The Speaker Pro Tempore announced that there were 97 members present and a quorum.

**Prayer**

Prayer was offered by Rev. Roy Lott of Greater St. Lawrence Baptist Church of Alexandria.

**Pledge of Allegiance**

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

**Speaker Kleckley in the Chair**

Reading of the Journal

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

On motion of Rep. Simon, and under a suspension of the rules, the Journal of May 22, 2013, was corrected to reflect him as having one day's leave of absence.

On motion of Rep. Hill, the Journal of May 22, 2013, was adopted.

**Petitions, Memorials, and Communications**

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

**Message from the Senate**

**SENATE BILLS**

May 23, 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. 153 and 188

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. 153—**

BY SENATOR MURRAY

AN ACT

To enact Chapter 6-A of Title 23 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 23:661 through 669, relative to payment of wages; to provide for employment in state government; to provide for definitions; to provide for prohibited acts constituting unequal pay; to provide for a complaint procedure; to provide for damages; to limit actions of employees; to require certain records be kept by employers; and to provide for related matters.

Read by title.
SENATE BILL NO. 188—
BY SENATOR MARTINY
AN ACT
To enact R.S. 13:50, relative to certain judicial salaries; to provide for salary increases for judges of the supreme court, courts of appeal, district courts, city courts, and parish courts as recommended by the Judicial Compensation Commission; and to provide for related matters.

Read by title.

Suspension of the Rules

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

Introduction of Resolutions, House and House Concurrent

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

HOUSE CONCURRENT RESOLUTION NO. 156—
BY REPRESENTATIVE PYLANT
A CONCURRENT RESOLUTION
To urge and request the State Board of Elementary and Secondary Education, in collaboration with the Louisiana Association of School Superintendents and the Louisiana School Boards Association, to study potential funding sources for online or virtual courses offered through the Course Choice Program and opportunities for increasing broadband access for students throughout the state and to submit a written report of findings 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.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 153—
BY REPRESENTATIVE JEFFERSON
A CONCURRENT RESOLUTION
To urge and request the State Board of Elementary and Secondary Education to study issues relative to the implementation of the Course Choice Program, including but not limited to the enrollment of students by course providers and the approval of course providers by the state board and to submit a report of its findings and conclusions, including any recommendations for related legislation, to the House Committee on Education and the Senate Committee on Education not later than September 30, 2013.

Read by title.

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

Ordered to the Senate.

Senate Concurrent Resolutions Lying Over

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

SENATE CONCURRENT RESOLUTION NO. 106—
BY SENATORS JOHNS AND LAFLEUR AND REPRESENTATIVE LEBAS
A CONCURRENT RESOLUTION
To commend United States Air Force Master Sergeant Vinence M. Robinson upon her retirement from active duty after a distinguished, twenty-five year career of service to her country.

Read by title.

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

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. 682—
BY REPRESENTATIVE HOLLIS
AN ACT
To amend and reenact R.S. 47:301(16)(b)(ii), relative to sales and use tax; to provide for definitions; to provide with respect to the definition of tangible personal property; to provide for the definition relating to gold, silver, or numismatic coins, or platinum, gold, or silver bullion; and to provide for related matters.

Read by title.
AMENDMENT NO. 3

On page 2, line 12, after "hospitals," and before "network" delete "and" and at the end of the line after "stations" and before the period insert a comma and insert the following:

"...restaurants, and trucking businesses which transport essential commodities to gas stations, pharmacies, grocery stores, and hospitals."

AMENDMENT NO. 4

On page 2, at the beginning of line 20, delete "C." and insert "D.

AMENDMENT NO. 5

On page 2, line 25, after "situation," delete the remainder of the line, and delete lines 26 and 27 in their entirety.

AMENDMENT NO. 6

On page 2, at the beginning of line 28, delete "D." and insert "E.

AMENDMENT NO. 7

On page 3, between lines 4 and 5, insert the following:

"F. The Department of Revenue and the Office of Emergency Preparedness and Homeland Security shall promulgate rules and regulations in accordance with the Administrative Procedure Act for purposes of implementation and administration of the tax credit program authorized by this Section.

Section 2. The provisions of this Act shall apply to income tax years beginning on and after January 1, 2014, and to corporation franchise tax years beginning January 1, 2015."

AMENDMENT NO. 8

On page 3, at the beginning of line 5, delete "Section 2." and insert "Section 3."

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

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

Under the rules, placed on the regular calendar.

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

SENATE BILL NO. 18—

BY SENATOR WARD

AN ACT

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

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Reengrossed Senate Bill No. 18 by Senator Ward
AMENDMENT NO. 1
On page 3, delete lines 23 through 26

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. 18 by Senator Ward

AMENDMENT NO. 1
On page 1, line 8, change ", cakes, and cookie products" to "products, cakes, and cookies"

AMENDMENT NO. 2
On page 1, line 10, change "sanitary code" to "Sanitary Code"

AMENDMENT NO. 3
On page 1, line 13, change ", cakes, and cookie products" to "products, cakes, and cookies"

AMENDMENT NO. 4
On page 2, line 14, change "and wherever possible, be of" to "and, wherever possible, be composed of"

AMENDMENT NO. 5
On page 3, line 18, change ", cakes, and cookie products which" to "products, cakes, and cookies that"

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 33—
BY SENATOR BROWN
AN ACT
To amend and reenact R.S. 22:31 and R.S. 44:4.1(B)(11), relative to the division of minority affairs; to authorize a survey relative to the hiring practices of insurance companies; to provide for applicability of public records exemptions to the survey; and to provide for related matters.

Read by title.

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. 35—
BY SENATORS HEITMEIER, ALLAIN, BROOME, BROWN, BUFFINGTON, DORSEY-COLOMB, ERDEY, GUILLORY, JOHN, LAFLUER, LONG, MILLS, MURRAY, NEVERS, TARVER, THOMPSON AND WARD
AN ACT
To enact Chapter 46-A of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2616 and 2617, relative to annual health action plans prepared by the Department of Health and Hospitals; to provide for a diabetes annual action plan; to provide for an obesity annual action plan; to provide for the preparation and submission requirements; to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

Reported without amendments by the Legislative Bureau.

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

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

SENATE BILL NO. 36—
BY SENATORS HEITMEIER AND DORSEY-COLOMB
AN ACT
To enact R.S. 40:1300.263, relative to general smoking prohibitions on certain public post secondary education campuses; to provide for certain public post secondary education institutions developing smoke-free policies for its campuses; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

Reported without amendments by the Legislative Bureau.
On motion of Rep. Carter, the bill was ordered passed to its third reading.

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

SENATE BILL NO. 58—
BY SENATORS BUFFINGTON, ADLEY, ALARIO, ALLAIN, AMEDEE, APPEL, BROOME, BROWN, CLAIRON, CORTEZ, CROWE, DORSEY-COLOMB, GALLOT, GUILLORY, HEITMEIER, LONG, MARTIN, MILLS, MURRAY, NEVERS, PEACOCK, PERRY, RISER, GARY SMITH, THOMPSON, WALSWORTH AND WARD AND REPRESENTATIVE THOMPSON

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

Read by title.

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. 61—
BY SENATOR MORRISH

AN ACT
To amend and reenact R.S. 42:1113(D)(1)(a)(ii)(qq) and to enact R.S. 42:1123(43), relative to the Code of Governmental Ethics; to provide for an exception to the prohibition of a public servant from doing business with a person who has a business relationship with the agency of the public servant under certain circumstances; to prohibit the contracting authority of the executive director and each member of the State Board of Elementary and Secondary Education; 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. 61 by Senator Morrish

AMENDMENT NO. 1
On page 1, line 2, after "To" delete the remainder of the line and insert "enact R.S. 42:1123(43), relative"

AMENDMENT NO. 2
On page 1, delete lines 6 and 7 and insert "provide for related"

AMENDMENT NO. 3
On page 1, line 10, after "Section 1." delete the remainder of the line and insert "R.S."

AMENDMENT NO. 4
On page 1, delete lines 12 through 17 and delete page 2, and insert the following:

"§1123. Exceptions

This Part shall not preclude:

*       *       *

(43) A member of a governing authority of a municipality with a population of five thousand or less, according to the latest decennial census, or a legal entity in which the member exercises control or owns an interest in excess of twenty-five percent from performing bona fide compensated services for any person who has or is seeking to obtain a contractual or other business or financial relationship with the municipality subject to the following requirements:

(a) The governing authority member recuses himself on all matters involving the municipality and the person.

(b) The terms and conditions of the services performed by the governing authority member are customary and reasonable and the compensation received by the governing authority member is commensurate with the level of the service provided.

