

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

NINETEENTH 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

Wednesday, May 8, 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	Garofalo	Montoucet
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	Henry	Pope
Billiot	Hensgens	Price
Bishop, S.	Hill	Pugh
Bishop, W.	Hodges	Pylant
Broadwater	Hoffmann	Reynolds
Brossett	Hollis	Richard
Brown	Honore	Ritchie
Burford	Howard	Robideaux
Burns, H.	Hunter	Schexnayder
Burns, T.	Huval	Schroder
Burrell	Ivey	Seabaugh
Carmody	Jackson, K.	Shadoin
Carter	James	Simon
Champagne	Jefferson	Smith
Chaney	Johnson	St. Germain
Connick	Jones	Stokes
Cox	Lambert	Talbot
Cromer	Landry, N.	Thibaut
Danahay	Landry, T.	Thierry
Dixon	LeBas	Thompson
Dove	Leger	Whitney
Edwards	Leopold	Williams, A.
Fannin	Lopinto	Williams, P.

Foil
Franklin
Gaines
Total - 103

Lorusso
Mack
Miller

Willmott

The Speaker announced that there were 103 members present and a quorum.

Prayer

Prayer was offered by Rev. Tom Murphy of Beechwood United Pentecostal Church.

Pledge of Allegiance

Rep. Carter 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 May 7, 2013, was adopted.

**Petitions, Memorials, and
Communications**

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

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

May 8, 2013

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. 94
Returned without amendments

House Concurrent Resolution No. 97
Returned without amendments

House Concurrent Resolution No. 98
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

SENATE BILLS

May 8, 2013

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

I am directed to inform your honorable body that the Senate has finally passed the following Senate Bills:

Senate Bill Nos. 18, 33, 58, 131, 139, 148, 164, 199, 201, 209, 212, 223, 238, 241, 247, and 259

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. 18—
BY SENATOR WARD

AN ACT

To amend and reenact R.S. 40:4.9, relative to certain food products prepared in home for public consumption and the application of the state Sanitary Code; to provide for preparation of cakes and cookies in home for public consumption; to provide for exceptions; to provide for penalties; and to provide for related matters.

Read by title.

SENATE BILL NO. 33—
BY SENATOR BROWN

AN ACT

To amend and reenact R.S. 22:31 and R.S. 44:4.1(B)(11), relative to the division of minority affairs; to authorize a survey relative to the hiring practices of insurance companies; to provide for applicability of public records exemptions to the survey; and to provide for related matters.

Read by title.

SENATE BILL NO. 58—

BY SENATORS BUFFINGTON, ADLEY, ALARIO, ALLAIN, AMEDEE, APPEL, BROOME, BROWN, CLAITOR, CORTEZ, CROWE, DORSEY-COLOMB, GALLOT, GUILLORY, HEITMEIER, LONG, MARTINY, MILLS, MURRAY, NEVERS, PEACOCK, PERRY, RISER, GARY SMITH, THOMPSON, WALSWORTH AND WARD AND REPRESENTATIVE THOMPSON

AN ACT

To enact R.S. 40:4.13, relative to the Sanitary Code; to provide exceptions to the Sanitary Code; to allow a not-for-profit entity or charitable organization to receive or use certain meats or fish for food or meal distribution at no cost to an individual; and to provide for related matters.

Read by title.

SENATE BILL NO. 131—

BY SENATORS JOHN SMITH AND JOHNS

AN ACT

To amend and reenact R.S. 37:1973(A) and (C), relative to scrap metal recyclers; to provide for the forms of payment for copper or other metals; to provide terms and conditions; and to provide for related matters.

Read by title.

SENATE BILL NO. 139—

BY SENATOR WARD AND REPRESENTATIVE ST. GERMAIN

AN ACT

To amend and reenact R.S. 30:148.9(B) and to enact R.S. 30:18(A)(6), relative to underground caverns for hydrocarbon storage or solution mining; to provide for penalties for violations of laws, regulations, or orders relative to drilling or use of such underground caverns; to provide factors for determining penalties; and to provide for related matters.

Read by title.

SENATE BILL NO. 148—

BY SENATOR LAFLEUR

AN ACT

To amend and reenact R.S. 42:1102(18)(b), relative to the Code of Governmental Ethics; to provide an exception to the definition

of public employee; to provide for professional services as a certified public accountant; and to provide for related matters.

Read by title.

SENATE BILL NO. 164—

BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 27:415 and 422(D)(1), relative to Video Draw Poker Devices Control Law; to provide for the location of certain video draw poker facilities; to provide for prohibited distances of certain video draw poker facilities; and to provide for related matters.

Read by title.

SENATE BILL NO. 199—

BY SENATOR WHITE

AN ACT

To enact R.S. 17:58.2(I), 67, and 67.1 through 67.4, 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 school board; 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 with respect to certain costs related to retired employees; to provide for effectiveness and for implementation; and to provide for related matters.

Read by title.

SENATE BILL NO. 201—

BY SENATORS MILLS, ALARIO, ALLAIN, AMEDEE, APPEL, CHABERT, CORTEZ, DORSEY-COLOMB, GUILLORY, LAFLEUR, LONG, MURRAY, NEVERS, PEACOCK, PERRY, TARVER, WALSWORTH AND WARD

AN ACT

To enact R.S. 32:412(L) and R.S. 40:1321(L), relative to "I'm a Cajun" on a driver's license and identification card; to provide for the exhibition of the designation "I'm a Cajun" on a driver's license and identification card; to authorize collection of a fee for the "I'm a Cajun" designation; to provide for the disbursement of fees collected to the Council for the Development of French in Louisiana; and to provide for related matters.

Read by title.

SENATE BILL NO. 209—

BY SENATOR LAFLEUR

AN ACT

To amend and reenact R.S. 33:4562.3 (C), (E), and (F), to enact R.S. 33:4562.3(H), and to repeal R.S. 33:4562.4, relative to the Evangeline-Ville Platte Recreation District; to provide for a board of commissioners; to provide for the appointments of the commissioners; to provide for the duties of the board of commissioners; to provide for the allocation of revenue; to authorize advisory committees; to provide for an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 212—

BY SENATOR GARY SMITH

AN ACT

To amend and reenact R.S. 42:23(A) and to enact R.S. 44:36(F), relative to public meetings; to require proceedings of certain boards and commissions to be video or tape recorded, filmed or

broadcast live; to provide for the preservation of certain records; and to provide for related matters.

Read by title.

SENATE BILL NO. 223—

BY SENATORS MILLS AND JOHNS
AN ACT

To enact Chapter 51 of Title 34 of the Louisiana Revised Statutes of 1950, comprised of R.S. 34:3551 through 3552, and R.S. 36:509(U), relative to ports; to create the Coastal Port Advisory Authority; to provide for the authority's membership and its officers; to provide for the duties and functions of the authority; and to provide for related matters.

Read by title.

SENATE BILL NO. 238—

BY SENATOR CHABERT
AN ACT

To enact Chapter 35 of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:1321 through 1326, relative to establishing the Leeville Fishing Village and Cultural Preservation Commission; to provide for legislative intent; to provide for membership and domicile; to provide for powers and duties; to provide for donations and grants; to provide for operating funds; to provide for rules; and to provide for related matters.

Read by title.

SENATE BILL NO. 241—

BY SENATOR JOHN SMITH
AN ACT

To enact R.S. 33:2740.70.2, relative to economic development in Vernon Parish; to create and provide for the Leesville Economic Development District; to provide relative to the powers, duties, boundaries, and governance of the district; to provide relative to district plans; to provide for funding; and to provide for related matters.

Read by title.

SENATE BILL NO. 247—

BY SENATOR NEVERS
AN ACT

To enact R.S. 47:338.183.1, relative to sales and use taxes; to authorize the levy of an additional sales and use tax not to exceed one-half of one percent in certain parishes; to require voter approval of the parish ordinance authorizing the tax; and to provide for related matters.

Read by title.

SENATE BILL NO. 259 (Substitute of Senate Bill No. 7 by Senator Peacock)—

BY SENATOR PEACOCK
AN ACT

To amend and reenact R.S. 11:2252(4), 2256(A), and 2257(K)(3) relative to statewide retirement systems; to provide relative to the Firefighters' Retirement System; to provide for definitions; to provide for eligibility, benefits, and accrual and contribution rates; to provide for an effective date; and to provide for related matters.

Read by title.

Suspension of the Rules

On motion of Rep. Burrell, 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. 90—

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

A RESOLUTION

To express the condolences of the House of Representatives upon the death of the Reverend Danny Mitchell, former state representative for Louisiana House District No. 2.

Read by title.

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

HOUSE RESOLUTION NO. 91—

BY REPRESENTATIVE TERRY LANDRY
A RESOLUTION

To commend Reverend Monsignor Ronald Broussard, former Vicar General of the Diocese of Lafayette, upon the twenty-fifth anniversary of his ordination as a priest.

Read by title.

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

HOUSE RESOLUTION NO. 92—

BY REPRESENTATIVE COX
A RESOLUTION

To commend the Northwestern State University Lady Demons upon winning the 2013 Southland Conference women's tennis championship.

Read by title.

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

**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. 87—

BY REPRESENTATIVES KATRINA JACKSON, BADON, BARROW, WESLEY BISHOP, BROSSETT, BURRELL, COX, DIXON, FRANKLIN, GAINES, HONORE, HUNTER, GIROD JACKSON, JAMES, JEFFERSON, TERRY LANDRY, NORTON, PIERRE, PRICE, SMITH, THIERRY, ALFRED WILLIAMS, AND PATRICK WILLIAMS

A RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to support the entire federal health care reform

legislation and to take such steps as are necessary to ensure that no provision of the legislation is repealed.

Read by title.

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

Senate Concurrent Resolutions Lying Over

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

SENATE CONCURRENT RESOLUTION NO. 1—
BY SENATOR CORTEZ

A CONCURRENT RESOLUTION

To suspend until July 1, 2014, the provisions of Chapter 7 of Subtitle II of Title 11 of the Louisiana Revised Statutes of 1950, comprised of R.S. 11:1399.1 through 1399.7.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 12—
BY SENATORS AMEDEE AND WALSWORTH

A CONCURRENT RESOLUTION

To create the State Capitol Complex Task Force to study and make recommendations to the legislature for the capitol park with respect to the state capitol building, traffic congestion, Capitol Lake, and the surrounding infrastructure.

Read by title.

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

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. 38—
BY SENATOR CORTEZ

AN ACT

To enact R.S. 4:183(B)(3) and (4), relative to horse racing; to provide for the distribution of certain monies as purses; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 109—
BY SENATOR MORRISH

AN ACT

To enact Children's Code Articles 612(A)(4) and 614(E), relative to evaluation and examination orders for children; to provide relative to certain medical and other examinations and evaluations; to require certain medical examinations in connection with certain mandatory reporting; to provide terms, conditions, and procedures; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 140—
BY SENATOR MORRELL

AN ACT

To enact R.S. 33:1375, relative to the exercise of municipal powers; to provide for maximum penalties for certain violations; to provide exceptions; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 159—
BY SENATOR MORRELL AND REPRESENTATIVE HAZEL

AN ACT

To enact R.S. 33:2339, relative to municipal law enforcement; to provide relative to detail or secondary employment; to provide relative to communications; to provide relative to administrative fees; to provide relative to public records; to provide relative to medicare and social security contributions; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 162—
BY SENATOR GARY SMITH

AN ACT

To amend and reenact R.S. 40:34(B)(1)(a)(viii), (h)(v), (i), and (j), to enact Chapter 1-C of Code Title IV, of Code Book III, of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:2718 through 2720.15, and to repeal R.S. 9:2713, relative to surrogacy contracts; to provide for amendments to birth certificates; to provide for definitions relative to surrogacy contracts; to provide for genetic surrogacy contracts; to provide for the enforceability of gestational surrogacy contracts; to provide for the parties to a gestational surrogacy contract; to provide for contractual requirements for a gestational surrogacy contract; to provide for a proceeding to approve a gestational surrogacy contract; to provide for the check of the criminal records of the parties to a gestational surrogacy contract; to provide for a pre-embryo transfer order relative to a gestational surrogacy contract; to provide for matters relative to multiple attempts at in utero embryo transfer; to provide for confidentiality of the proceedings relative to a gestational surrogacy contract; to provide for continuing and exclusive jurisdiction to the proceedings relative to a gestational surrogacy contract; to provide for the termination of a gestational surrogacy contract by notice; to provide for remedies for the failure to perform under a gestational surrogacy contract; to provide for the termination of a gestational surrogacy contract and for the effects of divorce, nullity, and death on a gestational surrogacy contract; to provide for the effect of a subsequent marriage of the gestational carrier on a gestational surrogacy contract; to provide for a post-birth order; to provide for DNA testing when the child is alleged not to be the child of the intended parents; to provide for time limitations and finality; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 180—
BY SENATORS ERDEY AND LAFLEUR

AN ACT

To amend and reenact R.S. 22:3, 1921, 1922, 1926, 1927, 1928(A)(introductory paragraph), and 1929(A), and R.S. 36:681(C)(1), to enact R.S. 36:691.1, and to repeal R.S. 36:691, relative to the Department of Insurance; to provide with respect

to the division of insurance fraud; to provide for powers and duties of the division of insurance fraud; and to provide for related matters.

Read by title.

