THE HOUSE OF REPRESENTATIVES

STATE OF LOUISIANA

TWENTY-FIFTH DAY'S PROCEEDINGS

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

House of Representatives
State Capitol
Baton Rouge, Louisiana

Thursday, May 16, 2013

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

Morning Hour

ROLL CALL

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

PRESENT

Mr. Speaker Garofalo
Abramson Montoucet
Adams Moreno
Anders Greene
Arnold Morris, Jay
Badon Morris, Jim
Barras Norton
Barrow Pearson
Berthelot Ponti
Billiot Pope
Broadwater Price
Brossett Pugh
Brown Reynolds
Burford Ritchie
Burns, H. Robideaux
Burns, T. Schexnayder
Carmody Schroder
Carter Seabaugh
Champagne Sebold
Chaney Shadoin
Connick Simon
Cox Smith
Cromer St. Germain
Dunahay Talbot
Dixon Tierry
Dove Thompson
Edwards Whitney
Fannin Williams, A.
Foil Williams, P.
Franklin
Gaines
Miller

Total - 91

The Speaker announced that there were 91 members present
and a quorum.

Prayer

Prayer was offered by Speaker Pro Tempore Leger.

Pledge of Allegiance

Rep. Price 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 15, 2013, was
adopted.

Petitions, Memorials, and Communications

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

Message from the Senate

SENATE BILLS

May 16, 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. 88, 261, and 262

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. 88—

BY SENATORS BROOME, ADLEY, BUFFINGTON, CHABERT,
DONAHUE, DORSEY-COLOMB, GUILLODY, JOHNS, KOSTELKA,
LAFLEUR, MILLS, MURRAY, PERRY, TARVER, THOMPSON AND
WHITE

AN ACT

To enact R.S. 15:539.1(E), 539.2, and 539.3, Chapter 28-B of Title
6 of the Louisiana Children’s Code, comprised of Articles 725 to 725.3,
Louisiana Children’s Code Arts. 728(6), and 804(9), and Code
of Criminal Procedure Art. 930.10, relative to human
trafficking; to provide for certain presumptions concerning
children that are victims of child sex trafficking; to provide for
restitution to victims; to establish and provide for a special fund
in the state treasury; to provide for a statewide protocol; to
provide procedures by which certain convictions for prostitution
related to victims of human trafficking may be set aside and
expunged; to provide relative to services and remedies available
to victims of human trafficking under certain circumstances; and
to provide for related matters.

Read by title.
To amend and reenact R.S. 30:10(A)(2)(b)(ii)(cc), (ee), and (ff) and to enact R.S. 23:1203.1(P) and (Q), relative to workers' compensation; to provide for the medical director; to provide for definitions; to provide for the associate medical director; to provide for duties; to prohibit conflicts of interest; to provide for medical treatment; and to provide for related matters.

Read by title.

SENATE BILL NO. 262 (Substitute of Senate Bill No. 198 by Senator White)—
BY SENATOR WHITE AND REPRESENTATIVE ST. GERMAIN
AN ACT
To amend and reenact R.S. 36:258(B), 259(E), R.S. 40:1232, 1232.2(G), 1232.3(A), the introductory paragraph of 1232.6 and (14), 1232.7(A) and (D), 1232.8, 1236.5(C), 1236.13(B), and R.S. 44:4.1(B)(23) and (26), and to enact Chapter 60 of Title 37 of the Louisiana Revised Statutes of 1950, comprised of R.S. 37:3671 through 3685, R.S. 40:1236.8, and R.S. 44:4(48), and to repeal R.S. 40:1231 through 1231.2, 1232.1, 1232.4, 1232.5, 1233, 1234, 1234.1, and 1236.13(F), relative to emergency medical services; to provide for the creation of the Louisiana Board of Emergency Medical Services within the Department of Health and Hospitals; to provide for board membership, appointment, terms, and compensation; to provide for the function, powers, and duties of the board; to provide for licensure; to provide for a fee schedule; to provide for injunctive powers; to provide for prosecution; to provide for civil immunity; to provide for immunity from civil damages for certain entities; to provide for duties of EMS personnel; to provide for hazardous substance transportation emergencies; to provide for transition provisions; to provide for the Louisiana Emergency Medical Services Certification Commission; to provide for appointments to the Louisiana Emergency Medical Services Certification Commission; to provide for disciplinary proceedings and appeals by the Louisiana Emergency Medical Services Certification Commission; to provide for injunctive powers of the Louisiana Emergency Medical Services Certification Commission; to provide for the emergency medical technician fund; to provide for public records and exceptions; and to provide for related matters.

Read by title.

House Bills and Joint Resolutions on Second Reading to be Referred

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

Motion

On motion of Rep. Jim Morris, the bill was withdrawn from the files of the House.

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. 42—
BY SENATOR MORRELL
AN ACT
To amend and reenact R.S. 47:1907(A)(1) and to enact R.S. 47:1907(K), relative to assessors; to authorize assessors to increase their compensation up to four percent for four calendar years; 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. 63—
BY SENATOR MILLS
AN ACT
To amend and reenact R.S. 47:1907(A)(1) and to enact R.S. 47:1907(K), relative to assessors; to authorize assessors to increase their compensation up to four percent for four calendar years; 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 Ways and Means.

SENATE BILL NO. 78—
BY SENATOR MARTINY
AN ACT
To amend and reenact R.S. 47:301(14)(g)(ii)(bb) and 337.10(F), relative to sales and use tax; to provide for an exclusion from the sales and use tax of the state and of political subdivisions which is levied upon certain sales of services; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

SENATE BILL NO. 133—
BY SENATOR AMEDEE
AN ACT
To amend and reenact R.S. 47:9004(B)(1) and to repeal R.S. 47:9004(B)(4), relative to the board of directors of the Louisiana Lottery Corporation; to provide relative to the duty of certain board members to disclose certain business relationships to the Senate Committee on Senate and Governmental Affairs; to remove the requirement to disclose the names of all business or
professional clients; to provide relative to potential candidates for board members submitted to the governor; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

SENATE BILL NO. 150—
BY SENATOR ADLEY
AN ACT
To enact R.S. 40:1300.57, relative to criminal history checks on nonlicensed persons and licensed ambulance personnel; to provide with respect to an authorized agency; to provide for the application and requirements for approval as an authorized agency; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

SENATE BILL NO. 236—
BY SENATOR DORSEY-COLOMB
AN ACT
To enact R.S. 38:2212(A)(1)(b)(ii)(cc), relative to the public bid process; to provide for bidding on public work projects let by East Baton Rouge Parish; to provide for implementation of certain rules; to provide for inclusion of certain documents; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Transportation, Highways and Public Works.

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. 108—
BY REPRESENTATIVE STOKES
A CONCURRENT RESOLUTION
To urge and request each state and statewide retirement system to appear before the House and Senate committees on retirement and to report on the progress made in implementing the provisions of Act No. 479 of the 2012 Regular Session of the Legislature and to submit a report to the legislature on its progress by May 20, 2013.

Read by title.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on Retirement to Original House Concurrent Resolution No. 108 by Representative Stokes

AMENDMENT NO. 1
On page 1, at the end of line 5, change "May 20, 2013" to "July 1, 2013."

AMENDMENT NO. 2
On page 2, at the end of line 5 delete "May" and at the beginning of line 6 delete "20, 2013;" and insert in lieu thereof "July 1, 2013."

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

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

Senate Concurrent Resolutions Reported by Committee

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

SENATE CONCURRENT RESOLUTION NO. 6—
BY SENATOR CROWE
A CONCURRENT RESOLUTION
To urge and request the Louisiana State Law Institute to study and make recommendations on the feasibility of requiring clerks of court to accept electronic signatures on documents for filing.

Read by title.

Reported favorably by the Committee on Judiciary.

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

House Bills and Joint Resolutions on Second Reading Reported by Committee

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

HOUSE BILL NO. 55—
BY REPRESENTATIVE ARNOLD
AN ACT
To amend and reenact R.S. 11:3682(1) and (18), 3685(A)(2)(introductory paragraph) and (d) and (e) and (C)(6), (7)(introductory paragraph), (9), (10), (13), and (14)(introductory paragraph), 3686(A) and (D)(1) and (2), and 3688(A)(introductory paragraph) and (1), (2), and (8) and (D)(5) and to repeal R.S. 11:3685(B) and 3687(A)(7), relative to the Harbor Police Retirement System; to provide for technical changes; to provide for definitions; to provide relative to eligibility for disability benefits; to provide for payments of benefits to a totally handicapped or disabled child; to provide relative to the board of trustees; to provide relative to certain benefits; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on Retirement to Original House Bill No. 55 by Representative Arnold

AMENDMENT NO. 1
On page 2, delete lines 1 through 4 in their entirety and insert in lieu thereof:

"(1)(a) "Accumulated contribution" for an employee hired on or before June 30, 2013, means the sum of all the amounts deducted from the compensation of a member and credited to his individual account in the Annuity Savings Fund together with regular interest thereon as provided in R.S. 11:3688.