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. 86—
BY SENATOR MORRELL

AN ACT
To amend and reenact R.S. 37:1106(A) and (D) and 1110 and to enact R.S. 37:1107(F) and (G), 1116(C) and (D), and 1123, relative to the Louisiana Mental Health Counselor Licensing Act; to provide for fees; to provide for counselor intern and marriage and family therapist intern registrations; to provide for temporary licenses and registrations; to provide for criminal history record information; to provide for costs of administrative proceedings; to provide for the recovery of certain costs on judicial review; to provide for terms, procedures, and conditions; 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. 86 by Senator Morrell

AMENDMENT NO. 1
On page 1, line 2, after "(D) and 1110" insert "and R.S. 44:4.1(B)(23)"

AMENDMENT NO. 2
On page 9, between lines 7 and 8, insert the following:

"Section 2. R.S. 44:4.1(B)(23) is hereby amended and reenacted to read as follows:

§4.1. Exceptions

*       *       *

(43) A member of a governing authority of a municipality with a population of five thousand or less, according to the latest decennial census, or a legal entity in which the member exercises control or owns an interest in excess of twenty-five percent from performing bona fide compensated services for any person who has or is seeking to obtain a contractual or other business or financial relationship with the municipality subject to the following requirements:

(a) The governing authority member recuses himself on all matters involving the municipality and the person.

(b) The terms and conditions of the services performed by the governing authority member are customary and reasonable and the compensation received by the governing authority member is commensurate with the level of the service provided.

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

*(23) R.S. 37:74, 86, 90, 147, 691, 711.10, 763, 763.1, 781, 920.1, 969.1, 1123(E), 1277, 1278, 1285, 1326, 1518, 1745.15, 1747, 1806, 2156.1, 2406, 2505.1, 3481, 3507.1*

AMENDMENT NO. 3
On page 9, at the beginning of line 8, change “Section 2.” to “Section 3.”

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. 86 by Senator Morrell

AMENDMENT NO. 1
On page 2, line 29, following "including" and before "but" delete ". . ."

AMENDMENT NO. 2
On page 2, line 29, following "to" and before "the" delete ". . ."

AMENDMENT NO. 3
On page 3, line 20, following "include," and before "that the" change "but not limited to" to "at a minimum"

AMENDMENT NO. 4
On page 6, line 20, following "include," and before "the applicant" change "but not limited to" to "at a minimum, that"

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 90—
BY SENATORS MILLS, APPEL, BROOME, CORTEZ, CROWE, JOHNS, LONG, MARTINY, NEVERS, PEACOCK, PERRY, RISER, TARVER, THOMPSON AND WARD
AN ACT
To amend and reenact R.S. 40:1299.35.1(7), 1299.35.2(A), 1299.35.19(introductory paragraph) and (1) and to enact R.S. 40:1299.35.2.1, relative to abortions; to amend the definition of "physician"; to provide for certain requirements which must be met by a physician who performs an abortion; to provide for drugs or chemicals used; to provide for penalties; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on Health and Welfare to Reengrossed Senate Bill No. 90 by Senator Mills

AMENDMENT NO. 1
On page 2, line 5, after "Louisiana and" and before "completed" insert "is currently enrolled in or has"

AMENDMENT NO. 2
On page 2, line 5, after "gynecology" and before the period ". . ." insert "or family medicine"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 93—
BY SENATOR NEVERS
AN ACT
To enact R.S. 17:3162(D), 3165.1 and 3168(5), relative to the transfer and articulation of postsecondary academic credits; to provide for the awarding and transfer of college credit for the academic content of career and technical and industry-based certification courses; to provide for the responsibilities and duties of the Statewide Articulation and Transfer Council and the Board of Supervisors of Community and Technical Colleges; to provide for reporting; 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. 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.

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. 133 by Senator Amedee
AMENDMENT NO. 1
On page 1, line 2, after "To" and before "repeal" delete "amend and reenact R.S. 47:9004(B)(1) and to"

AMENDMENT NO. 2
On page 1, line 6, after "clients;" delete the remainder of the line

AMENDMENT NO. 3
On page 1, delete line 7 in its entirety and insert "and to provide"

AMENDMENT NO. 4
On page 1, delete lines 10 through 17 in their entirety

AMENDMENT NO. 5
On page 2, delete lines 1 through 5 in their entirety

AMENDMENT NO. 6
On page 2, at the beginning of line 6, change "Section 2." to "Section 1."

AMENDMENT NO. 7
On page 2, at the beginning of line 7, change "Section 3." to "Section 2."

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. 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.

Reported favorably by the Committee on Administration of Criminal Justice.

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. 182—
BY SENATOR CORTEZ
AN ACT
To amend and reenact R.S. 17:176(A)(introductory paragraph) and (E), to enact R.S. 17:176(J), and to repeal R.S. 17:176(F), (G), (H), and (I) and 236.3, relative to cocurricular and extracurricular activities, including interscholastic athletics; to provide relative to the responsibilities of local schools and school systems and the State Board of Elementary and Secondary Education with respect to such activities; to provide relative to state and local policies, rules, and regulations governing student participation in such activities; to repeal statutory provisions declared unconstitutional by the courts; 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.

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed Senate Bill No. 191 by Senator Morrell

AMENDMENT NO. 1
On page 1, line 2, after "and (F)(6)" delete the comma "," and delete the remainder of the line and insert "and 467(4),"

AMENDMENT NO. 2
On page 1, line 5, after "elections" delete "and inauguration;" and insert a semicolon ";

AMENDMENT NO. 3
On page 1, line 7, after "and (F)(6)" delete the comma ","

AMENDMENT NO. 4
On page 3, delete lines 13 through 19

AMENDMENT NO. 5
On page 3, at the beginning of line 20, change "Section 3." to "Section 2."

AMENDMENT NO. 6
On page 3, delete line 21

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. 222—
BY SENATOR WALSWORTH

AN ACT
To amend and reenact R.S. 46:1403, 1404(A), 1405, 1415, 1419 through 1422, 1425(A) and (B), and 1428(A), to enact R.S. 46:1406 and 1407, and to repeal R.S. 46:1408, 1409, 1412, 1413, and 1424, relative to child care facilities; to provide for licensure requirements; to provide for transitional provisions; to provide for licensure procedures; to provide for rules; to provide for disclosure; to provide for agencies and facilities subject to regulation; to provide for revocation or refusal to renew licenses; to provide for violations; to provide for appeals; to provide for penalties; to provide for injunctive relief; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Reengrossed Senate Bill No. 222 by Senator Walsworth

AMENDMENT NO. 1
On page 1, at the beginning of line 3, delete "(B), and 1428(A)," and insert in lieu thereof "(B), 1426, 1428(A), and 1429."

AMENDMENT NO. 2
On page 1, line 4, after "facilities;" and before "to provide" insert "to provide for definitions;"

AMENDMENT NO. 3
On page 1, at the beginning of line 12, delete "and 1428(A)" and insert in lieu thereof "1426, 1428(A), and 1429"

AMENDMENT NO. 4
On page 1, line 12, after "reenacted" and before "and R.S. 46:1406" delete the comma ","

AMENDMENT NO. 5
On page 2, line 2, after "center" and before "five years" delete "at least"

AMENDMENT NO. 6
On page 2, after "A" and before "day care center" insert "child"

AMENDMENT NO. 7
On page 2, after "full-time" and before "day care center" insert "child"

AMENDMENT NO. 8
On page 2, after "A" and before "day care center" insert "child"

AMENDMENT NO. 9
On page 4, line 15, after "(14)" and before ""Type I license"" delete "A"

AMENDMENT NO. 10
On page 4, line 25, delete "publicly-" and insert in lieu thereof "publicly"

AMENDMENT NO. 11
On page 4, at the beginning of line 26, change "privately-owned" to "privately owned"

AMENDMENT NO. 12
On page 4, line 28, delete "must" and insert in lieu thereof "shall"

AMENDMENT NO. 13
On page 5, line 3, delete "publicly-" and insert in lieu thereof "publicly"

AMENDMENT NO. 14
On page 5, at the beginning of line 4, change "privately-owned" to "privately owned"

AMENDMENT NO. 15
On page 6, at the end of line 2, change "Office" to "office"

AMENDMENT NO. 16
On page 6, line 3, delete "Governor," and insert in lieu thereof "governor."

AMENDMENT NO. 17
On page 6, line 4, after "expertise in" and before "infants" insert "care of"

AMENDMENT NO. 18
On page 6, at the end of line 12, insert "The working group shall be dissolved on January 1, 2014."

