

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

**FOURTH DAY'S PROCEEDINGS**

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

House of Representatives  
State Capitol  
Baton Rouge, Louisiana

Thursday, April 11, 2013

The House of Representatives was called to order at 1:00 P.M., by the Honorable Chuck Kleckley, Speaker of the House of Representatives.

**Morning Hour**

**ROLL CALL**

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

PRESENT

Mr. Speaker	Gisclair	Miller
Adams	Greene	Montoucet
Anders	Guillory	Moreno
Arnold	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	Ritchie
Burns, T.	Hunter	Robideaux
Burrell	Huval	Schexnayder
Carmody	Ivey	Schroder
Champagne	Jackson, G.	Seabaugh
Chaney	Jackson, K.	Shadoin
Connick	James	Simon
Cox	Jefferson	Smith
Danahay	Johnson	St. Germain
Dixon	Jones	Stokes
Dove	Lambert	Talbot
Edwards	Landry, N.	Thibaut
Fannin	Landry, T.	Thierry
Foil	LeBas	Thompson
Franklin	Leger	Williams, A.

Gaines	Leopold	Williams, P.
Garofalo	Lorusso	Willmott
Geymann	Mack	
Total - 98		

The Speaker announced that there were 98 members present and a quorum.

**Prayer**

Prayer was offered by Rep. Ortego.

**Pledge of Allegiance**

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

**Reading of the Journal**

On motion of Rep. Hill, the reading of the Journal was dispensed with.

On motion of Rep. Hill, the Journal of April 10, 2013, was adopted.

**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. 19—**

BY REPRESENTATIVE SMITH

A RESOLUTION

To commend George "Buddy" Guy, Baton Rouge's own blues legend, on his many successes and accomplishments.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 53—**

BY REPRESENTATIVE CROMER

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to repeal that portion of the federal health care reform legislation which imposes a health insurance tax.

Read by title.

Lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 54—**

BY REPRESENTATIVE BARROW

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to pass the ABLE Act.

Read by title.

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

Ordered to the Senate.

**House and House Concurrent Resolutions  
Lying Over**

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

**HOUSE RESOLUTION NO. 16—**  
BY REPRESENTATIVE HUNTER

A RESOLUTION

To adopt House Rule 10.10 of the Rules of Order of the House of Representatives to require the running tally of votes to be visible to each member in the chamber while voting.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 48—**  
BY REPRESENTATIVE SMITH

A CONCURRENT RESOLUTION

To urge and request the Louisiana Secretary of State, the Louisiana Sheriffs' Association, the Louisiana Commissioner of Elections, the Louisiana Registrar of Voters Association, and the secretary of the Department of Public Safety and Corrections to meet and develop reasonable, practical solutions that allow pretrial inmates who are held in parish prisons to exercise their right to vote, including the possible enactment of a special program for voting by such incarcerated persons similar to the program for disabled voters residing in nursing homes, and to report their findings and recommendations to the legislature prior to the convening of the 2014 Regular Session of the Legislature of Louisiana.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 51—**  
BY REPRESENTATIVES BARROW, BURRELL, COX, DIXON, EDWARDS, FRANKLIN, HARRISON, HUNTER, KATRINA JACKSON, JAMES, NORTON, RITCHIE, SMITH, AND ALFRED WILLIAMS AND SENATOR BROOME

A CONCURRENT RESOLUTION

To direct the division of administration, the Department of Health and Hospitals, and the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to cease efforts to privatize state hospitals immediately.

Read by title.

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

**Senate Concurrent Resolutions Lying Over**

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

**SENATE CONCURRENT RESOLUTION NO. 16—**  
BY SENATOR DORSEY-COLOMB

A CONCURRENT RESOLUTION

To commend the Public Administration Institute Student Association (PAISA) at Louisiana State University and to recognize April 13, 2013, as the fifteenth annual PAISA Day in the state of Louisiana.

Read by title.

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

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

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

**HOUSE BILL NO. 288—**  
BY REPRESENTATIVE LEBAS

AN ACT

To enact R.S. 40:1496(B)(5)(c), relative to the Ward 5 Fire Protection District of the Parish of Evangeline; to provide for membership on its board of commissioners; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 672—**  
BY REPRESENTATIVE KLECKLEY

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2013-2014 to be used to pay the consent judgment in the suit entitled "Nina Skinner, Individually and on behalf of her minor children, Noah Danyael Skinner, William Peter Skinner, and Michael Alister Skinner v. State of Louisiana, Department of Transportation and Development"; and to provide for related matters.