(b) "Accumulated contribution" for an employee hired on or after July 1, 2013, means the sum of all the amounts deducted from the compensation of a member and credited to his individual account."
To amend and reenact R.S. 11:1399.1 through 1399.7 and to enact

(i) A surviving totally physically handicapped or mentally
disabled child of a deceased member shall be entitled to the benefits
pursuant to Subparagraphs (c) or (e) of this Paragraph for children
under eighteen years of age, regardless of the child's age, if the child
was totally physically handicapped or mentally disabled at the time
of the death of the member and is dependant upon his legal guardian
for subsistence.

(ii) The legal guardian shall provide adequate proof of handicap
or mental disability of such surviving child and shall notify the board
of any subsequent changes in the child's condition which cause the
child to no longer depend upon the legal guardian and any changes
in the assistance being received from other state agencies.

The board may require a certified statement of the child's eligibility
status at the end of each calendar year.

On page 4, delete line 26 in its entirety and insert in lieu thereof:

"(2) Upon the application of a member to his employer, any
member whose date of hire was on or before June 30, 2013, and who
has ten years of creditable service may be retired by the board of trustees
on a disability retirement allowance, if the medical board, after a
medical examination, certifies that he is mentally or physically
incapacitated for the further performance of duty, that such
incapacity is likely to be permanent, and that he should be retired."

On motion of Rep. Pearson, the substitute was adopted and
became House Bill No. 729 by Rep. Pearson, on behalf of the
Committee on Retirement, as a substitute for House Bill No. 68 by

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

To To amend and reenact R.S. 11:62(introductory paragraph),
(14)(introductory paragraph), (4)(introductory paragraph), (15)(introductory paragraph),
(5.1), (11)(introductory paragraph), and (11.1), 102(B)(1) and
(3)(a) and (d)(v), (vi), and (vii), (C)(1)(introductory paragraph)
and (m), and (D)(1)(introductory paragraph), (d), and (e). 153,
542(A)(2)(a) and (C)(4)(d) and (e). 883.1(A)(2)(a) and (C)(4)(d)
and (e), 1145.1, and Chapter 7 of Subtitle II of Title 11 of the
Louisiana Revised Statutes of 1950, comprised of R.S.
11:1399.1 through 1399.9, and to enact R.S. 11:102(D)(1)(f),
relative to the retirement of persons employed in state
government positions on or after a certain date; to provide
relative to participation, reemployment, service credit,
eligibility, credits, contributions, membership, and benefits,
including benefit adjustments, in a retirement system for such
persons; to provide relative to administration of a plan for
retirement for such persons; to provide relative to expedited
hearings; to provide relative to the study of employee
compensation; to provide relative to the adoption of revised
valuations; and to provide for related matters.

On motion of Rep. Pearson, the substitute was adopted and
became House Bill No. 729 by Rep. Pearson, on behalf of the
Committee on Retirement, as a substitute for House Bill No. 68 by

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

To amend and reenact R.S. 11:1599.1 through 1399.7 and to enact
R.S. 11:1599.8, relative to the retirement of persons employed
in state government positions on or after July 1, 2013; to
provide relative to benefits, participation, reemployment,
service credit, eligibility, credits, contributions, and membership
in a retirement system for such persons; to provide relative to
administration of a plan for retirement for such persons; and to
provide for related matters.

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

Under the rules, placed on the regular calendar.

To amend and reenact R.S. 13:5401(C)(4), relative to reentry courts; to authorize
the creation of a reentry division of the Eleventh Judicial
District Court; and to provide for related matters.

Reported favorably by the Committee on Judiciary.

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

Under the rules, placed on the regular calendar.

To amend and reenact R.S. 13:1568.3, 1595, and 1595.1, relative to
Orleans Parish Juvenile Court judges; to designate special
divisions of the Orleans Parish Juvenile Court; to abolish
specific judgeships upon the expiration of terms or vacancy in
the Orleans Parish Juvenile Court; and to provide for related
matters.

Reported favorably by the Committee on Judiciary.

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

Under the rules, placed on the regular calendar.
Senate Instruments on Second Reading
Returned from the Legislative Bureau

The following Senate Instruments on second reading, returned from the Legislative Bureau, were taken up and acted upon as follows:

SENATE BILL NO. 15—
BY SENATOR PERRY

To amend and reenact R.S. 18:135(C) and to enact R.S. 18:135(B)(2), relative to registrars of voters; authorizes the registrars of voters to make changes of address, changes of party affiliation or nonaffiliation and changes of name received prior to the close of the registration records for the general election; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 30—
BY SENATOR MORRELL AND REPRESENTATIVES WESLEY BISHOP AND LEGER

To enact Chapter 42 of Title 13 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:5981 through 5985, relative to justice reform in Orleans Parish; to create and provide relative to the Orleans Justice and Rehabilitation Reform Commission; to provide for the purposes, governance, and funding of the commission; to provide for the commission's powers, duties, and functions; to authorize the commission to adopt rules and regulations necessary for the purposes of the commission; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 30 by Senator Morrell

AMENDMENT NO. 1
On page 1, line 17, after "on" and before the colon ":" insert "all of the following"

AMENDMENT NO. 2
On page 3, at the beginning of line 15, change "Subsection" to "Subparagraph"

AMENDMENT NO. 3
On page 3, line 16, after "in" and before "(B)(1)(b)" change "Subsection" to "Subparagraph"

AMENDMENT NO. 4
On page 4, line 25, after "source" and before the period "." insert "to implement the provisions of this Chapter"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 40—
BY SENATOR KOSTELKA

To amend and reenact Code of Criminal Procedure Article 780, relative to trial by jury; to provide for waiver of the right to trial by jury in certain criminal cases; to provide procedures and time limits relative to waiver of trial by jury; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 45—
BY SENATORS DORSEY-COLOMB, BROOME, BROWN AND WHITE AND REPRESENTATIVES BERTHELOT, CARTER, HAYARD, JAMES, POPE, PRICE, RICHARD, SMITH, ST. GERMAIN AND WHITNEY

To enact R.S. 17:1994(E) and 3217.5, relative to community and technical colleges; to provide for the merger of certain Louisiana Technical College campuses with Baton Rouge Community College; to provide relative to the transfer of the students, employees, funds, obligations, property, programs, facilities, and functions of such technical college campuses to Baton Rouge Community College; to provide relative to performance agreements with the Board of Regents; to provide for effectiveness; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 52—
BY SENATOR THOMPSON

To amend and reenact R.S. 14:402(D)(1), (E)(5), and (G), relative to contraband in penal institutions; to provide relative to the introduction of controlled dangerous substances into penal institutions; to provide relative to penalties; and to provide for related matters.

Read by title.
To amend and reenact R.S. 14:35.3(B)(3) and to enact R.S. 40:2018.3, relative to the crime of domestic abuse battery.

**SENATE BILL NO. 55—**

BY SENATORS KOSTELKA, BROOME, DORSEY-COLOMB, GUILLORY, HEITMEIER, KOSTELKA, LONG, MARTINY, MILLS, MORRISH, MURRAY, NEVERS, PERRY, GARY SMITH, THOMPSON, WALLS AND WARD

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 1300.365, relative to Medicaid; to require the Department of Health and Hospitals to submit an annual report to the legislature on the Louisiana Medicaid Bayou Health and Louisiana Behavioral Health Partnership and Coordinated System of Care programs; to provide for the information to be included in the report; to provide for department information; to provide for Medicaid state plan amendments; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 57—**

BY SENATORS DORSEY-COLOMB, ALARIO, ALLAIN, APPEL, BROOME, BROWN, BUFFINGTON, CORTEZ, CROWE, DORSEY-COLOMB, ERDEY, GUILORY, HEITMEIER, KOSTELKA, LONG, MARTINY, MILLS, MORRISH, MURRAY, NEVERS, PERRY, GARY SMITH, TARVER, THOMPSON AND WALLS

AN ACT

To enact R.S. 36:259(NN) and R.S. 40:2018.3, relative to the crime of domestic abuse battery, or any child of the offender regardless of residence within five years immediately prior to the occurrence of domestic abuse battery with the defendant as a spouse, whether married or not, or any sex presently living in the same residence or living in the same residence within five years of the occurrence of the domestic abuse battery.

Read by title.

Reported favorably by the Committee on Health and Welfare.

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 70—**

BY SENATORS KOSTELKA, BROOME, DORSEY-COLOMB, GUILORY, MILLS, PERRY AND WALLS

AN ACT

To amend and reenact R.S. 14:35.3(B)(3) and to enact R.S. 14:35.3(B)(4) and (M), relative to the crime of domestic abuse battery; to provide that domestic abuse battery committed by burning of the victim constitutes a crime of violence; to provide definitions; to provide penalties; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 70 by Senator Kostelka

**AMENDMENT NO. 1**

On page 1, line 2, change "R.S. 14:35.3(B)(3)" to "R.S. 14:35.3(B)"

**AMENDMENT NO. 2**

On page 1, line 7, change "R.S. 14:35.3(B)(3)" to "R.S. 14:35.3(B)"

**AMENDMENT NO. 3**

On page 1, at the beginning of line 8, change "14:35.3(B)(4) and (M) are" to "14:35.3(M) is"

**AMENDMENT NO. 4**

On page 1, delete line 12 in its entirety and insert the following:

"(1) "Burning" means an injury to flesh or skin caused by heat, electricity, friction, radiation, or any other chemical or thermal reaction."

