement for approval of certain board actions by the appropriate parish governing authority; to provide relative to fare increases by the board; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator White to Reengrossed House Bill No. 865 by Representative Barrow

AMENDMENT NO. 1

On page 3, line 21, after "(4)(a)" insert "(i)"

AMENDMENT NO. 2

On page 3, line 27, after "engineering;" insert:

"business owners who reside outside the area subject to the ad valorem tax approved by the voters in 2012 for the Capital Area Transit System whose businesses are located within such area;"

AMENDMENT NO. 3

On page 3, after line 28, insert:

"(ii) In addition, at least a majority of the members appointed by the governing authority of the city of Baton Rouge and the parish of East Baton Rouge shall be residents of areas subject to the ad valorem tax approved by the voters in 2012 for the Capital Area Transit System."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Claitor to Reengrossed House Bill No. 865 by Representative Barrow

AMENDMENT NO. 1

On page 1, line 2 after "1460" insert "(3) and"

AMENDMENT NO. 2

On page 1, line 13 after "1460" insert "(3) and"

AMENDMENT NO. 3

On page 5, between lines 23 and 24 insert the following:

"(3) The power to acquire by purchase, lease, or donation; expropriation, or otherwise; to own; to use; and to sell, lease as lessor, transfer, or exchange, or otherwise dispose of any franchise, real or personal property, tangible or intangible property, or any interest therein.

* * *

Rep. Barrow moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Edwards	LeBas
Abramson	Fannin	Leger
Adams	Franklin	Leopold
Anders	Gaines	Moreno
Armes	Gisclair	Morris, Jim
Arnold	Guinn	Norton
Badon	Harrison	Ortego
Barrow	Hazel	Pierre
Berthelot	Hensgens	Pope
Billiot	Hill	Price
Bishop, S.	Hoffmann	Reynolds
Bishop, W.	Hollis	Richard
Broadwater	Honore	Ritchie
Brossett	Howard	Schexnayder
Brown	Hunter	Shadoin
Burns, H.	Huval	Smith
Burrell	Jackson, G.	St. Germain
Champagne	Jackson, K.	Thibaut
Chaney	James	Thierry
Cox	Jefferson	Whitney
Cromer	Johnson	Williams, P.
Danahay	Jones	Willmott
Dixon	Landry, T.	
Total - 68		

NAYS

Burford	Havard	Pearson
Burns, T.	Henry	Pugh
Carmody	Hodges	Pylant
Carter	Landry, N.	Richardson
Foil	Ligi	Seabaugh
Garofalo	Lorusso	Simon
Geymann	Mack	Talbot
Greene	Miller	Thompson
Harris	Morris, Jay	
Total - 26		

ABSENT

Barras	Lambert	Robideaux
Connick	Lopinto	Schroder
Dove	Montoucet	Williams, A.
Guillory	Ponti	
Total - 11		

The amendments proposed by the Senate were concurred in by the House.

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.

The above bill was taken up with the amendments proposed by the Senate.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 907 by Representative Katrina Jackson

AMENDMENT NO. 1

On page 2, line 16, following "of" and before "property" change "real" to "immovable"

AMENDMENT NO. 2

On page 4, line 15, following "stakeholders" and before "public" delete "L" and insert "and the"

AMENDMENT NO. 3

On page 5, line 21, following "4-H," and before "and" change "FFA," to "Future Farmers of America."

Rep. Katrina Jackson moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gisclair	Moreno
Abramson	Greene	Morris, Jay
Adams	Guinn	Morris, Jim
Anders	Harris	Norton
Armes	Harrison	Ortego
Arnold	Havard	Pearson
Badon	Hazel	Pierre
Barrow	Henry	Ponti

Berthelot	Hensgens	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, H.	Huval	Robideaux
Burns, T.	Jackson, G.	Schexnayder
Burrell	Jackson, K.	Schroder
Carmody	James	Seabaugh
Champagne	Jefferson	Shadoin
Chaney	Johnson	Simon
Cox	Jones	Smith
Cromer	Lambert	St. Germain
Danahay	Landry, N.	Talbot
Dixon	Landry, T.	Thibaut
Edwards	LeBas	Thierry
Fannin	Leopold	Thompson
Foil	Ligi	Whitney
Franklin	Lopinto	Williams, A.
Gaines	Lorusso	Williams, P.
Garofalo	Mack	Willmott
Geymann	Miller	

Total - 98

NAYS

Total - 0

ABSENT

Barras	Dove	Montoucet
Carter	Guillory	
Connick	Leger	

Total - 7

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 923—

BY REPRESENTATIVE PONTI
AN ACT

To amend and reenact R.S. 37:3552, 3553, 3554(A), (B), (D), (E), and (F), 3555, 3556, 3557, 3558(A), (B), and (D), 3559, 3561, 3563, 3564, 3565, and 3566(B) and (C) and to repeal R.S. 37:3560, relative to massage therapy; to provide for definitions; to provide for applicability of the Louisiana Massage Therapists and Massage Establishment Act; to provide for exemptions; to provide for the Louisiana Board of Massage Therapy; to provide for membership of the board; to provide for the powers and duties of the board; to require licensure for persons performing massage therapy; to provide for licensure for massage establishments; to establish licensure requirements; to provide for an examination; to provide for licensing regulations; to provide for the expiration and renewal of licenses; to provide for inactive status; to provide for disciplinary actions; to regulate advertising as a massage therapist or a massage establishment; to provide for penalties; to provide for injunctions; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 937—

BY REPRESENTATIVES ROBIDEAUX, ADAMS, BARRAS, WESLEY BISHOP, BROADWATER, BURFORD, GUILLORY, HAZEL, HOFFMANN, LORUSSO, AND THIBAUT
AN ACT

To enact Chapter 54 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:3111 through 3115, relative to

the creation of a Corporate Headquarters Relocation Program; to authorize contracts with businesses that relocate or expand a headquarters in the state; to provide for the content and approval of contracts; to provide for the authority of the Department of Economic Development; to provide for an effective date; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed House Bill No. 937 by Representative Robideaux

AMENDMENT NO. 1

On page 5, line 12, change "forty-five days" to "sixty days"

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Engrossed House Bill No. 937 by Representative Robideaux

AMENDMENT NO. 1

On page 1, delete line 15

AMENDMENT NO. 2

On page 1, line 16, change "(2)" to "(1)"

AMENDMENT NO. 3

On page 2, line 1, change "(3)" to "(2)"

AMENDMENT NO. 4

On page 2, line 3, change "(4)" to "(3)"

AMENDMENT NO. 5

On page 2, line 9, change "(5)" to "(4)"

AMENDMENT NO. 6

On page 2, line 15, change "(6)" to "(5)"

AMENDMENT NO. 7

On page 2, line 17, change "(7)" to "(6)"

AMENDMENT NO. 8

On page 2, line 19, delete "board" and insert "Joint Legislative Committee on the Budget"

AMENDMENT NO. 9

On page 2, line 21, change "(8)" to "(7)"

AMENDMENT NO. 10

On page 3, line 1, change "(9)" to "(8)"

AMENDMENT NO. 11

On page 3, line 3, change "(10)" to "(9)"

AMENDMENT NO. 12

On page 3, line 9, change "(11)" to "(10)"

AMENDMENT NO. 13

On page 3, line 11, before "A business" insert "A."

AMENDMENT NO. 14

On page 3, between lines 21 and 22, insert the followings:

"B. No business engaged in gaming or gambling shall be eligible for the program."

AMENDMENT NO. 15

On page 3, line 27, delete "board" and after "approval" insert "by the Joint Legislative Committee on the Budget"

AMENDMENT NO. 16

On page 4, line 2, delete "board" and insert "Joint Legislative Committee on the Budget"

AMENDMENT NO. 17

On page 4, at the end of line 15, insert the following:

"Prior to the approval of rebates under the contract, the department shall verify the business's actual relocation costs as defined in this Chapter."

AMENDMENT NO. 18

On page 4, line 16, after "D." insert "(1)"

AMENDMENT NO. 19

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

"(2) No payment of a rebate shall be made under a specific contract during the fiscal year in which such contract is approved by the Joint Legislative Committee on the Budget."

AMENDMENT NO. 20

On page 5, between lines 8 and 9 insert the following:

"H. Economic Analysis Verification. Prior to the implementation of the program, an independent third- party economist selected by the Legislative Fiscal Office and the department, and retained by the department after approval of the Joint Legislative Committee on the Budget, shall verify the standard economic impact methodology utilized by the department."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator White to Engrossed House Bill No. 937 by Representative Robideaux

AMENDMENT NO. 1

On page 2, line 24, after "costs" insert ": provided that such personnel relocation costs shall not include any real estate commission in excess of six percent, but such limit shall not prevent a real estate commission less than six percent"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Riser to Engrossed House Bill No. 937 by Representative Robideaux

AMENDMENT NO. 1

On page 3, delete lines 3 and 4, and insert the following:

"(9) "Significant economic benefit" means net positive tax revenues. This shall be determined by"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Riser to Engrossed House Bill No. 937 by Representative Robideaux

AMENDMENT NO. 1

On page 3, line 4, change "revenues are to be generated as a result to the project" to "revenue"

Rep. Robideaux moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Greene	Moreno
Abramson	Guinn	Morris, Jay
Adams	Harris	Morris, Jim
Arnes	Harrison	Norton
Arnold	Havard	Ortego
Badon	Hazel	Pearson
Barrow	Henry	Pierre
Berthelot	Hensgens	Ponti
Billiot	Hill	Pope
Bishop, S.	Hodges	Price
Bishop, W.	Hoffmann	Pugh
Broadwater	Hollis	Pylant
Brossett	Honore	Reynolds
Brown	Howard	Richardson
Burford	Hunter	Ritchie
Burns, T.	Huval	Robideaux
Burrell	Jackson, G.	Schexnayder
Carmody	Jackson, K.	Schroder
Carter	James	Seabaugh
Champagne	Jefferson	Shadoin
Chaney	Johnson	Simon
Cox	Jones	Smith
Cromer	Lambert	St. Germain
Danahay	Landry, N.	Talbot
Dixon	Landry, T.	Thibaut
Edwards	LeBas	Thierry
Fannin	Leger	Thompson
Foil	Ligi	Whitney
Franklin	Lopinto	Williams, A.
Gaines	Lorusso	Williams, P.
Garofalo	Mack	Willmott
Gisclair	Miller	
Total - 95		

NAYS

Geymann
Total - 1

ABSENT

Anders	Connick	Leopold
Barras	Dove	Montoucet
Burns, H.	Guillory	Richard
Total - 9		

The amendments proposed by the Senate were concurred in by the House.

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HOUSE BILL NO. 948—

BY REPRESENTATIVE SEABAUGH
AN ACT

To amend and reenact R.S. 13:3733(D)(introductory paragraph) and 3733.1(C) and (G)(1)(a) and Code of Civil Procedure Article 2636(5)(b), relative to the admissibility of certain business records and security agreements; to provide for admissibility; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 948 by Representative Seabaugh

AMENDMENT NO. 1

On page 3, line 9, following "in" and before "(a)" change "Subparagraph" to "Subsubparagraph"

AMENDMENT NO. 2

On page 3, line 10, change "Paragraph" to "Subparagraph"

Rep. Seabaugh moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. Speaker, Gislair, Morris, Jim; Abramson, Greene, Norton; Adams, Harris, Ortego; Armes, Harrison, Pearson; Arnold, Havard, Pierre; Badon, Hazel, Ponti; Barrow, Henry, Pope; Berthelot, Hensgens, Price; Billiot, Hill, Pugh; Bishop, S., Hodges, Pylant; Bishop, W., Hoffmann, Reynolds; Broadwater, Hollis, Richardson; Brossett, Honore, Ritchie; Brown, Howard, Robideaux; Burford, Huval, Schexnayder; Burns, H., Jackson, G., Schroder; Burns, T., James, Seabaugh; Burrell, Jefferson, Shadoin; Carmody, Johnson, Simon; Carter, Jones, Smith; Champagne, Lambert, St. Germain; Chaney, Landry, N., Talbot; Cox, Landry, T., Thibaut; Cromer, LeBas, Thierry; Dixon, Leger, Thompson; Edwards, Leopold, Whitney; Fannin, Lopinto, Williams, A.; Foil, Lorusso, Williams, P.; Franklin, Mack, Willmott; Gaines, Miller; Garofalo, Moreno

Total - 91

NAYS

Total - 0

ABSENT

Table with 3 columns of names: Anders, Geymann, Ligi; Barras, Guillory, Montoucet; Connick, Guinn, Morris, Jay; Danahay, Hunter, Richard; Dove, Jackson, K.