AMENDMENT NO. 19
On page 6, line 14, delete "on July 31, 2013."

AMENDMENT NO. 20
On page 6, line 20, after "Chapter" and before "shall" delete the comma ","

AMENDMENT NO. 21
On page 6, line 29, after "Chapter" and before "shall" delete the comma ","

AMENDMENT NO. 22
On page 7, line 2, after "center" delete the remainder of the line and insert in lieu thereof "that requests to change its license"

AMENDMENT NO. 23
On page 7, line 6, after "pursuant to" delete the remainder of the line and insert in lieu thereof "R.S. 46:1406(C)."

AMENDMENT NO. 24
On page 7, line 19, delete "regulated" and insert in lieu thereof "authorized"
AMENDMENT NO. 25
On page 7, line 27, delete "All licensed facilities shall display the license" and insert in lieu thereof "Each licensed facility shall display its license."

AMENDMENT NO. 26
On page 8, delete line 28 in its entirety and insert in lieu thereof "Constitution of Louisiana."

AMENDMENT NO. 27
On page 9, line 6, after "facilities" and before "in accordance" insert "for licensure."

AMENDMENT NO. 28
On page 9, delete line 9 in its entirety and insert in lieu thereof "shall accomplish all of the following."

AMENDMENT NO. 29
On page 9, line 19, after "However," delete the remainder of the line and delete lines 20 through 24 in their entirety and insert in lieu thereof the following:

"nothing in this Subparagraph shall be construed to affect, limit, or otherwise restrict any of the following:

(i) The hiring or admission policies of a licensed day care center owned by a church or religious organization, which may give preference in hiring or admission to members of the church or denomination.

(ii) The rights of religious sectarian child-placing agencies to consider creed in any decision or action relating to foster care or adoption."

AMENDMENT NO. 30
On page 10, line 6, after "for the" delete the remainder of the line and insert in lieu thereof "return of a child to his parent."

AMENDMENT NO. 31
On page 10, line 7, after "return to" and before "parent" delete "the" and insert in lieu thereof "his."

AMENDMENT NO. 32
On page 10, at the beginning of line 15, change "(2)" to "(2)(a)"

AMENDMENT NO. 33
On page 10, line 15, after "to have" and before "the" insert "all of"

AMENDMENT NO. 34
On page 10, at the beginning of line 17, change "(a)" to "(i)"

AMENDMENT NO. 35
On page 10, at the beginning of line 19, change "(b)" to "(ii)"

AMENDMENT NO. 36
On page 10, at the beginning of line 21, change "(c)" to "(b)"

AMENDMENT NO. 37
On page 11, line 29, delete "Every" and insert in lieu thereof "Each."

AMENDMENT NO. 38
On page 12, line 15, delete "child-care" and insert in lieu thereof "child care"

AMENDMENT NO. 39
On page 13, line 8, after "the" delete the remainder of the line and insert "department."

AMENDMENT NO. 40
On page 13, at the beginning of line 9, delete "Children and Family Services."

AMENDMENT NO. 41
On page 14, between lines 9 and 10, insert the following:

"§1426. Disclosure of information

A. The department shall make available, upon request of a parent or guardian of any child who has applied for placement in a child day care center licensed by the department, the following information relative to such child day care center:

(1) Each valid finding of child abuse, neglect, or exploitation occurring at the center, subject to the limitations provided by R.S. 46:56(F)(4)(c).

(2) Whether or not the child day care center employs any person who has been convicted of or pled guilty or nolo contendere to any of the crimes provided in R.S. 15:587.1.

(3) Any violations of standards, rules, or regulations applicable to such child day care center.

(4) Any waivers of minimum standards authorized for such child day care center.

B. Requests may be made by telephone or in writing. Such requests shall include the name of each child day care center for which information is requested.

C.(1) Licensed child day care centers and other state agencies shall cooperate with the secretary of the department to make such requested information available.

(2) Day Child day care centers shall make available to parents or legal guardians information on how to view or obtain copies of child care licensing surveys from the department. Day Child day care centers shall post information which explains that the licensing surveys may be obtained by sending a request in writing to the department. The department shall develop a form suitable for display which shall be posted at each licensed child day care center in compliance with this Subsection.

D. The department shall adopt procedures and guidelines for the implementation of this Section by rule in accordance with the Administrative Procedure Act. Such procedures and guidelines may include a procedure for verification that an application for placement in a licensed child day care center has actually been made.

* * * *"

AMENDMENT NO. 42
On page 14, between lines 20 and 21, insert the following:

"§1429. Exceptions; religious organizations"
A recognized religious organization which is qualified as a tax-exempt organization under Section 501(c) of the Internal Revenue Code, which remains open for not more than twenty-four hours in a continuous seven-day week, and in which no individual child remains for more than twenty-four hours in one continuous stay shall not be considered a "child day care center" for the purposes of this Chapter.

AMENDMENT NO. 43
On page 14, line 21, after "repealed" and before the period "." insert "in their entirety"

AMENDMENT NO. 44
On page 14, between lines 21 and 22, insert the following:

"Section 3. The Louisiana State Law Institute is hereby directed to make technical changes to statutory laws as necessary to reflect changes to defined terms as provided in this Act."

AMENDMENT NO. 45
On page 14, delete line 22 in its entirety and insert in lieu thereof the following:

"Section 4. Sections 1, 2, and 3 of this Act shall become effective on January 1, 2014."

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. 222 by Senator Walsworth

AMENDMENT NO. 1
In House Committee Amendment No. 29 proposed by the House Committee on Health and Welfare to Reengrossed Senate Bill No. 222 by Senator Walsworth, on page 3, line 13, following "licensed" and before "day" insert "child."

AMENDMENT NO. 2
On page 5, line 29, change "nonpublic school council" to "Nonpublic School Council"

AMENDMENT NO. 3
On page 7, line 29, following "requirement" and before "provided" insert "in their entirety."

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

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

Under the rules, placed on the regular calendar.

Senate Bills on Second Reading Reported by Committee

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

SENATE BILL NO. 16—
BY SENATORS LONG AND JOHNS
AN ACT
To enact R.S. 11:927(F), relative to retirement; to provide a definition of "regular retirement plan"; to provide for the

optional retirement plan for higher education employees participating in the Teachers' Retirement System of Louisiana; to provide for an effective date; and to provide for related matters.

Read by title.

On motion of Rep. Pearson, and under a suspension of the rules, the bill was referred to the Legislative Bureau.

SENATE BILL NO. 96—
BY SENATOR ADLEY
A JOINT RESOLUTION
Proposing to amend Article VII, Section 21(K)(1) of the Constitution of Louisiana, relative to providing an exemption of seven thousand five hundred dollars of the assessed valuation on property owned and occupied by a veteran with a certain service-connected disability rating; to extend the same exemption to surviving spouses of such totally disabled veterans; 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 Civil Law and Procedure.

Reconsideration

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

HOUSE BILL NO. 206—
BY REPRESENTATIVE REYNOLDS
A JOINT RESOLUTION
Proposing to amend Article VIII, Sections 9 and 13(B), (C), and (D) of the Constitution of Louisiana, relative to providing for creation of school boards and school districts by the legislature, subject to voter approval; to remove certain provisions limiting the legislature's authority to define the geographic jurisdiction of school districts; to provide relative to funding for such districts; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

On motion of Rep. Reynolds, 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. 646—
BY REPRESENTATIVES SMITH AND WESLEY BISHOP
AN ACT
To amend and reenact R.S. 17:416(A)(1)(c)(iiii) and (v), (2)(a) and (b), and (3)(a)(introductory paragraph), (i), (iiii), (xvii) and (C)(1) and 416.13(A), (B), and (D)(introductory paragraph), (2)(b) through (d), and (3)(introductory paragraph), (a), (c),(i), (d)(i), (iii), and (iv), (e), (f)(i) and (v), and (g)(i), (ii), and (iii)(introductory paragraph) and (aa) and to enact R.S. 17:416(A)1(c)(viiia) and (2)(e) and (f) and 416.22, relative to student discipline; to provide relative to students' removal from class, suspension, and expulsion; to provide relative to other disciplinary measures; to provide relative to student codes of conduct; to provide relative to policies and procedures with respect to bullying; to require school boards to post certain information on their websites; and to provide for related matters.

Read by title.
On motion of Rep. James, 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.

**Notice of Intention to Call**


**HOUSE BILL NO. 677—**

**BY REPRESENTATIVE FANNIN**

**AN ACT**

To appropriate funds and to make certain reductions in appropriations from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations and reductions for said agencies and purposes for Fiscal Year 2012-2013; to provide for an effective date; and to provide for related matters.