"(2) "Community service activities" as used in this Section may include duty in any morgue, coroner's office, or emergency treatment facility, with the consent of the administrator of the morgue, coroner's office, hospital, or facility.

"(3) "Household member" means any person of the opposite sex presently living in the same residence or living in the same residence within five years of the occurrence of the domestic abuse battery with the defendant as a spouse, whether married or not, or any child presently living in the same residence or living in the same residence within five years immediately prior to the occurrence of domestic abuse battery, or any child of the offender regardless of where the child resides."

**AMENDMENT NO. 5**

On page 1, at the beginning of line 13, change "(3)" to "(5)"

**AMENDMENT NO. 6**

On page 1, at the beginning of line 17, change "(4)" to "(5)"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 71—**

BY SENATOR BROOME

AN ACT

To enact Chapter 33-A of Title 13 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:5351 through 5358, relative to mental health court treatment; to provide for a short title; to provide findings; to provide definitions; to provide authority for...
a mental health court treatment program; to provide for eligibility and procedure; to provide for collaboration with established substance abuse treatment programs; to provide for violation, sanctions, dismissal, and discharge of criminal charges; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 71 by Senator Broome

AMENDMENT NO. 1
On page 1, line 7, after "for" delete the remainder of the line and insert "violations and sanctions; to provide for dismissal from the program; to provide relative to the discharge of criminal"

AMENDMENT NO. 2
On page 1, line 15, change "chapter" to "Chapter"

AMENDMENT NO. 3
On page 2, line 29, after "provider," and before "behavioral" delete "or"

AMENDMENT NO. 4
On page 3, at the end of line 1, delete the period "." and insert a comma "," and insert "or case manager."

AMENDMENT NO. 5
On page 3, delete lines 2 through 6 in their entirety

AMENDMENT NO. 6
On page 3, at the beginning of line 7, change "(4)" to "(3)"

AMENDMENT NO. 7
On page 3, line 8, after "defendant has" delete the remainder of the line and insert "pled guilty or has been convicted"

AMENDMENT NO. 8
On page 3, delete lines 11 and 12 in their entirety

AMENDMENT NO. 9
On page 3, at the beginning of line 13, change "(6)" to "(4)"

AMENDMENT NO. 10
On page 3, delete lines 20 and 21 in their entirety

AMENDMENT NO. 11
On page 3, line 22, delete "provisions of this Chapter." and insert the following:

"Each district court by rule may designate one or more divisions to preside over a mental health treatment court program to which alcohol or drug related offenses are assigned, and may establish a program to be administered by the presiding judge or judges thereof or an employee designated by the court."

AMENDMENT NO. 12
On page 3, line 27, change "once" to "if"

AMENDMENT NO. 13
On page 4, at the beginning of line 1, change "Agreement" to "Consent"

AMENDMENT NO. 14
On page 4, at the beginning of line 3, change "Agreement" to "Consent"

AMENDMENT NO. 15
On page 4, line 8, change "past" to "previous"

AMENDMENT NO. 16
On page 4, line 22, change "past" to "previous"

AMENDMENT NO. 17
On page 4, between lines 23 and 24 insert the following:

"B. When appropriate, the imposition of execution of sentence shall be postponed while the defendant is enrolled in the treatment program. As long as the defendant complies with the conditions of his agreement, he shall remain on probation. At the conclusion of the period of probation, the district attorney, on advice of the person providing the probationer's treatment and the probation officer, may recommend that the mental health division take one of the following courses of action:

(1) That the probationer's probation be revoked and the probationer be sentenced if the probationer has not successfully completed the treatment or has violated one or more of the conditions of his probation; or, if already sentenced, that the probation be revoked and the probationer be remanded to the appropriate custodian for service of that sentence.

(2) That the period of probation be extended so that the probationer may continue the program.

(3) That the probationer's conviction be set aside and the prosecution dismissed if the probationer has successfully completed all the conditions of his probation and his treatment agreement. The district attorney shall make the final determination as to whether to request revocation, extension or dismissal."

AMENDMENT NO. 18
On page 4, at the beginning of line 24, change "B." to "C."

AMENDMENT NO. 19
On page 4, line 27, after "sentenced" delete the remainder of the line and insert a period "."

AMENDMENT NO. 20
On page 4, delete line 28 in its entirety

AMENDMENT NO. 21
On page 4, at the beginning of line 29, change "C." to "D."
Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 101—**

**BY SENATOR JOHNS**

AN ACT

To amend and reenact R.S. 22:752(A) and (D)(introductory paragraph), 753(B) and (C), and 936(G)(8)(f) and (g) and (9), and R.S. 44:4.1(B)(11), and to enact R.S. 22:752(E) and (F), 753(D), (E), (F), (G), (H), (I), and (J), and 936(G)(8)(h) and (i) and (J)(7), relative to life insurance reserves; to provide with respect to policies under standard valuation law; to provide relative to standard nonforfeiture law for life insurance; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

Reported 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. 101 by Senator Johns

**AMENDMENT NO. 1**

On page 3, line 16, change "Paragraph (2) of Subsection E of this Section" to "Paragraph (E)(2) of this Section"

**AMENDMENT NO. 2**

On page 4, line 10, change "commissioner's reserve valuation methods" to "Commissioner's Reserve Valuation Methods"

**AMENDMENT NO. 3**

On page 6, line 16, change "reserve valuation methods" to "Reserve Valuation Methods"

**AMENDMENT NO. 4**

On page 18, line 4, delete "(8) of this Subsection"

**AMENDMENT NO. 5**

On page 18, line 10, delete "(8) of this Subsection"

**AMENDMENT NO. 6**

On page 20, line 17, change "," to ",".

**AMENDMENT NO. 7**

On page 22, line 11, following "minimum" and before "in" insert "provided"

**AMENDMENT NO. 8**

On page 23, line 21, delete "(1)"

**AMENDMENT NO. 9**

On page 23, line 22, change "2" to ","
AMENDMENT NO. 10
On page 24, line 13, change "Paragraphs (1) and (4) of Subsection G" to "Paragraphs (G)(1) and (4)"

AMENDMENT NO. 11
On page 25, line 15, change "Paragraphs (1) and (4) of Subsection G" to "Paragraphs (G)(1) and (4)"

AMENDMENT NO. 12
On page 26, line 12, change "At" to "Has at"

AMENDMENT NO. 13
On page 26, line 13, change "A" to "Meets the"

AMENDMENT NO. 14
On page 26, line 17, following "risks" and before "and" insert ","

AMENDMENT NO. 15
On page 27, line 7, change "where" to "when"

AMENDMENT NO. 16
On page 27, line 9, change "where" to "when"

AMENDMENT NO. 17
On page 28, line 9, change "commissioners" to "commissioner's"

AMENDMENT NO. 18
On page 28, line 14, change "commissioners" to "commissioner's"

AMENDMENT NO. 19
On page 28, line 27, change "commissioners" to "commissioner's"

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 129—
BY SENATOR JOHN SMITH
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 a public employee; to provide relative to Hospital Service District Number Two of Beauregard Parish; to provide for retroactive application; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on House and Governmental Affairs to Engrossed Senate Bill No. 129 by Senator John Smith

AMENDMENT NO. 1
On page 1, at the end of line 9, change "exception" to "exceptions"

AMENDMENT NO. 2
On page 1, at the end of line 15, delete the period "," and add "or the student's Individualized Education Plan indicates that the test is an appropriate assessment instrument for the student:"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.
AMENDMENT NO. 5
On page 2, line 3, change "retroactive" to "prospective and retroactive"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 134—
BY SENATORS MORRELL AND HEITMEIER AND REPRESENTATIVE KLECKLEY
AN ACT
To enact R.S. 36:259(E)(25) and Chapter 60 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:3701 through 3718, relative to behavior analysts; to create the Louisiana Behavior Analyst Board within the Department of Health and Hospitals; to provide for the Behavior Analyst Practice Act; to provide for definitions; to provide for the Louisiana Behavior Analyst Board and provide for its powers and duties; to provide for the requirements of licensure, state certification, or registration; to provide for the qualifications for licensure and state certification; to provide for issuance and renewal of licenses and state certificates; to provide for reinstatement of licenses and state certificates; to provide for the filing of licenses and state certificates; to provide for the denial, revocation, or suspension of licenses and state certificates; to provide for continuing education; to provide for fees; to provide for certain exceptions; to provide for penalties; to provide for filing of licenses and state certificates; to provide for the termination of the Louisiana Behavior Analyst Board; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 135—
BY SENATORS RISER AND THOMPSON
AN ACT
To amend and reenact R.S. 28:54(B) and R.S. 40:1379.3(C)(13), and to enact R.S. 13:752 and R.S. 28:57, relative to possession of weapons and permits to carry concealed weapons; to provide relative to certain judicial proceedings and reports; to provide for mandatory reporting of certain information regarding persons ineligible to possess, ship, transport or receive firearms or to apply for a permit to carry a concealed weapon by virtue of certain state and federal law; to provide for mandatory reporting of involuntary judicial commitments or certain adjudications for certain offenses; to provide procedures by which such information shall be reported to the Louisiana Supreme Court and to the National Instant Criminal Background Check System database; to provide procedures by which such petitions shall be filed, heard, recorded, and reported to the Louisiana Supreme Court and to the National Instant Criminal Background Check System; to provide for the effects of judgments in such proceedings; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS
Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 135 by Senator Riser

AMENDMENT NO. 1
On page 2, line 8, following "(g)(4)" and before "by" delete "."