Total - 14

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 954—

BY REPRESENTATIVE DANAHAY
AN ACT

To amend and reenact R.S. 3:2004, 4222(C), and 4674(F), R.S. 12:1084, 1164, and 1413, R.S. 13:32, R.S. 14:403.6(A), R.S. 17:1808(G), 2048.31(B), 2048.32(C), 3139.5(3)(a), 3201(A) and (B)(1), 3202(1), 3351.11(D)(3), 3973(1)(e) and (2)(b)(i) and (ii), 3991(F), 3995(B), and 4001(A) and (C)(1), (2), and (4), R.S. 23:43, 1203.1(F)(introductory paragraph), and 1294(A)(1), R.S. 24:36(C)(3), 513(A)(4) and (5)(a)(ii) and (F), R.S. 28:821(C) and 824(A) and (C), R.S. 32:123(B) and (D), 143(A)(5) and (6), 175(A), 213, 215, and 234(A)(1), R.S. 33:4169.1(G), R.S. 36:3(4), 4(B)(1)(aa) and (ee), (6)(a), and (18), (F), (L), (N), (U), and (X), 4.1(D)(9) and (15), 53(A), 109(N), 201(C)(1), 209(B)(1)(a), (C)(1), (F), (H)(1), (4), (5), (6), (10), and (11), (J), (K), (L), (M), (N), (O), (Q), (S), (T), (U), (W)(2), and (X), 239(B)(1), (4), and (6) and (E), 259(E), (F)(9), (10), (16), (18), and (21), (G), (I)(5), (J)(1), and (L)(1), (M), (Q), (T), (U), (W), (X), (BB)(1), (CC), and (GG), 309(B), (C)(1), and (D), 359(D), (J), (K), and (L), 409(B), (C)(1), (2), (4), (5), and (8), (D), (E), (F), (G), (H), (J), (L), and (O), 459(B), (C), and (H), 474(B)(1)(a)(introductory paragraph) and (i), 475(A), 478(F), (H)(3) and (4), 509(C), (F)(2), (3), and (8), (H), (K), (L), (M), (O), (Q), (R), (S), and (T), 610(B)(1), (10), and (11), (E), (F), (H), (I), (K), (L), and (N), 629(C)(5), (6), and (8), (D), (E), (F), (G), (H), (J), (K), (L), and (N), 643(A) and (C), 651(B), (C), (D), (E), (H), (L), (M), (P), (U), (X), (Y), (Z), and (BB), 686(A)(2), (3), and (5), (B), and (F), 706(B) and (C), 725(A), 744(E), (H), (I), (J), (Q), (T), and (U), 769(C), (D)(1), (2), (4), and (6), (F), (H), (I), and (L), 802(introductory paragraph), 802.6, 802.9, 803(A)(1), 851(A), 901(A), 918, and 921(A), R.S. 37:3103(A)(3.1) and 3134, R.S. 39:1593.1(B), R.S. 40:2009.1(C)(2)(d), R.S. 42:17(A)(9), 66(C), 1119(C)(3), and 1123(12) and (14), and R.S. 56:1699(C)(introductory paragraph), to enact R.S. 36:4(B)(14) and (H), 4.1(D)(16), 239(C), 259(D), 309(F) and (G), 409(I), (P), and (Q), 459(D), 478(M), 629(R), 651(S), and 686(G), and to repeal R.S. 17:3138, Chapter 10 of Title 25 of the Louisiana Revised Statutes of 1950, comprised of R.S. 25:571 through 576, R.S. 25:802(3), (4), (10), and (11), R.S. 35:396, R.S. 36:4.1(D)(18), 53(E), 109(A), 209(A), (H)(9) and (14), and (AA), 239(A) and (B)(3) and (5), 259(A), (C)(24), (E)(22), (F)(8), (15), and (19), and (I)(4), 309(A) and (C)(3), 359(A), 408(B)(3), 409(A) and (J)(2), 459(A), 478(A), (B), and (H)(8), (9), (10), and (11), 509(A), (E), (F)(1), and (G), 610(A), 629(A) and (C)(4), 650(B), 651(A), (K), (N), and (V), 744(A), 769(A), (D)(3) and (5), (E), and (K), 802.4, and 802.8, R.S. 37:3601, Chapter 30 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:2801 through 2803, and Act No. 16 of the 1960 Regular Session of the Legislature, relative to the various provisions of the Louisiana Revised Statutes of 1950; to provide for various technical corrections in provisions of the statutes, including corrections in legal citations, corrections in names of agencies, officers, and other entities, removal of references to agencies and other entities that have otherwise been repealed or no longer exist, and conforming changes to clarify potentially conflicting language; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 954 by Representative Danahay

AMENDMENT NO. 1

On page 1, line 4, following "3973" and before "(1)" insert "(introductory paragraph),"

AMENDMENT NO. 2

On page 3, line 20, following "E" and before "." insert "of this Section"

AMENDMENT NO. 3

On page 5, line 7, following "3973" and before "(1)" insert "(introductory paragraph),"

AMENDMENT NO. 4

On page 8, line 17, following "as" and before "as defined" change "an exceptional child" to "a student with an exceptionality"

AMENDMENT NO. 5

On page 10, line 21, following "with" and before "terms" insert "the"

AMENDMENT NO. 6

On page 34, line 10, following "R.S." and before ")." change "36:1652" to "23:1652"

AMENDMENT NO. 7

On page 51, line 10, following "of" and before the end of the line change "L.S.U." to "LSU"

Rep. Danahay moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

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

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

NAYS

Total - 0

ABSENT

Barras	Geymann	Montoucet
Connick	Guillory	Richard
Dove	Leger	
Total - 8		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 958—

BY REPRESENTATIVES ROBIDEAUX, ADAMS, BARRAS, WESLEY BISHOP, BROADWATER, GUILLORY, HAZEL, HOFFMANN, JOHNSON, LORUSSO, AND THIBAUT

AN ACT

To enact Chapter 54 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:3111, relative to the creation of the Competitive Projects Payroll Incentive Program; to provide for contract for the payment of rebates to certain qualified businesses; to provide for procedures and requirements for the execution of such contracts and the payment or repayment of such rebates; to prohibit the approval of certain contracts after a certain date; to provide for an effective date; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 958 by Representative Robideaux

AMENDMENT NO. 1

In Senate Committee Amendment No. 15 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on May 8, 2012, on page 2, line 29, delete "natural resource extraction or exploration;"

AMENDMENT NO. 2

On page 7, line 13, change "forty-five days" to "sixty days"

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 958 by Representative Robideaux

AMENDMENT NO. 1

On page 2, delete line 6

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AMENDMENT NO. 2

On page 2, line 7, change "(3)" to "(2)"

AMENDMENT NO. 3

On page 2, line 10, change "(4)" to "(3)"

AMENDMENT NO. 4

On page 2, delete lines 11 through 17

AMENDMENT NO. 5

On page 2, line 18, change "(6)" to "(4)"

AMENDMENT NO. 6

On page 2, line 20, change "(7)" to "(5)"

AMENDMENT NO. 7

On page 2, line 23, change "(8)" to "(6)"

AMENDMENT NO. 8

On page 2, line 24, change "(9)" to "(7)"

AMENDMENT NO. 9

On page 2, line 26, change "board" to "Joint Legislative Committee on the Budget"

AMENDMENT NO. 10

On page 2, line 28, change "(10)" to "(8)"

AMENDMENT NO. 11

On page 3, delete lines 1 through 4

AMENDMENT NO. 12

On page 3, line 5, change "(12)" to "(9)"

AMENDMENT NO. 13

On page 3, line 10, change "qualified business" to "project"

AMENDMENT NO. 14

On page 3, line 17, after "(b)" delete the remainder of the line, delete lines 18 through 21, in their entirety and insert the following:

"The business will primarily engage in one of the following activities at the project site:

(i) Manufacturing of the following types of durable goods: automobiles, motorcycles or other passenger vehicles, or components thereof; aircraft or components thereof; spacecraft or components thereof; medical devices; batteries or other power storage devices; motors, engines, turbines or components thereof; environmental control systems; household appliances; computers, computer peripherals or components thereof; communications equipment; audio or video equipment; semiconductors; consumer oriented electronic devices or components thereof; industrial machinery; or construction heavy equipment such as excavators;

(ii) Manufacturing of pharmaceutical products;

(iii) Conversion of natural gas to diesel, jet fuel, or other refined fuels;

(iv) Data storage or data services, provided at least 75 percent of sales meet the out-of-state sales requirements of Subsection (B)(1)(a) of this Section; or

(v) Other activities as recommended by the secretary and approved by the Joint Legislative Committee on the Budget."

AMENDMENT NO. 15

On page 4, line 1, after "(3)" delete the remainder of the line, delete lines 2 through 5, in their entirety and insert the following:

"The following shall not be eligible for the program:

(a) A business engaged in gaming or gambling;

(b) A business primarily engaged in natural resource extraction or exploration, unless the project activity is conversion of natural gas to diesel, jet fuel, or other refined fuels;

(c) A business primarily engaged in retail sales; real estate; professional services; natural resource extraction or exploration; financial services; venture capital funds; shipbuilding; wood products; agriculture; or manufacturing of machinery or equipment primarily intended to serve the energy industry."

AMENDMENT NO. 16

On page 4, line 11, delete "board" and after "approval" insert "by the Joint Legislative Committee on the Budget"

AMENDMENT NO. 17

On page 4, at the end of line 14, delete the period "." and insert a semicolon ";"

AMENDMENT NO. 18

On page 4, at the end of line 16, delete the period "." and insert "; and"

AMENDMENT NO. 19

On page 4, line 19, delete "board's" and after "approval" insert "by the Joint Legislative Committee on the Budget"

AMENDMENT NO. 20

On page 6, line 17, after "(1)" delete the remainder of the line, delete lines 18 through 26, and on line 27, delete "such approval." and insert the following:

"The qualified business shall file requests for approval of annual rebates with the department. The request shall include documentation signed by a corporate officer of the qualified business certifying its continued eligibility for the program, as provided in Subsection B of this Section, and its actual new payroll and the performance of any other contractual obligations for the subject year. The qualified business may be subject to a limited audit by the department, at the expense of the qualified business, to verify such eligibility and performance. The approved contract between the qualified business and the department shall authorize the continued rebate as long as the business remains eligible for the program and complies with the terms and performance obligations of the contract."

AMENDMENT NO. 21

On page 7, line 1, after "(2)" delete the remainder of the line, delete lines 2 and 3, and on line 4 delete "of the rebate to be issued." and insert the following:

"(a) After verification of continued eligibility and performance, the department shall send a rebate certification letter to the Department of Revenue, stating the amount of actual new payroll for the subject year, the amount of rebate to be issued, and the entity to which the rebate shall be issued."

AMENDMENT NO. 22

On page 7, between lines 7 and 8, insert:

"(b) No payment of a rebate shall be made under a specific contract during the fiscal year in which such contract is approved by the Joint Legislative Committee on the Budget."

AMENDMENT NO. 23

On page 7, between lines 10 and 11, insert the following:

"F. Economic Analysis Verification. Prior to the implementation of the program, an independent third -party economist selected by the Legislative Fiscal Office and the department, and retained by the department after approval of the Joint Legislative Committee on the Budget, shall verify the standard economic impact methodology utilized by the department."

AMENDMENT NO. 24

On page 7, line 11, change "F." to "G."

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 958 by Representative Robideaux

AMENDMENT NO. 1

In Senate Committee Amendment No. 14 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on May 8, 2012, page 2, line 12, change "consumer oriented" to "consumer-oriented"

AMENDMENT NO. 2

In Senate Committee Amendment No. 14 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on May 8, 2012, page 2, line 16, change "75" to "seventy-five"

AMENDMENT NO. 3

In Senate Committee Amendment No. 14 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on May 8, 2012, page 2, line 17, change "Subsection (B)(1)(a) of this Section" to "Subparagraph (1)(a) of this Subsection"

AMENDMENT NO. 4

On page 6, line 2, following "Code Section" and before ", minus" change "263 A(a)(1)(A) through (L)" to "263 (a)(1)(A) through (L)"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Riser to Reengrossed House Bill No. 958 by Representative Robideaux

AMENDMENT NO. 1

On page 3, line 6, change "revenues to be generated as a result of the project" to "revenue"

AMENDMENT NO. 2

At the end of lines 13, 14, and 15 of Senate Committee Amendment No. 14 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on May 8, 2012 change the semi-colon ";" to a period "."

AMENDMENT NO. 3

At the end of line 17 of Senate Committee Amendment No. 14 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on May 8, 2012 change ", or" to a period "."

AMENDMENT NO. 4

On line 23 of Senate Committee Amendment No. 15 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on May 8, 2012 change "The" to "All of the"

AMENDMENT NO. 5

At the end of lines 24 and 27 of Senate Committee Amendment No. 15 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on May 8, 2012 change the semi-colon ";" to a period "."

AMENDMENT NO. 6

On page 4, line 12, change "that" to "all of the following"

AMENDMENT NO. 7

Delete Senate Committee Amendments Nos. 17 and 18 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on May 8, 2012.

Rep. Robideaux moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

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

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Dixon	LeBas	Thibaut
Fannin	Leopold	Thierry
Foil	Ligi	Thompson
Franklin	Lopinto	Whitney
Gaines	Lorusso	Williams, A.
Garofalo	Mack	Williams, P.
Gisclair	Miller	Willmott
Total - 93		

NAYS

Armes	Edwards	Geymann
Total - 3		

ABSENT

Anders	Dove	Leger
Barras	Guillory	Montoucet
Connick	Lambert	Richard
Total - 9		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1177—
BY REPRESENTATIVE HARRISON
AN ACT

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

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Reengrossed House Bill No. 1177 by Representative Harrison

AMENDMENT NO. 1

On page 2, line 3, after "January 1, 2013," insert "An individual who holds a life insurance line of authority and has satisfied the training requirements in another state with substantially similar requirements prior to January 1, 2013, shall be deemed to have satisfied the training requirements of this state."