Motion

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

SENATE BILL NO. 183— BY SENATOR CORTEZ

AN ACT

To amend and reenact R.S. 9:4802(G)(1), relative to liens and privileges; to provide relative to improvement of an immovable by a contractor; to provide with respect to notice requirements of the lessor of the movables placed at the site of the immovable for use in a work; to provide with respect to privileges securing the improvement; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 204—

BY SENATORS ADLEY, ALARIO, BROWN, CORTEZ, CROWE, DORSEY-COLOMB, GALLOT, JOHNS, KOSTELKA, MARTINY, MILLS, MORRELL, MORRISH, MURRAY, NEVERS, GARY SMITH AND WHITE AND REPRESENTATIVES ADAMS, ARNOLD, BERTHELOT, STUART BISHOP, BROSSETT, DANAHAY, DIXON, FRANKLIN, GAINES, GISCLAIR, GUINN, HAZEL, JAMES, TERRY LANDRY, LEGER, LEOPOLD, MONTOUCET, MORENO, ORTEGO, PRICE, RICHARD, SMITH AND WHITNEY

AN ACT

To amend and reenact R.S. 17:3394.3(A) and the introductory paragraph of (B) and to enact R.S. 17:3394.3(C) and R.S. 39:1367(E)(2)(b)(v), relative to the issuance of bonds for the financing of capital improvements and enhancements to certain facilities and properties of colleges within the Louisiana Community and Technical Colleges System; to list the projects to be financed; to require private match funds for such projects; to provide that no state funds shall be appropriated for such bonds or projects until July 1, 2015; to provide that such bonds shall not be included in the definition of net state tax supported debt; 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 Education.

SENATE BILL NO. 213— BY SENATOR MORRELL

AN ACT

To amend and reenact R.S. 33:2419(B)(1) and to enact R.S. 33:2434, relative to civil service; to provide relative to the New Orleans Police Department; to provide relative to benefits for certain employees in certain positions; to provide for definitions; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 222— BY SENATOR WALSWORTH

AN ACT

To amend and reenact R.S. 46:1403, 1404(A), 1405, 1415, 1419 through 1422, 1425(A) and (B), and 1428(A), to enact R.S. 46:1406 and 1407, and to repeal R.S. 46:1408, 1409, 1412, 1413, and 1424, relative to child care facilities; to provide for licensure requirements; to provide for transitional provisions; to

provide for licensure procedures; to provide for rules; to provide for disclosure; to provide for agencies and facilities subject to regulation; to provide for revocation or refusal to renew licenses; to provide for violations; to provide for appeals; to provide for penalties; to provide for injunctive relief; 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 BILL NO. 242—

BY SENATOR MURRAY AND REPRESENTATIVE LEGER

AN ACT

To enact Chapter 4 of Title 21 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 21:201 through 208, relative to hotels and lodging houses; to provide with respect to optional assessments on hotels that are levied by a comprehensive membership based tourism organization on its members that are operators of hotels or motels located in the parish of Orleans; to provide that hotel and income taxes shall not apply to such surcharges; to provide for a hotel referendum to approve such an optional assessment; to provide for enhancement of the sales and marketing capabilities and other general purposes of the organization; to provide for the direct or indirect benefit of growing the traveler economy; to provide for levying hotel assessments as surcharges on hotel or motel folios; to provide for terms and definitions; to provide for an effective date; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 180—

BY SENATORS ERDEY AND LAFLEUR

AN ACT

To amend and reenact R.S. 22:3, 1921, 1922, 1926, 1927, 1928(A)(introductory paragraph), and 1929(A), and R.S. 36:681(C)(1), to enact R.S. 36:691.1, and to repeal R.S. 36:691, relative to the Department of Insurance; to provide with respect to the division of insurance fraud; to provide for powers and duties of the division of insurance fraud; and to provide for related matters.

Called from the calendar.

Read by title.

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

House and House Concurrent Resolutions Reported by Committee

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

HOUSE CONCURRENT RESOLUTION NO. 7—

BY REPRESENTATIVE BARROW

A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2014 Regular Session of the Legislature of Louisiana the provisions of Part LXIX of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1300.321 through 1300.323, relative to resource allocation models for Medicaid-covered home- and community-based long term care services; and to urge the Department of Health and Hospitals to implement a more equitable system of reimbursement for the various types of providers of long term care.

Read by title.

Motion

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

HOUSE CONCURRENT RESOLUTION NO. 90—

BY REPRESENTATIVE SMITH

A CONCURRENT RESOLUTION

To create a task force to study and evaluate the effectiveness of sexual health education programs used throughout the state and other states and to submit a written report of findings and recommendations to the House Committee on Health and Welfare, the Senate Committee on Health and Welfare, the House Committee on Education, and the Senate Committee on Education not later than sixty days prior to the beginning of the 2014 Regular Session of the Legislature of Louisiana.

Read by title.

Reported favorably by the Committee on Health and Welfare.

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

Suspension of the Rules

On motion of Rep. Ponti, the rules were suspended in order to take up and consider Senate Instruments on Second Reading Returned from the Legislative Bureau at this time.

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. 23—

BY SENATOR PEACOCK

AN ACT

To amend and reenact R.S. 32:1252(7) and 1270.10(A) and (B), relative to motorcycles and all-terrain vehicles; to provide for the area of responsibility for motorcycles and all-terrain vehicles; to notify certain existing motorcycle and all-terrain dealerships of any proposed new motorcycle or all-terrain vehicle dealerships or the relocation of a dealership; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 77—

BY SENATOR CROWE

AN ACT

To amend and reenact R.S. 34:3493(A)(1), relative to the Louisiana International Deep Water Gulf Transfer Terminal Authority; to provide relative to the powers and duties of the authority; to provide relative to the jurisdiction of the authority; and to provide for related matters.

Read by title.

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

Reported without amendments by the Legislative Bureau.

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

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

SENATE BILL NO. 81—

BY SENATOR PEACOCK

AN ACT

To amend and reenact R.S. 37:2175.2(A)(1), relative to home improvement contracting; to provide for terms and conditions relative to required registration; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Engrossed Senate Bill No. 81 by Senator Peacock

AMENDMENT NO. 1

On page 1, line 2, after "reenact" change "R.S. 37:2175.2(A)(1)" to "R.S. 37:2175.5(A)(2)"

AMENDMENT NO. 2

On page 1, line 3, after "provide for" and before "relative" change "terms and conditions" to "exceptions"

AMENDMENT NO. 3

On page 1, line 6, after "Section 1." change "R.S. 37:2175.2(A)(1)" to "R.S. 37:2175.5(A)(2)"

AMENDMENT NO. 4

On page 1, delete lines 7 through 16 in their entirety and on page 2, delete line 1 in its entirety and insert the following:

"§2175.5. Home improvement contracting; exceptions

A. The following persons are excepted from the provisions of this Part:

* * *

(2)(a) A homeowner who physically performs the home improvement work on his personal residence.

(b) An individual who physically performs home improvement work on other property owned by him when the home improvement work has a value of less than seven thousand five hundred dollars."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 136—

BY SENATOR CHABERT

AN ACT

To amend and reenact R.S. 32:1252(8) and (23) through (70), to enact R.S. 32:1252(71), 1261(A)(1)(x), 1262(B)(8), and 1283,

and to repeal R.S. 32:1254(D)(6), relative to motor vehicles; to provide for definitions; to provide relative to manufacturers and dealers; to provide relative to sales and service satisfaction surveys and unauthorized acts; to prohibit certain rebate charge backs; to provide for choice of laws with regards to a vehicle protection product warranty; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

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. 136 by Senator Chabert

AMENDMENT NO. 1

On page 2, line 3, change "trailers" to "trailer"

AMENDMENT NO. 2

On page 2, line 7, change "and that possesses" to "that possesses the"

AMENDMENT NO. 3

On page 3, line 1, change "said" to "the"

AMENDMENT NO. 4

On page 3, lines 14-15, following "under" and before ", who sells" change "Chapter 6 of Title 32 of the Louisiana Revised Statutes of 1950" to "this Chapter"

AMENDMENT NO. 5

On page 7, lines 12-13, following "under" and before ", who sells" change "Chapter 6 of Title 32 of the Louisiana Revised Statutes of 1950" to "this Chapter"

AMENDMENT NO. 6

On page 8, line 12-13, following "under" and before ", who sells" change "Chapter 6 of Title 32 of the Louisiana Revised Statutes of 1950" to "this Chapter"

AMENDMENT NO. 7

On page 9, line 28, change "Chapter" to "Section"

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 147— BY SENATOR ERDEY

AN ACT

To amend and reenact R.S. 32:300.5(A), the introductory paragraph of R.S. 32:300.5(B), R.S. 32:407(A)(2)(a), and R.S. 32:408(A)(1), relative to driver distractions; to prohibit social networking while operating a motor vehicle; to provide for penalties; to provide for knowledge of driver distractions; and to provide for related matters.

Read by title.

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

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. 147 by Senator Erdey

AMENDMENT NO. 1

On page 1, line 2, after "of", delete "R.S. 32:"

AMENDMENT NO. 2

On page 1, line 3, and before "407(A)" delete "R.S. 32:"

AMENDMENT NO. 3

On page 1, line 3, following "and" delete "R.S. 32:"

AMENDMENT NO. 4

On page 1, line 7, following "of" delete "R.S. 32:"

AMENDMENT NO. 5

On page 1, line 7, following "5(B)," delete "R.S."

AMENDMENT NO. 6

On page 1, line 8, and before "407(A)(2)(a)" delete "32:"

AMENDMENT NO. 7

On page 1, line 8, following "and" and before "408(A)(1)" delete "R.S. 32:"

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 151— BY SENATOR GUILLORY

AN ACT

To designate a portion of LA 741 in St. Landry Parish as the "Hadley J. Castille-Pecanaire Highway".

Read by title.

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

Reported without amendments by the Legislative Bureau.

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

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

SENATE BILL NO. 161— BY SENATOR CHABERT

AN ACT

To amend and reenact R.S. 38:2212(A)(1)(d)(v), relative to public contracts; to provide an annual limit on work performed by a public entity to restore or rehabilitate a levee which is not

maintained with federal funds, including mitigation on public lands owned by the state or a political subdivision; to provide that the annual limit includes labor, materials, and equipment, which is not publicly bid; to extend the termination date; and to provide for related matters.

Read by title.

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

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. 161 by Senator Chabert

AMENDMENT NO. 1

On page 1, line 17, change "which" to "that"

AMENDMENT NO. 2

On page 2, line 12, change "3" to "2"

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 168—

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

To amend and reenact the heading of Chapter 10-A and the heading of Part I of Chapter 10-A of Title 3 of the Louisiana Revised Statutes of 1950, and R.S. 3:1381(1), 1382(A) and (B), 1407, 1430.13(A) and (D), the introductory paragraph of 1431, (1), (3), (4), and (17) through (30), 1433(A)(1)(b) and (f), the introductory paragraph of (3), (4), (5), and (7), 1434(1), (2), (4) and (5), 1435(1) through (4), and (6) through (8), the introductory paragraph of 1436 (1), (2)(a) and (5)(c), 1437(A), 1438, 1440, 1441, 1443, 1444(1), (2), (4), (5) and (8), 1445(A)(1) and (3), and (B)(2) and (3), 1446(A), the introductory paragraph of (B), and (B)(1), the introductory paragraph of 1449(A), (A)(1) and (2), and (B), and R.S. 36:629(H), to enact R.S. 3:1431(31) and 1446(B)(5), and to repeal R.S. 3:1421, 1432, 1444(11) and Part II of Chapter 11 of Title 3 of the Louisiana Revised Statutes of 1950, comprised of R.S. 3:1551 and 1552, and R.S. 36:629(C)(6), relative to the merger of the Feed, Fertilizer, and Agricultural Liming Commission and the Seed Commission; to create and provide for the membership of the Agricultural Chemistry and Seed Commission; to repeal the Seed Commission; to provide for definitions; to correct internal references; to provide relative to civil penalties and procedures for imposition of penalties; to repeal a duplicate provision related to the disposition of funds; to repeal the prohibition against relabeling seeds more than one time; to repeal bond requirements for agents of nurserymen; to provide for technical corrections; and to provide for related matters.

Read by title.

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

Reported without amendments by the Legislative Bureau.

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

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

SENATE BILL NO. 174—

BY SENATOR MARTINY
AN ACT

To amend and reenact R.S. 6:1122, relative to credit agreements; to provide for judicial actions and defenses; to provide for certain terms and conditions; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 187—

BY SENATORS THOMPSON, CORTEZ, DORSEY-COLOMB, GALLOT, GUILLORY, JOHNS, LONG, MILLS, NEVERS, WALSWORTH AND WARD AND REPRESENTATIVES ANDERS, BARROW, DANAHAY, HENSGENS, HOWARD, LEGER, MONTOUCET, PIERRE, PUGH, PYLANT, RITCHIE, THIBAUT, THIERRY, ALFRED WILLIAMS AND PATRICK WILLIAMS
AN ACT

To amend and reenact R.S. 40:1013(C), to enact R.S. 40:1004(C), and to repeal R.S. 40:1003(6)(e), 1005(A)(5) and (26), relative to veterinarians and the Prescription Monitoring Program; to provide for a veterinarian exception to the Prescription Monitoring Program; to remove the veterinarian exception for "dispenser"; to remove certain members from the Prescription Monitoring Program Advisory Council; to repeal certain provisions with respect to the levying and collecting of fees to veterinarians by the Louisiana Board of Pharmacy; and to provide for related matters.

Read by title.

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

Reported without amendments by the Legislative Bureau.