Read by title.

On motion of Rep. Fannin, 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. Stokes, 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. 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 July 1, 2013.

Read by title.

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

Ordered to the Senate.

**HOUSE RESOLUTION NO. 76—**

**BY REPRESENTATIVE SCHRODER**

**A RESOLUTION**

To urge and request the Department of Children and Family Services to collaborate with stakeholders to study and develop a comprehensive statewide plan for the delivery of domestic violence services and to report its recommendations to the House Committee on Health and Welfare on or before January 15, 2014.

Called from the calendar.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Schroder to Engrossed House Resolution No. 76 by Representative Schroder

**AMENDMENT NO. 1**

On page 2, between lines 18 and 19, insert the following:

"(16) A representative of the Louisiana Chapter of the National Association of Social Workers."

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

On motion of Rep. Schroder, the resolution, as amended, was adopted.

**Suspension of the Rules**

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

**Senate Concurrent Resolutions on Third Reading for Final Consideration**

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

**SENATE CONCURRENT RESOLUTION NO. 55—**

**BY SENATOR BROOME**

**A CONCURRENT RESOLUTION**

To express the intent of the Legislature of Louisiana regarding the allocation and distribution of juvenile detention facility beds, and to recommend that the Juvenile Justice Reform Act Implementation Commission order a study to evaluate how to ensure adequate access to beds for youth in juvenile detention facilities.

Read by title.

Motion

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

**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.

On motion of Rep. Broadwater, the resolution was concurred in.

**SENATE CONCURRENT RESOLUTION NO. 55—**

**BY SENATOR BROOME**

**A CONCURRENT RESOLUTION**

To express the intent of the Legislature of Louisiana regarding the allocation and distribution of juvenile detention facility beds, and to recommend that the Juvenile Justice Reform Act Implementation Commission order a study to evaluate how to ensure adequate access to beds for youth in juvenile detention facilities.

Called from the calendar.

Read by title.
Rep. Moreno moved the concurrence of the resolution.

By a vote of 92 yeas and 0 nays, the resolution was concurred in.

Suspension of the Rules

On motion of Rep. Cromer, 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. 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), to enact R.S. 23:1021(13) and 1201.1, relative to workers' compensation; to provide with respect to choice of physician; to provide with respect to medical examinations; to provide with respect to the payment of benefits; to provide for hearing procedures; to provide for notice requirements; to provide with respect to the modification, suspension, termination, or controversion of benefits; to provide for procedure; to provide for the payment of benefits for rehabilitation of injured employees; to provide for disputes; 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:

AMENDMENT NO. 1

On page 7, line 4, change "worker's" to "workers"

AMENDMENT NO. 2

On page 8, line 9, change "worker's" to "workers"

AMENDMENT NO. 3

On page 9, line 25, change "worker's" to "workers"

AMENDMENT NO. 4

On page 10, line 17, change "defined by" to "provided in"

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

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

AMENDMENT NO. 1

On page 1, line 2, after "1124," delete the remainder of the line and insert in lieu thereof "1201(H), 1208(F), (G), and (H), 1226(B)(3), 1310.8(B),"

AMENDMENT NO. 2

On page 1, line 11, after "1124," delete the remainder of the line and insert in lieu thereof "1201(H), 1208(F), (G), and (H), 1226(B)(3), 1310.8(B), and 1314(E)"

AMENDMENT NO. 3

On page 2, line 5, after "proceeding" insert "pursuant to R.S. 23:1201.1(K)(8)"

AMENDMENT NO. 4

On page 2, on lines 13 and 14, delete "medical examination" and insert in lieu thereof "choice of physician"

AMENDMENT NO. 5

On page 2, on lines 18 and 19, delete "Any claims for penalties and attorney fees alleged by the employee will be subject to the provisions of R.S. 23:1201.1."

AMENDMENT NO. 6

On page 2, lines 26, 27, and 28, delete "his insurer shall be entitled to seek an expedited hearing to be held within ten days, and upon order of the court," and insert in lieu thereof "payor"

AMENDMENT NO. 7

On page 3, line 1, delete "Any suspension" and insert in lieu thereof "Suspension of medical benefits"

AMENDMENT NO. 8

On page 3, line 2, delete "R.S. 23:1201.1," and insert in lieu thereof R.S. 23:1201.1(A)(4) and (5). When the employee has filed a disputed claim, the employer or payor may move for an order to compel the employee to return the form.

AMENDMENT NO. 9

On page 3, line 8, delete "shall" and insert "may" and after "suspended" and before "until" insert "by the employer or payor"

AMENDMENT NO. 10

On page 3, line 9, after "place." and before "The" insert the following:

"Such suspension of benefits by the employer or payor shall be made in accordance with the provisions of R.S. 23:1201.1(A)(4) and (5). When the employee has filed a disputed claim, the employer or payor may move for an order to compel the employee to appear for an examination."

AMENDMENT NO. 11

On page 3, after line 27, insert the following:

"§1201. Time and place of payment; failure to pay timely; failure to authorize; penalties and attorney fees

* * * *"
11. (a) Upon making the first payment of compensation and upon modification or suspension of payment for any cause, the employer or insurer shall immediately send a notice to the office, in the manner prescribed by the rules of the director, that payment of compensation has been or has been suspended, as the case may be. After February 4, 2013, a payor, which shall mean that entity which is responsible by law or contract for the payment of benefits or medical expenses incurred by the claimant as a result of an injury covered by this Chapter, shall do all of the following:

(a) Prepare a notice of payment. The form for the notice of payment shall be promulgated by the office pursuant to the Administrative Procedure Act.

(b) Send the notice of payment to the injured employee; or to the employee’s representative, with the first payment of compensation:

(c) Send the notice of payment to the injured employee; or to the employee’s representative, within ten days of a suspension or modification of compensation for any cause or within ten days of the suspension or modification of the supplemental earnings benefit:

(d) Send a copy of the notice of payment to the office within ten days from the date that the original notice of payment was sent to the injured employee or the employee’s representative:

(ii) If the payor believes that the amount determined in the original notice of payment was correct, then the payor shall file a request for preliminary determination, on a form to be promulgated by the office, and shall provide a copy to the injured employee or the employee’s representative.

(e) The preliminary determination shall be performed by the director’s designee, who shall be a workers’ compensation judge specifically assigned to handle preliminary determinations. Such preliminary determination hearing shall occur within fifteen days of the filing of a request:

(d) The injured employee, the employee’s representative, the payor and the employer, which includes the direct employer of a statutory employee pursuant to R.S. 23:1061, shall participate in a preliminary determination hearing by phone. The workers’ compensation judge may require any of these parties to produce relevant records necessary for the determination of compensation provided for in the notice of payment. No later than thirty days from the filing of the request for a preliminary determination, the workers’ compensation judge shall provide, in writing, a recommended amount of compensation:

(e) The payor shall, within ten calendar days of the mailing of the recommendation from the workers’ compensation judge, either mail to the injured employee or the employee’s representative a revised notice of payment with the recommended amount if such recommended amount is different from that which was previously provided on the initial notice of payment, or notify the injured worker or the employee’s representative in writing that the payor does not accept the recommendation. No disputed claim for compensation regarding the amount of compensation due shall be filed until the provisions of this Subsection have been exhausted unless such a disputed claim is in regard to a payor’s failure to provide a notice of payment as required by this Subsection. A payor who provides the compensation amounts due as recommended by the workers’ compensation judge shall not be subject to any penalty and attorney fees regarding such calculation of the compensation due and payment provided with the revised notice of payment.

(f) A payor who provides the compensation amounts due as recommended by the workers’ compensation judge’s preliminary recommendation and who disagrees with such preliminary recommendation shall file a disputed claim for compensation within fifteen days of mailing the revised notice of payment and compensation amount due:

(4) Within fourteen days after the final payment of compensation has been made, the employer or insurer shall send a notice to the office, in the manner prescribed by the rules of the director, stating:

(1) The name of the injured employee or any other person to whom compensation has been paid, or both.

(2) The date of injury or death.

(3) The dates on which compensation has been paid.

(4) The total amount of compensation paid.

(5) The fact that final payment has been made.

* * *

AMENDMENT NO. 12

On page 4, delete lines 2 through 29, and on page 5 delete lines 1 through 3 in insert the following in lieu thereof:

"A. Upon the first payment of compensation or upon any modification, suspension, termination, or controversion of compensation or medical benefits for any reason, including but not limited to issues of medical causation, compensability of the claim, or issues arising out of R.S. 23:1121, 1124, 1208, and 1226, the employer or payor who has been notified of the claim, shall do all of the following:

(1) Prepare a “Notice of Modification, Suspension, Termination, or Controversion of Compensation and/or Medical Benefits”.