Rep. Harrison moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gaines	Moreno
Abramson	Garofalo	Morris, Jay
Adams	Geymann	Morris, Jim
Anders	Greene	Norton
Armes	Harris	Ortego
Arnold	Harrison	Pearson
Badon	Hazel	Pierre
Barrow	Henry	Ponti
Berthelot	Hensgens	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, H.	Huval	Robideaux
Burns, T.	Jackson, G.	Schexnayder
Burrell	Jackson, K.	Seabaugh
Carmody	James	Shadoin
Carter	Jefferson	Simon
Champagne	Johnson	Smith
Chaney	Jones	St. Germain
Cox	Lambert	Talbot
Cromer	Landry, N.	Thibaut
Danahay	Landry, T.	Thierry
Dixon	LeBas	Thompson
Edwards	Ligi	Whitney
Fannin	Lopinto	Williams, A.
Foil	Lorusso	Williams, P.
Franklin	Miller	Willmott
Total - 93		

NAYS

Total - 0

ABSENT

Barras	Guillory	Leopold
Connick	Guinn	Mack
Dove	Havard	Montoucet
Gisclair	Leger	Schroder
Total - 12		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1196 (Substitute for House Bill No. 868 by Representative Pearson)—
BY REPRESENTATIVE PEARSON
AN ACT

To amend and reenact R.S. 22:1046(B), (C), (F), and (G)(3) and (4) and to repeal R.S. 22:1046(E), relative to group health plans; to provide for continuation of group health plans; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Reengrossed House Bill No. 1196 by Representative Pearson

AMENDMENT NO. 1

On page 2, line 20, change "employer" to "employee"

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 1196 by Representative Pearson

AMENDMENT NO. 1

On page 2, line 4, following "shall" and before "be available" delete "only"

AMENDMENT NO. 2

On page 2, line 4, following "Section" and before "if the" insert "only"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Morrish to Reengrossed House Bill No. 1196 by Representative Pearson

AMENDMENT NO. 1

On page 3, after line 9, insert the following:

"Section 3. This Act shall become effective on January 1, 2013."

Rep. Pearson moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Adams	Guinn	Leger
Burrell	Honore	Montoucet
Connick	Hunter	Pylant
Dove	Jackson, K.	Schroder
Guillory	Lambert	Thibaut

Total - 15

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 39—
BY REPRESENTATIVE MONTOUCKET
AN ACT

To enact R.S. 11:2254(E), 2256(B)(5), and 2271(7), relative to the Firefighters' Retirement System; to provide for compliance with

federal tax qualification requirements; to provide relative to benefits accrued during military service; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Guillory to Engrossed House Bill No. 39 by Representative Montoucet

AMENDMENT NO. 1

On page 2, line 24, after "thereunder" delete "may" and insert in lieu thereof:

"that do not require legislative action shall"

Rep. Pearson moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 94

NAYS

Total - 0

ABSENT

Bishop, W.	Guinn	Norton
Connick	Leger	St. Germain
Dove	Lopinto	Williams, A.
Guillory	Montoucet	

Total - 11

The amendments proposed by the Senate, having received a two-thirds vote of the elected members, were concurred in by the House.

HOUSE BILL NO. 41—
BY REPRESENTATIVE PEARSON
AN ACT

To amend and reenact R.S. 11:1532 and to enact R.S. 11:1518, 1521.2, 1524(C), and 1533(F), relative to the Clerks' of Court Retirement and Relief Fund; to provide relative to federal tax qualification status; to authorize changes to be made using the Administrative Procedure Act; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Guillory to Reengrossed House Bill No. 41 by Representative Pearson

AMENDMENT NO. 1

On page 4, line 18, delete "may" and insert in lieu thereof:

"that do not require legislative action shall"

Rep. Pearson moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Geymann	Miller
Abramson	Gisclair	Moreno
Adams	Greene	Morris, Jay
Anders	Harris	Morris, Jim
Armes	Harrison	Norton
Arnold	Havard	Ortego
Badon	Hazel	Pearson
Barrow	Henry	Pierre
Berthelot	Hensgens	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.	Robideaux
Burrell	Jackson, K.	Schexnayder
Carmody	James	Schroder
Carter	Jefferson	Seabaugh
Champagne	Johnson	Shadoin
Chaney	Jones	Simon
Cox	Lambert	Smith
Cromer	Landry, N.	St. Germain
Danahay	Landry, T.	Talbot
Dixon	LeBas	Thibaut
Edwards	Leger	Thierry
Fannin	Leopold	Thompson
Foil	Ligi	Whitney
Franklin	Lopinto	Williams, P.
Gaines	Lorusso	Willmott
Garofalo	Mack	
Total - 98		

NAYS

Total - 0

ABSENT

Barras	Guillory	Williams, A.
Connick	Guinn	
Dove	Montoucet	
Total - 7		

The amendments proposed by the Senate, having received a two-thirds vote of the elected members, were concurred in by the House.

HOUSE BILL NO. 50—
BY REPRESENTATIVE PEARSON
AN ACT

To enact R.S. 11:1404(F), 1411(E), and 1446, relative to the Assessors' Retirement Fund; to provide for compliance with federal tax qualification requirements; to provide relative to benefits accrued during military service; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Guillory to Engrossed House Bill No. 50 by Representative Pearson

AMENDMENT NO. 1

On page 1, line 15, after "thereunder" delete "shall" and insert in lieu thereof:

"that do not require legislative action shall"

Rep. Pearson moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Geymann	Morris, Jay
Abramson	Gisclair	Morris, Jim
Armes	Greene	Norton
Arnold	Guinn	Ortego
Badon	Harris	Pearson
Barras	Harrison	Pierre
Berthelot	Havard	Ponti
Billiot	Hazel	Pope
Bishop, S.	Henry	Price
Bishop, W.	Hill	Pugh
Broadwater	Hodges	Pylant
Brossett	Hoffmann	Reynolds
Brown	Hollis	Richard
Burford	Howard	Richardson
Burns, H.	Hunter	Ritchie
Burns, T.	Huval	Robideaux
Burrell	Jackson, G.	Schexnayder
Carmody	James	Schroder
Carter	Jefferson	Seabaugh
Champagne	Johnson	Simon
Chaney	Jones	Smith
Cox	Lambert	St. Germain
Cromer	Landry, N.	Talbot

Danahay	Landry, T.	Thibaut
Dixon	LeBas	Thierry
Edwards	Leopold	Thompson
Fannin	Ligi	Whitney
Foil	Lorusso	Williams, P.
Franklin	Mack	Willmott
Gaines	Miller	
Garofalo	Moreno	

Total - 91

NAYS

Total - 0

ABSENT

Adams	Guillory	Lopinto
Anders	Hensgens	Montoucet
Barrow	Honore	Shadoin
Connick	Jackson, K.	Williams, A.
Dove	Leger	

Total - 14

The amendments proposed by the Senate, having received a two-thirds vote of the elected members, were concurred in by the House.

HOUSE BILL NO. 61—
BY REPRESENTATIVE PEARSON
AN ACT

To amend and reenact R.S. 11:62(4)(introductory paragraph), (5)(introductory paragraph), and (11)(introductory paragraph), 102(B)(1) and (3)(a) and (d)(v), (vi), and (vii), 542(A)(2)(a), 883.1(A)(2)(a), and 1145.1(A)(1)(introductory paragraph) and (a), (C)(4)(a)(introductory paragraph), and (E), and to enact R.S. 11:62(4.1), (5.1), and (11.1), 102(C)(1)(m), 542(C)(4)(d)(iii) and (e)(iii), 883.1(C)(4)(d)(iii) and (e)(iii), 1145.1(C)(4)(a)(iii) and (b)(iii), and Chapter 7 of Subtitle II of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:1399.1 through 1399.7, relative to state retirement systems; to create a cash balance plan in certain state systems; to provide for contributions, credits, eligibility, and benefits; to provide for an effective date; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Reengrossed House Bill No. 61 by Representative Pearson

AMENDMENT NO. 1

On page 8, line 16, delete "Mandatory membership."

AMENDMENT NO. 2

On page 8, delete lines 24 and 25 and insert in lieu thereof:

"who are employed by institutions of postsecondary education or postsecondary education management boards, who do not become members of the optional retirement plan, and who are not employed for the sole purpose of providing instruction or administrative services at the primary or secondary level, including at any lab school and the Louisiana School for Math, Science, and the Arts"

AMENDMENT NO. 3

On page 8, line 26, after "B." delete the remainder of the line and delete lines 27 through 29 insert in lieu thereof:

"(1) Except as provided in Paragraph (2) of this Subsection, any employee whose first employment making him eligible for membership in one of the state systems listed in R.S. 11:1399.1(A) occurred on or after July 1, 2013, may at the time of hire make an irrevocable election to join the cash balance plan of the retirement system."

AMENDMENT NO. 4

On page 9, line 14 change "report" to "valuation"

AMENDMENT NO. 5

On page 9, line 15 change "approves" to "adopts" and after "system's" and before "actuarial" insert "valuation containing the"

AMENDMENT NO. 6

On page 10, delete lines 11 through 14

AMENDMENT NO. 7

On page 10, line 15 change "(c)" to "(b)"

AMENDMENT NO. 8

On page 10, at the beginning of line 22, before "1399.4" insert "11:"

AMENDMENT NO. 9

On page 10, line 23 change "tier one" to "Tier 1"

AMENDMENT NO. 10

On page 10, at the end of line 24, insert the following:

"For purposes of this Paragraph, the member's service credit, accrual rate, eligibility, and benefit calculation shall be determined as if the member's cash balance service had been earned as a member of the applicable Tier 1 plan."

AMENDMENT NO. 11

On page 10, line 27 change "tier one" to "Tier 1"

AMENDMENT NO. 12

On page 11, line 2, after "payment" change the comma "," to a semicolon ";" and after "plans" change the comma "," to a semicolon ";" insert "or"

AMENDMENT NO. 13

On page 11, line 3, after "account" delete the remainder of the line and insert a period "."

AMENDMENT NO. 14

On page 11, line 4 change "tier one" to "Tier 1"

AMENDMENT NO. 15

On page 11, line 5, after "or" insert "by"

AMENDMENT NO. 16

On page 11, line 7 change "tier one" to "Tier 1"

AMENDMENT NO. 17

On page 11, line 8 after "under the" and before "plan" change "tier one" to "Tier 1"

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AMENDMENT NO. 18

On page 11, at the end of line 8 change "tier one" to "Tier 1"

AMENDMENT NO. 19

On page 11, line 11 change "tier one" to "Tier 1"

AMENDMENT NO. 20

On page 11, line 13, after "payment" change the comma "," to a semicolon ";" and after "plans" change the comma "," to a semicolon ";" insert "or"

AMENDMENT NO. 21

On page 11, line 14, after "account" delete the remainder of the line and insert a period "."

AMENDMENT NO. 22

On page 11, between lines 14 and 15, insert the following:

"(e) Subject to the provisions of R.S. 11:1399.7, if a survivor is eligible to and elects to receive a Tier 1 survivors' benefit, the account balance in the cash balance plan shall be retained by the retirement system."

AMENDMENT NO. 23

On page 11, line 18 change "tier one" to "Tier 1"

AMENDMENT NO. 24

On page 11, at the end of line 19, insert the following:

"For purposes of this Paragraph, the member's service credit, accrual rate, eligibility, and benefit calculation shall be determined as if the member's cash balance service had been earned as a member of the applicable Tier 1 plan."

AMENDMENT NO. 25

On page 11, line 21, after "payment" change the comma "," to a semicolon ";"

AMENDMENT NO. 26

On page 11, line 22 after "plans" change the comma "," to a semicolon ";" insert "or"

AMENDMENT NO. 27

On page 11, line 23, after "account" delete the remainder of the line and insert a period "."

AMENDMENT NO. 28

On page 11, line 24 change "tier one" to "Tier 1"

AMENDMENT NO. 29

On page 11, line 25 change "tier one" to "Tier 1"

AMENDMENT NO. 30

On page 11, between lines 25 and 26, insert the following:

"(c) Subject to the provisions of R.S. 11:1399.7, if a cash balance plan member is eligible to and elects to receive a Tier 1 disability

benefit, the account balance in the cash balance plan shall be retained by the retirement system."

AMENDMENT NO. 31

On page 12, at the end of line 9, insert the following:

"The system shall annuitize the retirement benefit using an annuity rate based upon the actuarial assumptions in use by the system as of the date of retirement. The system actuary may modify the assumptions utilized to reflect the effects of anti-selection, as quantified on the basis of an experience study that demonstrates a statistically significant difference between the mortality experience of cash balance participants in the system electing to receive benefits in an annuity form and that of system annuitants generally."

AMENDMENT NO. 32

Delete pages 13 and 14 in their entirety and insert the following:

"§ 1399.7. Guaranteed return of employee contributions

In no case shall a retirement system pay total benefits of an amount less than the total of the employee's accumulated contributions. Where the total benefits received prior to an employee's death is less than the employee's total contributions, the difference shall be paid to the estate of the decedent."