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

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

SENATE BILL NO. 190—

BY SENATOR GALLOT
AN ACT

To amend and reenact R.S. 6:325, 767, and 768, relative to banks and mutual associations; to provide for the access and transfer of the contents of a safety deposit box by a bank or association to a succession representative, heir, or legatee; to provide for access and transfer of the contents of certain accounts of a bank or association to a succession representative, heir, or legatee; to provide for procedure, terms, and conditions; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

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. 190 by Senator Gallot

AMENDMENT NO. 1

On page 2, line 18, change "establishing the appointment of" to "issued by a court of competent jurisdiction, appointing"

AMENDMENT NO. 2

On page 2, line 22, change "of" to "appointing"

AMENDMENT NO. 3

On page 3, line 2, following "subsequent" insert "court"

AMENDMENT NO. 4

On page 3, line 2, following "order" insert ", issued by a court of competent jurisdiction,"

AMENDMENT NO. 5

On page 3, line 4, following "subsequent" insert "court"

AMENDMENT NO. 6

On page 3, line 4, following "order" insert ", issued by a court of competent jurisdiction,"

AMENDMENT NO. 7

On page 5, line 4, change "establishing the appointment of" to "issued by a court of competent jurisdiction, appointing"

AMENDMENT NO. 8

On page 5, line 19, following "subsequent" and before "order" insert "court"

AMENDMENT NO. 9

On page 5, line 19, following "order" and before "specifically" insert ", issued by a court of competent jurisdiction,"

AMENDMENT NO. 10

On page 5, line 21, following "subsequent" and before "order" insert "court"

AMENDMENT NO. 11

On page 7, line 3, following "administration" delete "establishing the"

AMENDMENT NO. 12

On page 7, line 4, delete "appointment of" and insert ", issued by a court of competent jurisdiction appointing,"

AMENDMENT NO. 13

On page 7, line 14, following "subsequent" and before "order" insert "court"

AMENDMENT NO. 14

On page 7, line 14, following "order" and before "specifically" insert ", issued by a court of competent jurisdiction,"

AMENDMENT NO. 15

On page 7, line 16, following "subsequent" and before "order" insert "court"

AMENDMENT NO. 16

On page 7, line 25, following "possession" insert ", issued by a court of competent jurisdiction,"

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 217—

BY SENATOR GARY SMITH

AN ACT

To amend and reenact R.S. 32:1521(A), relative to the transportation of hazardous materials; to provide additional routes on which certain carriers are prohibited from transporting hazardous materials; and to provide for related matters.

Read by title.

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

Reported without amendments by the Legislative Bureau.

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

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

SENATE BILL NO. 237—

BY SENATOR PETERSON

AN ACT

To amend and reenact R.S. 33:9039.68(B), relative to the general powers of the BioDistrict New Orleans board; to provide a method by which the board may reduce or exclude lands from its original district; to require legislative approval of any territorial changes to the BioDistrict boundaries; to authorize the creation of economic development projects within the original boundaries of the downtown development district and the BioDistrict New Orleans; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Reengrossed Senate Bill No. 237 by Senator Peterson

AMENDMENT NO. 1

On page 3, line 12, after "New Orleans" and before "may exercise" insert "and the BioDistrict New Orleans"

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. 237 by Senator Peterson

AMENDMENT NO. 1

On page 2, line 2, change "which" to "that"

AMENDMENT NO. 2

On page 2, line 28, change "which" to "that"

AMENDMENT NO. 3

On page 3, line 9, change "which" to "that"

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

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

Under the rules, placed on the regular calendar.

Suspension of the Rules

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

House Bills and Joint Resolutions on Third Reading and Final Passage

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

Local and Consent Calendar

HOUSE BILL NO. 326— BY REPRESENTATIVE BARRAS AN ACT

To enact R.S. 47:338.211, relative to the city of Youngsville; to authorize the city to levy a hotel occupancy tax; to provide for the use of tax revenues; and to provide for related matters.

Read by title.

Rep. Barras 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' for House Bill No. 326, including Mr. Speaker, Abramson, Adams, Anders, Armes, Arnold, Badon, Barras, Barrow, Berthelot, Billiot, Bishop, S., Bishop, W., Broadwater, Brossett, and Brown.

Table listing names of representatives who voted 'NAYS' for House Bill No. 326, including Burford, Burns, H., Burns, T., Burrell, Carmody, Carter, Champagne, Chaney, Cox, Cromer, Danahay, Dixon, Dove, Edwards, Fannin, Hollis, Honore, Howard, Hunter, Huval, Ivey, Jackson, K., James, Jefferson, Johnson, Jones, Lambert, Landry, T., LeBas, Leger, Richard, Ritchie, Robideaux, Schexnayder, Seabaugh, Shadoin, Smith, St. Germain, Stokes, Talbot, Thibaut, Thierry, Whitney, Williams, A., and Williams, P.

Total - 93

NAYS

Total - 0

ABSENT

Table listing names of representatives who were 'ABSENT' for House Bill No. 326, including Connick, Garofalo, Guillory, Jackson, G., Landry, N., Lopinto, Norton, Pugh, Schroder, Simon, Thompson, and Willmott.

Total - 12

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 44— BY REPRESENTATIVES HAZEL AND ARNOLD AN ACT

To enact R.S. 44:11(E), relative to the confidentiality of information in personnel records of certain public employees; to provide for disclosure of certain information concerning members of the Firefighters' Retirement System if requested by specified entities; and to provide for related matters.

Read by title.

Rep. Hazel 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' for House Bill No. 44, including Mr. Speaker, Abramson, Adams, Anders, Armes, Arnold, Badon, Barras, Barrow, Berthelot, Billiot, Bishop, S., Bishop, W., Broadwater, Brossett, Brown, Burford, Burns, H., Franklin, Gaines, Geymann, Gisclair, Greene, Guinn, Harris, Harrison, Havard, Hazel, Henry, Hensgens, Hill, Hodges, Hoffmann, Brown, Hollis, Honore, Howard, Lorusso, Mack, Miller, Montoucet, Moreno, Morris, Jay, Morris, Jim, Ortego, Pearson, Pierre, Pope, Price, Pugh, Pylant, Reynolds, Richard, Ritchie, and Robideaux.

Burns, T.	Hunter	Schexnayder
Burrell	Huval	Seabaugh
Carmody	Ivey	Shadoin
Carter	Jackson, K.	Smith
Champagne	James	St. Germain
Chaney	Jefferson	Stokes
Cox	Johnson	Thibaut
Danahay	Jones	Thierry
Dixon	Landry, N.	Whitney
Dove	Landry, T.	Williams, A.
Edwards	LeBas	Williams, P.
Fannin	Leger	Willmott
Foil	Leopold	
Total - 92		

NAYS

Total - 0

ABSENT

Connick	Lambert	Simon
Cromer	Lopinto	Talbot
Garofalo	Norton	Thompson
Guillory	Ponti	
Jackson, G.	Schroder	
Total - 13		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 253—

BY REPRESENTATIVES LEOPOLD, BILLIOT, CONNICK, STOKES, TALBOT, AND WILLMOTT AND SENATORS APPEL AND MARTINY
AN ACT

To amend and reenact R.S. 18:428(E) and to enact R.S. 18:428(F), relative to the presence of law enforcement officers at polling places; to provide exceptions; to provide restrictions and requirements; to provide definitions; and to provide for related matters.

Read by title.

Rep. Leopold moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Carmody	Hunter	Schroder
Carter	Huval	Seabaugh
Champagne	Ivey	Shadoin
Chaney	Jackson, K.	Smith
Cox	James	St. Germain
Cromer	Jefferson	Stokes
Danahay	Johnson	Talbot
Dixon	Jones	Thibaut
Dove	Landry, N.	Thierry
Edwards	Landry, T.	Whitney
Fannin	Leopold	Williams, A.
Foil	Lorusso	Williams, P.
Franklin	Mack	Willmott
Total - 93		

NAYS

Total - 0

ABSENT

Armes	Jackson, G.	Lopinto
Burrell	Lambert	Ponti
Connick	LeBas	Simon
Guillory	Leger	Thompson
Total - 12		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Leopold 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

HOUSE BILL NO. 95—

BY REPRESENTATIVES DIXON AND SMITH
AN ACT

To amend and reenact R.S. 17:221(B), relative to school attendance; to provide relative to eligibility criteria for admission or readmission to a public school; to prohibit city, parish, and other local public school boards from denying admission or readmission to students based on certain characteristics; to provide relative to the admission or readmission of students who are twenty years of age or older; and to provide for related matters.

Read by title.

Rep. Barrow, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Barrow on behalf of the Legislative Bureau to Engrossed House Bill No. 95 by Representative Dixon

AMENDMENT NO. 1

On page 2, line 9, change "characteristics" to "circumstances"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Dixon to Engrossed House Bill No. 95 by Representative Dixon

Page 12 HOUSE

19th Day's Proceedings - May 8, 2013

AMENDMENT NO. 1

On page 2, line 19, after "in" and before "of" change "Paragraph (1)" to "Subparagraphs (1)(a), (d), and (e)"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Danahay	Leger
Anders	Dixon	Moreno
Armes	Edwards	Price
Badon	Franklin	Ritchie
Bishop, W.	Gaines	Smith
Broadwater	Harris	Thierry
Brossett	Hill	Williams, A.
Burns, H.	Howard	Williams, P.
Burrell	Jefferson	
Carter	Johnson	
Total - 28		

NAYS

Mr. Speaker	Guinn	Montoucet
Adams	Harrison	Morris, Jay
Barras	Havard	Norton
Barrow	Hazel	Ortego
Berthelot	Henry	Pearson
Billiot	Hensgens	Pierre
Bishop, S.	Hoffmann	Pope
Brown	Honore	Pugh
Burford	Hunter	Pylant
Burns, T.	Huval	Reynolds
Carmody	Ivey	Richard
Champagne	James	Schroder
Chaney	Jones	Seabaugh
Cannick	Lambert	Shadoin
Cox	Landry, N.	Simon
Cromer	Landry, T.	St. Germain
Dove	LeBas	Stokes
Fannin	Leopold	Talbot
Foil	Lopinto	Thibaut
Garofalo	Lorusso	Thompson
Gisclair	Mack	Whitney
Greene	Miller	Willmott
Total - 66		

ABSENT

Arnold	Hollis	Ponti
Geymann	Jackson, G.	Robideaux
Guillory	Jackson, K.	Schexnayder
Hodges	Morris, Jim	
Total - 11		

The Chair declared the above bill failed to pass.

Rep. Reynolds 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.

Motion

Rep. Hoffmann moved to call House Bill No. 375 from the calendar.

Rep. Barrow objected.

By a vote of 71 yeas and 15 nays, the House agreed to call House Bill No. 375 from the calendar.

HOUSE BILL NO. 375—

BY REPRESENTATIVE HOFFMANN
AN ACT

To amend and reenact R.S. 36:4(R), to enact Chapter 4-B of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:461 through 470, and to repeal Part III of Chapter 8 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:1971 through 1979, relative to the early intervention program of this state for infants and toddlers with disabilities and their families; to establish the official name of the program; to provide for definitions; to provide for duties of the Department of Health and Hospitals relative to program administration; to provide requirements for a statewide system of services; to provide relative to payment for services; to allow for uses of funds for provision of certain services to eligible persons; to provide for authority to establish a statewide system of payments; to provide for authority to establish a schedule of fees for services provided to certain recipients; to create and provide for duties of the Louisiana State Interagency Coordinating Council for EarlySteps; Louisiana's Early Intervention Program for Infants and Toddlers with Disabilities and their Families; to authorize promulgation of rules by the Department of Health and Hospitals; to provide for continuation of effectiveness of certain administrative rules; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hoffmann to Engrossed House Bill No. 375 by Representative Hoffmann

AMENDMENT NO. 1

Delete House Floor Amendment No. 1 in the set of two amendments proposed by Representative Hoffmann and adopted by the House on April 22, 2013.

AMENDMENT NO. 2

On page 15, at the end of line 23, insert the following:

"The department shall be subject to all of the following limitations and requirements relative to the cost participation schedule:

(i) The department shall utilize the most recent federal poverty guidelines issued in the Federal Register by the United States Department of Health and Human Services as the basis for determining the income threshold based on family size for eligibility for cost participation.

(ii) The department shall not assess any fee or other charge through the cost participation schedule upon a family which has annual income of less than three hundred percent of the federal poverty level.

(iii) In any month, the department shall not assess fees or other charges through the cost participation schedule which total more than three percent of the monthly income level for a family of four, according to the federal poverty guideline schedule.

(iv) The department shall not assess a fee or other charge through the cost participation schedule for any service provided for in Item (c)(ii) of this Paragraph."

AMENDMENT NO. 3

On page 16, after line 28, insert the following:

"(5) The department shall not limit early intervention services for a child in any month if the cost of such services in that month exceeds the maximum monthly contribution from the child's family as provided in Item (1)(a)(iii) of this Subsection."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Katrina Jackson to Engrossed House Bill No. 375 by Representative Hoffmann

AMENDMENT NO. 1

On page 16, at the beginning of line 25, change "(4)" to "(4)(a)"

AMENDMENT NO. 2

On page 16, after line 28, insert the following:

"(b) The department shall not make any administrative decision regarding suspension or termination of services for a family prior to the family having been in arrears, with respect to fees or other charges assessed pursuant to cost participation, for a duration of three months."

"(c) On at least a monthly basis, the department shall send to any family in arrears, with respect to fees or other charges assessed pursuant to cost participation, notice of the family's right for reconsideration of their financial status and the family's right to apply for exemption from cost participation due to financial hardship."

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

Motion

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

HOUSE BILL NO. 98—

BY REPRESENTATIVES THOMPSON AND JIM MORRIS
AN ACT

To amend and reenact R.S. 44:4.1(B)(26), to enact R.S. 40:1379.1.1, and to repeal R.S. 40:1379.1(G), relative to concealed handgun permits; to retain the authority of sheriffs to issue a concealed handgun permit for use within the boundaries of a parish; to authorize sheriffs to issue a concealed handgun permit pursuant to a reciprocity agreement entered into with a sheriff of a contiguous parish; to provide with respect to the validity of the permits; to provide for reciprocity between contiguous parishes; to provide for the qualifications for the issuance of such permit; to prohibit the release, dissemination, or publishing of information with respect to concealed handgun permit applications; to provide for exceptions; to provide for criminal penalties; to provide for the assessment of processing fees; and to provide for related matters.

Read by title.