AMENDMENT NO. 2
On page 2, line 18, following "adjudication" and before "or" insert "."

AMENDMENT NO. 3
On page 2, line 24, following "availability" and before "or" insert "."

AMENDMENT NO. 4
On page 2, line 29, change "which" to "that"

AMENDMENT NO. 5
On page 3, line 7, change "Alias names" to "Aliases"

AMENDMENT NO. 6
On page 3, line 9, change "Hearing" to "The hearing"

AMENDMENT NO. 7
On page 3, line 26, change "same" to "it"

AMENDMENT NO. 8
On page 4, line 9, change "; and" to ";

AMENDMENT NO. 9
On page 5, line 6, following "System" delete ".

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 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.

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

The committee amendments were read as follows:
HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on Natural Resources and Environment to Reengrossed Senate Bill No. 139 by Senator Ward

AMENDMENT NO. 1
On page 2, delete line 27 in its entirety

AMENDMENT NO. 2
On page 2, line 28, change "(dd)" to "(cc)"

AMENDMENT NO. 3
On page 3, line 1, change "(ee)" to "(dd)"

AMENDMENT NO. 4
On page 3, line 2, change "(ff)" to "(ee)"

AMENDMENT NO. 5
On page 3, line 4, change "(gg)" to "(ff)"

AMENDMENT NO. 6
On page 3, line 8, change "(hh)" to "(gg)"

   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. 139 by Senator Ward

AMENDMENT NO. 1
On page 3, line 11, change "(ii)" to "(hh)"

   On motion of Rep. Dove, the amendments were adopted.
   On motion of Rep. Dove, the bill, as amended, was ordered passed to its third reading.
   Under the rules, placed on the regular calendar.

SENATE BILL NO. 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.
   Reported with amendments by the Committee on House and Governmental Affairs.

   The committee amendments were read as follows:

   HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on House and Governmental Affairs to Reengrossed Senate Bill No. 148 by Senator LaFleur

AMENDMENT NO. 1
On page 1, line 3, change "professional" to "attest"

AMENDMENT NO. 2
On page 1, line 16, change "professional" to "attest"

   Reported without amendments by the Legislative Bureau.
   On motion of Rep. Tim Burns, the amendments were adopted.
   On motion of Rep. Tim Burns, the bill, as amended, was ordered passed to its third reading.
   Under the rules, placed on the regular calendar.

SENATE BILL NO. 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.
   Reported favorably by the Committee on Administration of Criminal Justice.
   Reported with amendments by the Legislative Bureau.

LEGISLATIVE BUREAU AMENDMENTS
Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 180 by Senator Erdey

AMENDMENT NO. 1
On page 2, line 25, change "then be turned" to "turn the matter"

AMENDMENT NO. 2
On page 3, line 1, following "fraud" delete ","

AMENDMENT NO. 3
On page 3, line 7, change "Identification Center" to "Information Center,"

   On motion of Rep. Lopinto, the amendments were adopted.
   On motion of Rep. Lopinto, the bill, as amended, was ordered passed to its third reading.
   Under the rules, placed on the regular calendar.

SENATE BILL NO. 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.
   Reported favorably by the Committee on House and Governmental Affairs.
Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

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

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

**SENATE BILL NO. 5—**

BY SENATOR LAFLEUR

A JOINT RESOLUTION

Proposing to amend Article V, Section 23 of the Constitution of Louisiana, relative to retirement of judges; to remove the mandatory retirement age of judges; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

Reported favorably by the Committee on Judiciary.

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

**SENATE BILL NO. 10—**

BY SENATOR GUILLORY

AN ACT

To amend and reenact R.S. 11:2178(M)(1)(a)(ii) and to enact R.S. 243, and 2178(M)(1)(d), relative to statewide retirement systems; to provide for cost-of-living adjustments and permanent benefit increases; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Retirement.

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

**SENATE BILL NO. 44—**

BY SENATOR NEVERS

AN ACT

To enact R.S. 33:2740.18, relative to the city of Bogalusa; to authorize the city to levy a provider fee upon hospitals in the city and for use and distribution of the proceeds; 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. 44 by Senator Nevers

**AMENDMENT NO. 1**

On page 1, line 3, after "in the city" delete the remainder of the line and insert a comma "," and "subject to voter approval; to provide for the use and distribution of fee proceeds;"

**AMENDMENT NO. 2**

On page 2, at the end of line 19, delete the period "." and insert a semi-colon ";" and "however, the fee shall be imposed only after the question of its imposition has been approved by a majority of the qualified electors in the city of Bogalusa who vote on a proposition authorizing the fee at an election held for that purpose in accordance with the Louisiana Election Code."

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

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

**Reconsideration**

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

**HOUSE BILL NO. 101—**

BY REPRESENTATIVE HARRISON

A JOINT RESOLUTION

Proposing to amend Article IV, Section 9 of the Constitution of Louisiana, to require the state treasurer to redirect an appropriation to the state entity which has the legal authority to perform the purpose, function, or program being funded by the appropriation; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

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

Returned to the calendar under the rules.

**HOUSE BILL NO. 102—**

BY REPRESENTATIVE HARRISON

A JOINT RESOLUTION

Proposing to add Article III, Section 16(F) of the Constitution of Louisiana, relative to an appropriation bill; to prohibit an appropriation bill from affecting laws except when directly related to an expenditure; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

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

Returned to the calendar under the rules.

**Suspension of the Rules**

On motion of Rep. Montoucet, the rules were suspended in order to take up and consider House and House Concurrent Resolutions on Third Reading for Final Consideration at this time.

**House and House Concurrent Resolutions on Third Reading for Final Consideration**

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

**HOUSE CONCURRENT RESOLUTION NO. 122—**

BY REPRESENTATIVE MONTOUCE AND SENATOR THOMPSON

A CONCURRENT RESOLUTION

To direct the Department of Health and Hospitals to submit to the Centers for Medicare and Medicaid Services on or before
February 1, 2014, an application for a Section 1115 Medicaid demonstration waiver that will allow the use of costs not otherwise matchable authority to receive federal matching funds for designated state and local health programs and to reinvest unencumbered state funds into the Medicaid program.

Read by title.

Rep. Montoucet moved the adoption of the resolution.

By a vote of 94 yeas and 0 nays, the resolution was adopted.

Ordered to the Senate.

Suspension of the Rules

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

House Bills and Joint Resolutions on Third Reading and Final Passage

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

Regular Calendar

HOUSE BILL NO. 726 (Substitute for House Bill No. 455 by Representative Leger)—BY REPRESENTATIVE LEGER

AN ACT

To enact R.S. 47:6016.1, relative to tax credits; to provide with respect to the Louisiana New Markets Jobs Act; to authorize a premium tax credit for investments in low-income community development; to provide for the amount of the tax credit; to provide for eligibility for and usage of the tax credit; 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. 726 by Representative Leger

AMENDMENT NO. 6

On page 8, line 19, change "six month" to "six-month"

AMENDMENT NO. 7

On page 9, lines 7-8, change "six month" to "six-month"

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

Suspension of the Rules

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Leger to Engrossed House Bill No. 726 by Representative Leger

AMENDMENT NO. 1

On page 5, line 11, change "thirty" to twenty"

AMENDMENT NO. 2

On page 6, line 14, change "November 1" to "August 1"

AMENDMENT NO. 3

On page 6, line 17, change "September 2" to "August 1"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Danahay

Abramson Dixon

Adams Dove

Anders Foil

Armes Franklin

Arnold Gaines

Badon Garofalo

Barras Guinn

Barrow Guillory

Benthetol Harrison

Billiot Hazel

Broadwater Hill

Brossett Hoffmann

Brown Honore

Burns, H. Howard

Burns, T. Hunter

Burrell Jackson, G.

Carmody Jackson, K.

Carter Jefferson

Chaney Johnson

Cox Jones

Total - 65

Landry, T.

Leger

Leopold

Lorusso

Moreno

Norton

Pierre

Ponti

Price

Pugh

Ritchie

Robideaux

Schexnayder

Smith

St. Germain

Thierry

Thompson

Whitney

Williams, A.