AMENDMENT NO. 33

On page 15, delete lines 1 through 12, and insert the following:

"Section 2. The Public Retirement Systems' Actuarial Committee may adopt an actuarial valuation after implementation of the Act originating as House Bill No. 61 of the 2012 Regular Legislative Session, to be utilized in the fiscal year which begins July 1, 2013, calculated in accordance with R.S. 11:102, which has been prepared on behalf of the division of administration by a member of the American Academy of Actuaries who meets the qualification requirements of the academy to issue a particular statement of actuarial opinion."

AMENDMENT NO. 34

On page 15, line 19 after "District" and before the period "." insert "Court for the Parish of East Baton Rouge"

AMENDMENT NO. 35

On page 15, delete lines 24 through 29 and on page 16, delete lines 1 through 5

AMENDMENT NO. 36

On page 16, line 6, change "Section 5." to "Section 4."

AMENDMENT NO. 37

On page 16, line 9, change "Section 6." to "Section 5."

AMENDMENT NO. 38

On page 16, line 12, change "Section 7." to "Section 6."

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 61 by Representative Pearson

AMENDMENT NO. 1

In Senate Committee Amendment No. 3, proposed by the Senate Committee on Retirement and adopted by the Senate on May 14, 2012, on page 1, line 15 change "at the time of hire" to "within sixty days after his employment date"

AMENDMENT NO. 2

In Senate Committee Amendment No. 31, proposed by the Senate Committee on Retirement and adopted by the Senate on May 14, 2012, on page 3, line 22 after "page 12," insert the following:

"line 3, after "(1)" and before "Upon" insert "(a)" and"

AMENDMENT NO. 3

In Senate Committee Amendment No. 31, proposed by the Senate Committee on Retirement and adopted by the Senate on May 14, 2012, on page 3, line 23 change "The system" to "(b) The system"

AMENDMENT NO. 4

In Senate Committee Amendment No. 31, proposed by the Senate Committee on Retirement and adopted by the Senate on May 14, 2012, on page 3, line 25, after "assumptions" delete the remainder of the line and delete line 26 in its entirety and insert the following:

"to reflect any changes quantified in an experience study and incorporated into a valuation adopted by the Public Retirement Systems' Actuarial Committee, demonstrating a"

AMENDMENT NO. 5

In Senate Committee Amendment No. 33, proposed by the Senate Committee on Retirement and adopted by the Senate on May 14, 2012, on page 4, line 5 after "utilized" and before "in" insert "by a system to which the provisions of this Act apply"

Rep. Pearson moved that the amendments proposed by the Senate be concurred in.

Motion

Rep. Mack moved to table the entire subject matter.

Rep. Pearson objected.

By a vote of 44 yeas and 47 nays, the House refused to table the entire subject matter.

Motion

Rep. Armes moved to table the entire subject matter.

Rep. Pearson objected.

Point of Order

Rep. Barrow asked for a ruling from the Chair as to the vote required to table the entire subject matter.

Ruling of the Chair

The Chair ruled that a favorable vote of a majority of the members present was required to adopt the motion.

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

ROLL CALL

The roll was called with the following result:

YEAS

Armes	Havard	Norton
Badon	Hazel	Ortego
Barrow	Hill	Pierre
Bishop, W.	Hodges	Pope
Brossett	Honore	Price
Brown	Hunter	Pugh
Burrell	Jackson, K.	Pylant
Cox	James	Reynolds
Dixon	Jefferson	Richard
Edwards	Johnson	Ritchie
Franklin	Jones	Smith
Gaines	Lambert	Thierry
Gisclair	Landry, T.	Williams, A.
Greene	LeBas	Willmott
Harrison	Mack	
Total - 44		

NAYS

Mr. Speaker	Garofalo	Morris, Jim
Barras	Geymann	Pearson
Berthelot	Guinn	Ponti
Billiot	Harris	Richardson
Bishop, S.	Henry	Robideaux
Broadwater	Hensgens	Schexnayder
Burford	Hoffmann	Schroder
Burns, H.	Hollis	Seabaugh
Burns, T.	Huval	Shadoin
Carmody	Landry, N.	Simon
Carter	Ligi	St. Germain
Champagne	Lopinto	Talbot
Cromer	Lorusso	Thibaut
Danahay	Miller	Thompson
Fannin	Moreno	Whitney
Foil	Morris, Jay	
Total - 47		

ABSENT

Abramson	Connick	Leger
Adams	Dove	Leopold
Anders	Guillory	Montoucet
Arnold	Howard	Williams, P.
Chaney	Jackson, G.	
Total - 14		

The House refused to table the entire subject matter.

Rep. Pearson insisted on his motion that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Geymann	Ponti
Barras	Harris	Pugh
Berthelot	Henry	Pylant
Billiot	Hensgens	Richardson
Bishop, S.	Hoffmann	Robideaux
Broadwater	Hollis	Schexnayder
Burford	Howard	Seabaugh
Burns, T.	Huval	Shadoin
Carmody	Landry, N.	Simon
Carter	Ligi	St. Germain

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Champagne	Lopinto	Talbot
Chaney	Lorusso	Thibaut
Cromer	Miller	Thompson
Danahay	Moreno	Whitney
Fannin	Morris, Jay	Willmott
Foil	Morris, Jim	
Garofalo	Pearson	
Total - 49		

NAYS

Armes	Guinn	LeBas
Badon	Harrison	Mack
Barrow	Havard	Norton
Bishop, W.	Hazel	Ortego
Brossett	Hill	Pierre
Brown	Hodges	Pope
Burns, H.	Honore	Price
Burrell	Hunter	Reynolds
Cox	Jackson, K.	Richard
Dixon	James	Ritchie
Edwards	Jefferson	Smith
Franklin	Johnson	Thierry
Gaines	Jones	Williams, A.
Gisclair	Lambert	
Greene	Landry, T.	
Total - 43		

ABSENT

Abramson	Dove	Montoucet
Adams	Guillory	Schroder
Anders	Jackson, G.	Williams, P.
Arnold	Leger	
Connick	Leopold	
Total - 13		

The House refused to concur in the amendments proposed by the Senate.

Conference committee appointment pending.

HOUSE BILL NO. 106—
BY REPRESENTATIVE DOVE

AN ACT

To repeal R.S. 33:2481.3(C), relative to the city of Houma; to provide relative to the position of police chief in the city; to provide relative to provisions that place the position in the unclassified service; to provide relative to the date on which such provisions shall terminate; to repeal the termination date; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Engrossed House Bill No. 106 by Representative Dove

AMENDMENT NO. 1

On page 1, line 2, after "To" change "repeal" to "amend and reenact"

AMENDMENT NO. 2

On page 1, line 5, after "terminate;" delete "to repeal the termination date;"

AMENDMENT NO. 3

On page 1, line 11, after "hereby" delete the remainder of the line and insert:

"amended and reenacted to read as follows:"

AMENDMENT NO. 4

On page 1, between lines 11 and 12, insert the following:

"§2481.3. Police chief; city of Houma; unclassified service

* * *

C. The provisions of this Section shall be null and void on July 1, ~~2012~~ 2016."

Rep. Harrison moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Abramson	Connick	Leger
Adams	Dove	Montoucet
Anders	Guillory	Pearson
Arnold	Harris	Simon
Total - 12		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 124—

BY REPRESENTATIVES EDWARDS, GISCLAIR, HILL, HODGES, HONORE, HOWARD, LEOPOLD, MACK, RICHARDSON, AND ST. GERMAIN

AN ACT

To enact R.S. 47:490.25, relative to military honor license plates; to provide for the Korean Defense Service license plate; to provide

for qualified applicants; to provide for rules and regulations; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Engrossed House Bill No. 124 by Representative Edwards

AMENDMENT NO. 1

On page 1, line 20, change "fee" to "tax"

Rep. Edwards moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Abramson	Connick	Montoucet
Adams	Dove	Richard
Anders	Guillory	Seabaugh
Arnold	Leger	
Total - 11		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 179—

BY REPRESENTATIVE LEGER

AN ACT

To amend and reenact R.S. 25:745(A)(2) and 1238.1(B) and to enact R.S. 25:1238.2(B)(1)(f) and (g), relative to historic preservation and commemoration; to provide relative to historic preservation districts and landmark commissions in New Orleans and the commemoration of historic events therein; to provide relative to certain exemptions from the application of laws relative to such districts and commissions; to provide relative to the application of Sections 15 and 16 of Act No. 804 of the 1975 Regular Session of the Legislature; to provide relative to the Battle of New Orleans Bicentennial Commission; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Reengrossed House Bill No. 179 by Representative Leger

AMENDMENT NO. 1

On page 1, at the beginning of line 3, change "25:1238.5(B)(1)(f) and (g)," to "25:1238.5(B)(1)(f), (g), and (h),"

AMENDMENT NO. 2

On page 1, at the beginning of line 15, change "25:1238.5(B)(1)(f) and (g)," to "25:1238.5(B)(1)(f), (g), and (h),"

AMENDMENT NO. 3

On page 2, between lines 20 and 21, insert the following:

"(h) One member appointed by the New Orleans Multicultural Tourism Network."

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 179 by Representative Leger

AMENDMENT NO. 1

In Senate Committee Amendment No. 1 proposed by the Senate Committee on Local and Municipal Affairs to Reengrossed House Bill No. 179 and adopted by the Senate on May 14, 2012, on page 1, lines 2 and 3, change "25:1238.5" to "25:1238.2"

AMENDMENT NO. 2

In Senate Committee Amendment No. 2 proposed by the Senate Committee on Local and Municipal Affairs to Reengrossed House Bill No. 179 and adopted by the Senate on May 14, 2012, on page 1, line 5 and 6, change "25:1238.5" to "25:1238.2"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Reengrossed House Bill No. 179 by Representative Leger

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AMENDMENT NO. 1

On page 3, line 1, after "Lowerline Street" insert ", or on St. Charles Avenue between Jena Street and Carrollton Avenue"

AMENDMENT NO. 2

On page 3, delete line 2, and insert "unless the respective owners consent."

Rep. Leger moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of members who voted 'YEAS' in two columns.

NAYS

Lopinto
Total - 1

ABSENT

Table listing names of members who were 'ABSENT' in two columns.

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 295—
BY REPRESENTATIVES WESLEY BISHOP AND SMITH
AN ACT

To amend and reenact R.S. 37:2950(A) and to enact R.S. 37:2950(D)(1)(a)(xv), relative to employment restrictions; to

provide relative to criminal record; to provide for exceptions; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Labor and Industrial Relations to Engrossed House Bill No. 295 by Representative Wesley Bishop

AMENDMENT NO. 1

On page 1, line 2, after "(a)(xv)" insert ", (xvi), and (xvii)"

AMENDMENT NO. 2

On page 1, line 7, delete "is" and insert ", (xvi), and (xvii) are"

AMENDMENT NO. 3

On page 2, between lines 3 and 4, insert the following:

"(xvi) The Louisiana State Board of Physical Therapy Examiners.

(xvii) The Louisiana Board of Massage Therapy."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Johns to Engrossed House Bill No. 295 by Representative Wesley Bishop

AMENDMENT NO. 1

Delete Senate Committee Amendment No.3 which was proposed by the Senate Committee on Labor and Industrial Relations and adopted by the Senate on May 14, 2012 and insert, in lieu thereof, the following:

"(xvi) The Louisiana Physical Therapy Board.

(xvii) The Louisiana Board of Massage Therapy."

Rep. Wesley Bishop moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of members who voted 'YEAS' in three columns.

Burrell	Hunter	Schexnayder
Carmody	Jackson, G.	Seabaugh
Carter	Jackson, K.	Shadoin
Champagne	James	Smith
Chaney	Jefferson	St. Germain
Cox	Johnson	Thibaut
Cromer	Jones	Thierry
Danahay	Lambert	Thompson
Dixon	Landry, N.	Whitney
Edwards	Landry, T.	Williams, A.
Fannin	LeBas	Williams, P.
Foil	Leger	Willmott

Total - 84

NAYS

Henry	Pope	Talbot
Lopinto	Pylant	
Morris, Jay	Simon	

Total - 7

ABSENT

Abramson	Guillory	Norton
Adams	Hill	Pearson
Armes	Howard	Richard
Cornick	Huval	Schroder
Dove	Montoucet	

Total - 14

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 317—

BY REPRESENTATIVE GISCLAIR
AN ACT

To amend and reenact R.S. 48:264.1, relative to salvaged material; to authorize the use of salvage material in coastal protection and restoration projects; to provide for the powers and duties of the secretary of the Department of Transportation and Development and the Office of Coastal Protection and Restoration; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Engrossed House Bill No. 317 by Representative Gisclair

AMENDMENT NO. 1

On page 1, delete lines 17 through 20 and insert:

"B. When, in the opinion of the secretary of the department or his designee, it is in the best interest of the state, he may order any materials deemed of no salvage value recovered from the reconstruction or repair of any state road or bridge, or from any other work performed by the department to be disposed of by transfer to the Office of Coastal Protection and Restoration to be utilized for coastal protection and restoration projects, such transfer to be made in accordance with procedures established by the secretary or his designee in coordination with the Office of Coastal Protection and Restoration."