Rep. Barrow, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Barrow on behalf of the Legislative Bureau to Reengrossed House Bill No. 98 by Representative Thompson

AMENDMENT NO. 1

On page 2, line 7, change "which" to "that"

AMENDMENT NO. 2

On page 5, line 7, change "which" to "that"

AMENDMENT NO. 3

On page 5, line 28, change "which" to "that"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Thompson to Reengrossed House Bill No. 98 by Representative Thompson

AMENDMENT NO. 1

On page 5, line 23, after "than" delete the remainder of the line and delete line 24 in its entirety and insert "ten thousand dollars and may be imprisoned for not more than six months."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gaines	Mack
Abramson	Garofalo	Miller
Adams	Geymann	Montoucet
Anders	Gisclair	Moreno
Arnes	Greene	Morris, Jay
Arnold	Guinn	Morris, Jim
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	Pylant
Brossett	Hoffmann	Reynolds
Brown	Hollis	Richard
Burford	Honore	Ritchie
Burns, H.	Howard	Robideaux
Burns, T.	Hunter	Schexnayder
Burrell	Huval	Schroder
Carmody	Ivey	Seabaugh
Carter	Jackson, K.	Shadoin
Champagne	James	Simon
Chaney	Jefferson	Smith
Connick	Johnson	St. Germain
Cox	Jones	Stokes

Cromer	Lambert	Thibaut
Danahay	Landry, N.	Thierry
Dixon	Landry, T.	Thompson
Dove	LeBas	Whitney
Edwards	Leger	Williams, A.
Fannin	Leopold	Williams, P.
Foil	Lopinto	Willmott
Franklin	Lorusso	

Total - 101

NAYS

Total - 0

ABSENT

Guillory	Norton
Jackson, G.	Talbot

Total - 4

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 111—
BY REPRESENTATIVE HOFFMANN
AN ACT

To amend and reenact R.S. 40:1300.252, 1300.256(A)(4), and 1300.262(B)(1)(a) and (2)(a) and to enact R.S. 40:1263 and 1300.256(A)(5), relative to smoking regulation; to prohibit smoking in certain outdoor areas proximate to state buildings; to provide relative to the purpose of certain smoking regulations; to provide for applicability; to provide for exceptions; to provide for penalties; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Barrow, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Barrow on behalf of the Legislative Bureau to Engrossed House Bill No. 111 by Representative Hoffmann

AMENDMENT NO. 1

On page 1, line 19, change "which" to "that"

AMENDMENT NO. 2

On page 2, line 1, change "which" to "that"

AMENDMENT NO. 3

On page 2, line 2, change "which" to "that"

AMENDMENT NO. 4

On page 2, line 17, following "that" and before "due" insert ", "

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hoffmann to Engrossed House Bill No. 111 by Representative Hoffmann

AMENDMENT NO. 1

On page 1, line 4, after "state" and before "buildings;" insert "office"

AMENDMENT NO. 2

On page 1, line 12, after "State" and before "buildings;" insert "office"

AMENDMENT NO. 3

On page 1, line 14, after "state" and before the comma " ," insert "which are utilized primarily as office buildings"

AMENDMENT NO. 4

On page 1, line 15, after "state" and before "buildings." insert "office"

AMENDMENT NO. 5

On page 1, line 19, after "state" and before "building" insert "office"

AMENDMENT NO. 6

On page 2, line 2, after "state" and before "building." insert "office"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Edwards	LeBas
Abramson	Fannin	Leger
Adams	Foil	Leopold
Anders	Franklin	Lopinto
Arnold	Gaines	Lorusso
Badon	Geymann	Mack
Barras	Gisclair	Moreno
Barrow	Greene	Morris, Jay
Berthelot	Harris	Pierre
Billiot	Harrison	Ponti
Bishop, S.	Havard	Pope
Bishop, W.	Hazel	Price
Broadwater	Henry	Pugh
Brossett	Hensgens	Pylant
Brown	Hill	Reynolds
Burns, H.	Hodges	Ritchie
Burns, T.	Hoffmann	Robideaux
Burrell	Hollis	Schexnayder
Carmody	Honore	Simon
Carter	Howard	Smith
Champagne	Hunter	St. Germain
Chaney	Huval	Stokes
Connick	Ivey	Talbot
Cox	Jackson, K.	Thibaut
Cromer	James	Whitney
Danahay	Jefferson	Williams, A.
Dixon	Jones	Williams, P.
Dove	Landry, N.	Willmott

Total - 84

NAYS

Armes	Landry, T.	Richard
Burford	Miller	Seabaugh
Guinn	Montoucet	Shadoin
Johnson	Pearson	
Total - 11		

ABSENT

Garofalo	Morris, Jim	Thierry
Guillory	Norton	Thompson
Jackson, G.	Ortego	
Lambert	Schroder	
Total - 10		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 375—

BY REPRESENTATIVE HOFFMANN
AN ACT

To amend and reenact R.S. 36:4(R), to enact Chapter 4-B of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:461 through 470, and to repeal Part III of Chapter 8 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:1971 through 1979, relative to the early intervention program of this state for infants and toddlers with disabilities and their families; to establish the official name of such program; to provide for definitions; to provide for duties of the Department of Health and Hospitals relative to program administration; to provide requirements for a statewide system of services; to provide relative to payment for services; to allow for uses of funds for provision of certain services to eligible persons; to provide for authority to establish a statewide system of payments; to provide for authority to establish a schedule of fees for services provided to certain recipients; to create and provide for duties of the Louisiana State Interagency Coordinating Council for EarlySteps: Louisiana's Early Intervention Program for Infants and Toddlers with Disabilities and their Families; to authorize promulgation of rules by the Department of Health and Hospitals; to provide for continuation of effectiveness of certain administrative rules; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Abramson to Engrossed House Bill No. 375 by Representative Hoffmann

AMENDMENT NO. 1

On page 12, line 11, change "may" to "shall"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Katrina Jackson to Engrossed House Bill No. 375 by Representative Hoffmann

AMENDMENT NO. 1

In House Floor Amendment No. 2 proposed by Representative Katrina Jackson and adopted by the House of Representatives on May 08, 2013, after "hardship," insert the following language:

"A copy of the notice shall be sent to the representative and senator in whose district the family resides."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Barrow	Montoucet
Total - 2	

ABSENT

Guillory	Jones	Thompson
Jackson, G.	Schroder	
Total - 5		

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

The title of the above bill was read and adopted.

Speaker Pro Tempore Leger in the Chair

HOUSE BILL NO. 173—

BY REPRESENTATIVE HAZEL

AN ACT

To amend and reenact Children's Code Article 1150(3), relative to safe haven relinquishment of infants; to provide with respect to the definition of an infant; and to provide for related matters.

Read by title.

Rep. Hazel moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Geymann	Miller
Abramson	Gisclair	Montoucet
Adams	Greene	Moreno
Anders	Guinn	Morris, Jay
Arnes	Harris	Morris, Jim
Arnold	Harrison	Norton
Badon	Havard	Ortego
Barras	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	Ritchie
Burns, H.	Huval	Robideaux
Burns, T.	Ivey	Schexnayder
Carmody	Jackson, K.	Schroder
Carter	James	Shadoin
Champagne	Jefferson	Simon
Chaney	Johnson	Smith
Cox	Jones	St. Germain
Cromer	Lambert	Stokes
Danahay	Landry, N.	Talbot
Dove	Landry, T.	Thibaut
Edwards	LeBas	Thierry
Fannin	Leger	Thompson
Foil	Leopold	Whitney
Franklin	Lopinto	Williams, A.
Gaines	Lorusso	Williams, P.
Garfalo	Mack	Willmott

Total - 99

NAYS

Total - 0

ABSENT

Burrell	Dixon	Jackson, G.
Connick	Guillory	Seabaugh

Total - 6

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 194—

BY REPRESENTATIVES LEGER, WESLEY BISHOP, KLECKLEY, AND SHADOIN

AN ACT

To enact R.S. 17:3351(A)(5)(f), relative to tuition and mandatory fee amounts for public postsecondary education institutions; to authorize the public postsecondary education management boards to increase tuition and mandatory fee amounts in accordance with the Board of Regents tuition policy, which is subject to legislative approval; to provide for legislative approval of such policy and legislative approval for such tuition and fee increases, including subsequent increases pursuant to such policy; to require that a certain percentage of funds derived from such increases be utilized for certain financial aid purposes; to authorize uniform imposition of tuition and mandatory fee amounts on a per-credit-hour basis; to provide for applicability, limitations, conditions, and exceptions; to provide for implementation; to provide an effective date; and to provide for related matters.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Leger gave notice of his intention to call House Bill No. 194 from the calendar on Wednesday, May 15, 2013.

HOUSE BILL NO. 209—

BY REPRESENTATIVE GAROFALO

AN ACT

To amend and reenact R.S. 24:654, relative to the powers of the legislative fiscal division staffs; to provide for staff access to information; to provide with respect to certain confidential records or information; and to provide for related matters.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Garofalo gave notice of his intention to call House Bill No. 209 from the calendar on Tuesday, May 14, 2013.

HOUSE BILL NO. 281—

BY REPRESENTATIVE SIMON

AN ACT

To amend and reenact R.S. 40:2006(A)(2)(b), (B)(2)(e), and (E)(2)(b), to enact Part IV-A of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2151 through 2161, and to repeal R.S. 28:567 through 573 and Part XIII of Chapter 4 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1058.1 through 1058.10, relative to behavioral health services providers; to provide for definitions; to provide for applicability; to establish a behavioral health services providers license; to provide rulemaking authority; to provide for license issuance and renewal; to require a licensing fee; to prohibit operating without a license; to provide for penalties and remedies; to provide for opioid treatment programs; to provide for right of inspection; to provide for drug-free zones; to repeal provisions relative to the licensing of mental health clinics; to repeal provisions relative

to the licensing of substance abuse/addiction treatment facilities; to provide for effective dates; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 308—

BY REPRESENTATIVES ADAMS, BILLIOT, LEOPOLD, LORUSSO, TALBOT, AND WILLMOTT AND SENATORS APPEL AND MARTINY
AN ACT

To amend and reenact R.S. 42:19(A)(1)(b)(ii)(bb) and to enact R.S. 42:13(A)(4), relative to meetings of public bodies; to provide relative to action by parish and municipal governing authorities with lengthy meeting agendas; to provide definitions; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Adams to Engrossed House Bill No. 308 by Representative Adams

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 42:13(A)(4)" delete the comma "," and insert "and 19(A)(1)(b)(ii)(dd),"

AMENDMENT NO. 2

On page 1, line 8, after "R.S. 42:13(A)(4)" delete "is" and insert "and 19(A)(1)(b)(ii)(dd) are"

AMENDMENT NO. 3

On page 2, at the end of line 3, delete the semicolon ";" and delete lines 4 through 6 and insert the following:

"except as otherwise provided in Subitem (dd) of this Item.

* * *

(dd) If an agenda of a meeting of a governing authority of a parish or municipality contains more than fifty items, the governing authority may take action on items listed on a consent agenda without reading the description of each item aloud. However, before any action is taken on items listed on a consent agenda, the governing authority shall allow a public comment period. Any item listed on a consent agenda may be removed from the consent agenda by an individual member of the governing authority if a person objects to the presence of the item on the consent agenda and provides reasons for individual discussion at the meeting. The name of the person who objects to a consent agenda item and the reasons for the objection shall be included in the minutes of the meeting."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Abramson Gaines Montoucet
Adams Garofalo Moreno

Anders	Gisclair	Norton
Armes	Greene	Ortego
Arnold	Guinn	Pearson
Badon	Harris	Pierre
Barras	Harrison	Ponti
Barrow	Havard	Pope
Berthelot	Hazel	Price
Billiot	Henry	Pugh
Bishop, S.	Hensgens	Pylant
Bishop, W.	Hill	Reynolds
Broadwater	Hodges	Richard
Brossett	Hoffmann	Ritchie
Brown	Hollis	Robideaux
Burford	Honore	Schexnayder
Burns, T.	Howard	Schroder
Burrell	Huval	Seabaugh
Carmody	Jackson, K.	Shadoin
Carter	James	Simon
Champagne	Jefferson	Smith
Chaney	Johnson	St. Germain
Connick	Jones	Stokes
Cox	Landry, T.	Talbot
Cromer	LeBas	Thibaut
Danahay	Leger	Thierry
Dixon	Leopold	Whitney
Edwards	Lopinto	Williams, A.
Fannin	Lorusso	Williams, P.
Foil	Mack	Willmott
Franklin	Miller	
Total - 92		

NAYS

Hunter Ivey Landry, N.
Total - 3

ABSENT

Mr. Speaker	Guillory	Morris, Jim
Burns, H.	Jackson, G.	Thompson
Dove	Lambert	
Geymann	Morris, Jay	
Total - 10		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 322—

BY REPRESENTATIVE THIERRY
AN ACT

To enact Part LXXIII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.361 through 1300.363, relative to newborn medical screening; to require birthing facilities to perform congenital heart defect screening by pulse oximetry on each newborn; to provide legislative intent; to provide definitions; and to provide for related matters.

Read by title.