(2) Send the notice of the initial indemnity payment to the injured employee with the first payment of compensation made by the payor after the payor has received notice of the claim from the employer.

(3) Send a copy of the notice of the initial payment of indemnity to the office within ten days from the date the original notice was sent to the injured employee or by facsimile to the injured employee’s representative.

(4) Send the “Notice of Payment, Modification, Suspension, Termination, or Controversion of Compensation and/or Medical Benefits” to the injured employee by certified mail, to the address at which the employee is receiving payments of compensation, on or before the effective date of a modification, suspension, termination, or controversion.

(5) Send a copy of the “Notice of Payment, Modification, Suspension, Termination, or Controversion of Compensation and/or Medical Benefits” to the office on the same business day as sent to the employee or to his representative.

B. The form of the “Notice of Payment, Modification, Suspension, Termination, or Controversion of Compensation and/or Medical Benefits” shall be promulgated by the office."
C. The director shall make the notice available upon request by the employee and the employee's representative.

D. If the injured employee is represented by an attorney, the notice shall also be provided to the employee's representative by facsimile. Proof that the notice was sent to the employee's representative by facsimile shall be prima facie evidence of compliance with Subsection (A) of this Section.

E. The provisions of this Section shall not apply to questions of medical necessity as provided by R.S. 23:1203.1.

F. (2) No disputed claim shall be filed regarding any such disagreement unless the notice required by this Section has been sent to the employer or payor who initially sent the notice.

AMENDMENT NO. 13
On page 5, line 4, change "C." to "F."

AMENDMENT NO. 14
On page 5, line 8, after "appropriate," delete the remainder of the line and delete lines 9 and 10 in their entirety and insert in lieu thereof the following:

"(2) No disputed claim shall be filed regarding any such disagreement unless the notice required by this Section has been sent to the employer or payor who initially sent the notice.

AMENDMENT NO. 15
On page 5, line 11, change "(2)" to "G. (1)"

AMENDMENT NO. 16
On page 5, line 17, change "(3)" to "(2)"

AMENDMENT NO. 17
On page 5, line 28, change "(4) Only the" to "H. The" and delete "who initially sent the notice and has"

AMENDMENT NO. 18
On page 5, delete line 29 in its entirety

AMENDMENT NO. 19
On page 6, line 1, delete "suspension modification, termination, or controversion of benefits."

AMENDMENT NO. 20
On page 6, line 3, after "payment" delete the comma "," and insert in lieu thereof "or any subsequent"

AMENDMENT NO. 21
On page 6, at the end of line 4, add the following:

"In cases where a disputed claim is already pending when an issue arises from a subsequent notice of payment, modification, suspension, termination, or controversion of benefits, such request shall be made in an amended pleading filed within fifteen days of the expiration of the seven day period set forth in Paragraph (F)(2) of this section."

AMENDMENT NO. 22
On page 6, line 5, change "(5)" to "I. (1)" and delete "provided the first payment as required".

AMENDMENT NO. 23
On page 6, delete lines 6 through 8 in their entirety and insert in lieu thereof:

"complied with the requirements set forth in Subsection A through E of this Section or has not initially accepted the claim as compensable, subject to further investigation and subsequent controversion shall not be entitled to a preliminary determination. An employer or payor who is not entitled to a preliminary determination or who is so entitled but fails to request a preliminary determination may"

AMENDMENT NO. 24
On page 6, line 9, after "R.S. 23:1203.1," delete the period "." and insert "at a trial on the merits or hearing held pursuant to Paragraph (K)(8) this Section.

(2) If disputed by the parties, upon a rule to show cause held prior to the preliminary determination or any hearing held pursuant to this Section, the workers' compensation judge shall determine whether the employer is in compliance.

AMENDMENT NO. 25
On page 6, line 10, change "D. " to "I."

AMENDMENT NO. 26
On page 7, line 3, change "E. " to "K."

AMENDMENT NO. 27
On page 7, lines 16 and 17, delete "of compensation/controversion of compensation and/or medical benefits"

AMENDMENT NO. 28
On page 8, delete line 17 and insert in lieu thereof the following:

"(7) In matters where the employee has filed a disputed claim and the employer or payor is not entitled to a preliminary determination, the matter shall proceed to trial on the merits.

(8)(a) Upon motion of either party, whether or not the employer or payor is entitled to a preliminary determination, the workers' compensation judge's ruling in a hearing shall be conducted as an expedited summary proceeding and shall be considered an order of the court and not requiring a further trial on the merits, if it concerns any of the following matters:

(i) The employee has sought choice of physician pursuant to R.S. 23:1121(B)(1).

(ii) The employee has filed a claim pursuant to R.S. 23:1126(B)(3)(a).

(iii) The employer or payor seeks to compel the employee to sign the choice of physician form pursuant to R.S. 23:1121(B)(5).

(iv) The employer or payor seeks to compel the employee's submission to a medical examination pursuant to R.S. 23:1124.

(v) The employer seeks to require the employee to return form LWC-1025 or LWC-1020.

(vi) The employee seeks to have a suspension of benefits for failure to comply with R.S. 23:1121(B)(1) lifted.

(vii) The employee seeks to have a suspension of benefits for failure to submit to a medical examination lifted.

(viii) The employee seeks to have a suspension of benefits for failure to cooperate with vocational rehabilitation lifted.

(ix) The employee seeks to have a reduction in benefits for failure to cooperate with vocational rehabilitation lifted.
(b)(i) The workers' compensation judge shall set the expedited summary proceeding hearing date pursuant to R.S. 23:1201.1(K)(8)(a)(iii), (iv), and (v) within three days of receiving the employer's motion for the expedited hearing. The hearing shall be held not less than ten nor more than thirty days after the motion has been filed.

(ii) The workers' compensation judge shall provide the notice of the hearing date to the employee or his attorney at the same time and in the same manner than the notice of the hearing date is provided to the employer or payor.

(iii) For the purposes of this Section, the party seeking an expedited hearing shall not be required to submit the dispute to mediation or go through a pretrial conference before obtaining a hearing. The hearing shall be conducted as a rule to show cause.

(c) The workers' compensation judge shall order the employee to sign the choice of physician form, enforce the employee's submission to the medical examination, or provide the LWC-1020 or TWC-1025 form as applicable unless the employee can show good cause for his refusal.

(d) If the employee seeking relief pursuant to Paragraph (K)(8) of this Section can show good cause for his refusal, the workers' compensation judge shall order the suspension or reduction in benefits lifted and the payment of any arrearage due. If the employee fails to show good cause for refusal, the workers' compensation judge shall order the suspension or reduction in benefits to continue until the employee complies.

(e) An employer or payor who is entitled to a preliminary determination and who complies with an order of the court issued pursuant to a hearing held in accordance with Paragraph (K)(8) of this Section within ten calendar days shall not be subject to any penalty or attorney fees arising out of the original notice which was the subject of the hearing.

L. Notwithstanding any provision in this Section to the contrary, the failure to comply with any provision of this Section shall not itself be considered a failure to reasonably controvert benefits; however, failure of the employer or payor to comply shall result in loss of penalty and attorney fee protections provided in this Section.  

* * * * * 

§1208. Misrepresentations concerning benefit payments; penalty

* * * *

F. Whenever the employer reports an injury to the office pursuant to R.S. 23:1306, the employer and employee shall certify their compliance with this Chapter to the employer's insurer or payor on a form prescribed by the director, which form shall include all of the following information:

1. A summary of the fines and penalties for workers' compensation fraud.

2. The names, addresses, phone numbers, and signatures of the employee and the employer.

3. The fine or penalty that may be imposed for failure to report to the insurer as required by this Section.

G. Whenever an employee receives benefits pursuant to this Chapter for more than thirty days, the employee shall upon reasonable request report his earnings to his employer's insurer on a form prescribed by the director and signed by the employee.

H.(1) Whenever an employee fails to report to his employer's insurer as required by this Section within fourteen days of his receipt of the appropriate form, the employer or payor may suspend the employee's right to benefits as provided in this Chapter may be suspended. If otherwise eligible for benefits, the employee shall be entitled to all of the suspended benefits after the form has been provided to the insurer. Suspension of benefits by the employer or payor shall be made in accordance with the provisions of R.S. 23:1201.1(A) through (E). The employer or payor may move for an order to compel the employee to return the form.