AMENDMENT NO. 2

On page 2, delete lines 1 and 2

Rep. Gisclair moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 94

NAYS

Total - 0

ABSENT

Mr. Speaker	Dove	Montoucet
Abramson	Guillory	Norton
Adams	Hazel	Richard
Cornick	Huval	

Total - 11

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 367—

BY REPRESENTATIVE LEGER
AN ACT

To amend and reenact R.S. 38:2212(A)(3)(g), relative to construction managers; to remove certain restrictions on the use of construction managers or third-party consultants in Orleans Parish; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Murray to Reengrossed House Bill No. 367 by Representative Leger

AMENDMENT NO. 1

On page 2, line 9, insert the following:

"(iii) All construction contracts on public works shall be opened in a public meeting. All subcontractors bidding on the project shall be invited to the meeting and the general contractor shall list in the bid documents who the subcontractors will be on the project."

Rep. Leger moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 91

NAYS

Total - 0

ABSENT

Abramson	Geymann	Morris, Jay
Adams	Guillory	Richard
Connick	Henry	St. Germain
Dixon	Huval	Williams, P.
Dove	Montoucet	

Total - 14

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 413—
BY REPRESENTATIVE HARRISON
AN ACT

To amend and reenact R.S. 38:3086.24(H)(1) and 3086.26 and to enact R.S. 38:3086.24(L), relative to the Bayou Lafourche Fresh

Water District; to authorize the board of such district to control and regulate the activities on the banks of Bayou Lafourche; to authorize the Coastal Protection and Restoration Authority to assist the district; to authorize the board to contract for services related to integrated coastal protection; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Reengrossed House Bill No. 413 by Representative Harrison

AMENDMENT NO. 1

On page 2, line 5, change "public works" to "engineering"

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 413 by Representative Harrison

AMENDMENT NO. 1

On page 3, line 10, following "part," and before "may" change "which" to "that"

Rep. Harrison moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

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

Gaines	Lorusso	Williams, P.
Garofalo	Mack	Willmott
Total - 96		

NAYS

Total - 0

ABSENT

Abramson	Dove	Huval
Adams	Guillory	Montoucet
Connick	Guinn	Richard
Total - 9		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 435—

BY REPRESENTATIVES LORUSSO, BROADWATER, BROWN, ABRAMSON, ADAMS, ANDERS, ARMES, ARNOLD, BADON, BARRAS, BARROW, BERTHELOT, BILLIOT, STUART BISHOP, WESLEY BISHOP, BROSSETT, 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, MACK, MILLER, MONTOUCET, MORENO, JAY MORRIS, JIM MORRIS, NORTON, ORTEGO, PEARSON, PIERRE, PONTI, POPE, PRICE, PUGH, PYLANT, REYNOLDS, RICHARD, RICHARDSON, RITCHIE, SCHEXNAYDER, SCHRODER, SEABAUGH, SHADOIN, SIMON, SMITH, ST. GERMAIN, TALBOT, THIBAUT, THIERRY, THOMPSON, WHITNEY, ALFRED WILLIAMS, PATRICK WILLIAMS, AND WILLMOTT

AN ACT

To enact R.S. 17:2137(E), relative to resident classification for tuition purposes at public colleges and universities; to provide that certain veterans shall be entitled to resident classification for such purposes without regard to length of time of residency in the state; to provide conditions and limitations; to provide relative to implementation; to provide an effective date; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Reengrossed House Bill No. 435 by Representative Lorusso

AMENDMENT NO. 1

On page 2, line 5, between "who" and "is enrolled" delete "is a resident of Louisiana and"

AMENDMENT NO. 2

On page 2, line 6, between "university" and the comma "," insert "and who physically resides in Louisiana for the duration of his enrollment in a state public institution of postsecondary education"

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 435 by Representative Lorusso

AMENDMENT NO. 1

On page 2, line 4, following "under" and before "38" delete "Title"

Rep. Lorusso moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gisclair	Moreno
Adams	Greene	Morris, Jay
Anders	Guinn	Morris, Jim
Armes	Harris	Norton
Arnold	Harrison	Ortego
Badon	Havard	Pearson
Barras	Hazel	Pierre
Barrow	Henry	Ponti
Berthelot	Hensgens	Pope
Billiot	Hill	Price
Bishop, S.	Hodges	Pugh
Bishop, W.	Hoffmann	Pylant
Broadwater	Hollis	Reynolds
Brossett	Honore	Richardson
Brown	Howard	Ritchie
Burford	Hunter	Robideaux
Burns, H.	Jackson, G.	Schexnayder
Burns, T.	Jackson, K.	Schroder
Burrell	James	Seabaugh
Carmody	Jefferson	Shadoin
Carter	Johnson	Simon
Champagne	Jones	Smith
Chaney	Lambert	St. Germain
Cox	Landry, N.	Talbot
Cromer	Landry, T.	Thibaut
Danahay	LeBas	Thierry
Dixon	Leger	Thompson
Edwards	Ligi	Whitney
Fannin	Lopinto	Williams, A.
Foil	Lorusso	Williams, P.
Gaines	Mack	Willmott
Geymann	Miller	
Total - 95		

NAYS

Total - 0

ABSENT

Abramson	Garofalo	Montoucet
Connick	Guillory	Richard
Dove	Huval	
Franklin	Leopold	
Total - 10		

The amendments proposed by the Senate were concurred in by the House.

Consent to Correct a Vote Record

Rep. Pierre requested the House consent to record his vote on concurrence in the Senate amendments to House Bill No. 435 as yeas, which consent was unanimously granted.

HOUSE BILL NO. 478—

BY REPRESENTATIVE GISCLAIR
AN ACT

To amend and reenact Section 1(A) of Act No. 57 of the 2005 Regular Session of the Legislature, as amended by Act No. 79 of the 2007 Regular Session of the Legislature, relative to the Grand Isle Port Commission; to provide relative to the use of certain waters for seafood production research; to provide relative to the specification of the boundaries and size of the area in which the research will be done; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Engrossed House Bill No. 478 by Representative Gisclair

AMENDMENT NO. 1

On page 1, line 18, change "twenty-five and one half" to "~~five~~ twenty-five and one-half"

Rep. Gisclair moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Geymann	Mack
Adams	Gisclair	Miller
Anders	Greene	Moreno
Arnold	Guinn	Morris, Jay
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	Richardson
Burns, H.	Howard	Robideaux
Burns, T.	Jackson, G.	Schexnayder
Burrell	Jackson, K.	Schroder
Carmody	James	Seabaugh
Carter	Jefferson	Shadoin
Champagne	Johnson	Simon
Chaney	Jones	Smith
Cox	Lambert	St. Germain
Cromer	Landry, N.	Talbot
Danahay	Landry, T.	Thibaut
Dixon	LeBas	Thierry
Edwards	Leger	Thompson
Foil	Leopold	Whitney
Franklin	Ligi	Williams, A.
Gaines	Lopinto	Williams, P.
Garofalo	Lorusso	Willmott

Total - 93

NAYS

Total - 0

ABSENT

Abramson	Fannin	Montoucet
Armes	Guillory	Morris, Jim
Cunnick	Hunter	Richard
Dove	Huval	Ritchie

Total - 12

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 504—

BY REPRESENTATIVE DOVE

AN ACT

To amend and reenact R.S. 30:5.1, relative to pooling of oil and gas wells; to provide for authority of the commissioner of conservation to create such pools; to provide for applications, allocation of costs, and rules and regulations; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Engrossed House Bill No. 504 by Representative Dove

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 30:5.1" delete the comma and insert "and 10(A)(introductory paragraph),(1), and (2),"

AMENDMENT NO. 2

On page 1, line 4, after "regulations;" insert "to provide for the agreements for drilling units; to provide for pooling interests; to provide for the election not to participate in a unit well; to provide for payment to certain royalty owners; to provide terms and conditions;"

AMENDMENT NO. 3

On page 1, line 7, delete "is" and insert "and 10(A)(introductory paragraph), (1), and (2) are"

AMENDMENT NO. 4

On page 2, line 12, delete "but less" and insert a period and delete line 13

AMENDMENT NO. 5

On page 3, line 10, delete "new"

AMENDMENT NO. 6

On page 3, line 27, delete "development plan" and insert "plan of development"

AMENDMENT NO. 7

On page 4, delete lines 21 through 23 and insert:

"(e) The applicant has submitted a plan of development for the unit that is reasonable and contains the information listed under Paragraph (B)(4) of this Section. It is presumed that a reasonable plan of development will include at least one well for each three thousand acres contained in the unit.

(4) The plan of development shall include, at a minimum, the following:

(a) The applicant's estimate of the number of wells it intends to drill in"

AMENDMENT NO. 8

On page 4, delete line 25, and insert "(b) The applicant's estimated time table for drilling and completing each unit well."

AMENDMENT NO. 9

On page 4, line 26, change "(cc)" to "(c)" and after "applicant's" insert "anticipated"

AMENDMENT NO. 10

On page 4, delete lines 27 and 28

AMENDMENT NO. 11

On page 5, delete line 1, and insert "(5) Upon application of any landowner or other interested party, or at the commissioner's discretion, the plan of development may be revised by the"

AMENDMENT NO. 12

On page 5, line 2, after "hearing" insert "for good cause"

AMENDMENT NO. 13

On page 5, line 3, delete "(5) The order" and insert "(6) The order creating a unit for an ultra deep structure"

AMENDMENT NO. 14

On page 5, line 4, delete "unit. The order" and insert "unit and"

AMENDMENT NO. 15

On page 5, line 6, delete "(6) No order" and insert "(7) No order creating a unit for an ultra deep structure"

AMENDMENT NO. 16

On page 5, delete lines 10 through 15, and insert "(8) An order creating the unit for an ultra deep structure shall designate a unit operator."

AMENDMENT NO. 17

On page 5, line 16, delete "proportion." and insert "(9)"

AMENDMENT NO. 18

On page 5, line 22, delete "(8) Upon application" and insert "(10) Upon application by any landowner or other interested party"

AMENDMENT NO. 19

On page 5, line 24, delete "including new evidence,"

AMENDMENT NO. 20

On page 5, line 25, after "may" insert "by order"

AMENDMENT NO. 21

On page 5, at the end of line 28, insert "The applicant shall, in all cases, have the burden of proof that the existing unit or order should be revised, confirmed, dissolved, or amended in the manner proposed in the application. If the commissioner determines that the unit operator has not substantially complied with the plan of development, the unit operator shall be required to show cause why the unit should not be reduced in size."

AMENDMENT NO. 22

On page 6, line 1, delete "(9)" and insert "(11)"

AMENDMENT NO. 23

On page 6, line 3, delete "(10)" and insert "(12)"

AMENDMENT NO. 24

On page 6, line 6, delete "(11)" and insert "(13)"

AMENDMENT NO. 25

On page 6, after line 9, insert the following:

"* * *"

§10. Agreements for drilling units; pooling interests; terms and conditions; expenses

A. When two or more separately owned tracts of land are embraced within a drilling unit which has been established by the commissioner as provided in R.S. 30:9(B), the owners may validly agree by separate contract to pool, drill, and produce their interests and to develop their lands as a drilling unit.

(1) Where the owners have not agreed by separate contract to pool, drill, and produce their interests, the commissioner shall require them to do so and to develop their lands as a drilling unit, if he finds it to be necessary to prevent waste or to avoid drilling unnecessary wells.

(2) In the event pooling is required, a drilling unit is formed by a pooling order by the commissioner and absent any agreement or contract between owners as provided in this Section, then the cost of development and operation of the pooled unit chargeable to the owners therein shall be determined and recovered as provided herein.

(a)(i) Any owner drilling or intending to drill a unit well, including a substitute unit well, an alternate unit well, or a cross-unit well on any drilling unit heretofore or hereafter created by the commissioner, may, by certified registered mail, return receipt requested, or other form of guaranteed delivery and notification method, not including electronic communication or mail, notify all other owners in the unit prior to the actual spudding of any such well of the drilling or the intent to drill and give each owner an opportunity to elect to participate in the risk and expense of such well. Such notice shall contain:

(aa) An authorization for expenditure form (AFE), which shall include a detailed estimate of the cost of drilling, testing, completing, and equipping the unit such proposed well. The AFE shall be dated within one hundred twenty days of the date of the mailing of the notice;

(bb) The proposed location of the unit well;

(cc) The proposed objective depth of the unit well; and

(dd) An estimate of ownership as a percentage of expected unit size or approximate percentage of well participation;

(ee) In the event that the proposed well is being drilled or drilled at the time of the notice, then a copy of all available AFE logs, core analysis, production data, and well test data from the unit well which has not been made public.

(ii) Such an election to participate must be exercised by mailing written notice thereof by certified registered mail, return receipt requested, or other form of guaranteed delivery and notification method, not including electronic communication or mail, to the owner drilling or intending to drill the unit proposed well within thirty days after receipt of the initial notice. Failure to give timely written notice of the election to participate shall be deemed to be an

election not to participate and the owner shall be deemed a nonparticipating owner.

(iii) Another initial notice must be sent in order for the provisions of this Subsection to apply if If the drilling of the proposed unit well is not commenced in accordance with the initial notice within ninety days after receipt of the initial notice, then the drilling owner shall send a supplemental notice in order for the provisions of this Subsection to apply.