Rep. Barrow, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Barrow on behalf of the Legislative Bureau to Engrossed House Bill No. 322 by Representative Thierry

Page 18 HOUSE

19th Day's Proceedings - May 8, 2013

AMENDMENT NO. 1

On page 1, line 18, following "problems" and before "such" insert ";

AMENDMENT NO. 2

On page 2, line 3, following "means" change "that the heart defect" to "a heart defect that"

AMENDMENT NO. 3

On page 2, line 12, change "which" to "that"

AMENDMENT NO. 4

On page 2, line 27, following "and" and before "intervention" insert "allow"

AMENDMENT NO. 5

On page 2, line 27, change "newborn lives" to "newborns"

AMENDMENT NO. 6

On page 3, lines 5, after "care" delete the remainder of the line and delete lines 6 and 7 in their entirety and insert "prior to discharge from the birthing facility, unless prohibited by the parent or guardian of the newborn."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of representatives who voted 'YEAS', including Abramson, Adams, Armes, Arnold, Badon, Barras, Barrow, Berthelot, Billiot, Bishop, S., Bishop, W., Broadwater, Brossett, Brown, Burford, Burns, H., Burns, T., Burrell, Carmody, Carter, Champagne, Chaney, Connick, Cox, Cromer, Dixon, Edwards, Fannin, Foil, Franklin, Gaines, Garofalo, Total - 95, Gisclair, Greene, Guinn, Harris, Harrison, Havar, Hazel, Henry, Hensgens, Hill, Hodges, Hoffmann, Hollis, Honore, Howard, Hunter, Huval, Ivey, Jackson, K., James, Jefferson, Johnson, Jones, Lambert, Landry, N., Landry, T., LeBas, Leger, Leopold, Lopinto, Lorusso, Mack, Miller, Montoucet, Moreno, Morris, Jim, Norton, Ortego, Pearson, Pierre, Ponti, Pope, Price, Pugh, Pylant, Reynolds, Richard, Ritchie, Robideaux, Schroder, Seabaugh, Shadoin, Simon, Smith, St. Germain, Stokes, Talbot, Thibaut, Thierry, Whitney, Williams, A., Williams, P., Willmott.

NAYS

Total - 0

ABSENT

Table listing names of representatives who were absent: Mr. Speaker, Anders, Danahay, Dove, Geymann, Guillory, Jackson, G., Morris, Jay, Schexnayder, Thompson.

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 337— BY REPRESENTATIVE LORUSSO AN ACT

To enact R.S. 40:31.37, relative to retail food establishments; to implement permit fees for retail food establishments; to implement food establishment permit fees for day care centers; to implement permit fees for nonitinerant retail food stores/markets; to require proof of gross receipts for retail food stores/markets; to provide for temporary permits; to provide for penalties; to implement a permit fee for temporary or special events; to implement a permit fee for seasonal food establishments; to provide for exemptions; and to provide for related matters.

Read by title.

Rep. Barrow, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Barrow on behalf of the Legislative Bureau to Engrossed House Bill No. 337 by Representative Lorusso

AMENDMENT NO. 1

On page 1, line 19, change "which" to "that"

AMENDMENT NO. 2

On page 4, line 11, following "fee" and before "but" delete ";

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Lorusso to Engrossed House Bill No. 337 by Representative Lorusso

AMENDMENT NO. 1

On page 1, line 18, after "each" and before "location" insert "nonmobile"

AMENDMENT NO. 2

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

"Less than \$100,000 \$75.00"

AMENDMENT NO. 3

On page 2, line 21, delete "Less than \$500,000" and insert in lieu thereof "\$100,000 - \$500,000"

AMENDMENT NO. 4

On page 2, at the beginning of line 22, delete "\$500,000" and insert in lieu thereof "\$500,001"

AMENDMENT NO. 5

On page 3, between lines 1 and 2, insert the following:

"Less than \$100,000 \$75.00"

AMENDMENT NO. 6

On page 3, line 2, delete "Less than \$500,000" and insert in lieu thereof "\$100,000 - \$500,000"

AMENDMENT NO. 7

On page 3, at the beginning of line 5, delete "\$500,000" and insert in lieu thereof "\$500,001"

AMENDMENT NO. 8

On page 4, after line 15, insert the following:

"I. Notwithstanding any other provisions of this Section, the department shall not collect retail food establishment fees in an amount that results in the office of public health's retail food section having a surplus of more than three million dollars at the end of any fiscal year."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Franklin	Mack
Adams	Gaines	Miller
Anders	Garofalo	Montoucet
Armes	Gisclair	Moreno
Arnold	Greene	Morris, Jay
Badon	Guinn	Morris, Jim
Barras	Harris	Norton
Barrow	Harrison	Ortego
Berthelot	Hazel	Pearson
Billiot	Henry	Pierre
Bishop, S.	Hensgens	Ponti
Bishop, W.	Hodges	Pope
Broadwater	Hoffmann	Price
Brossett	Hollis	Pugh
Brown	Honore	Pylant
Burford	Howard	Reynolds
Burns, H.	Hunter	Richard
Burns, T.	Huval	Ritchie
Burrell	Ivey	Robideaux
Carmody	Jackson, K.	Schexnayder
Carter	James	Seabaugh
Champagne	Jefferson	Shadoin
Chaney	Johnson	Simon
Connick	Jones	Smith
Cox	Lambert	Stokes

Danahay	Landry, N.	Talbot
Dixon	Landry, T.	Thibaut
Dove	LeBas	Williams, A.
Edwards	Leger	Williams, P.
Fannin	Lopinto	Willmott
Foil	Lorusso	

Total - 92

NAYS

Total - 0

ABSENT

Mr. Speaker	Hill	Thierry
Cromer	Jackson, G.	Thompson
Geymann	Leopold	Whitney
Guillory	Schroder	
Havard	St. Germain	

Total - 13

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

The title of the above bill was read and adopted.

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.

HOUSE BILL NO. 343—

BY REPRESENTATIVES EDWARDS AND SMITH
AN ACT

To enact R.S. 17:24.4(K), relative to student assessment; to prohibit public high school students who are not pursuing a high school diploma from being administered any examination pursuant to the Louisiana Educational Assessment Program or the Louisiana School and District Accountability System; to provide exceptions; to prohibit penalizing a student, school, or school system for a student's lack of participation; and to provide for related matters.

Read by title.

Rep. Barrow, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Barrow on behalf of the Legislative Bureau to Engrossed House Bill No. 343 by Representative Edwards

AMENDMENT NO. 1

On page 2, line 13, following "results" and before "implementation" change "resulting from" to "due to the"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Edwards to Engrossed House Bill No. 343 by Representative Edwards

AMENDMENT NO. 1

On page 1, line 3, after "students" and before "who" insert "with exceptionalities"

Page 20 HOUSE

19th Day's Proceedings - May 8, 2013

AMENDMENT NO. 2

On page 1, line 15, after "student" and before "who" insert "with an exceptionality as defined in R.S. 17:1942(B), except a gifted or talented student, and"

AMENDMENT NO. 3

On page 1, line 17, change "School and District Accountability System," to "school and district accountability system."

On motion of Rep. Edwards, 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

Table with 3 columns of names: Abramson, Adams, Anders, Armes, Arnold, Badon, Barras, Barrow, Berthelot, Billiot, Bishop, S., Bishop, W., Broadwater, Brossett, Brown, Burford, Burns, H., Burns, T., Burrell, Carmody, Carter, Champagne, Chaney, Connick, Cox, Cromer, Danahay, Dixon, Dove, Edwards, Fannin, Foil, Franklin, Total - 99

NAYS

Total - 0

ABSENT

Table with 3 columns of names: Mr. Speaker, Geymann, Total - 6; Guillory, Jackson, G.; Thibaut, Thompson

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 401—

BY REPRESENTATIVE CARTER

AN ACT

To enact R.S. 17:3351.17, relative to tuition and mandatory fee amounts for public postsecondary education institutions; to authorize each public postsecondary education management board to increase tuition and mandatory fee amounts if an institution meets certain criteria; to provide for limitations, waivers, and effectiveness; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 572—

BY REPRESENTATIVE WESLEY BISHOP

AN ACT

To amend and reenact Subpart C of Part II of Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:261, relative to the Fatherhood First Initiative; to establish the Fatherhood First Initiative; to establish a Fatherhood First Council; to provide for membership and duties of the council; to provide for a research and demonstration program; to require reporting; and to provide for related matters.

Read by title.

Rep. Barrow, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Barrow on behalf of the Legislative Bureau to Engrossed House Bill No. 572 by Representative Wesley Bishop

AMENDMENT NO. 1

On page 3, line 19, change "workforce development board" to "workforce investment board"

AMENDMENT NO. 2

On page 3, line 21, change "Fatherhood Institute" to "New Orleans Fatherhood Consortium"

AMENDMENT NO. 3

On page 6, line 15, delete " "

AMENDMENT NO. 4

On page 6, line 25, delete " "

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. Speaker, Adams, Anders, Armes; Gaines, Garofalo, Geymann, Gisclair; Lorusso, Mack, Miller, Montoucet

Arnold	Greene	Moreno
Badon	Guinn	Morris, Jay
Barras	Harris	Morris, Jim
Barrow	Harrison	Norton
Berthelot	Havard	Ortego
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	Ritchie
Burrell	Hunter	Schexnayder
Carmody	Huval	Shadoin
Carter	Ivey	Smith
Champagne	Jackson, K.	St. Germain
Chaney	James	Stokes
Connick	Jefferson	Talbot
Cox	Johnson	Thibaut
Cromer	Jones	Thierry
Danahay	Lambert	Thompson
Dixon	Landry, N.	Whitney
Dove	Landry, T.	Williams, A.
Edwards	LeBas	Williams, P.
Fannin	Leger	Willmott
Foil	Leopold	
Franklin	Lopinto	

Total - 97

NAYS

Total - 0

ABSENT

Abramson	Pearson	Seabaugh
Guillory	Robideaux	Simon
Jackson, G.	Schroder	

Total - 8

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 613—
BY REPRESENTATIVE TIM BURNS
AN ACT

To enact R.S. 17:7(33), relative to the duties, functions, and responsibilities of the State Board of Elementary and Secondary Education; to require the State Board of Elementary and Secondary Education to develop and adopt rules and regulations providing for parental choice relative to state standardized testing for students with disabilities enrolled in public schools; to require such rules and regulations to be in accordance with certain state and federal laws, rules, and regulations; and to provide for related matters.

Read by title.

Rep. Barrow, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Barrow on behalf of the Legislative Bureau to Engrossed House Bill No. 613 by Representative Tim Burns

AMENDMENT NO. 1

On page 1, line 18, following "inform" and before "parents" insert "the"

AMENDMENT NO. 2

On page 1, line 20, change "parents' or legal guardians" to "parent or legal guardian's"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Cromer to Engrossed House Bill No. 613 by Representative Tim Burns

AMENDMENT NO. 1

On page 2, at the end of line 2, delete the period "." and insert "and shall include but not be limited to a prohibition on sharing with any entity or agency any information the state Department of Education has collected about a student if the student's parent or legal guardian requests, in writing, that the information not be shared."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Edwards to Engrossed House Bill No. 613 by Representative Tim Burns

AMENDMENT NO. 1

On page 1, line 15, after "(33)" insert "(a)"

AMENDMENT NO. 2

On page 1, line 19, after "choose" and before "to have" delete "not"

AMENDMENT NO. 3

On page 1, line 20, after "if" delete the comma "," and delete the remainder of the line and delete line 21 in its entirety and insert the following:

"the student's parent or legal guardian requests in writing that the student participate in such testing. Such rules and regulations shall provide that a student who does not participate in standardized testing pursuant to this Paragraph shall not be penalized for failure to participate.

(b) For purposes of this Paragraph, prohibited penalties include but are not limited to:

(i) Withholding of credits toward graduation or denying a student the ability to graduate.

(ii) Denying a student the opportunity to participate in an extracurricular activity.

(iii) Denying a student the ability to advance to the subsequent grade level.

(c) Such"

Rep. Edwards moved the adoption of the amendments.

Rep. Tim Burns objected.

By a vote of 67 yeas and 26 nays, the amendments were adopted.

Rep. Tim Burns moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Franklin	Lorusso
Adams	Gaines	Mack
Anders	Gisclair	Miller
Armes	Guinn	Montoucet
Arnold	Harris	Moreno
Badon	Harrison	Morris, Jay
Barras	Havard	Norton
Berthelot	Hazel	Ortego
Billiot	Hill	Pearson
Bishop, W.	Hodges	Pierre
Broadwater	Hoffmann	Ponti
Brossett	Hollis	Pope
Burford	Honore	Price
Burns, H.	Howard	Pugh
Burns, T.	Hunter	Pylant
Burrell	Huval	Reynolds
Carmody	Jackson, K.	Ritchie
Chaney	James	Schexnayder
Connick	Jefferson	Schroder
Cox	Johnson	Seabaugh
Cromer	Jones	Shadoin
Danahay	Lambert	Smith
Dixon	Landry, T.	St. Germain
Dove	LeBas	Thierry
Edwards	Leger	Williams, A.
Fannin	Leopold	Williams, P.
Foil	Lopinto	Willmott
Total - 81		

NAYS

Bishop, S.	Geymann	Richard
Brown	Henry	Talbot
Carter	Ivey	Thompson
Champagne	Landry, N.	Whitney
Garofalo	Morris, Jim	
Total - 14		

ABSENT

Mr. Speaker	Hensgens	Stokes
Barrow	Jackson, G.	Thibaut
Greene	Robideaux	
Guillory	Simon	
Total - 10		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 721 (Substitute for House Bill No. 31 by Representative Montoucet)—
BY REPRESENTATIVE MONTOUCET
AN ACT

To amend and reenact R.S. 48:231(A), relative to the highway priority construction program; to provide for the presentation of the proposed program of construction to members of the legislature; and to provide for related matters.

Read by title.