Williams, P.

Willmott

815
Bishop, S. Hollis Ortego
Burford Huval Pylant
Champagne Ivey Reynolds
Connick James Richard
Cromer Lambert Schroder
Edwards Landry, N. Seabaugh
Fannin Mack Shadoin
Harris Miller Simon
Havard Montoucet Talbot
Henry Morris, Jay
Hensgens Morris, Jim

Total - 31

ABSENT

Geymann Lopinto Stokes
Greene Pearson Thibaut
Hodges LeBas Pope

Total - 9

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Consent to Correct a Vote Record

Rep. Tim Burns requested the House consent to correct his vote on final passage of House Bill No. 726 from nay to yea, which consent was unanimously granted.

Suspension of the Rules

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

Petitions, Memorials, and Communications

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

Message from the Senate

AS:)KING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS

May 16, 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 No. 96

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Senate Concurrent Resolutions

Lying Over

The following Senate Concurrent Resolutions contained in the message were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 96—

BY SENATOR ALARIO AND REPRESENTATIVES ABRAMSON, ADAMS, ANDERS, ARMES, ARNOLD, BACON, BARRAS, BARRROW, BERTHELLOT, BILLIOT, STUART BISHOP, WESLEY BISHOP, BROADWATER, BROSSERT, BROWN, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, CHANEY, CONNICK, COX, CROMER, DANAHAY, DIXON, DOVE, EDWARDS, FANNIN, FOIL, FRANKLIN, GAINES, GAROFALO, GEYMA11, GISCLAIR, GREENE, GUILLORY, GUINN, HARRIS, HARRISON, HAVARD, HAZEL, HENRY, HENSGENS, HILL, HODGES, HOFFMANN, HOLLIS, HONORE, HOWARD, HUNTER, HUVAL, IVET, GIROD JACKSON, KATRINA JACKSON, JAMES, JEFFERSON, JONES, KLECKLEY, LAMBERT, NANCY LANDRY, TERRY LANDRY, LEBS, LEGER, LEOPOLD, LOPINTO, LORUSSO, MACK, MILLER, MONTOUCET, MORENO, JAY MORRIS, JIM MORRIS, NORTON, ORTEGO, PEARSON, PIERRE, PONTI, POPE, PRICE, PUGH, PYLANT, REYNOLDS, RICHARD, RITCHIE, ROBIDEAUX, SCHENNYDER, SCHRODER, SEABAUGH, SHADON, SIMON, SMITH, ST. GERMAIN, STOKES, TALBOT, THIBAUT, THIERRY, THOMPSON, WHITNEY, ALFRED WILLIAMS, PATRICK WILLIAMS AND WILLMOTT

A CONCURRENT RESOLUTION

To commend and congratulate Rachel Elizabeth Schultz on her reign as the seventy-sixth Greater New Orleans Floral Trail Queen for 2012-2013.

Read by title.

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

Suspension of the Rules

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

House Bills and Joint Resolutions on Third Reading and Final Passage

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

Regular Calendar

HOUSE BILL NO. 727 (Substitute for House Bill No. 53 by Representative Seabaugh)—

AN ACT

To amend and reenact R.S. 11:701(33)(a)(iv), (v)(aa), (vii), and (x), relative to membership in the Teachers' Retirement System of Louisiana; to prohibit membership by employees of certain employers hired on or after a certain date; and to provide for related matters.

Read by title.

Motion

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


By a vote of 64 yeas and 30 nays, the House agreed to order the previous question on the entire subject matter.

Rep. Talbot moved the final passage of the bill.
ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker  Garofalo  Morris, Jay
Adams  Greene  Morris, Jim
Anders  Harris  Pearson
Barras  Harrison  Ponti
Berthelot  Havard  Pope
Bishop, S.  Henry  Pugh
Burbord  Hensgens  Pylant
Burns, H.  Hodges  Richard
Burns, T.  Hoffmann  Robideaux
Carmody  Hollis  Schexnayder
Carter  Howard  Schroder
Champagne  Huval  Seabaugh
Chaney  Ivey  Shadoin
Connick  Lambert  Simon
Cromer  Landry, N.  Talbot
Danahey  Leopold  Thibaut
Dove  Lorusso  Thompson
Fannin  Mack  Whitney
Foil  Miller  Willmott
Total - 57

NAYS

Abramson  Gisclair  Montoucet
Armes  Guillory  Moreno
Arnold  Gunn  Norton
Badon  Hazel  Pierre
Barrow  Honore  Price
Billiot  Hunter  Reynolds
Broadwater  Jacko, G.  Ritchie
Brossett  Jackson, K.  Smith
Brown  James  St. Germain
Cox  Jefferson  Thierry
Dixon  Johnson  Williams, A.
Edwards  Jones  Williams, P.
Franklin  Landry, T.  Willmott
Gaines  Leger  Total - 40

ABSENT

Bishop, W.  Hill  Ortego
Burrell  LeBas  Stokes
Geymann  Lopinto
Total - 8

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Talbot 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. 728 (Substitute for House Bill No. 606 by Representative Cromer)—

BY REPRESENTATIVE CROMER

AN ACT

To amend and reenact R.S. 23:1121(B)(1) and (5), 1124, 1226(B)(3), 1310.8(B), and 1314(E), and to enact R.S. 23:1021(13) and 1201.1, relative to workers' compensation; to provide for disputes; and to provide for related matters.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Cromer gave notice of his intention to call House Bill No. 728 from the calendar on Tuesday, May 21, 2013.

Suspension of the Rules

On motion of Rep. Hensgens, the rules were suspended in order to take up and consider House Bill No. 215 at this time.

HOUSE BILL NO. 215—

BY REPRESENTATIVE HENSGENS

AN ACT

To amend and reenact R.S. 56:116.3(A)(1)(c), relative to hunting animals; to prohibit taking deer while the animal is swimming or the hunter is in a vessel; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

On motion of Rep. Hensgens, the bill was withdrawn from the files of the House.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Thompson gave notice of his intention to call House Bill No. 698 from the calendar on Tuesday, May 21, 2013.

HOUSE BILL NO. 49—

BY REPRESENTATIVE PEARSON

AN ACT

To amend and reenact R.S. 11:3362, 3376(A) and (B), 3377(A)(introductory paragraph), and 3382(A), relative to the Firefighters' Pension and Relief Fund in the city of New Orleans; to provide relative to the board of trustees of the fund; to provide for the membership of the board; to provide for election of certain members; to provide for the terms of the members; to provide relative to the duties and authority of the members; to provide relative to the powers of the board with respect to certain benefits; 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. 49 by Representative Pearson

AMENDMENT NO. 1

On page 2, line 5, change "city council" to "City Council"
AMENDMENT NO. 2
On page 2, line 25, change “which” to “that”

AMENDMENT NO. 3
On page 3, line 10, change “which” to “that”

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

Motion
Rep. Arnold moved to table the bill.
As a substitute motion, Rep. Pearson moved that the bill be returned to the calendar, as amended.
The vote recurred on the substitute motion.

By a vote of 16 yeas and 76 nays, the House refused to return the bill to the calendar.

Rep. Arnold insisted on his motion to table the bill.

By a vote of 81 yeas and 9 nays, the House agreed to table the bill.

HOUSE BILL NO. 661—
BY REPRESENTATIVE WESLEY BISHOP
AN ACT
To amend and reenact R.S. 17:3973(2)(a) and (b)(v)(aa), 3991(B)(1)(d) and (23) and (H), 3995(A)(1)(introductory paragraph) and (c) and (B), and 3996(C) and (G) and to enact R.S. 17:3973(2)(b)(v)(dd)(vi) and (vii) and 3995(A)(3), (H), (I), and (J), relative to charter schools; to create a Type 3B charter school; to provide relative to charter school funding including funding for Type 3B charter schools; to provide for the applicability of certain provisions to Type 3B schools including student enrollment, acquired assets, and budget submission; to provide that a Type 5 charter school shall be considered the local education agency for funding purposes; to provide for rules adopted by the State Board of Elementary and Secondary Education; to provide for definitions; and to provide for related matters.

Called from the calendar.

Read by title.

Motion
On motion of Rep. Wesley Bishop, the bill was returned to the calendar.

Notice of Intention to Call

Suspension of the Rules
On motion of Rep. Smith, the rules were suspended in order to take up and consider House and House Concurrent Resolutions on Third Reading for Final Consideration at this time.

House and House Concurrent Resolutions on Third Reading for Final Consideration

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

HOUSE 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.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS
Amendments proposed by Representative Smith to Engrossed House Concurrent Resolution No. 90 by Representative Smith

AMENDMENT NO. 1
On page 3, between lines 3 and 4, insert the following:

“(14) The executive director of PICO Louisiana Interfaith Together or his designee.”

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

Rep. Smith moved the adoption of the resolution, as amended.