(2) Whenever an employee fails to report to its insurer as required by this Section, the employer may be subject to a penalty of five hundred dollars, payable to the insurer.

(3) The insurer may request a suspension of benefits or an assessment of a penalty for the employer's failure to report as provided in this Subsection by filing a form LDOL-WC-1008 with the director.

* * * * * *

AMENDMENT NO. 29

On page 8, line 27, delete "claims"

AMENDMENT NO. 30

On page 8, lines 28 and 29, delete "shall be heard in an expedited summary proceeding pursuant to R.S. 23:1201.1(K)(8)."

AMENDMENT NO. 31

On page 9, line 1, delete "employer's or payor's"

AMENDMENT NO. 32

On page 9, line 2, change "employee or his representative" to "employer or payor"

AMENDMENT NO. 33

On page 9, line 3, change "employer's or payor's" to "employee's"

AMENDMENT NO. 34

On page 9, lines 7 and 8, delete "medical examination" and insert in lieu thereof "issue of vocational services"

AMENDMENT NO. 35

On page 9, line 9, delete "Unless the" and delete lines 10 through 17 in their entirety

AMENDMENT NO. 36

On page 9, line 24, delete "Refusal to accept" and delete lines 25 through 27 in their entirety and insert in lieu thereof the following:

"rehabilitation as deemed necessary by the worker's compensation judge shall result in a fifty percent reduction in payments. Upon refusal by the employee, the employer or payor may reduce weekly compensation, including supplemental earnings benefits pursuant to R.S. 23:1221(3), by fifty percent for each week of the period of refusal. Reduction of benefits by the employer or payor shall be made in accordance with the provisions of R.S. 23:1201.1(A) through (E)."

AMENDMENT NO. 37

On page 10, line 17, delete "employee," and insert "employee, his dependant, or beneficiary"
AMENDMENT NO. 38
On page 10, line 18, delete "employee," and insert "employee, his
dependant, or beneficiary; or when the employer or payor is an
aggrieved party appealing a decision of the medical director pursuant
to R.S. 23:1207(K)."

AMENDMENT NO. 39
On page 10, at the end of line 24, insert "However, should any
provision of this Act be declared to apply prospectively only, all
provisions of this Act shall be applied prospectively only."

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

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

HOUSE BILL NO. 429—
BY REPRESENTATIVE HOLLIS
A JOINT RESOLUTION
Proposing to add Article I, Section 28 of the Constitution of
Louisiana, to prohibit mandatory participation in a health care
system; 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. Hollis, the bill was withdrawn from the files
of the House.

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

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

Local and Consent Calendar

SENATE BILL NO. 57—
BY SENATORS DORSEY-COLOMB, ALARIO, ALLAIN, AMEDEE,
APPEL, BROOME, BROWN, BUFFINGTON, CLAITHOR, CROWE, EDROY,
GuILLOIR, HERTMIEIER, LONG, MARTINY, MILLS, MURRAY,
NEVERS, PETERSON, GARY SMITH, TARVER, THOMPSON AND
WALSWORTH
AN ACT
To enact R.S. 36:259(NN) and R.S. 40:2018.3, relative to the
creation of the Louisiana Sickle Cell Commission within the
Department of Health and Hospitals; to provide for membership
and terms; to provide for the functions of the commission; and
to provide for related matters.

Read by title.

Rep. Alfred Williams moved the final passage of the bill.

ROLL CALL
The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>NAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Speaker Mr. Speaker, Foil Lopinto</td>
<td>89</td>
</tr>
<tr>
<td>Abramson Abramson, Franklin Lorusso</td>
<td></td>
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<tr>
<td>Adams Adams, Mack</td>
<td></td>
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<tr>
<td>Anders Anders, Geymann Montoucet</td>
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<tr>
<td>Arnold Arnold, Guisclair Moreno</td>
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<tr>
<td>Badon Badon, Greene Morris, Jay</td>
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<tr>
<td>Barras Barras, Guillory Pierre</td>
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<tr>
<td>Berthelot Berthelot, Guinn Price</td>
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<tr>
<td>Billiot Billiot, Harris Pope</td>
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<tr>
<td>Bishop, S. Bishop, W., Harrison Price</td>
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<tr>
<td>Bishop, W. Bishop, W. Hazell Pugh</td>
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<tr>
<td>Broadwater Broadwater, Hill Reynolds</td>
<td></td>
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<td>Brossett Brossett, Hodges Richard</td>
<td></td>
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<tr>
<td>Barrow Barrow, Hoffmann Ricchie</td>
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<tr>
<td>Burford Burford, Hill Robideaux</td>
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<tr>
<td>Burns, H. Burns, H. Schexnayder Schroder</td>
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<tr>
<td>Burns, T. Burns, T. Seabough</td>
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<tr>
<td>Burrell Burrell, Hunter Schroder</td>
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<tr>
<td>Carmody Carmody, Ivey Shadoin</td>
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<tr>
<td>Carter Carter, James Simon</td>
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<tr>
<td>Champagne Champagne, Jackson, K. St. Germain</td>
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<tr>
<td>Chaney Chaney, Jefferson Stokes</td>
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<tr>
<td>Connick Connick, Johnson Taibaut</td>
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<tr>
<td>Cox Cox, Jones Thibaut</td>
<td></td>
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<tr>
<td>Cromer Cromer, Landry, N. Whitney</td>
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<tr>
<td>Danahay Danahay, Landry, T. Williams, A.</td>
<td></td>
</tr>
<tr>
<td>Dixon Dixon, LeBas Williams, P.</td>
<td></td>
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<tr>
<td>Dove Dove, Leger Willmott</td>
<td></td>
</tr>
<tr>
<td>Edwards Edwards, Leopold</td>
<td></td>
</tr>
<tr>
<td>Fannin</td>
<td>0</td>
</tr>
<tr>
<td>Total - 89</td>
<td>0</td>
</tr>
<tr>
<td>Total - 16</td>
<td>16</td>
</tr>
</tbody>
</table>

The Chair declared the above bill was finally passed.

Rep. Alfred Williams 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. 14—
BY SENATOR MARTINY

AN ACT
To amend and reenact R.S. 11:143, relative to transfers of service
credit between public retirement systems; to provide for benefit
calculation after transfer; to provide relative to reverse transfers;
to allow reverse transfers to be made during active service in
certain circumstances; to authorize purchase of the accrual rate
of the receiving system; to allow the funding of certain accrual
rate purchases by an employer; to provide limitations and
requirements for an employer-funded purchase; to provide for
an effective date; and to provide for related matters.

Read by title.

Rep. Lopinto moved the final passage of the bill.

ROLL CALL
The roll was called with the following result:
YEAS

Mr. Speaker Foil Lopinto
Abramson Franklin Lorusso
Adams Gaines Mack
Anders Garofalo Miller
Arnold Gisclair Montoucet
Badon Greene Moreno
Barras Guillory Morris, Jay
Billiot Guinn Morris, Jim
Bishop, S. Harris Norton
Bishop, W. Harrison Ortego
Broadwater Havard Ponti
Brossett Hazel Pope
Burns, H. Hill Pugh
Burns, T. Hodges Pylant
Burrell Hoffmann Reynolds
Carmody Howard Ritchie
Carter Hunter Seabaugh
Champagne Ivey Shadoin
Connick Jackson, K. St. Germain
Cox Jefferson Stokes
Cromer Johnson Talbot
Danahay Jones Thibaut
Dixon Landry, T. Whitney
Dove LeBas Williams, A.
Edwards Leger Williams, P.
Fannin Leopold Willmott
Total - 87

NAYS

Total - 0

ABSENT

Armes Jackson, G. Robideaux
Barrow James Schroder
Berthelot Lambert Simons
Geymann Landry, N. Smith
Hensgens Pearson Thibaut
Huval Pierre Thompson
Total - 18

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

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

Explanation of Vote

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

SENATE BILL NO. 99—
BY SENATOR MORGAN

To enact R.S. 33:423.25, relative to the town of Welsh; to provide for the chief of police's authority regarding discipline of police personnel; and to provide for related matters.

Read by title.

Rep. Guinn 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. 140—
BY SENATOR MORRELL

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

Read by title.

Motion

Rep. Leger moved the bill be indefinitely postponed.

By a vote of 83 yeas and 0 nays, the House agreed to indefinitely postpone the bill.

Consent to Correct a Vote Record

Rep. Johnson requested the House consent to record his vote on the indefinite postponement of Senate Bill No. 140 as yea, which consent was unanimously granted.
SENATE BILL NO. 186—
BY SENATOR GALLOT

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

Read by title.