(b)(i) Should a notified owner elect not to participate in the risk and expense of the unit well, substitute unit well, alternate unit well, or cross-unit well or should such owner elect to participate in the risk and expense of the unit proposed well and but then fail to pay his share of such expenses the drilling costs determined by the AFE within sixty days of the spudding of the well or fail to pay his share of subsequent drilling, completion, and operating expenses within sixty days of receipt of subsequent detailed invoices, then such owner shall be deemed a nonparticipating owner, and the drilling owner drilling same shall, in addition to any other available legal remedies to enforce collection of such expenses, be entitled to own and recover out of production from such unit well allocable to the tract belonging under lease to the nonparticipating owner such tract's allocated share of the actual reasonable expenditures incurred in drilling, testing, completing, equipping, and operating the unit well, including a charge for supervision, together with a risk charge, which The risk charge for a unit well, substitute unit well, or cross-unit well that will serve as the unit well or substitute well for the unit shall be two hundred percent of such tract's allocated share of the cost of drilling, testing, and completing the unit well, exclusive of amounts the drilling owner remits to the nonparticipating owner for the benefit of the nonparticipating owner's royalty and overriding royalty owner. The risk charge for an alternate unit well or cross-unit well that will serve as an alternate unit well for the unit shall be one hundred percent of such tract's allocated share of the cost of drilling, testing, and completing such well, exclusive of amounts the drilling owner remits to the nonparticipating owner for the benefit of the nonparticipating owner's royalty and overriding royalty owner.

(ii)(aa) During the recovery of the actual reasonable expenditures incurred in drilling, testing, completing, equipping, and operating the well, the charge for supervision, and the risk charge, the nonparticipating owner shall be entitled to receive from the drilling owner for the benefit of his lessor royalty owner that portion of production due to the lessor royalty owner under the terms of the contract or agreement creating the royalty between the royalty owner and the nonparticipating owner reflected of record at the time of the well proposal.

(bb) In addition, during the recovery set forth in Subsection (ii)(aa) of this Subparagraph, the nonparticipating owner shall receive from the drilling owner for the benefit of the overriding royalty owner the lesser of: (i) the nonparticipating owner's total percentage of actual overriding royalty burdens associated with the existing lease or leases which cover each tract attributed to the nonparticipating owner reflected of record at the time of the well proposal; or (ii) the difference between the weighted average percentage of the total actual royalty and overriding royalty burdens of the drilling owner's leasehold within the unit and the nonparticipating owner's actual leasehold royalty burdens reflected of record at the time of the well proposal.

(cc) The share that is to be received by the nonparticipating owner on behalf of its lessor royalty owner and overriding royalty owner shall be reported by the drilling owner in accordance with Part 2-B of Chapter 13 of Title 31 of the Louisiana Revised Statutes of 1950.

(dd) Nothing in this Section shall relieve any lessee of its obligations to pay, from the commencement of production, any lessor royalty and overriding royalty due under the terms of his lease, and other agreements during the recovery of actual well costs and the risk

charge, or shall relieve any lessee of his obligation to pay all royalty and overriding royalty due under the terms of his lease and other agreements after the recovery of the actual well costs and the risk charge. Except as provided in this Paragraph, the drilling owner's obligation to pay the royalty and the overriding royalty to the nonparticipating owner in no way creates an obligation, duty, or relationship between the drilling owner and any person to whom the nonparticipating owner is liable to, contractually or otherwise.

(ee) In the event of nonpayment by the nonparticipating owner of the royalty and overriding royalty due, the lessor royalty owner and overriding royalty owner shall provide written notice of such failure to the nonparticipating owner and drilling owner as a prerequisite to a judicial demand for damages. The lessor royalty owner and overriding royalty owner shall follow the same procedure and have the same remedies provided in Part 6 of Chapter 7 of Title 31 of the Louisiana Revised Statutes of 1950 or Part 2-A of Chapter 13 of Title 31 of the Louisiana Revised Statutes of 1950, respectively, against the nonparticipating owner and the drilling owner. If the drilling owner provides sufficient proof of payment of the royalties to the nonparticipating owner, then the lessor royalty owner and overriding royalty owner shall have no cause of action against the drilling owner for nonpayment.

(ff) In the event of nonpayment by the drilling owner of the royalty and overriding royalty due to the nonparticipating owner for the benefit of the lessor royalty owner and overriding royalty owner, and payment by the nonparticipating owner of the royalty and overriding royalty due, the nonparticipating owner shall provide written notice of such failure to pay to the drilling owner as a prerequisite to a judicial demand for damages. The drilling owner shall have thirty days after receipt of the required notice within which to pay the royalties due or to respond in writing by stating a reasonable cause for nonpayment. If the drilling owner fails to make payment of the royalties or fails to state a reasonable cause for nonpayment within this period, the court may award to the nonparticipating owner as damages double the amount of royalties due, interest on that sum from the date due, and a reasonable attorney fee regardless of the cause for the original failure to pay royalties. If the drilling owner provides sufficient proof of payment of the royalties to the nonparticipating owner, then the nonparticipating owner shall have no cause of action against the drilling owner for nonpayment.

(iii) Any owner not notified shall bear only his tract's allocated share of the actual reasonable expenditures incurred in drilling, testing, completing, equipping, and operating the unit well, including a charge for supervision, which share shall be subject to the same obligation and remedies and rights to own and recover out of production in favor of the drilling party or parties as hereinabove provided in this Subsection. A participating owner shall deliver to the owner whom has not been notified the proceeds attributable to his royalty and overriding royalty burdens as described in this Section.

(c) Should a drilling unit be created by order of the commissioner around a well already drilled or drilling and including one or more tracts as to which the owner or owners thereof had not participated in the risk and expense of drilling such well, then within sixty days of the date of the order creating such unit the provisions hereinabove of this Subsection for notice, election, and participation shall be applicable as if a unit well were being proposed by the owner who drilled or was drilling such well; however, the cost of drilling, testing, completing, equipping, and operating the well allocable to each tract included in the unit shall be reduced in the same proportion as the recoverable reserves in the unitized pool have been recovered by prior production, if any, in which said tract or tracts did not participate prior to determining the share of cost allocable to such tract or tracts.

(d)(i) Should a drilling unit be revised by order of the commissioner so as to include an additional tract or tracts, then within sixty days of the date of the order revising such unit the

provisions hereinabove of this Subsection for notice, election, and participation shall be applicable to such added tract or tracts and the owner thereof as if a unit well were being proposed by the owner who had drilled the unit well; however, the cost of drilling, testing, completing, equipping, and operating the unit well shall be reduced in the same proportion as the recoverable reserves in the unitized pool have been recovered by prior production, if any, in which said tract or tracts did not participate prior to determining the share of cost allocable to the subsequently included tract or tracts.

(ii) Should a drilling unit be revised by order of the commissioner as to exclude a tract or tracts, the cost of drilling, testing, completing, equipping, and operating the unit well shall be reduced in the same proportion as the recoverable reserves in the unitized pool have been recovered by prior production to determine the share of cost allocable to the subsequently excluded tract or tracts.

(e)(i) The provisions of Paragraph 2(b) above Subparagraph (b) of this Paragraph with respect to the risk charge shall not apply to any unleased interest not subject to an oil, gas, and mineral lease.

(ii) Notwithstanding the provisions of Paragraph 2(b) above Subparagraph (b) of this Paragraph, the royalty owner and overriding royalty owner shall receive that portion of production due to them under the terms of the contract creating the royalty.

(f) In the event of a dispute relative to the calculation of unit well costs or depreciated unit well costs, the commissioner shall determine the proper costs after notice to all interested owners and a public hearing thereon.

(g) Nothing contained herein shall have the effect of enlarging, displacing, varying, altering, or in any way whatsoever modifying or changing the rights and obligations of the parties thereto under any contract between or among owners having a tract or tracts in the unit.

(h) The owners in the unit to whom the notice provided for hereinabove may be sent, are the owners of record as of the date on which the notice is sent.

* * *

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 504 by Representative Dove

AMENDMENT NO. 1

In Senate Committee Amendment No. 25 proposed by the Senate Committee on Natural Resources and adopted by the Senate on May 14, 2012, on page 4, line 27, change "(i)" to "(I)"

AMENDMENT NO. 2

In Senate Committee Amendment No. 25 proposed by the Senate Committee on Natural Resources and adopted by the Senate on May 14, 2012, on page 4, line 30, change "(ii)" to "(II)"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Morrish to Engrossed House Bill No. 504 by Representative Dove

AMENDMENT NO. 1

In Senate Committee Amendment No. 25 proposed by the Senate Committee on Natural Resources and adopted by the Senate on May 14, 2012, between lines 15 and 16 thereof insert the following:

"(a) All orders requiring pooling shall be made after notice and hearing. They shall be upon terms and conditions that are just and

reasonable and that will afford the owner of each tract the opportunity to recover or receive his just and equitable share of the oil and gas in the pool without unnecessary expense. They shall prevent or minimize reasonable avoidable drainage from each developed tract which is not equalized by counter drainage.

(b) The portion of the production allocated to the owner of each tract included in a drilling unit formed by a pooling order shall, when produced be considered as if it had been produced from his tract by a well drilled thereon."

Rep. Jim Morris moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Garofalo	Miller
Adams	Gisclair	Moreno
Anders	Greene	Morris, Jay
Armes	Guinn	Morris, Jim
Arnold	Harris	Norton
Badon	Harrison	Ortego
Barras	Havard	Pearson
Barrow	Hazel	Pierre
Berthelot	Henry	Ponti
Billiot	Hensgens	Pope
Bishop, S.	Hill	Price
Bishop, W.	Hodges	Pugh
Broadwater	Hoffmann	Pylant
Brossett	Hollis	Reynolds
Brown	Honore	Richardson
Burford	Howard	Ritchie
Burns, H.	Hunter	Robideaux
Burns, T.	Jackson, G.	Schexnayder
Burrell	Jackson, K.	Schroder
Carmody	James	Seabaugh
Carter	Johnson	Shadoin
Champagne	Jones	Simon
Chaney	Lambert	Smith
Connick	Landry, N.	St. Germain
Cox	Landry, T.	Talbot
Danahay	LeBas	Thibaut
Dixon	Leger	Thierry
Edwards	Leopold	Thompson
Fannin	Ligi	Whitney
Foil	Lopinto	Williams, A.
Franklin	Lorusso	Willmott
Gaines	Mack	
Total - 95		

NAYS

Total - 0

ABSENT

Abramson	Guillory	Richard
Cromer	Huval	Williams, P.
Dove	Jefferson	
Geymann	Montoucet	
Total - 10		

The amendments proposed by the Senate were concurred in by the House.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Ponti gave notice of his intention to call House Bill No. 923 from the calendar on Thursday, May 31, 2012.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to Senate Bill No. 520: Reps. Broadwater, Dixon, and Smith.

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 BILLS AND JOINT RESOLUTIONS

May 24, 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. 39, 138, 242, 317, 394, 456, 468, 488, 495, and 757 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.

Message from the Senate

SIGNED SENATE CONCURRENT RESOLUTIONS

May 24, 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. 116, 122, and 124

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

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

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

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

May 24, 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. 86
Returned without amendments

House Concurrent Resolution No. 90
Returned without amendments

House Concurrent Resolution No. 92
Returned without amendments

House Concurrent Resolution No. 113
Returned without amendments

House Concurrent Resolution No. 129
Returned without amendments

House Concurrent Resolution No. 174
Returned without amendments

House Concurrent Resolution No. 175
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

HOUSE BILLS

May 24, 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. 4
Returned without amendments

House Bill No. 503
Returned without amendments

House Bill No. 866
Returned with amendments

House Bill No. 873
Returned without amendments

House Bill No. 940
Returned without amendments

House Bill No. 960
Returned with amendments

House Bill No. 1010
Returned with amendments

House Bill No. 1053
Returned without amendments

House Bill No. 1054
Returned without amendments

House Bill No. 1064
Returned without amendments

House Bill No. 1067
Returned with amendments

House Bill No. 1103
Returned without amendments

House Bill No. 1112
Returned without amendments

House Bill No. 1121
Returned with amendments

House Bill No. 1125
Returned without amendments

House Bill No. 1129
Returned with amendments

House Bill No. 1135
Returned without amendments

House Bill No. 1150
Returned with amendments

House Bill No. 1168
Returned without amendments

House Bill No. 1173
Returned without amendments

House Bill No. 1174
Returned with amendments

House Bill No. 1202
Returned without amendments

House Bill No. 1205
Returned without amendments

House Bill No. 1208
Returned with amendments

House Bill No. 1211
Returned with amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

**ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

May 24, 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. 89, 129, 131, 132, and 136

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

SENATE BILLS

May 24, 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 No. 696

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. 696—

BY SENATOR WALSWORTH

AN ACT

To amend and reenact R.S. 24:31.1(B)(2), to provide for the signature required on check issued by the Senate; and to provide with respect to 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. 133—

BY REPRESENTATIVE BROADWATER

A RESOLUTION

To urge and request the Workers' Compensation Advisory Council to study reemployment and retraining programs for injured workers, to project the amount of funding that is needed, to look for sources of funding, and to report its findings to the House Committee on Labor and Industrial Relations no later than December 31, 2012.

Read by title.