By a vote of 91 yeas and 0 nays, the resolution, as amended, was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 91—
BY REPRESENTATIVE SMITH
A CONCURRENT RESOLUTION
To create the Task Force on Bullying Prevention in Public Schools to study the procedures and processes by which incidents of bullying are reported and investigated and to provide for submission of a written report of task force findings, conclusions, and recommendations to 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.

Called from the calendar.

Read by title.

Rep. Smith moved the adoption of the resolution.

By a vote of 93 yeas and 0 nays, the resolution was adopted.

Ordered to the Senate.
Suspension of the Rules

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

House Bills and Joint Resolutions on Third Reading and Final Passage

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

Regular Calendar

Suspension of the Rules

On motion of Rep. Harrison, the rules were suspended in order to take up and consider House Bill No. 102 at this time.

HOUSE BILL NO. 102—
BY REPRESENTATIVE HARRISON

Proposing to add Article III, Section 16(F) of the Constitution of Louisiana, relative to an appropriation bill; to prohibit an appropriation bill from affecting laws except when directly related to an expenditure; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Harrison moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker
Adams
Anders
Armes
Arnold
Badon
Barrow
Berthelot
Billiot
Bishop, S.
Brossett
Brown
Burns, H.
Burns, T.
Burrell
Carmody
Champagne
Chaney
Connick
Cromer
Danahey
Dixon
Dove
Edwards
Foil
Franklin
Gaines

Garafalo
Gisclair
Greene
Guilory
Guinn
Harris
Harrison
Havard
Hazel
Henry
Hodges
Hoffmann
Hollis
Honore
Howard
Hunter
Jackson, G.
Jackson, K.
James
Jefferson
Johnson
Jones
Lambert
Landry, N.
Landry, T.
LeBas
Leger
Leopold

Lorusso
Mack
Miller
Montoucet
Morris, Jim
Norton
Pearson
Pierre
Ponti
Pope
Price
Pugh
Reynolds
Richard
Ritchie
Schexnayder
Scherder
Shadoin
Smith
St. Germain
Talbot
Thibaut
Thierry
Williams, A.
Williams, P.
Willmott

NAYS

Abramson
Broadwater
Carter
Fannin

Hensgens
Ivey
Morris, Jay
Robideaux

Seabuagh
Simon
Thompson
Whitney

ABSENT

Barras
Bishop, W.
Cox
Geymann

Hill
Huval
Lopinto
Moreno

Ortego
Polantu
Stokes

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.

Consent to Correct a Vote Record

Rep. Leger requested the House consent to record his vote on final passage of House Bill No. 102 as yea, which consent was unanimously granted.

Consent to Correct a Vote Record

Rep. Broadwater requested the House consent to correct his vote on final passage of House Bill No. 102 from yea to nay, which consent was unanimously granted.

Suspension of the Rules

On motion of Rep. Harrison, the rules were suspended in order to take up and consider House Bill No. 101 at this time.

HOUSE BILL NO. 101—
BY REPRESENTATIVE HARRISON

Proposing to amend Article IV, Section 9 of the Constitution of Louisiana, to require the state treasurer to redirect an appropriation to the state entity which has the legal authority to perform the purpose, function, or program being funded by the appropriation; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

On motion of Rep. Harrison, the bill was withdrawn from the files of the House.

Suspension of the Rules

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage

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

Regular Calendar
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 vehicle 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.

Rep. Carmody moved the final passage of the bill.

ROLL CALL
The roll was called with the following result:

YEAS
Mr. Speaker Gisclair Lorusso
Adams Greene Mack
Armes Guillory Miller
Arnold Guinn Montoucet
Badon Harris Morris, Jay
Barras Harrison Morris, Jim
Berthelot Havel Norton
Billiot Hazel Ortego
Bishop, S. Henry Pierre
Bishop, W. Hensgens Ponti
Brossett Hodges Price
Brown Hoffmann Pugh
Burns, H. Honore Pylant
Burns, T. Howard Ritchie
Burrell Hunter Robertson
Carmody Hual Schexnayder
Carter Ivey Schroder
Chamagne Jackson, G. Seabaugh
Chaney Jackson, K. Shadoe
Connick James Smith
Cromer Jefferson Simon
Dunahay Johnson St. Germain
Dixon Johnson Talbot
Dove Lambert Thibaut
Edwards Landry, N. Thierry
Fannin Landry, T. Thompson
Foil LeBas Whitney
Franklin Leger Williams, A.
Gaines Leopold Williams, P.
Garofalo Lopinto Willmott
Total - 93

NAYS

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 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.

Rep. Ponti moved the final passage of the bill.

ROLL CALL
The roll was called with the following result:

YEAS
Mr. Speaker Foil Lorusso
Abramson Franklin Mack
Adams Gaines Miller
Anders Garofalo Montoucet
Armes Gisclair Morris, Jay
Arnold Greene Morris, Jim
Badon Guillory Norton
Barras Harris Ortego
Barrow Havid Pearl
Berthelot Hazel Pierre
Billiot Hensgens Ponti
Bishop, S. Hodges Price
Bishop, W. Dixie Pugh
Broadwater Howard Pylant
Brown Hunter Reynolds Ritchie
Burns, H. Ivey Robideaux
Burns, T. Jackson, G. Schexnayder
Burrell Jackson, K. Schroder
Carmody James Seabaugh
Carter Jefferson Smith
Chamagne Johnson St. Germain
Chaney Jones Talbot
Connick Landry, N. Thierry
Cromer Landry, T. Whitney
Dunahay LeBas Williams, A.
Dixon Leger Williams, P.
Dove Leopold Willmott
Edwards Total - 89

NAYS

Fannin Hoffmann Simon
Guinn Shadoe Thompson
Total - 6

ABSENT

Cox Hill Stokes
Geymann Lambert Thibaut
Harrison Moreno
Henry Total - 10

The Chair declared the above bill was finally passed.

Rep. Ponti moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.
Consent to Correct a Vote Record

Rep. Hodges requested the House consent to correct her vote on final passage of Senate Bill No. 81 from nay to yea, which consent was unanimously granted.

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. 32:1254(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.

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

HOUSE FLOOR AMENDMENTS
Amendments proposed by Representative Abramson to Reengrossed Senate Bill No. 136 by Senator Chabert

AMENDMENT NO. 1
On page 1, line 3, after "1261(A)(1)(x)," and before "and to" change "1262(B)(8), and 1283," to "and 1262(B)(8),"

AMENDMENT NO. 2
On page 1, line 6, after "backs;" delete the remainder of the line and on line 7, delete "regards to a vehicle protection product warranty;"

AMENDMENT NO. 3
On page 1, line 10, after "1261(A)(1)(x)," and before "are" change "1262(B)(8), and 1283" to "and 1262(B)(8)

AMENDMENT NO. 4
On page 15, delete lines 10 through 14 in their entirety

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker
Abramson
Adams
Anders
Arms
Badon
Barras
Barrow
Berthelot
Billiot
Bishop, S.
Bishop, W.
Broadwater
Brossett
Brown
Burns, H.
Burns, T.
Burrell
Carmody
Carter
Champagne
Chaney
Connick
Cromer
Danahay
Dixon
Dove
Edwards
Famin
Foil Franklin

Hoffmann
Hollis
Honore
Howard
Hunter
Huval
Ivey
Jackson, G.
James
Jefferson
Johnson
Jones
Lambert
Landry, N.
Landry, T.
LeBas
Leger
Leopold
Lopinto

Mack
Miller
Montoucet
Morris, Jay
Morris, Jim
Norton
Ortego
Pearson
Pierz
Ponti
Price
Pugh

Mack
Miller
Montoucet
Morris, Jay
Morris, Jim
Norton
Ortego
Pearson
Pierz
Ponti
Price
Pugh

Total - 96

NAYS

Total - 0

ABSENT

Arnold
Cox
Geymann

Hill
Jackson, K.
Moreno

Pope
Richard
Stokes

Total - 9

The Chair declared the above bill was finally passed.

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

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.

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

HOUSE FLOOR AMENDMENTS
Amendments proposed by Representative Gisclair to Reengrossed Senate Bill No. 147 by Senator Erdey

AMENDMENT NO. 1
On page 1, line 4, after "motor vehicle;" insert "to provide for exclusions from certain definitions;"

AMENDMENT NO. 2
On page 2, line 11, after "devices,;" and before "or" insert "two-way radio transmitters or receivers used by licensees of the Federal Communication Commission in the Amateur Radio Service;"

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

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

The roll was called with the following result:

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<td>Mr. Speaker</td>
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Total - 94

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ABSENT

| Cox | Havard Moreno |
| Gaines | Hill Richard |
| Geymann | LeBas Stokes |
| Greene | Montoucet |

Total - 11

The Chair declared the above bill was finally passed.

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

### 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.

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

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Dove to Engrossed Senate Bill No. 161 by Senator Chabert

**AMENDMENT NO. 1**

On page 2, line 4, change "Dealers" to "Distributors"

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

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

### ROLL CALL

The roll was called with the following result:

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Total - 98

<table>
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<th>NAYS</th>
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<tbody>
<tr>
<td>Total - 0</td>
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</tbody>
</table>

ABSENT

| Cox | Hill Stokes |
| Geymann | Moreno |
| Greene | Richard |

Total - 7

The Chair declared the above bill was finally passed.