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

HOUSE FLOOR AMENDMENTS
Amendments proposed by Representative Brown to Engrossed Senate Bill No. 186 by Senator Gallot

AMENDMENT NO. 1
On page 2, delete lines 2 through 6 in their entirety

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


ROLL CALL
The roll was called with the following result:

YEAS

Mr. Speaker
Franklin

Abramson
Gaines

Adams
Garofalo

Anders
Geymann

Arnold
Gisclair

Badon
Greene

Barras
Guillory

Berthelot
Guinn

Billiot
Harris

Bishop, S.
Havard

Bishop, W.
Hazel

Broadwater
Hill

Brossett
Hodges

Brown
Hoffmann

Burns, H.
Hollis

Burns, T.
Honore

Burrell
Howard

Carmody
Hunter

Carter
Ivey

Champagne
Jackson, K.

Chaney
James

Connick
Jefferson

Cox
Johnson

Cromer
Jones

Danahay
Landry, N.

Dixon
Landry, T.

Dove
LeBas

Edwards
Leger

Fannin
Leopold

Foil
Lopinto

Total - 89

Lorusso
Mack
Miller
Moreno
Morris, Jay
Morris, Jim
Ortego
Pearson
Pierre
Ponti
Price
Pugh
Pyant
Reynolds
Richard
Ritchie
Robideaux
Schexnayder
Schrader
Seabaugh
Shadoin
Simon
Tanbot
Thierry
Whitney
Williams, A.
Williams, P.
Willmott

NAYS

Total - 0

ABSENT

Armes
Huvual

Barrow
Jackson, G.

Burford
Lambert

Harrison
Montoucet

St. Germain
Stokes
Thibaut
Thompson

Landry, N.

Total - 1

ABSENT

Armes
Hensgens

Barrow
Robideaux

Burford
Schrader

Burns, T.
Seabaugh

948
The Chair declared the above bill was finally passed.

Rep. Brown 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. 209—
BY SENATOR LAFLEUR

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

Read by title.

Rep. LeBas moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

<table>
<thead>
<tr>
<th>Mr. Speaker</th>
<th>Garofalo</th>
<th>Montoucet</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abramson</td>
<td>Gisclair</td>
<td>Moreno</td>
</tr>
<tr>
<td>Adams</td>
<td>Guilory</td>
<td>Morris, Jay</td>
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<tr>
<td>Anders</td>
<td>Guinn</td>
<td>Morris, Jim</td>
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<tr>
<td>Arnold</td>
<td>Harris</td>
<td>Ortego</td>
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<tr>
<td>Badon</td>
<td>Harrison</td>
<td>Pearson</td>
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<tr>
<td>Barras</td>
<td>Havid</td>
<td>Pierre</td>
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<tr>
<td>Berthelot</td>
<td>Hazel</td>
<td>Ponti</td>
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<tr>
<td>Billiot</td>
<td>Henry</td>
<td>Pope</td>
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<tr>
<td>Bishop, S.</td>
<td>Hill</td>
<td>Price</td>
</tr>
<tr>
<td>Bishop, W.</td>
<td>Hodges</td>
<td>Pugh</td>
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<tr>
<td>Broadwater</td>
<td>Hoffmann</td>
<td>Pylant</td>
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<tr>
<td>Brossett</td>
<td>Hollis</td>
<td>Reynolds</td>
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<tr>
<td>Brown</td>
<td>Honore</td>
<td>Richard</td>
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<tr>
<td>Burns, T.</td>
<td>Howard</td>
<td>Ritchie</td>
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<td>Burrell</td>
<td>Hunter</td>
<td>Robideaux</td>
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<tr>
<td>Carter</td>
<td>Ivey</td>
<td>Schexnayder</td>
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<tr>
<td>Champagne</td>
<td>Jackson, K.</td>
<td>Schroder</td>
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<tr>
<td>Chaney</td>
<td>James</td>
<td>Sebaugh</td>
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<tr>
<td>Connick</td>
<td>Jefferson</td>
<td>Shadoin</td>
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<tr>
<td>Cox</td>
<td>Johnson</td>
<td>Simon</td>
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<tr>
<td>Danahay</td>
<td>Jones</td>
<td>St. Germain</td>
</tr>
<tr>
<td>Dixon</td>
<td>Landry, T.</td>
<td>Talbot</td>
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<tr>
<td>Dove</td>
<td>LeBas</td>
<td>Thiabaut</td>
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<tr>
<td>Edwards</td>
<td>Leopold</td>
<td>Thierry</td>
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<tr>
<td>Fannin</td>
<td>Lopinto</td>
<td>Whitney</td>
</tr>
<tr>
<td>Foil</td>
<td>Lorusso</td>
<td>Williams, A.</td>
</tr>
<tr>
<td>Franklin</td>
<td>Mack</td>
<td>Williams, P.</td>
</tr>
<tr>
<td>Gaines</td>
<td>Miller</td>
<td>Willmott</td>
</tr>
<tr>
<td>Total - 87</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

NAYS

| Landry, N.           |          |           |
| Total - 1            |          |           |

ABSENT

| Armes                | Geymann  | Leger    |
| Barrow               | Greene   | Norton   |

Total - 24

SENATE BILL NO. 210—
BY SENATOR MURRAY

AN ACT
To amend and reenact R.S. 38:2212(A)(1)(e), relative to the Sewerage and Water Board of New Orleans; to provide for a maximum fee under certain circumstances; to provide for effectiveness; 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          | Franklin | Lopinto |
| Abramson             | Gaines   | Mack    |
| Adams                | Garofalo | Miller  |
| Anders               | Gisclair | Morris, Jay |
| Arnold               | Guinn    | Norton  |
| Barras               | Guinn    | Ortego  |
| Berthelot            | Harris   | Pearson |
| Billiot              | Harrison | Pierre  |
| Bishop, S.           | Havid    | Ponti   |
| Bishop, W.           | Hazel    | Pope    |
| Broadwater           | Henry    | Price   |
| Brossett             | Hill     | Pugh    |
| Brown                | Hodgins  | Reynolds |
| Burns, T.            | Hoffmann | Richards |
| Burrell              | Honor    | Ritchie |
| Carter               | Howard   | Schexnayder |
| Champagne            | Hunter   | Schroder |
| Chaney               | Ivey     | Sebaugh |
| Connick              | Jackson, K. | Simon    |
| Cox                  | James    | St. Germain |
| Cromer               | Jefferson | Talbot |
| Danahay              | Johnson  | Thiabaut |
| Dixon                | Jones    | Thierry |
| Dove                 | Landry, N. | Williams, A. |
| Edwards              | Landry, T. | Williams, P. |
| Fannin               | LeBas    | Willmott |
| Foil                 | Leopold  |           |
| Total - 84           |          |           |

NAYS

| Total - 0            |          |           |

ABSENT

| Armes                | Hensgens | Moreno |
| Badon                | Huvål    | Morris, Jim |
| Barrow               | Jackson, G. | Robideaux |
| Burns, H.            | Lambert  | Smith   |
| Carmody              | Leger    | Stokes  |
| Geymann              | Lorusso  | Thompson |
| Greene               | Montoucet | Whitne |
| Total - 21           |          |           |
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. 213—
BY SENATOR MORRELL
AN ACT
To amend and reenact R.S. 33:2419(B)(1) and to enact R.S. 33:2434, relative to civil service; to provide relative to the New Orleans Police Department; to provide relative to benefits for certain employees in certain positions; to provide for definitions; and to provide for related matters.

Read by title.

Rep. Hazel moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker  Gisclair  Miller
Adams  Greene  Moreno
Anders  Guillory  Morris, Jay
Arnold  Guinn  Morris, Jim
Badon  Harris  Ortego
Barras  Harrison  Pearson
Berthelot  Havard  Pierre
Bishop, W.  Hazel  Ponti
Broadwater  Henry  Pope
Brossett  Hill  Price
Burford  Hodges  Pugh
Burns, T.  Hoffmann  Pyllant
Burrell  Hollis  Reynolds
Carter  Honore  Richard
Champagne  Howard  Ritchie
Chaney  Hunter  Robideaux
Connick  Ivey  Schexnayder
Cox  James  Schroder
Cromer  Jefferson  Seabaugh
Danahay  Johnson  Shadoin
Dixon  Jones  Simon
Dove  Landry, N.  St. Germain
Edwards  Landry, T.  Stokes
Fannin  LeBas  Talbot
Foil  Leger  Thibaut
Franklin  Leopold  Thierry
Gaines  Lopinto  Whitney
Garofalo  Lorusso  Williams, P.
Geymann  Mack  Willmott
Total - 87

NAYS

Total - 0

ABSENT

Abramson  Burns, H.  Lambert
Armes  Cardomy  Montoucet
Barrow  Hensgens  Norton
Billiot  Hual  Smith
Bishop, S.  Jackson, G.  Thompson
Brown  Jackson, K.  Williams, A.
Total - 18

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 238—
BY SENATOR CHABERT
AN ACT
To enact Chapter 35 of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:1321 through 1326, relative to establishing the Leeville Fishing Village and Cultural Preservation Commission; to provide for legislative intent; to provide for membership and domicile; to provide for powers and duties; to provide for donations and grants; to provide for operating funds; to provide for rules; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Gisclair to Reengrossed Senate Bill No. 238 by Senator Chabert

AMENDMENT NO. 1

On page 2, delete line 3 in its entirety and insert "referred to in this Chapter as the "commission", is hereby created as a political subdivision of the state of Louisiana as defined in Article VI, Section 44 of the Constitution of Louisiana."