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

HOUSE RESOLUTION NO. 134—

BY REPRESENTATIVE BARROW

A RESOLUTION

To urge and request the Louisiana Student Financial Assistance Commission, in consultation with the Board of Regents, to study the feasibility of requiring drug testing for students to qualify for a Taylor Opportunity Program for Students (TOPS) award and to report its findings and recommendations to the

House Committee on Education prior to the convening of the 2013 Regular Session of the Legislature of Louisiana.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 178—

BY REPRESENTATIVE TALBOT
A CONCURRENT RESOLUTION

To urge and request the legislative auditor to study the cost to local governing authorities of employer contributions to statewide retirement systems and to report his findings to the legislature prior to the convening of the 2013 Regular Session of the Legislature of Louisiana.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 179—

BY REPRESENTATIVE DIXON
A CONCURRENT RESOLUTION

To recognize September as "Pain Awareness Month in Louisiana" to increase awareness of the effects of pain and educate patients and the community on the importance of adequate treatment.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 180—

BY REPRESENTATIVE HONORE
A CONCURRENT RESOLUTION

To commend Stupp Corporation upon the celebration of its sixtieth anniversary.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 181—

BY REPRESENTATIVE HARRISON
A CONCURRENT RESOLUTION

To urge and request the re-creation of the Human Services Coordinated Transit Work Group created by House Concurrent Resolution No. 131 of the 2011 Regular Session of the Legislature.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 182—

BY REPRESENTATIVE TALBOT
A CONCURRENT RESOLUTION

To urge and request the division of administration, office of community development, disaster recovery unit, to require

individuals who receive grant awards for individual mitigation measures to accomplish those measures within one year of the award.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 183—

BY REPRESENTATIVE TALBOT
A CONCURRENT RESOLUTION

To commend John Curtis Christian School upon winning six state athletic championships in the 2011-2012 school year.

Read by title.

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

Ordered to the Senate.

Reports of Committees

The following reports of committees were received and read:

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

May 24, 2012

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Labor and Industrial Relations to submit the following report:

Senate Bill No. 577, by Peterson
Reported favorably. (7-6) (Regular)

HERBERT B. DIXON
Chairman

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

Privileged Report of the Legislative Bureau

May 24, 2012

To the Speaker and Members of the House of Representatives:

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

Senate Concurrent Resolution No. 99
Reported without amendments.

Senate Bill No. 6
Reported with amendments.

Senate Bill No. 50
Reported without amendments.

Senate Bill No. 52
Reported with amendments.

Senate Bill No. 430
Reported with amendments.

Senate Bill No. 524
Reported without amendments.

Senate Bill No. 761
Reported with amendments.

Respectfully submitted,

REGINA BARROW
Chairman

Privileged Report of the Committee on Enrollment

May 24, 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. 72—
BY REPRESENTATIVE HENRY BURNS
A RESOLUTION

To urge and request the Louisiana Department of Veterans Affairs to study the necessity and feasibility of establishing a Veterans Business Enterprise Program.

HOUSE RESOLUTION NO. 121—
BY REPRESENTATIVE BARROW
A RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to require the state superintendent of education to expand his statewide outreach initiative, Louisiana Believes, to all parishes in the state.

HOUSE RESOLUTION NO. 122—
BY REPRESENTATIVE BROADWATER
A RESOLUTION

To designate Thursday, May 31, 2012, as St. Jude Children's Research Hospital Day at the Louisiana House of Representatives.

HOUSE RESOLUTION NO. 123—
BY REPRESENTATIVES KLECKLEY AND DANAHAY
A RESOLUTION

To commend Davante Lewis of Southwest Louisiana upon his election as president in the McNeese State University student government elections in the spring of 2012.

HOUSE RESOLUTION NO. 124—
BY REPRESENTATIVE LEGER
A RESOLUTION

To commend Heather Lynn Schwab upon being named the 75th Greater New Orleans Floral Trail Queen.

HOUSE RESOLUTION NO. 125—
BY REPRESENTATIVE MILLER
A RESOLUTION

To commend Lily Acosta Galland, Norco Communications and Social Performance Manager, upon the occasion of her retirement after thirty-three years of service.

HOUSE RESOLUTION NO. 126—
BY REPRESENTATIVE GUINN
A RESOLUTION

To commend the members of the Litteral family of Jefferson Davis Parish upon their receipt of the Louisiana Volunteers for Family and Community Great Louisiana Family Award.

HOUSE RESOLUTION NO. 127—
BY REPRESENTATIVE RICHARD
A RESOLUTION

To urge and request the Louisiana Department of Transportation and Development to reduce the speed limit on Louisiana Highway 308 in Lafourche Parish to forty miles per hour from the Audubon Street Bridge traveling westwardly to the intersection of Louisiana Highway 308 and Rosedown Drive.

HOUSE RESOLUTION NO. 128—
BY REPRESENTATIVE RICHARD
A RESOLUTION

To urge and request the Department of Transportation and Development to install a traffic light on Louisiana Highway 308 at its intersection with Rosedown Drive in Lafourche Parish.

HOUSE RESOLUTION NO. 129—
BY REPRESENTATIVE RICHARD
A RESOLUTION

To urge and request the Department of Transportation and Development to install a caution light at the intersection of Louisiana Highway 20 and Choctaw Road in Lafourche Parish.

HOUSE RESOLUTION NO. 130—
BY REPRESENTATIVES BARROW, ABRAMSON, ADAMS, ANDERS, ARMES, ARNOLD, BADON, BARRAS, 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, MONTOUCET, 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, ST. GERMAIN, TALBOT, THIBAUT, THIERRY, THOMPSON, WHITNEY, ALFRED WILLIAMS, PATRICK WILLIAMS, AND WILLMOTT

A RESOLUTION

To recognize June 14, 2012, as National Flag Day and to commend Louisiana citizens for their military service.

HOUSE RESOLUTION NO. 131—
BY REPRESENTATIVE ANDERS
A RESOLUTION

To designate May 30, 2012, as 4-H Day at the legislature and to commend the state 4-H Executive Board officers, 4-H members, and volunteers throughout the state for their outstanding accomplishments.

HOUSE RESOLUTION NO. 132—
BY REPRESENTATIVE HUNTER
A RESOLUTION

To express sincere and heartfelt condolences upon the death of Ruby Mae Washington.

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

May 24, 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. 13—
BY REPRESENTATIVE TIM BURNS

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study Louisiana's existing laws governing preemptory exceptions and immunity and to make specific recommendations as to whether immunity should be added as a preemptory exception.

HOUSE CONCURRENT RESOLUTION NO. 23—

BY REPRESENTATIVES ORTEGO, BARRAS, BERTHELOT, CHAMPAGNE, GISCLAIR, GULLORY, HARRISON, HUVAL, JOHNSON, JONES, LEBAS, MONTUCET, SCHEXNAYDER, AND WHITNEY

A CONCURRENT RESOLUTION

To authorize and direct creation of the Uniform Bilingual Signage and Map Task Force; to provide for membership, powers, and duties of the task force; to provide for a report of its business; and to provide for related matters.

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.

HOUSE CONCURRENT RESOLUTION NO. 81—

BY REPRESENTATIVES HUVAL, ABRAMSON, ARNOLD, BADON, BARROW, STUART BISHOP, BURRELL, CHAMPAGNE, EDWARDS, GAROFALO, HENSGENS, HOLLIS, LEBAS, LEOPOLD, LIGI, MILLER, JAY MORRIS, ORTEGO, PIERRE, THIBAUT, AND ALFRED WILLIAMS

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.

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.

HOUSE CONCURRENT RESOLUTION NO. 90—

BY REPRESENTATIVE SEABAUGH

A CONCURRENT RESOLUTION

To direct the Criminal Code Committee of the Louisiana State Law Institute to study the issue of post-conviction relief, specifically with regard to the costs associated with providing such relief, and to issue a report of its findings and recommendations on the feasibility of assessing certain fees for applications for post-conviction relief to the Legislature of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 92—

BY REPRESENTATIVE CHAMPAGNE

A CONCURRENT RESOLUTION

To urge and request the Board of Regents to study executive compensation at the university system offices and boards and to report its findings to the legislature at least sixty days prior to the 2013 Regular Session of the Legislature of Louisiana.

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.

HOUSE CONCURRENT RESOLUTION NO. 100—

BY REPRESENTATIVE ORTEGO

A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 106—

BY REPRESENTATIVE HOFFMANN AND SENATOR WALSWORTH

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.

HOUSE CONCURRENT RESOLUTION NO. 113—

BY REPRESENTATIVE HARRISON

A CONCURRENT RESOLUTION

To direct the Louisiana Sentencing Commission to study the feasibility of requiring an offender to serve his term of imprisonment through home incarceration with the use of electronic monitoring and to report its findings to the legislature prior to the convening of the 2013 Regular Session of the Legislature of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 129—

BY REPRESENTATIVE LEGER

A CONCURRENT RESOLUTION

To urge and request the Louisiana Supreme Court, the Department of Children and Family Services, the Department of Health and Hospitals, the Department of Education, the Governor's Children's Cabinet, and the office of juvenile justice within the Department of Public Safety and Corrections, to implement the recommendations related to the Informal Families in Need of Services (FINS) process made by the Families in Need of Services Commission in its report issued February 10, 2012, and as set forth in this Resolution and to report to the legislature and the Juvenile Justice Reform Act Implementation Commission on the accomplishments and status of implementation of the recommendations no later than March 1, 2013.

HOUSE CONCURRENT RESOLUTION NO. 131—

BY REPRESENTATIVE LOPINTO

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study the testamentary disposition of the right to bring a survival action pursuant to Civil Code Article 2315.1 and to report its findings and recommendations in the form of specific proposed legislation to the legislature on or before January 1, 2013.

HOUSE CONCURRENT RESOLUTION NO. 134—

BY REPRESENTATIVE FOIL

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study procedures relative to the abandonment of civil actions and to report its findings and recommendations to the legislature on or before January 1, 2014.

HOUSE CONCURRENT RESOLUTION NO. 140—

BY REPRESENTATIVE ABRAMSON

A CONCURRENT RESOLUTION

To authorize and request the Louisiana State Law Institute to study the potential impact of creating a child support calculation system in cases of "dual paternity" on other areas of the law and to report its findings and recommendations in the form of specific proposed legislation at least sixty days prior to the convening of the 2013 Regular Session of the Legislature of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 152—

BY REPRESENTATIVE ORTEGO

A CONCURRENT RESOLUTION

To urge and request the office of facility planning and control and the office of state buildings to study the use of products which have been determined to have low volatile organic compound (VOC) content in the maintenance, renovation, or construction of public buildings and report the findings to the Legislature of Louisiana no later than December 31, 2012.

HOUSE CONCURRENT RESOLUTION NO. 170—

BY REPRESENTATIVE MONTOUCET

A CONCURRENT RESOLUTION

To urge and request the governor and the Department of Economic Development to embrace and support any and every activity, project, or opportunity that could provide monetary aid to local political subdivisions to provide infrastructure or services supporting businesses interested in locating or in the process of building or expanding in a rural or lower populated area, thus creating job growth and stimulating the economy.

HOUSE CONCURRENT RESOLUTION NO. 171—

BY REPRESENTATIVES ST. GERMAIN, DOVE, GISCLAIR, HARRISON, JONES, RICHARD, AND WHITNEY AND SENATORS ALLAIN AND CHABERT

A CONCURRENT RESOLUTION

To commend Officer Neil Abbott of the Houma Police Department for his dedication to serving and protecting his fellow citizens.

HOUSE CONCURRENT RESOLUTION NO. 172—

BY REPRESENTATIVE LEOPOLD

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to increase the speed limit on Louisiana Highway 23 in Port Sulphur, Plaquemines Parish.

HOUSE CONCURRENT RESOLUTION NO. 173—

BY REPRESENTATIVE GUINN

A CONCURRENT RESOLUTION

To commend the Roastin' with Rosie Barbeque Festival in Jefferson Davis Parish and to recognize it as an official state championship barbeque contest.

HOUSE CONCURRENT RESOLUTION NO. 174—

BY REPRESENTATIVES KATRINA JACKSON AND MORENO

A CONCURRENT RESOLUTION

To urge and request the secretary of the Department of Children and Family Services, the secretary of the Department of Health and Hospitals, the secretary of the Department of Economic Development, the director of the Department of State Civil Service, the state superintendent of the Department of Education, the commissioner of the division of administration, the executive director of the Louisiana Workforce Commission, and the head of the Louisiana State University Health Sciences Center- Health Care Services Division, to study and submit a report on the number of women in their workforces based on age, race, and job category.

HOUSE CONCURRENT RESOLUTION NO. 175—

BY REPRESENTATIVE WESLEY BISHOP AND SENATORS MURRAY AND PETERSON

A CONCURRENT RESOLUTION

To urge and request the Recovery School District to rename Little Woods Elementary School in New Orleans East in honor of Dolores T. Aaron, a longtime educator, public servant, and pillar of the community who passed away in January of 2012.

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 24, 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 Joint Resolutions have been properly enrolled:

HOUSE BILL NO. 9—

BY REPRESENTATIVES LIGI AND CHAMPAGNE

A JOINT RESOLUTION

Proposing to add Article X, Section 29(G) of the Constitution of Louisiana, to provide relative to public retirement systems and persons in such systems; to provide for legislative authority with respect to the forfeiture of retirement benefits by persons who are convicted of certain felonies; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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.

Respectfully submitted,

HAROLD RITCHIE
Chairman

The above Joint Resolutions 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 Secretary of State in accordance with the rules of the House.