Rep. Barrow, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Barrow on behalf of the Legislative Bureau to Engrossed House Bill No. 721 by Representative Montoucet

AMENDMENT NO. 1

On page 1, line 15, following "House" and before "and" insert "of Representatives"

AMENDMENT NO. 2

On page 2, line 4, change "said" to "the"

AMENDMENT NO. 3

On page 2, line 5, change "then shall" to "shall then"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Montoucet to Engrossed House Bill No. 721 by Representative Montoucet

AMENDMENT NO. 1

On page 1, line 16, after "member" insert "with"

AMENDMENT NO. 2

On page 1, line 17, change "districts" to "district"

AMENDMENT NO. 3

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

"The department shall make the maps required to be provided to members of the legislature pursuant to Paragraph (3) of this Subsection available to any person upon request following the public hearings."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 95

NAYS

Total - 0

ABSENT

Mr. Speaker	Guinn	Richard
Burrell	Hensgens	Simon
Geymann	Jackson, G.	
Guillory	Morris, Jim	

Total - 10

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 722 (Substitute for House Bill No. 313 by Representative Honore)—
BY REPRESENTATIVE HONORE

AN ACT

To enact R.S. 15:85.4, relative to posting of criminal bonds; to provide for an additional fee to be assessed for criminal bonds posted in the city court of Baton Rouge; to provide for collection of fees by the constable of the Baton Rouge City Court; to provide for allocation of funds to the constable's fund; to provide for use of funds for the operational expenses of the constable's office; to provide for a refund of the fee in certain cases; and to provide for related matters.

Read by title.

Rep. Barrow, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Barrow on behalf of the Legislative Bureau to Engrossed House Bill No. 722 by Representative Honore

AMENDMENT NO. 1

On page 1, line 19, following "Baton Rouge" insert "City"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Franklin	Mack
Adams	Gaines	Miller
Anders	Garofalo	Montoucet
Armes	Gisclair	Moreno
Arnold	Greene	Norton
Badon	Guinn	Ortego
Barras	Harris	Pearson
Barrow	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	Honore	Ritchie
Burns, H.	Howard	Robideaux
Burns, T.	Hunter	Schexnayder
Burrell	Huval	Schroder
Carmody	Ivey	Shadoin
Carter	Jackson, K.	Smith
Champagne	James	St. Germain
Chaney	Jefferson	Stokes
Connick	Johnson	Talbot
Cox	Jones	Thibaut
Danahay	Lambert	Thierry
Dixon	Landry, N.	Thompson
Dove	Landry, T.	Whitney
Edwards	Leger	Williams, A.
Fannin	Leopold	Williams, P.
Foil	Lopinto	Willmott

Total - 93

NAYS

Total - 0

ABSENT

Mr. Speaker	Hensgens	Morris, Jay
Cromer	Jackson, G.	Morris, Jim
Geymann	LeBas	Seabaugh
Guillory	Lorusso	Simon

Total - 12

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

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 723 (Substitute for House Bill No. 622 by Representative Tim Burns)—
BY REPRESENTATIVE TIM BURNS
AN ACT

To enact R.S. 47:1705.1, relative to ad valorem tax millages; to provide with respect to constitutionally authorized millage increases in certain parishes; to provide public hearing requirements; to provide with respect to public notice requirements; to provide for the transmittal of information by the assessor and certain taxing authorities; to provide for review of millages levied; and to provide for related matters.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Tim Burns gave notice of his intention to call House Bill No. 723 from the calendar on Monday, May 13, 2013.

HOUSE BILL NO. 523—
BY REPRESENTATIVE GAINES
AN ACT

To amend and reenact Code of Civil Procedure Article 3601(A), relative to special civil proceedings; to provide for injunctions and temporary restraining orders against the state and political subdivisions; to provide for the burden of proof; to provide for the traversal of affidavits; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Gaines to Engrossed House Bill No. 523 by Representative Gaines

AMENDMENT NO. 1

On page 1, line 2, after "3601(A)" and before the comma, insert "and to repeal R.S. 13:4062"

AMENDMENT NO. 2

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

"to provide for filing and notice of an affidavit; to provide for waiver of certain requirements; to provide for hearings by certain legislative committees; to provide for hearings on injunctions under certain circumstances;"

AMENDMENT NO. 3

On page 1, delete lines 11 through 20 in their entirety and on page 2, delete lines 1 through 14 in their entirety and insert the following:

"A.(1) An injunction shall be issued in cases where irreparable injury, loss, or damage may otherwise result to the applicant, or in other cases specifically provided by law; ~~provided, however, that~~

(2)(a) Notwithstanding the provisions of Subparagraph (1) of this Paragraph, no court shall have jurisdiction to issue, or cause to

be issued, any temporary restraining order, preliminary injunction, or permanent injunction against any state department, board, or agency, or any officer, administrator, or head thereof, or any officer of the state of Louisiana in any suit involving the expenditure of public funds under any statute or law of this state to compel the expenditure of state funds when the ~~director officer, administrator, or head of~~ such department, board, or agency or the governor shall certify by affidavit that the expenditure of such funds would have the effect of creating a deficit in the funds of ~~said agency~~ the department, board, or agency, or be in violation of the requirements placed upon the expenditure of such funds by the legislature. Notice of the filing and a copy of the affidavit shall be served on all parties and on the clerk of the House of Representatives and the secretary of the Senate.

(b)(i) The provisions of Subsubparagraph (a) of this Subparagraph shall also apply to a petition for injunction only if the Joint Legislative Committee on the Budget reviews and approves the affidavit prior to filing the affidavit or at its next regularly scheduled meeting after filing the affidavit.

(ii) Within five days of filing of the petition for injunction, the court may waive the requirement of approval of the affidavit by the Joint Legislative Committee on the Budget and deem the affidavit as approved if it determines from the filed pleadings that the petition for injunction is frivolous or without merit.

(iii) If the next regularly scheduled meeting of the Joint Legislative Committee on the Budget is more than fifteen days after the date of filing of the affidavit, the litigation subcommittee of the Joint Legislative Committee on the Budget shall call itself into a special meeting within fifteen days from the filing of the affidavit in order to review and approve the affidavit.

(c)(i) Unless the court finds that the petition is frivolous or without merit, or unless the affidavit is approved within the delays required by Subsubparagraph (b) of this Subparagraph, the court shall set a hearing for the petition for the preliminary injunction or permanent injunction pursuant to Article 3602.

(ii) At the hearing for the preliminary or permanent injunction, the state department, board, or agency shall have the burden of proving by a preponderance of the evidence that the injunction sought would have the effect of creating a deficit in the funds of the department, board, or agency, or be in violation of the requirements placed upon the expenditure of such funds by the legislature.

(iii) An adverse party may traverse the facts alleged in the affidavit and may present evidence to controvert the affidavit. The court shall give equal consideration to all evidence submitted.

* * *

Section 2. R.S. 13:4062 is hereby repealed in its entirety."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Gaines	Miller
Adams	Garofalo	Montoucet
Anders	Geymann	Moreno
Armes	Gisclair	Morris, Jay
Arnold	Greene	Morris, Jim
Badon	Guinn	Norton
Barras	Harris	Ortego
Barrow	Harrison	Pearson
Berthelot	Havard	Pierre

Billiot	Hazel	Ponti
Bishop, S.	Henry	Pope
Bishop, W.	Hill	Price
Broadwater	Hodges	Pugh
Brossett	Hoffmann	Pylant
Brown	Hollis	Reynolds
Burford	Honore	Richard
Burns, H.	Howard	Ritchie
Burns, T.	Hunter	Robideaux
Burrell	Huval	Schexnayder
Carmody	Ivey	Schroder
Carter	Jackson, K.	Seabaugh
Champagne	James	Shadoin
Chaney	Jefferson	Smith
Connick	Johnson	St. Germain
Cox	Jones	Stokes
Cromer	Lambert	Talbot
Danahay	Landry, N.	Thibaut
Dixon	Landry, T.	Thierry
Dove	LeBas	Thompson
Edwards	Leger	Whitney
Fannin	Leopold	Williams, A.
Foil	Lorusso	Williams, P.
Franklin	Mack	Willmott

Total - 99

NAYS

Total - 0

ABSENT

Mr. Speaker	Hensgens	Lopinto
Guillory	Jackson, G.	Simon

Total - 6

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 567—
BY REPRESENTATIVE PONTI

AN ACT

To enact Chapter 13-C of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1450.1 through 1450.15, and to repeal R. S. 14:331 and R.S. 37:2581 through 2600, relative to debt management and debt settlement services; to provide for definitions; to provide for registration, bonds, and fees; to provide for debt relief services; to provide for termination of services; to provide for prohibited activities; to provide for notification requirements; to provide exceptions; to provide for rules and regulations; to provide for violations, enforcement, and penalties; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Barrow, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Barrow on behalf of the Legislative Bureau to Engrossed House Bill No. 567 by Representative Ponti

AMENDMENT NO. 1

On page 8, line 28, following "less than" insert "the"

AMENDMENT NO. 2

On page 11, line 16, change "(d)" to "(2)"

AMENDMENT NO. 3

On page 11, line 18, change "(i)" to "(a)"

AMENDMENT NO. 4

On page 11, line 22, change "(ii)" to "(b)"

AMENDMENT NO. 5

On page 11, line 27, change "(2)" to "(3)"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Ponti to Engrossed House Bill No. 567 by Representative Ponti

AMENDMENT NO. 1

On page 3, line 13, after "exceed" and before "dollars." change "one thousand five hundred" to "three thousand"

AMENDMENT NO. 2

On page 3, line 15, after "funds" and before "for" change "under management" to "held by a provider"

AMENDMENT NO. 3

On page 5, line 27, after "exceed" change "one thousand five hundred" to "three thousand"

AMENDMENT NO. 4

On page 6, line 2, after "its" and before "application" change "immediately previous" to "most recent prior"

AMENDMENT NO. 5

On page 7, at the end of line 27, change "interests." to "interest."

AMENDMENT NO. 6

On page 8, at the end of line 15, after "individual" and before the period "." insert "and perform an individualize financial analysis that considers the individual's monthly income and expenses"

AMENDMENT NO. 7

On page 10, line 17, after "in the" and before "interest" delete "net"

AMENDMENT NO. 8

On page 10, after line 28, insert the following:

"(6) Maintain records detailing the amounts and sources of all compensation received from any third party that are attributable, directly or indirectly, to debt management services provided to individuals. The records shall be subject to disclosure to and examination by the attorney general upon his written request."

Page 26 HOUSE

19th Day's Proceedings - May 8, 2013

AMENDMENT NO. 9

On page 11, at the end of line 4, after "month." insert the following:

"However, the monthly service fee shall be reduced by the pro rata amount of any compensation received from any third party that is attributable, directly or indirectly, to the debt management services provided to the individual."

AMENDMENT NO. 10

On page 11, between lines 15 and 16, insert the following:

"(d) The provider has performed a financial analysis of the individual's financial condition that considers the individual's monthly income and expenses and provided information regarding actions the individual should take."

AMENDMENT NO. 11

On page 11, at the end of line 21, after "service." insert the following:

"This fee shall be limited to thirty percent of the amounts owed at the time the debt was enrolled in the debt relief service."

AMENDMENT NO. 12

On page 11, at the end of line 26, after "debt." insert the following:

"This fee shall be limited to forty-five percent of the amount saved as a result of the settlement of each debt."

AMENDMENT NO. 13

On page 12, at the end of line 20, after "services" insert a semicolon ";" and insert "recovery"

AMENDMENT NO. 14

On page 12, at the beginning of line 21, before "An" change "A." to "A.(1)"

AMENDMENT NO. 15

On page 12, delete lines 24 through 26 in their entirety.

AMENDMENT NO. 16

On page 12, at the beginning of line 27, before "The" change "C." to "(2)"

AMENDMENT NO. 17

On page 13, between lines 2 and 3, insert the following:

"B.(1) If a provider is not registered pursuant to the provisions of this Chapter when an individual assents to an agreement, the agreement is voidable by the individual."

(2) If an individual voids an agreement as provided for in this Subsection, the provider shall not have a claim against the individual for breach of contract or for restitution.

(3) If an individual voids an agreement as provided for in this Subsection, the individual may recover, in a civil action, all money paid or deposited by or on behalf of the individual pursuant to the agreement except amounts paid to creditors, the recovery of treble damages, and reasonable attorney fees and costs.

C.(1) If a provider imposes a fee or other charge or receives money or other payments not authorized by this Chapter, the individual may void the agreement."

(2) If an individual voids an agreement as provided for in this Subsection, the individual may recover, in a civil action, three times the total amount of the fees, charges, money, and payments made by the individual to the provider, and reasonable attorney fees and costs.

D. An individual who seeks to recover damages, attorney fees or costs from a provider as provided for in this Section may petition the attorney general for release of the bond to make a claim as provided for in R.S. 51:1450.2(C)(2)."

AMENDMENT NO. 18

On page 14, line 16, after "(12)" and before "that" change "Misrepresent" to "Represent"

AMENDMENT NO. 19

On page 14, at the end of line 25, after "plan" and before the period "." insert a semicolon ";" and insert "however, a debt relief provider shall not be prevented from advising that a debt relief plan may only be appropriate for individuals who are unable to meet their continuing financial obligations"

AMENDMENT NO. 20

On page 15, between lines 13 and 14, insert the following:

"(d) As requested by the individual."

AMENDMENT NO. 21

On page 16, between lines 6 and 7, insert the following:

"(26) Include in any agreement to enroll an individual in debt relief services any of the following:

(a) A provision to provide for the application of law of any jurisdiction other than the United States and the state of Louisiana.

(b) Except as permitted by the Louisiana Arbitration Law, R.S. 9:4201 et seq, a provision that modifies or limits otherwise available forums or procedural rights, including the right to trial by jury, that are generally available to the individual under state law.

(c) A provision that restricts the individual's remedies under this Chapter or any other provision of state law.

(d) A provision that limits the liability of, or releases or indemnifies from liability, any provider for violating the agreement or violating the provisions of this Chapter."