Rep. Dove 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.

822
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.

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

Notice of Intention to Call

SENATE BILL NO. 190—
BY SENATOR GALLOTT
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.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Katrina Jackson to Reengrossed Senate Bill No. 190 by Senator Galloott

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 6:325," and before "767" insert "653.4, 664(A)," and after "banks" and before "and" insert a comma "," and "credit union;"

AMENDMENT NO. 2

On page 1, at the beginning of line 4, after "bank" and before "or" insert a comma "," and "credit union;"

AMENDMENT NO. 3

On page 1, line 5, after "bank" and before "or" insert a comma "," and "credit union;"

AMENDMENT NO. 4

On page 1, line 9, after "R.S. 6:325," and before "767" insert "653.4, 664(A)."

AMENDMENT NO. 5

On page 4, between lines 4 and 5, insert the following:

"§653.4. Death of member or account owner; access and transfer of accounts, shares and property to succession representative, heirs, legatees, and legal representative

A. For all purposes, credit union may conduct business in accordance with its bylaws, membership agreements, and other relevant contract terms concerning a deceased person member or depositor until it receives written notice specifically addressed to it of the person's death of the member or depositor that identifies therein the accounts, shares, all accrued interest or dividends, safe deposit boxes and their contents, and any other property, either on deposit or otherwise in the credit union's possession, that are standing in the deceased's name of the deceased member or depositor or in which the deceased member or depositor has an interest.

B. (1) Except as provided in R.S. 6:664, a credit union may transfer property standing in a deceased's name or in which a deceased has an interest to succession representatives, surviving spouse, heirs, or legatees of the deceased, as the case may be, upon proof of authority therefor. If a judgment places the property into possession of a person sui juris, a credit union may transfer the property to that person's legal representative upon additionally receiving proof of authority of the legal representative. In addition to the provisions of R.S. 6:664, upon receipt of letters testamentary, letters of administration, or letters of independent administration, issued by a court of competent jurisdiction, appointing any authorized succession representative, a credit union may grant access to or allow the transfer of contents of a safety deposit box or money or other property titled in the name of its deceased member or depositor to the succession representative.

(2) The credit union may continue to follow the direction of the authorized succession representative related to the safety deposit box or money or other property of its deceased member or depositor, unless and until the credit union receives a subsequent order issued by a court of competent jurisdiction specifically naming and directing the credit union to cease following the direction of the succession representative, or the credit union receives a subsequent order issued by a court of competent jurisdiction limiting or terminating the authority of or replacing the succession representative.

(3) A judgment of possession issued by a court of competent jurisdiction recognizing and putting the legatees or heirs in possession of the estate of its deceased member or depositor shall constitute full and proper authority for the credit union holding a safety deposit box or money or other property to transfer those assets to the legatees or heirs entitled to such property under the judgment of possession.

C. Letters issued to succession representative(s) by a court of competent jurisdiction, letters issued to the legal representative of persons sui juris by a court of competent jurisdiction, and a judgment rendered by a court of competent jurisdiction recognizing and placing in possession the surviving spouse, the heirs, and/or the legatees of the deceased constitutes proper authority to transfer property in accordance with this Section. Conclusive proof to a credit union of the letters testamentary, letters of administration, letters of independent administration of the succession representative or judgment of possession issued by a court of competent jurisdiction and of the jurisdiction of the court rendering same of possession issued by a court of competent jurisdiction shall result from copies thereof, duly certified when rendered by a court of this state, or certified according to the Acts of Congress when rendered by a court of any possession or dependency of the United States, or certified according to the law of the place with the genuineness of the certification attested by a consular agent of the United States when rendered by a court of any foreign country.

D. A receipt obtained by the credit union for the property transferred may be in any form, but must be signed, as the case may be, by the succession representative(s) accompanied by a certified copy of the letters or by the surviving spouse, heirs, and/or legatees accompanied by a certified copy of the letters of administration, or any other document conveying authority of or replacing the succession representative, and placing them into possession of the said property and, when a judgment places the property into possession of a person sui juris, the
receipt must be signed in his stead by his legal representative and additionally accompanied by a certified copy of the letters of tutorship or curatorship.

E. Transfers made and receipted for in accordance herewith with the provisions of this Section shall constitute full protection to a credit union as to any heir, legatee, surviving spouse, creditor, those who are sui juris or other person having rights or claims to the transferred funds or property, claims related to such activity or transaction and the credit union shall have no liability to the state of Louisiana for any taxes due thereon.

§664. Money deposited in a multiple party account

A. When in addition to the provisions of R.S. 6:534.4, when a deposit in a share account is made in any credit union under the names of two or more members payable to any one of such members, that share account or any part of it or any interest or dividend on it may be paid to any one of such members, whether the other member or members be living or not, and the receipt or acquittance of the member paid is a full release and discharge of the credit union as to any heir, legatee, creditor, or other person having rights or claims to funds of such deceased member for any payment made; nor shall any credit union paying any such member in accordance with the provisions of this Section thereby be liable for any estate, inheritance, or succession taxes that may be due this state. However, a credit union which has received notice addressed to it in writing of the death of any such account owner shall thereafter report payments made out of the account to the secretary of the Department of Revenue within fifteen days after payment is made.

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker 
Adams 
Anders 
Armes 
Arnold 
Badon 
Barras 
Barrow 
Berthelot 
Billiot 
Bishop, S. 
Bishop, W. 
Broadwater 
Brossett 
Brown 
Burford 
Bruns, H. 
Bruns, T. 
Burrell 
Cambry 
Carter 
Champagne 
Chaney 
Connick 
Cromer 
Danahay 
Dixon 
Dove 
Edwards 
Fannin 
Feil 
Franklin 

Lorusso 
Mack 
Miller 
Montoucet 
Morris, Jay 
Morris, Jim 
Norton 
Ortego 
Pierre 
Ponc 
Price 
Pugh 
Pylant 
Ritchie 
Howard 
Hunter 
Hual 
Ivey 
Jackson, G. 
Jackson, K. 
Jefferson 
Johnson 
Jones 
Lambert 
Landry, N. 
Landry, T. 
LeBas 
Leger 
Leopold 
Lopinto 

NAYS

Abramson 
Adams 
Anders 
Armes 
Arnold 
Badon 
Barras 
Barrow 
Burrell 
Bishop, S. 
Bishop, W. 
Broadwater 
Brossett 
Brown 
Bruns, H. 
Bruns, T. 
Burrell 
Cambry 
Carter 
Champagne 
Chaney 
Connick 
Cromer 
Danahay 
Dixon 
Dove 
Edwards 
Fannin 
Feil 
Franklin 

Garofalo 
Gisclair 
Guillory 
Guin 
Harris 
Harrison 
Havard 
Hazel 
Henry 
Hensgens 
Hodges 
Hoffmann 
Hollis 
Honore 
Howard 
Hunter 
Hual 
Ivey 
Jackson, G. 
Jackson, K. 
Jefferson 
Johnson 
Jones 

Landry, N. 
Thompson 
Whitney 
Williams, A. 
Williams, P. 
Willmott 

NAYS

Abramson 
Adams 
Anders 
Armes 
Arnold 
Badon 
Barras 
Barrow 
Berthelot 
Billiot 
Bishop, S. 
Bishop, W. 
Broadwater 
Brossett 
Brown 
Bruns, H. 
Bruns, T. 
Burrell 
Cambry 
Carter 
Champagne 
Chaney 
Connick 
Cromer 
Danahay 
Dixon 
Dove 
Edwards 
Fannin 
Feil 
Franklin 

Lambert 
Landry, N. 
Gisclair 
Guillory 
Guin 
Harris 
Harrison 
Havard 
Hazel 
Henry 
Hensgens 
Hodges 
Hoffmann 
Hollis 
Honore 
Howard 
Hunter 
Hual 
Ivey 
Jackson, G. 
Jackson, K. 
Jefferson 
Johnson 
Jones 

Landry, N. 
Thierry 

ABSENT

Cox 
Ceymann 
Geymann 
Greene

Moreno 
Reynolds 
Pope 
Richard

Stokes

The Chair declared the above bill was finally passed.

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

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.