Privileged Report of the Committee on Enrollment

May 24, 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. 4—

BY REPRESENTATIVE LOPINTO

AN ACT

To amend and reenact R.S. 14:95.7(C), relative to the crime of possession or dealing in firearms with obliterated identification marks or serial numbers; to provide for increased penalties; and to provide for related matters.

HOUSE BILL NO. 38—

BY REPRESENTATIVE JONES

AN ACT

To enact R.S. 11:142(M), relative to the payment of retirement benefits; to provide for reports when such benefits should be stopped; to provide for certification by the employee; to provide relative to the fiduciary duty of affected boards; to provide relative to the recovery of erroneously paid benefits; and to provide for related matters.

HOUSE BILL NO. 236—

BY REPRESENTATIVES HODGES, BARROW, MORENO, NORTON, SMITH, ST. GERMAIN, AND THIERRY AND SENATORS BROOME AND PETERSON

AN ACT

To amend and reenact R.S. 17:280 and to enact R.S. 17:3996(B)(30), relative to instruction in public schools regarding Internet and cell phone safety; to provide relative to guidelines and teaching materials for such instruction; to provide for limitation of liability; and to provide for related matters.

HOUSE BILL NO. 335—

BY REPRESENTATIVE LORUSSO

AN ACT

To amend and reenact R.S. 33:9038.59(G), relative to the New Orleans City Park Taxing District; to provide relative to tax increment financing and the dedication of state sales tax increments for such purpose; to provide relative to approval of agreements related to such state sales tax increment financing; and to provide for related matters.

HOUSE BILL NO. 354—

BY REPRESENTATIVE CROMER

AN ACT

To enact R.S. 22:1751 and R.S. 23:1769, relative to registration and regulation of Professional Employer Organizations by the Department of Insurance and the Louisiana Workforce Commission; to authorize such organizations to register electronically and through certain approved assurance organizations; and to provide for related matters.

HOUSE BILL NO. 410—

BY REPRESENTATIVE FANNIN

AN ACT

To amend and reenact R.S. 33:4564.5, relative to a recreation district in Jackson Parish; to provide relative to the board of commissioners of such a district; to provide relative to the authority of the governing authority of Jackson Parish with respect to the budget and taxing authority and the compensation and expenses of board members, the secretary-treasurer, and director of such a district; and to provide for related matters.

HOUSE BILL NO. 412—

BY REPRESENTATIVE JOHNSON

AN ACT

To amend and reenact R.S. 47:338.210(A)(1), (B), (C), and (D), relative to the hotel occupancy tax; to provide for legislative intent relative to substitution of the city of Bunkie for municipalities in a particular population range in existing law which is authorized to levy and collect a hotel occupancy tax; and to provide for related matters.

HOUSE BILL NO. 421—

BY REPRESENTATIVE ST. GERMAIN

AN ACT

To amend and reenact R.S. 32:2(A)(2) and to enact R.S. 32:2(A)(3), relative to rules, regulations, and orders of the Department of Transportation and Development; to remove certain requirements for filing certain regulations in clerks of court offices; to remove specific requirements for references; to provide for effectiveness of certain orders issued by the Department of Transportation and Development; and to provide for related matters.

HOUSE BILL NO. 436—

BY REPRESENTATIVES HARRISON, ADAMS, BERTHELOT, STUART BISHOP, BROADWATER, BROWN, BURFORD, TIM BURNS, CARMODY, COX, GISCLAIR, HARRIS, HAVARD, HENRY, HENSGENS, HILL, HODGES, HOFFMANN, HUVAL, JONES, KLECKLEY, MACK, PUGH, PYLANT, SCHEXNAYDER, SEABAUGH, SIMON, AND WHITNEY

AN ACT

To enact R.S. 17:264 and 3996(B)(30), relative to required instruction in public schools; to require certain public school governing authorities to provide instruction on certain aspects of American history; to provide for guidelines pertaining to such instruction; and to provide for related matters.

HOUSE BILL NO. 503—

BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 13:2501.1(F) and to enact R.S. 13:1337(C), 2151(E), and 2151.4(E), relative to courts and judicial procedure; to provide relative to the jurisdiction of the Traffic Court of New Orleans and the First and Second City Courts of New Orleans; to provide relative to appeals by any person aggrieved by a decision concerning a traffic violation enforced by the city of New Orleans' automated traffic enforcement system; to provide certain terms and conditions; and to provide for related matters

HOUSE BILL NO. 507—

BY REPRESENTATIVES PONTI, ADAMS, BARROW, BERTHELOT, BROADWATER, BROWN, HENRY BURNS, BURRELL, COX, CROMER, GAROFALO, GISCLAIR, HENSGENS, HUNTER, KATRINA JACKSON, JAMES, JEFFERSON, LIGI, LORUSSO, NORTON, PRICE, REYNOLDS, SCHEXNAYDER, AND WHITNEY

AN ACT

To amend and reenact R.S. 39:2006(A)(4) and 2176(A)(4), relative to small businesses; to increase the maximum gross receipts threshold for small businesses applying to the Louisiana Initiative for Small Entrepreneurships (Hudson Initiative); to increase the maximum gross receipts threshold for small businesses applying to the Louisiana Initiative for Veteran and Service-Connected Disabled Veteran-Owned Small Entrepreneurships (Veteran Initiative); to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 705—

BY REPRESENTATIVE HOFFMANN

AN ACT

To amend and reenact R.S. 17:81(Q)(2)(c), to provide relative to the reporting of certain electronic communication between an employee at a public elementary or secondary school and a student enrolled at that school; to provide relative to the manner and frequency of reporting certain communication that is made or received by an employee using a means other than one provided by or made available by the school system; to provide guidelines; to provide applicability; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 761—

BY REPRESENTATIVES HONORE AND SMITH

AN ACT

To amend and reenact R.S. 17:194(B), relative to school nutrition programs; to except certain elementary and secondary schools operated by certain public postsecondary institutions from certain requirements relative to the funding of school nutrition programs; and to provide for related matters.

HOUSE BILL NO. 788—

BY REPRESENTATIVE ST. GERMAIN

AN ACT

To amend and reenact R.S. 33:180(B), relative to annexation; to provide for exclusion of certain areas for annexation; and to provide for related matters.

HOUSE BILL NO. 801—BY REPRESENTATIVE MONTOUCET
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.

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.

HOUSE BILL NO. 856—BY REPRESENTATIVES HONORE AND SMITH
AN ACT

To enact R.S. 17:1855.2(3), relative to tuition increases at Southern University Laboratory School; to authorize a tuition increase; and to provide for related matters.

HOUSE BILL NO. 873—BY REPRESENTATIVE ARNOLD
AN ACT

To enact Code of Civil Procedure Article 4850.2 and Section 2 of Chapter 2 of Title 1 of Book VIII of the Code of Civil Procedure, to be comprised of Code of Civil Procedure Article 4857, relative to the appellate jurisdiction and procedure; to provide the Traffic Court of New Orleans with exclusive jurisdiction for appeals taken from an administrative hearing for certain traffic violations; to authorize de novo review by the traffic court on administrative hearing appeals; to provide the First and Second City Court of New Orleans with appellate jurisdiction over appeals taken from the Traffic Court of New Orleans for certain traffic violations; to require the adoption of rules to implement the procedure for hearing and deciding such appeals; to direct the Louisiana State Law Institute to make certain conforming technical changes; and to provide for related matters.

HOUSE BILL NO. 900—BY REPRESENTATIVE DIXON
AN ACT

To enact Subpart J of Part I of Chapter 14 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4780.81 through 4780.91, relative to Rapides Parish; to authorize the governing authority of the parish to provide zoning regulations and restrictions in a certain district within the parish; to provide procedures relative to the amendment and enforcement of any such regulation or restriction; to provide relative to the applicability of the Act; and to provide for related matters.

HOUSE BILL NO. 911—BY REPRESENTATIVE FOIL AND SENATOR WALSWORTH
AN ACT

To amend and reenact the heading of Part II of Chapter 43 of Title 17 of the Louisiana Revised Statutes of 1950 and R.S. 17:4031(A), (B), and (E), relative to the School Choice Pilot Program for Certain Students with Exceptionalities; to remove the limitation that the program be a two-year pilot program; to provide relative to student eligibility; to remove certain reporting requirements; and to provide for related matters.

HOUSE BILL NO. 940—BY REPRESENTATIVE ABRAMSON
AN ACT

To amend and reenact R.S. 13:3852(A) and to enact R.S. 13:3852(C), relative to seizure of property; to provide with respect to notice of seizure; to provide that additional notice of rescheduled sale dates is not required; and to provide for related matters.

HOUSE BILL NO. 956—BY REPRESENTATIVE BADON
AN ACT

To amend and reenact R.S. 33:9100.12(A) and to enact R.S. 33:9100.10, relative to Orleans Parish; to provide relative to the East New Orleans Neighborhood Advisory Commission; to authorize the governing authority of the city of New Orleans to levy and collect a parcel fee within the area of the commission; to provide relative to the disposition of the proceeds of the fee; to require the executive board of the commission to propose an annual budget to the commission; and to provide for related matters.

HOUSE BILL NO. 1043—BY REPRESENTATIVES HENRY BURNS, ADAMS, ARMES, BARROW, BERTHELOT, WESLEY BISHOP, BROADWATER, BROWN, BURFORD, BURRELL, CARMODY, CHAMPAGNE, CONNICK, COX, DIXON, EDWARDS, FOIL, GISCLAIR, GULLORY, GUINN, HARRISON, HAVARD, HENSGENS, HILL, HODGES, HOWARD, HUNTER, KATRINA JACKSON, JEFFERSON, JONES, NANCY LANDRY, LEBAS, LEGER, MACK, MILLER, MORENO, NORTON, ORTEGO, PIERRE, POPE, PUGH, PYLANT, REYNOLDS, SCHEXNAYDER, SIMON, SMITH, ST. GERMAIN, THIERRY, THOMPSON, PATRICK WILLIAMS, AND WILLMOTT
AN ACT

To amend and reenact R.S. 39:100.61(B), relative to the New Opportunities Waiver Fund; to provide for the deposit of monies into the New Opportunities Waiver Fund; provides for an effective date; and to provide for related matters.

HOUSE BILL NO. 1051—BY REPRESENTATIVE SMITH
AN ACT

To amend and reenact R.S. 33:2740.8(A)(1) and (D)(1)(d), relative to downtown development districts; to provide relative to the Downtown Development District of the city of Baton Rouge; to provide relative to the boundaries and the governing board of the district; and to provide for related matters.

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.

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.

HOUSE BILL NO. 1064—BY REPRESENTATIVE HOFFMANN
AN ACT

To amend and reenact R.S. 11:62(12), 1581(5), and 1631(F)(1) and to enact R.S. 11:1636(C), relative to the District Attorneys' Retirement System; to provide relative to benefits; to provide relative to the funding of benefits; to provide for definitions; to provide for implementation; and to provide for related matters.

HOUSE BILL NO. 1103—BY REPRESENTATIVE LEGER
AN ACT

To amend and reenact R.S. 33:130.842(A) and to enact R.S. 33:130.845(10), relative to the Louisiana Sports and

Entertainment District; to revise the boundaries of the district; to provide procedures regarding the dedication of certain state of Louisiana sales tax increments for district purposes; and to provide for related matters.

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.

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.

HOUSE BILL NO. 1135—
BY REPRESENTATIVE BILLIOT
AN ACT

To enact R.S. 32:83, relative to driving on certain highways; to provide for method of driving on multiple-lane highways with left-turn lanes; and to provide for related matters.

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.

HOUSE BILL NO. 1173—
BY REPRESENTATIVE CARTER
AN ACT

To amend and reenact R.S. 17:43, 46(A)(1)(b), (B), (D), (E)(1), (2)(d), and (4)(b) and (c), (G)(1)(a)(iii), (I), (N)(2), (P), and (Q), 47(A), (B), and (D)(1)(a) and (6)(a), (b), (c), and (d), 48(A) and (B), 49(A) and (B), 348(A) and (B), and 1945 and R.S. 36:642(C)(1) and 648.1, to enact R.S. 17:46(A)(1)(c), and to repeal R.S. 17:4.1, 348(D) and (E), and 1945(C)(4) and (5), provides relative to special education; provides relative to the administration and supervision of Louisiana special schools and programs; and to provide for related matters.

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, 1631(F)(1), and 1635 and to enact R.S. 11:1588, 1631(G), 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.

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.

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.

Suspension of the Rules

On motion of Rep. Fannin, the rules were suspended to permit the Committee on Appropriations to consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

Senate Bill No. 765

Suspension of the Rules

On motion of Rep. Abramson, the rules were suspended to permit the Committee on Civil Law and Procedure to meet at 11:00 A.M.

Suspension of the Rules

On motion of Rep. Robideaux, the rules were suspended to permit the Committee on Ways and Means to meet on Tuesday, May 29, 2012, without giving the notice required by House Rule 14.24(A) and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

Senate Bill Nos. 351, 361, and 605

Leave of Absence

Rep. Montoucet - 1 day

Rep. Guillory - 1 day

Adjournment

On motion of Rep. Billiot, at 4:10 P.M., the House agreed to adjourn until Tuesday, May 29, 2012, at 1:00 P.M.

The Speaker of the House declared the House adjourned until 1:00 P.M., Tuesday, May 29, 2012.

ALFRED W. SPEER
Clerk of the House