AMENDMENT NO. 22

On page 16, line 11, after "or" and before "affiliate" change "its" to "any"

AMENDMENT NO. 23

On page 17, at the end of line 12, insert a semicolon ";" and "examinations by attorney general"

AMENDMENT NO. 24

On page 17, at the end of line 13 and the beginning of line 14, change "unfair trade practice under" to "unfair or deceptive act or practice for the purposes of"

AMENDMENT NO. 25

On page 17, line 15, after "all" delete the remainder of the line and on line 16, delete "penalties, and criminal fines contained in" and insert "provisions of"

AMENDMENT NO. 26

On page 17, delete lines 18 through 22 in their entirety and insert the following:

"B. The remedies and rights provided by this Chapter are in addition to and do not preclude any remedy otherwise available by law.

C. Any person found in violation of this Chapter shall be liable for all reasonable costs, expenses and fees related to any investigation and proceeding associated with the violation, including but not limited to attorney fees. An action to recover reasonable costs, expenses, fees, and attorney fees shall be ancillary to and shall be brought and heard in the same court as a civil action brought pursuant to this Chapter.

D.(1) The attorney general may examine, or cause to be examined, the conditions and affairs of any provider subject to this Chapter where the attorney general suspects a violation of this Chapter or upon a complaint made against the provider or any affiliate. The attorney general, or his agent, in connection with the examination may question under oath a provider and any director, officer, employee, customer, creditor, manager, member, partner, or stockholder of a provider concerning the affairs and business of the provider.

(2) The provider shall pay the reasonable costs of the examination as determined by the attorney general, which shall be deposited in the state treasury for credit to the office of the attorney general. Failure to pay the reasonable costs of the examination within thirty days after receipt of demand from the attorney general shall automatically suspend the registration of the provider until the costs are paid."

Speaker Kleckley in the Chair

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Harrison to Engrossed House Bill No. 567 by Representative Ponti

AMENDMENT NO. 1

On page 17, below line 25, add:

"Section 4. The provisions of this Act shall cease to be effective on January 1, 2016."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Barrow, Franklin, Landry, T.
Berthelot, Harrison, Lorusso
Bishop, S., Havard, Ponti
Broadwater, Howard, Price
Burford, Jackson, K., Schexnayder
Burns, H., Johnson, Thompson
Total - 18

NAYS

Mr. Speaker, Greene, Morris, Jay
Adams, Harris, Morris, Jim
Arnes, Hazel, Norton
Badon, Henry, Ortego
Barras, Hill, Pearson
Billiot, Hodges, Pierre
Brown, Hoffmann, Pugh
Burns, T., Hollis, Pylant
Burrell, Honore, Reynolds
Carmody, Hunter, Richard
Carter, Huval, Ritchie
Champagne, Ivey, Robideaux
Chaney, James, Schroder
Connick, Jones, Seabaugh
Cox, Lambert, Shadoin
Danahay, Landry, N., Smith
Dixon, LeBas, St. Germain
Edwards, Leger, Stokes
Fannin, Leopold, Thibaut
Foil, Lopinto, Whitney
Gaines, Mack, Williams, A.
Garofalo, Miller, Willmott
Geymann, Montoucet
Gisclair, Moreno
Total - 70

ABSENT

Abramson, Dove, Pope
Anders, Guillory, Simon
Arnold, Guinn, Talbot
Bishop, W., Hensgens, Thierry
Brossett, Jackson, G., Williams, P.
Cromer, Jefferson
Total - 17

The Chair declared the above bill failed to pass.

Rep. Connick 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.

HOUSE BILL NO. 341—

BY REPRESENTATIVE TIM BURNS
AN ACT

To amend and reenact R.S. 18:112, 115.1(F), 116(E), 154(G), 172, 425(A)(1), 431(A)(2)(a) and (4), 433(A)(1) and (5), (B)(1) and (6), and (D), 434(B)(6), 435(B), 463(D) and (E), 465(E)(1)(a), 468, 469(A) and (B), 501, 513(C), 561, 571(A)(6) and (7), 573(A)(3), 1253(E), 1254(A), 1255(A), 1308(A)(2)(g) and (h)(i), 1308.2(A)(1), 1309(I), 1309.3(D)(1)(b), 1313(A), (B), (C)(2), (F)(11), and (I)(2)(d) and (3), 1314, 1373(A)(5), 1402(C), and 1462(A)(introductory paragraph) and (2), to enact R.S. 18:18(A)(9), 154(C)(1)(g), 1402(D), and 1461.2(A)(9), and to repeal R.S. 18:115(A)(3) and 1309(E)(1), relative to the Louisiana Election Code; to revise the system of laws comprising the Louisiana Election Code; to provide for the powers and duties of the secretary of state; to provide relative to voter registration; to provide relative to application for voter registration; to provide relative to the duties of a registrar of voters; to provide for electronic voter registration; to provide relative to the determination of eligibility of an applicant for voter registration; to provide relative to requirements and procedures for voting; to provide relative to the records of a registrar of voters and the Department of State; to provide for the confidentiality of certain voter information; to provide relative to the duties of a clerk of court; to provide relative to judgments of interdiction; to provide relative to publication of the inactive list of voters; to provide relative to commissioners and commissioners-in-charge; to provide relative to courses of instruction for commissioners and commissioners-in-charge; to

provide for the selection of commissioners and commissioners-in-charge; to provide for the duties of commissioners and commissioners-in-charge; to provide relative to the terms of commissioners-in-charge; to provide relative to the authority of a parish board of election supervisors; to provide relative to watchers; to provide relative to procedures and requirements for candidate qualifying; to provide for changes in information in a notice of candidacy; to provide relative to nominating petitions; to provide relative to the certification of nominating petitions; to provide for the qualifying period in certain elections; to provide relative to withdrawal from an election; to provide relative to the refund of qualifying fees; to provide relative to the certification of candidates elected in an election; to provide for deadlines for such certification for certain elections; to provide relative to the payment of certain costs associated with an election; to provide relative to procedures and requirements for voting absentee by mail; to provide relative to the transmission of absentee by mail materials; to provide relative to absentee by mail ballots; to provide relative to the counting and tabulation and recounting of absentee by mail and early voting ballots; to provide relative to the preparation of voting machines; to provide relative to absentee by mail and early voting commissioners; to provide relative to assistance in voting; to prohibit certain conduct involving information in voter registration applications; to provide criminal penalties; to provide relative to the prohibition of certain conduct in certain areas around polling places; to provide relative to court costs in certain actions; to provide for effectiveness; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Gaines to Engrossed House Bill No. 341 by Representative Tim Burns

AMENDMENT NO. 1

On page 1, delete line 3 and insert "and (4), 433(A)(1) and (5), (B)(1), and (D), 463(D) and"

AMENDMENT NO. 2

On page 1, line 21, after "commissioners-in-charge;" delete the remainder of the line and on page 2, at the beginning of line 1, delete "commissioners-in-charge;"

AMENDMENT NO. 3

On page 2, at the beginning of line 4, delete "to provide relative to watchers;"

AMENDMENT NO. 4

On page 2, delete line 24, and insert "(5), (B)(1), and (D), 463(D) and (E), 465(E)(1)(a), 468, 469(A)"

AMENDMENT NO. 5

On page 6, delete lines 17 through 22

AMENDMENT NO. 6

Delete page 7 in its entirety and on page 8, delete lines 1 through 5

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

Rep. Tim Burns moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Edwards	Lopinto
Abramson	Fannin	Lorusso
Adams	Foil	Miller
Anders	Gaines	Moreno
Arnes	Garofalo	Morris, Jay
Arnold	Gisclair	Ortego
Badon	Greene	Pearson
Barras	Guinn	Pierre
Barrow	Harris	Ponti
Berthelot	Harrison	Pope
Billiot	Havard	Price
Bishop, S.	Hazel	Pugh
Bishop, W.	Henry	Pylant
Broadwater	Hill	Reynolds
Brossett	Hoffmann	Ritchie
Brown	Hollis	Robideaux
Burford	Honore	Schexnayder
Burns, H.	Howard	Schroder
Burns, T.	Hunter	Seabaugh
Burrell	Huval	Shadoin
Carmody	Ivey	Smith
Carter	Jackson, K.	Stokes
Champagne	James	Talbot
Chaney	Jefferson	Thierry
Connick	Johnson	Thompson
Cox	Jones	Whitney
Cromer	Landry, N.	Williams, A.
Danahay	Landry, T.	Williams, P.
Dixon	LeBas	
Dove	Leger	
Total - 88		

NAYS

Franklin	Lambert	Morris, Jim
Geymann	Mack	Norton
Hodges	Montoucet	Thibaut
Total - 9		

ABSENT

Guillory	Leopold	St. Germain
Hensgens	Richard	Willmott
Jackson, G.	Simon	
Total - 8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 650—
BY REPRESENTATIVE CARTER
AN ACT

To amend and reenact R.S. 36:642(B) and (C), 643, 644, 645(A), (B)(1)(a)(i), and (C), 646, 648, 649, and 651(B) and to repeal R.S. 17:3138.1(C)(7), relative to the organization of the state Department of Education; to provide for changes relative to the membership of the Remedial Education Commission; to remove the office of literacy, the office of science, technology, engineering, and mathematics, the office of college and career readiness, the office of departmental support, and the office of innovation as offices of the department and to add the office of

district support to the department; to provide for changes relative to the officers of the department; to provide that the appointment of a deputy state superintendent is optional; to provide relative to the purposes and functions of the office of management and finance and office of district support; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Carter to Engrossed House Bill No. 650 by Representative Carter

AMENDMENT NO. 1

On page 2, line 13, after "district support" insert a comma ",."

AMENDMENT NO. 2

On page 2, line 22, after "superintendent of" delete "education," and insert "education if a deputy state superintendent of education is appointed."

AMENDMENT NO. 3

On page 4, line 19, after "budget" delete "statement" and insert "request"

AMENDMENT NO. 4

On page 4, line 20, after "provisions of" delete "R.S. 39:45" and insert "R.S. 39:33"

AMENDMENT NO. 5

On page 6, line 10, between "shall" and "be" insert "each"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Danahay	Morris, Jay
Adams	Dove	Ortego
Anders	Fannin	Pearson
Arnold	Foil	Ponti
Barras	Garofalo	Pugh
Berthelot	Gisclair	Pylant
Billiot	Greene	Reynolds
Bishop, S.	Harris	Richard
Bishop, W.	Hazel	Robideaux
Broadwater	Henry	Schexnayder
Burford	Hoffmann	Schroder
Burns, H.	Hollis	Seabaugh
Burns, T.	Huval	Shadoin
Carmody	Ivey	St. Germain
Carter	Jefferson	Stokes
Champagne	Landry, N.	Talbot
Chaney	Leopold	Thibaut
Connick	Lopinto	Thompson
Cromer	Lorusso	Whitney
Total - 57		

NAYS

Armes	Hill	Montoucet
Barrow	Honore	Moreno
Brossett	Howard	Morris, Jim
Brown	Hunter	Norton
Burrell	Jackson, K.	Pierre
Cox	James	Pope
Edwards	Johnson	Price
Franklin	Jones	Ritchie
Gaines	Lambert	Smith
Geymann	Landry, T.	Thierry
Guinn	LeBas	Williams, A.
Harrison	Leger	Williams, P.
Havard	Mack	Willmott

Total - 39

ABSENT

Abramson	Guillory	Jackson, G.
Badon	Hensgens	Miller
Dixon	Hodges	Simon

Total - 9

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Carter 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. Tim Burns requested the House consent to record his vote on final passage of House Bill No. 650 as yea, which consent was unanimously granted.

Suspension of the Rules

On motion of Rep. Robideaux, the rules were suspended in order to take up and consider House Bills and Joint Resolutions on Second Reading to be Referred at this time.

House Bills and Joint Resolutions on Second Reading to be Referred

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

Motion

On motion of Rep. Robideaux, the Committee on Ways and Means was discharged from further consideration of House Bill No. 456.

**HOUSE BILL NO. 456—
BY REPRESENTATIVE ROBIDEAUX
AN ACT**

To enact the Louisiana Tax Delinquency Amnesty Act of 2013; to provide for definitions; to require the Department of Revenue to establish a tax amnesty program as provided for in this Act; to provide for terms and conditions of the program; to provide for the disposition of the monies collected pursuant to the tax amnesty program; to provide for an effective date; and to provide for related matters.

Read by title.

On motion of Rep. Robideaux, the bill was recommitted to the Committee on Ways and Means.

Suspension of the Rules

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

Petitions, Memorials, and Communications

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

Message from the Senate

SIGNED SENATE CONCURRENT RESOLUTIONS

May 8, 2013

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. 58, 61, 62, and 63

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 8, 2013

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

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

House Concurrent Resolution No. 99
Returned without amendments

House Concurrent Resolution No. 100
Returned without amendments

House Concurrent Resolution No. 101
Returned without amendments

House Concurrent Resolution No. 102
Returned without amendments

House Concurrent Resolution No. 103
Returned without amendments

House Concurrent Resolution No. 104
Returned without amendments

House Concurrent Resolution No. 105
Returned without amendments

House Concurrent Resolution No. 106
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

**ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

May 8, 2013

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. 55, 66, 67, 69, 70, 71, 72, and 73

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

SENATE BILLS

May 8, 2013

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

I am directed to inform your honorable body that the Senate has finally passed the following Senate Bills:

Senate Bill Nos. 73, 186, 195, 239, 243, and 252

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. 73—
BY SENATOR WHITE**

A JOINT RESOLUTION

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

Read by title.

SENATE BILL NO. 186—

BY SENATOR GALLOT

AN ACT

To amend and reenact R.S. 33:130.166(B)(2), relative to the Grant Parish Economic and Industrial Development District; to provide for funding of the district; to provide for exemptions; and to provide for related matters.

Read by title.

SENATE BILL NO. 195—

BY SENATORS GALLOT, KOSTELKA AND LONG

AN ACT

To enact R.S. 33:130.153(10), relative to the Grant Economic Development District; to provide for powers of the district; to provide for the levy and collection of a sales and use tax not to exceed two percent; to provide for exemptions; to require an election; and to provide for related matters.