Rep. Brossett moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Abramson 
Adams 
Anders 
Armes 
Arnold 
Badon 
Barras 
Barrow 
Berthelot 
Billiot 
Bishop, S. 
Bishop, W. 
Broadwater 
Brossett 
Brown 
Bruns, H. 
Bruns, T. 
Burrell 
Cambry 
Carter 
Champagne 
Chaney 
Connick 
Cromer 
Danahay 

Garofalo 
Gisclair 
Guillory 
Guin 
Harris 
Harrison 
Havard 
Hazel 
Henry 
Hensgens 
Hodges 
Hoffmann 
Hollis 
Honore 
Howard 
Hunter 
Hual 
Ivey 
Jackson, G. 
Jackson, K. 
Jefferson 
Johnson 
Jones 

Lambert 
Landry, N. 
Landry, T. 
LeBas 
Leger 
Leopold 
Lopinto 

Miller 
Montoucet 
Morris, Jay 
Norton 
Ortego 
Pearson 
Ponti 
Pope 
Price 
Pugh 
Pylant 
Reynolds 
Ritchie 
Robideaux 
Schexnayder 
Schroder 
Seabaugh 
Shado

Schrader 
St. Germain 
Thibaut 
Thierry 

Thompson

824
SENATE BILL NO. 53—
BY SENATOR ERDEY
AN ACT
To amend and reenact R.S. 22:1573(L), relative to continuing education requirements for title insurance producers; to provide for required hours of instruction for license renewal; and to provide for related matters.

Read by title.

Rep. Brossett moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Gaines Mack
Abramson Garofalo Miller
Adams Gisclair Montoucet
Anders Armes Morris, Jay
Armes Arnold Norton
Arnold Badon Ortego
Badon Barras Pearson
Barras Barrow Pierre
Barrow Berthelot Ponti
Berthelot Billiot Price
Billiot Bishop, S. Pugh
Bishop, S. Hoffmann
Bishop, W. Hollis
Broadwater Honore
Brossett Howard
Brown Hunter
Burns, H. Huval
Burns, T. Ivey
Burnell Jackson, G.
Carmody Jackson, K.
Carter Chapman
Carter Champagner
Chaney Jefferson St. Germain
Connick Jones
Cromer Lambert
Dunahay Landry, N.
Dixon Landry, T.
Dove LeBas
Edward Leger
Fannin Leopold
Foil Lopinto
Franklin Lorusso

Total - 91

NAYS

Total - 0

ABSENT

Mr. Speaker Greene Morris, Jim
Burford Hill Richard
Cox Jackson, K. Simon
Dixon LeBas Stokes
Geymann Moreno
Greene Morris, Jim

Total - 14

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 120—
BY SENATOR WALSWORTH AND REPRESENTATIVE JAY MORRIS
AN ACT
To amend and reenact R.S. 22:550.17(C), relative to captive insurers; to allow the commissioner of insurance to grant reinsurance credits to captive insurers under certain conditions; and to provide for related matters.

Read by title.


ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Gaines Lorusso
Abramson Garofalo Mack
Adams Gisclair Miller
Anders Armes Montoucet
Armstrong Arnold Morris, Jay
Arnold Badon Norton
Badon Barras Ortego
Barras Barrow Ponti
Barrow Berthelot Pugh
Berthelot Billiot
Billiot Bishop, S.
Bishop, S. Hoffmann
Bishop, W. Hood
Broadwater Honore
Brossett Howard
Brown Hunter
Burns, H. Huval
Burns, T. Ivey
Burnell Jackson, G.
Carmody Jackson, K.
Carter Chapman
Carter Champagner
Chaney Jefferson
Connick Jones
Cromer Lambert
Dunahay Landry, N.
Dixon Landry, T.
Dove LeBas
Edward Leger
Fannin Leopold
Foil Lopinto
Franklin Lorusso

Total - 91
NAYS
Total - 0

ABSENT
Burford       Hill     Simon
Burrell       Landry, N.    St. Germain
Cox           Moreno    Stokes
Geymann       Pierre    Thompson
Greene        Richard   
Total - 14

The Chair declared the above bill was finally passed.

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

Suspension of the Rules

On motion of Rep. Cromer, 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 16, 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. 77, 79, 80, 83, 84, 86, 89, 90, and 93

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

Message from the Senate
HOUSE CONCURRENT RESOLUTIONS
May 16, 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 House Bills:

House Bill No. 16
Returned with amendments

House Bill No. 18
Returned without amendments

House Bill No. 36
Returned without amendments

House Bill No. 37
Returned with amendments

House Bill No. 38
Returned with amendments

House Bill No. 69
Returned with amendments

House Bill No. 76
Returned without amendments

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate
House Bill No. 96  
Returned without amendments

House Bill No. 99  
Returned without amendments

House Bill No. 107  
Returned with amendments

House Bill No. 112  
Returned without amendments

House Bill No. 114  
Returned without amendments

House Bill No. 140  
Returned without amendments

House Bill No. 142  
Returned without amendments

House Bill No. 171  
Returned without amendments

House Bill No. 186  
Returned without amendments

House Bill No. 227  
Returned without amendments

House Bill No. 236  
Returned without amendments

House Bill No. 239  
Returned with amendments

House Bill No. 246  
Returned without amendments

House Bill No. 272  
Returned without amendments

House Bill No. 274  
Returned without amendments

House Bill No. 291  
Returned with amendments

House Bill No. 298  
Returned without amendments

House Bill No. 303  
Returned without amendments

House Bill No. 345  
Returned without amendments

House Bill No. 378  
Returned without amendments

House Bill No. 386  
Returned without amendments

House Bill No. 389  
Returned without amendments

House Bill No. 396  
Returned without amendments

House Bill No. 419  
Returned without amendments

House Bill No. 486  
Returned without amendments

House Bill No. 491  
Returned without amendments

House Bill No. 566  
Returned without amendments

House Bill No. 588  
Returned with amendments

House Bill No. 603  
Returned without amendments

House Bill No. 718  
Returned without amendments

House Bill No. 719  
Returned with amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS

May 16, 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. 87, 92, and 94

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

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. 109—**

BY REPRESENTATIVE PRICE

A RESOLUTION

To commend the players, coaches, and managers of Ascension Catholic High School boys' cross country team for claiming their second straight Class 1A state championship crown.

Read by title.

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

**HOUSE RESOLUTION NO. 110—**

BY REPRESENTATIVE PRICE

A RESOLUTION

To commend the Donaldsonville High School girls' track and field team upon winning the Class 3A state championship.

Read by title.
On motion of Rep. Price, and under a suspension of the rules, the resolution was adopted.

**HOUSE RESOLUTION NO. 111—**
**BY REPRESENTATIVE GREENE**
A RESOLUTION
To commend the members of the Louisiana State University gymnastics team and their coaches on their outstanding 2013 season.

Read by title.

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

**HOUSE RESOLUTION NO. 112—**
**BY REPRESENTATIVES MONTOUCET, HILL, JAMES, SCHRODER, AND ALFRED WILLIAMS**
A RESOLUTION
To commend the Louisiana Physical Therapy Association for its outstanding achievements and to recognize May 13 through May 17, 2013, as Louisiana Physical Therapy Association Week.

Read by title.

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

**HOUSE RESOLUTION NO. 113—**
**BY REPRESENTATIVE LORUSSO**
A RESOLUTION
To express the condolences of the House of Representatives of the Legislature of Louisiana upon the death of United States Army Chief Warrant Officer Bryan James Henderson, of Winnsboro, Louisiana.

Read by title.

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

**HOUSE RESOLUTION NO. 114—**
**BY REPRESENTATIVE LORUSSO**
A RESOLUTION
To express the condolences of the House of Representatives of the Legislature of Louisiana upon the death of United States Marine Sergeant Michael James Guillory, of Pearl River, Louisiana.

Read by title.

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

**Privileged Report of the Legislative Bureau**

May 16, 2013

To the Speaker and Members of the House of Representatives:

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

- Senate Concurrent Resolution No. 1
  Reported without amendments.
- Senate Bill No. 14
  Reported without amendments.
- Senate Bill No. 25
  Reported without amendments.
- Senate Bill No. 46
  Reported without amendments.
- Senate Bill No. 94
  Reported without amendments.
- Senate Bill No. 99
  Reported without amendments.
- Senate Bill No. 107
  Reported without amendments.
- Senate Bill No. 116
  Reported without amendments.
- Senate Bill No. 124
  Reported without amendments.
- Senate Bill No. 140
  Reported without amendments.
- Senate Bill No. 152
  Reported without amendments.
- Senate Bill No. 155
  Reported without amendments.
- Senate Bill No. 186
  Reported without amendments.
- Senate Bill No. 195
  Reported without amendments.
- Senate Bill No. 209
  Reported without amendments.
- Senate Bill No. 210
  Reported without amendments.
- Senate Bill No. 213
  Reported without amendments.
- Senate Bill No. 238
  Reported without amendments.
- Senate Bill No. 239
  Reported with amendments.
- Senate Bill No. 240
  Reported without amendments.
- Senate Bill No. 242
  Reported with amendments.
- Senate Bill No. 243
  Reported without amendments.
- Senate Bill No. 247
  Reported without amendments.

Respectfully submitted,

REGINA BARROW
Chairman

**Adjournment**

On motion of Rep. Billiot, at 12:26 P.M., the House agreed to adjourn until Monday, May 20, 2013, at 4:00 P.M.

The Speaker of the House declared the House adjourned until 4:00 P.M., Monday, May 20, 2013.

ALFRED W. SPEER
Clerk of the House