Read by title.

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

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

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

**HOUSE BILL NO. 69—**  
BY REPRESENTATIVES BROSETT AND ABRAMSON AND SENATOR MURRAY

AN ACT

To amend and reenact R.S. 47:1992(B), (F), and (G)(1) and (2)(b), relative to tax assessments in Orleans Parish; to extend the period of time for the assessor of Orleans Parish to submit certain lists to the board of review; to extend the period of time for inspection of assessment lists in Orleans Parish; to provide relative to complaints received by the Orleans Parish assessor's office; to extend the period of time for the Orleans Parish assessor to forward certain complaints to the board of review; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

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

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

**HOUSE BILL NO. 238—**  
BY REPRESENTATIVES PATRICK WILLIAMS AND POPE

AN ACT

To amend and reenact R.S. 47:1061(A)(1), (2), and (3), relative to the telecommunication tax for the deaf; to provide with respect to the amount of the tax levied; to provide with respect to those telecommunication services to which the tax is levied; to provide for certain limitations; to provide for the amount of the deduction certain companies are authorized to retain for the collection of such tax; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 238 by Representative Patrick Williams

##### AMENDMENT NO. 1

On page 1, line 4, after "levied;" and before "and" insert the following:

"to provide for certain limitations; to provide for the amount of the deduction certain companies are authorized to retain for the collection of such tax; to provide for an effective date;"

##### AMENDMENT NO. 2

On page 1, delete lines 10 through 12 in their entirety and from the beginning of line 13, delete "operating in Louisiana." and insert the following:

"A.(1) There is hereby levied a tax of ~~five~~ two cents per month ~~to be assessed per line for each wireline access line and per telephone number for each wireless handset device on each residence~~ residential and business customer telephone access line of the local exchange companies of a local or wireless telecommunication service company operating in Louisiana."

##### AMENDMENT NO. 3

On page 1, at the end of line 16, insert the following:

"The tax provided for in this Paragraph shall not apply to wireless devices used only for data purposes or to prepaid wireless devices."

##### AMENDMENT NO. 4

On page 1, line 17, after "local" delete the comma "," and delete the remainder of the line in its entirety and from the beginning of line 18, delete "exchange companies" and insert "or wireless telecommunication service company"

##### AMENDMENT NO. 5

On page 1, line 19, after "exceed" and before "percent" delete "two" and insert "three"

##### AMENDMENT NO. 6

On page 2, line 3, after "local" delete the comma "," and delete the remainder of the line in its entirety and from the beginning of line 4, delete "wireless telecommunication exchange companies" and insert "or wireless telecommunication service company"

##### AMENDMENT NO. 7

On page 2, after line 7, insert the following:

"Section 2. This Act shall become effective on January 1, 2014."

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

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

Under the rules, placed on the regular calendar.

#### HOUSE BILL NO. 256—

BY REPRESENTATIVE PATRICK WILLIAMS AND SENATOR JOHNS  
A JOINT RESOLUTION

Proposing to amend Article VII, Section 25(B)(2) of the Constitution of Louisiana, relative to tax sales; to provide for the redemption period for certain blighted property sold at tax sale; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 256 by Representative Patrick Williams

##### AMENDMENT NO. 1

On page 2, line 1, after "for" and before "months" delete "twelve" and insert "eighteen"

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

On motion of Rep. Robideaux, the above bill, as amended, was ordered engrossed and recommitted to the Committee on Civil Law and Procedure.

#### HOUSE BILL NO. 274—

BY REPRESENTATIVE TALBOT  
AN ACT

To amend and reenact R.S. 47:2132(A), relative to ad valorem property tax; to provide with respect to refunds of taxes erroneously paid; to provide for the time period in which a homestead exemption may be claimed under certain circumstances; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

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

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

#### HOUSE BILL NO. 388—

BY REPRESENTATIVES ABRAMSON, WESLEY BISHOP, AND RITCHIE  
AN ACT

To amend and reenact R.S. 47:1992(B), (F), and (G)(1) and (2)(b), relative to tax assessments in Orleans Parish; to extend the period of time for the assessor of Orleans Parish to submit certain lists to the board of review; to extend the period of time for inspection of assessment lists in Orleans Parish; to provide relative to complaints received by the Orleans Parish assessor's office; to extend the period of time for the Orleans Parish assessor to forward certain complaints to the board of review; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