Read by title.

SENATE BILL NO. 239—

BY SENATOR WARD

AN ACT

To amend and reenact R.S. 40:1503(A), (B), (E)(1), and (F), and to repeal R.S. 40:1503(G), (H), (I), (J), (K) and (L), relative to West Baton Rouge Fire Protection District No. 1; to provide for certain powers of the board of commissioners; to provide for the allocation of certain revenues; to provide specific dates to recalculate assessments; and to provide for related matters.

Read by title.

SENATE BILL NO. 243—

BY SENATOR PERRY

AN ACT

To enact R.S. 33:4574.1.1(Q)(4), relative to Vermilion Parish Tourist Commission; to provide for expenditure of funds; to provide relative to certain municipalities; to provide for an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 252—

BY SENATOR CORTEZ

AN ACT

To amend and reenact R.S. 4:169(A)(2) and (B) and to enact R.S. 4:169(A)(3), relative to licenses, registrations, and fees for participating in racing; to provide for certain annual renewals; to provide for an effective date; and to provide for related matters.

Read by title.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Stokes gave notice of her intention to call House Bill No. 638 from the calendar on Tuesday, May 14, 2013.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Simon gave notice of his intention to call House Bill No. 281 from the calendar on Wednesday, May 15, 2013.

Suspension of the Rules

On motion of Rep. Smith, 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. 93—

BY REPRESENTATIVE SMITH

A RESOLUTION

To recognize Sunday, May 12, 2013, as Caregiver Awareness Day in Louisiana.

Read by title.

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

HOUSE RESOLUTION NO. 94—

BY REPRESENTATIVE BARROW

A RESOLUTION

To recognize the week of Sunday, May 12, through Saturday, May 18, 2013, as National Women's Health Week.

Read by title.

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

HOUSE RESOLUTION NO. 95—

BY REPRESENTATIVES EDWARDS AND SCHRODER

A RESOLUTION

To express the condolences of the House of Representatives upon the death of Mearn "Sweet Boy" Tanner and to express full measures of sympathy to his bereaved family.

Read by title.

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

HOUSE RESOLUTION NO. 96—

BY REPRESENTATIVE BURRELL

A RESOLUTION

To commend Combs-McIntyre High School upon the celebration of its 2013 High School Reunion.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 110—

BY REPRESENTATIVES CROMER AND ARMES

A CONCURRENT RESOLUTION

To commend Lieutenant General Michael D. Barbero for his honorable thirty-seven year career of service to the United States Army.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 111—

BY REPRESENTATIVE JEFFERSON

A CONCURRENT RESOLUTION

To authorize and request the Department of Public Safety and Corrections to study the feasibility and cost effectiveness of transferring elderly and infirm inmates to nursing home

facilities and to report its findings to the Louisiana Legislature prior to the convening of the 2014 Regular Session of the Legislature of Louisiana.

Read by title.

Lies over under the rules.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Appropriations

May 8, 2013

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on May 7, 2013, I am directed by your Committee on Appropriations to submit the following report:

House Bill No. 2, by Robideaux
Reported favorably. (15-0) (Regular)

JAMES R. "JIM" FANNIN
Chairman

Report of the Committee on Ways and Means

May 8, 2013

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on May 7, 2013, I am directed by your Committee on Ways and Means to submit the following report:

House Bill No. 316, by Jackson, K
Reported favorably. (15-0) (Local & Consent)

House Bill No. 377, by Leger
Reported with amendments. (17-0) (Regular)

House Bill No. 444, by Burrell
Reported with amendments. (14-0) (Regular)

House Bill No. 455, by Leger
Reported by substitute. (16-0) (Regular)

House Bill No. 483, by Landry, Nancy
Reported with amendments. (14-0) (Regular)

House Bill No. 501, by Moreno
Reported with amendments. (14-0) (Regular)

House Bill No. 617, by Ortego
Reported favorably. (14-0) (Local & Consent)

House Bill No. 630, by Leger
Reported with amendments. (16-0) (Regular)

House Bill No. 681, by Ortego
Reported with amendments. (14-0) (Regular)

House Bill No. 686, by Garofalo
Reported favorably. (13-0) (Local & Consent)

JOEL C. ROBIDEAUX
Chairman

Report of the Committee on Administration of Criminal Justice

May 8, 2013

To the Speaker and Members of the House of Representatives:

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

House Bill No. 277, by Lambert
Reported with amendments. (11-0) (Regular)

House Bill No. 385, by Hodges
Reported with amendments. (11-0) (Regular)

House Bill No. 423, by Billiot
Reported favorably. (10-0) (Regular)

House Bill No. 440, by Billiot
Reported with amendments. (11-0) (Regular)

Senate Bill No. 6, by Allain
Reported favorably. (9-0) (Regular)

Senate Bill No. 8, by Gallot
Reported favorably. (10-0) (Regular)

Senate Bill No. 32, by Crowe
Reported favorably. (9-0) (Regular)

Senate Bill No. 43, by White
Reported favorably. (11-0) (Regular)

Senate Bill No. 60, by Adley
Reported with amendments. (10-0) (Regular)

Senate Bill No. 72, by Thompson, F
Reported favorably. (12-0) (Regular)

Senate Bill No. 113, by Gallot
Reported favorably. (10-0) (Regular)

Senate Bill No. 141, by Brown, Troy
Reported favorably. (10-0) (Regular)

JOSEPH P. LOPINTO III
Chairman

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

Report of the Committee on Education

May 8, 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. 671, by Foil
Reported with amendments. (9-3) (Regular)

Senate Bill No. 31, by Claitor
Reported with amendments. (10-0) (Regular)

Senate Bill No. 117, by Appel
Reported with amendments. (11-0) (Regular)

Senate Bill No. 118, by Appel
Reported with amendments. (14-0) (Regular)

Senate Bill No. 130, by Appel
Reported with amendments. (11-0) (Regular)

Senate Bill No. 202, by Nevers
Reported with amendments. (13-0) (Regular)

Senate Bill No. 229, by Broome
Reported favorably. (12-0) (Local & Consent)

STEPHEN F. CARTER
Chairman

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

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

May 8, 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. 233, by Smith, Patricia
Reported with amendments. (10-9) (Regular)

House Bill No. 429, by Hollis (Joint Resolution)
Reported favorably. (8-7) (Regular)

SCOTT M. SIMON
Chairman

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

May 8, 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 Concurrent Resolution No. 5, by Foil
Reported favorably. (7-0)

House Bill No. 101, by Harrison (Joint Resolution)
Reported favorably. (5-2) (Regular)

House Bill No. 102, by Harrison (Joint Resolution)
Reported favorably. (8-0) (Regular)

House Bill No. 264, by Foil
Reported favorably. (8-0) (Regular)

House Bill No. 352, by Harrison
Reported favorably. (8-0) (Regular)

House Bill No. 387, by Schroder
Reported with amendments. (9-0) (Regular)

House Bill No. 479, by Barras
Reported with amendments. (8-0) (Regular)

House Bill No. 538, by Schroder
Reported with amendments. (8-0) (Regular)

House Bill No. 592, by Thibaut
Reported with amendments. (8-0) (Regular)

House Bill No. 614, by Huval
Reported with amendments. (7-0) (Regular)

House Bill No. 621, by Abramson
Reported with amendments. (6-0) (Regular)

TIMOTHY G. "TIM" BURNS
Chairman

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

May 8, 2013

To the Speaker and Members of the House of Representatives:

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

Senate Bill No. 39, by Long
Reported favorably. (10-0) (Regular)

Senate Bill No. 84, by Riser
Reported with amendments. (10-0) (Regular)

Senate Bill No. 85, by Johns
Reported with amendments. (14-0) (Regular)

Senate Bill No. 154, by Murray
Reported with amendments. (13-0) (Regular)

Senate Bill No. 170, by Donahue
Reported favorably. (14-0) (Regular)

Senate Bill No. 171, by Donahue
Reported with amendments. (12-0) (Regular)

Senate Bill No. 216, by Walsworth
Reported favorably. (13-0) (Regular)

GORDON E. DOVE, SR.
Chairman

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

Privileged Report of the Legislative Bureau

May 8, 2013

To the Speaker and Members of the House of Representatives:

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

Senate Bill No. 53
Reported without amendments.

Senate Bill No. 101
Reported with amendments.

Senate Bill No. 120
Reported without amendments.

Respectfully submitted,

REGINA BARROW
Chairman

Privileged Report of the Committee on Enrollment

May 8, 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. 79—

BY REPRESENTATIVE LEOPOLD
A RESOLUTION

To recognize Tuesday, May 7, 2013, as Dental Hygiene Day and to commend the Louisiana Dental Hygienists' Association and the dental hygienist profession upon the celebration of its one hundredth anniversary.

HOUSE RESOLUTION NO. 80—

BY REPRESENTATIVE COX
A RESOLUTION

To commend Robert G. Crew on almost half a century of outstanding service and dedication to the citizens of the state of Louisiana and to congratulate him on the occasion of his retirement from Northwestern State University.

HOUSE RESOLUTION NO. 81—

BY REPRESENTATIVE JEFFERSON
A RESOLUTION

To commend Mrs. Doris Mott Robinson upon the celebration of her ninety-fourth birthday and to record for posterity her many contributions to the Grambling community.

HOUSE RESOLUTION NO. 82—

BY REPRESENTATIVE REYNOLDS
A RESOLUTION

To commend Scott Wells on his second "Cycling for Independence" journey and for serving as a devoted and unwavering champion for people with spinal cord injuries, traumatic brain injuries, and other neurological disorders.

HOUSE RESOLUTION NO. 83—

BY REPRESENTATIVE BARROW
A RESOLUTION

To express the condolences of the House of Representatives of the Legislature of Louisiana upon the death of Donald Johnson and to commemorate the extraordinary legacy of Christian works and service that he leaves behind.

HOUSE RESOLUTION NO. 84—

BY REPRESENTATIVE POPE
A RESOLUTION

To recognize Tuesday, May 7, 2013, as Child Care Provider Appreciation Day in Louisiana.

HOUSE RESOLUTION NO. 85—

BY REPRESENTATIVE SIMON
A RESOLUTION

To recognize Tuesday, May 7, 2013, as March of Dimes Day at the Louisiana State Capitol.

HOUSE RESOLUTION NO. 86—

BY REPRESENTATIVE ST. GERMAIN
A RESOLUTION

To designate Tuesday, May 7, 2013, as Louisiana Chemical Industry Day.

HOUSE RESOLUTION NO. 88—

BY REPRESENTATIVE COX
A RESOLUTION

To commend and congratulate the Northwestern State University Demons basketball team upon advancing to its third National

Collegiate Athletic Association (NCAA) Tournament appearance and to extend best wishes to the players and coaches as they celebrate this historic occasion and prepare for another successful season.

HOUSE RESOLUTION NO. 89—

BY REPRESENTATIVE COX
A RESOLUTION

To commend Mike McConathy for his outstanding accomplishments as head coach of the Northwestern State University basketball team and to commend him on another historic season of Demon basketball.

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 8, 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 Concurrent Resolutions have been properly enrolled:

HOUSE CONCURRENT RESOLUTION NO. 94—

BY REPRESENTATIVE DIXON
A CONCURRENT RESOLUTION

To commend Reverend Frank J. Jackson on being named the pastor of St. Matthew Baptist Church and for his many years of dedicated service.

HOUSE CONCURRENT RESOLUTION NO. 97—

BY REPRESENTATIVES DIXON, ADAMS, ARMES, BADON, BARRAS, BARROW, BERTHELOT, BILLIOT, STUART BISHOP, WESLEY BISHOP, BROWN, HENRY BURNS, BURRELL, CARMODY, CHAMPAGNE, DANAHAY, EDWARDS, FANNIN, FRANKLIN, GAINES, HAZEL, HENSGENS, HILL, HONORE, JEFFERSON, JOHNSON, JONES, LAMBERT, NANCY LANDRY, LEBAS, MONTOUCKET, MORENO, JAY MORRIS, JIM MORRIS, NORTON, ORTEGO, PRICE, PYLANT, REYNOLDS, RICHARD, SMITH, ST. GERMAIN, THIBAUT, AND THIERRY AND SENATORS ALARIO, BROOME, CHABERT, CÔRTEZ, CROWE, DORSEY-COLOMB, GALLOT, MARTINY, MILLS, NEVERS, PETERSON, RISER, GARY SMITH, THOMPSON, WARD, AND WHITE
A CONCURRENT RESOLUTION

To urge and request the board of directors of the Rapides Primary Health Care Center to rename the center in honor of the late Israel "Bo" Curtis, former state representative, of Alexandria.

HOUSE CONCURRENT RESOLUTION NO. 98—

BY REPRESENTATIVE CROMER
A CONCURRENT RESOLUTION

To recognize May 8, 2013, as National Aeronautics Space Administration (NASA) Day and to commend NASA for its scientific and technological contributions to the state of Louisiana and the United States of America.

Respectfully submitted,

HAROLD RITCHIE
Chairman

The above House Concurrent Resolutions contained in the report were signed by the Speaker of the House and taken to the

Senate by the Clerk of the House and were signed by the President of the Senate and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Suspension of the Rules

On motion of Rep. Robideaux, the rules were suspended to permit the Committee on Ways and Means to meet upon adjournment on Thursday, May 9, 2013, and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill No. 456

Leave of Absence

Rep. Guillory - 1 day

Rep. Girod Jackson - 1 day

Adjournment

On motion of Rep. Billiot, at 5:15 P.M., the House agreed to adjourn until Thursday, May 9, 2013, at 11:00 A.M.

The Speaker of the House declared the House adjourned until 11:00 A.M., Thursday, May 9, 2013.

ALFRED W. SPEER
Clerk of the House