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

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

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## HOUSE BILL NO. 526—

BY REPRESENTATIVES ROBIDEAUX, SCHRODER, BARROW, WESLEY BISHOP, BROADWATER, GUILLORY, HAZEL, HOFFMANN, JOHNSON, LAMBERT, RITCHIE, THIBAUT, PATRICK WILLIAMS, AND WILLMOTT  
AN ACT

To amend and reenact R.S. 39:122(A), relative to capital outlay; to provide relative to the capital outlay process; to provide relative to line of credit recommendations for nonstate entity projects; to require the approval of certain line of credit recommendations; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

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

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

### Recess

On motion of Rep. Leger, the Speaker declared the House at recess upon the call of the House.

### After Recess

Speaker Kleckley called the House to order at 2:20 P.M.

### House Business Resumed

#### Reports of Committees

The following reports of committees were received and read:

#### Report of the Committee on Education

April 11, 2013

To the Speaker and Members of the House of Representatives:

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

House Bill No. 89, by Hoffmann  
Reported favorably. (13-0) (Regular)

House Bill No. 298, by Chaney  
Reported favorably. (12-0) (Local & Consent)

House Bill No. 540, by Jones, Sam  
Reported favorably. (15-0) (Regular)

House Bill No. 635, by Williams, P  
Reported favorably. (15-0) (Local & Consent)

House Bill No. 650, by Carter  
Reported favorably. (11-2) (Regular)

STEPHEN F. CARTER  
Chairman

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

April 11, 2013

To the Speaker and Members of the House of Representatives:

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

House Bill No. 177, by Leger  
Reported with amendments. (16-0) (Regular)

House Bill No. 241, by Willmott  
Reported favorably. (13-0) (Local & Consent)

House Bill No. 273, by Lorusso  
Reported with amendments. (15-0) (Regular)

House Bill No. 355, by LeBas  
Reported favorably. (14-0) (Local & Consent)

House Bill No. 356, by LeBas  
Reported by substitute. (15-0) (Regular)

House Bill No. 375, by Hoffmann  
Reported favorably. (16-0) (Regular)

House Bill No. 390, by LeBas  
Reported favorably. (14-0) (Local & Consent)

House Bill No. 391, by LeBas  
Reported with amendments. (15-0) (Regular)

House Bill No. 525, by Harris  
Reported with amendments. (16-0) (Regular)

House Bill No. 557, by Willmott  
Reported with amendments. (16-0) (Regular)

House Bill No. 582, by Simon  
Reported favorably. (16-0) (Local & Consent)

SCOTT M. SIMON  
Chairman

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

April 11, 2013

To the Speaker and Members of the House of Representatives:

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

House Bill No. 172, by Dove  
Reported favorably. (10-0) (Local & Consent)

House Bill No. 220, by Havard  
Reported favorably. (10-0) (Local & Consent)

House Bill No. 628, by Barras  
Reported favorably. (10-0) (Local & Consent)

TIMOTHY G. "TIM" BURNS  
Chairman

### Suspension of the Rules

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

### Introduction of Resolutions, House and House Concurrent

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

**HOUSE RESOLUTION NO. 20—**

BY REPRESENTATIVE DIXON

**A RESOLUTION**

To recognize April 11, 2013, as Northern and Central Louisiana Interfaith, Alexandria Cluster Day in Louisiana.

Read by title.

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

**Privileged Report of the Committee on Enrollment**

April 11, 2013

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. 17—**

BY REPRESENTATIVE CHANEY

**A RESOLUTION**

To commend and congratulate the players and coaches of the Rayville High School girls basketball team on winning the Class 3-A state championship.

**HOUSE RESOLUTION NO. 18—**

BY REPRESENTATIVE SCHEXNAYDER

**A RESOLUTION**

To recognize April 22, 2013, as Marathon Petroleum Corporation Day.

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.

**Suspension of the Rules**

On motion of Rep. Ponti, the rules were suspended to permit the Committee on Commerce to consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill Nos. 272 and 421

**Leave of Absence**

Rep. Carter - 1 day

**Adjournment**

On motion of Rep. Billiot, at 2:30 P.M., the House agreed to adjourn until Monday, April 15, 2013, at 3:00 P.M.

The Speaker of the House declared the House adjourned until 3:00 P.M., Monday, April 15, 2013.

ALFRED W. SPEER  
Clerk of the House