AMENDMENT NO. 2

On page 3, at the beginning of line 22, change "(4)" to "D."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Gisclair to Reengrossed Senate Bill No. 238 by Senator Chabert

AMENDMENT NO. 1

On page 2, line 6, delete "in precincts 10-1 through 10-16"

AMENDMENT NO. 2

On page 2, at the beginning of line 7, delete "to be known as" and insert "including"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker  Gisclair  Moreno
Adams  Greene  Morris, Jay
Anders  Guillory  Morris, Jim
Arnold  Guinn  Norton
Badon  Harris  Ortego
Barras  Harrison  Pearson
Total - 87

NAYS

Total - 0

ABSENT

Abramson  Burns, H.  Lambert
Armes  Cardomy  Montoucet
Barrow  Hensgens  Norton
Billiot  Hual  Smith
Bishop, S.  Jackson, G.  Thompson
Brown  Jackson, K.  Williams, A.
Total - 18

The Chair declared the above bill was finally passed.

950
SENATE BILL NO. 239—
BY SENATOR WARD
AN ACT
To amend and reenact R.S. 40:1503(A), (B), (E)(1), and (F), and to repeal R.S. 40:1503(G), (H), (I), (J), (K) and (L), relative to West Baton Rouge Fire Protection District No. 1; to provide for certain powers of the board of commissioners; to provide for the allocation of certain revenues; to provide specific dates to recalculate assessments; and to provide for related matters.

Read by title.

Rep. Thibaut moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker  Garofalo  Montoucet
Abramson  Gisclair  Moreno
Anders  Greene  Morris, Jay
Armes  Guillory  Morris, Jim
Arnold  Guinn  Ortego
Badon  Harris  Pearson
Barrow  Huvil  Smith
Billiot  Havard  Ponti
Berthelot  Hazel  Pierre
Burns, H.  Houche  Ritchie
Burns, T.  Hunter  Robideaux
Burford  Hoffman  Reynolds
Carter  Jackson, K.  Schroder
Chamagne  James  Seabaugh
Connick  Jefferson  Shadoin
Cox  Johnson  St. Germain
Dixon  Lebas  Talbot
Edwards  Lopinto  Williams, A.
Emile  Lambert  Willmott
Fannin  Leopold  Williams, P.
Gaines  Mack  Willmott
Garofalo  Miller  Willmott

Total - 92

NAYS

Total - 0

ABSENT

Armes  Geymann  Lambert
Barrow  Huvil  Lebas
Bishop, W.  Hensgens  Mack
Carmody  Huvil  Smith
Danahay  Jackson, G.  Thompson

Total - 15

The Chair declared the above bill was finally passed.

Rep. Thibaut 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. 243—
BY SENATOR PERRY
AN ACT
To enact R.S. 33:4574.1.1(Q)(4), relative to Vermilion Parish Tourist Commission; to provide for expenditure of funds; to provide relative to certain municipalities; to provide an effective date; and to provide for related matters.

Read by title.

Rep. Nancy Landry moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker  Garofalo  Montoucet
Abramson  Gisclair  Moreno
Anders  Greene  Morris, Jay
Armes  Guillory  Morris, Jim
Arnold  Guinn  Ortego
Badon  Harris  Pearson
Barrow  Huvil  Smith
Berthelot  Hazel  Ponti
Billiot  Henry  Pope
Bishop, S.  Hoffman  Price
Broadwater  Hodges  Pugh
Brossett  Hoffmann  Pylant
Brown  Hoffmann  Reynolds
Burford  Hoffman  Richard
Burns, H.  Houche  Ritchie
Burns, T.  Hunter  Robideaux
Burford  Hoffman  Reynolds
Carter  Jackson, K.  Schroder
Chamagne  James  Seabaugh
Connick  Jefferson  Shadoin
Cox  Jones  St. Germain
Cromer  Jones  Talbot
Dove  Lopinto  Thibaut
Edwards  Lopinto  Williams, A.
Emile  Lambert  Willmott
Fannin  Leopold  Williams, P.
Franklin  Lopinto  Williams, P.

Total - 90

NAYS

Total - 0

ABSENT

Armes  Geymann  Lambert
Barrow  Huvil  Lebas
Bishop, W.  Hensgens  Mack
Carmody  Huvil  Smith
Danahay  Jackson, G.  Thompson

Total - 15

The Chair declared the above bill was finally passed.

Rep. Thibaut 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. 247—
BY SENATOR NEVERS
AN ACT
To enact R.S. 47:338.183.1, relative to sales and use taxes; to authorize the levy of an additional sales and use tax not to exceed one-half of one percent in certain parishes; to require voter approval of the parish ordinance authorizing the tax; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Shadoin to Reengrossed Senate Bill No. 247 by Senator Nevers

AMENDMENT NO. 1
On page 1, line 2, after "47:338.183.1" delete the comma "," and insert "and 338.196,"

AMENDMENT NO. 2
On page 1, at the end of line 3, delete the semicolon ";" and insert "and by certain school boards;"

AMENDMENT NO. 3
On page 2, after line 16, insert the following:

"§338.196. Authority to levy additional sales and use tax; certain school boards"

The Chair declared the above bill was finally passed.

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Pope to Reengrossed Senate Bill No. 247 by Senator Nevers

AMENDMENT NO. 1
On page 2, after line 16, add the following:

"E. The provisions of this Section shall not apply to Livingston Parish."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Shadoin to Reengrossed Senate Bill No. 247 by Senator Nevers

AMENDMENT NO. 1
On page 1, line 2, after "47:338.183.1" delete the comma "," and insert "and 338.196,"

AMENDMENT NO. 2
On page 1, at the end of line 3, delete the semicolon ";" and insert "and by certain school boards;"

AMENDMENT NO. 3
On page 2, after line 16, insert the following:

"§338.196. Authority to levy additional sales and use tax; certain school boards"
Suspension of the Rules

On motion of Rep. Cromer, 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. 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 with respect to choice of physician; to provide with respect to medical examinations; to provide with respect to the payment of benefits; to provide for hearing procedures; to provide for notice requirements; to provide with respect to the modification, suspension, termination, or controversy of benefits; to provide for procedure; to provide for the payment of benefits for rehabilitation of injured employees; to provide for disputes; and to provide for related matters.

Called from the calendar.

Read by title.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Foil Lorusso
Abraham Franklin Mack
Abrams Gains Miller
Anders Garofalo Montoucet
Armes Gisclair Moreno
Arnold Greene Morris, Jim
Badon Guilory Norton
Barras Gann Ortego
Berthelot Harris Pierre
Billiot Harrison Ponti
Bishop, S. Havard Pope
Bishop, W. Hazel Price
Broadwater Hill Pugh
Brossett Hill Pylant
Brown Hodges Reynolds
Burns, H. Hoffmann Richard
Burns, T. Holis Ritchie
Burns, T. Honore Robideaux
Burrell Howard Schexnayder
Carmody Hunter Theriot
Carter Ivey Seabaugh
Champagne Johnson, K. Shadoin
Chanev James St. Germain
Connick Jones Thompson
Cox LeBas Williams, A.
Dixon Lopinto Willmott
Fannin Mack Williams, P.
Foil Miller Willmott

Total - 93

NAYS

Mr. Speaker Foil Lorusso
Abramson Franklin Mack
Abrams Gains Miller
Anders Garofalo Montoucet
Armes Gisclair Moreno
Arnold Greene Morris, Jim
Badon Guilory Norton
Barras Gann Ortego
Berthelot Harris Pierre
Billiot Harrison Ponti
Bishop, S. Havard Pope
Bishop, W. Hazel Price
Broadwater Hill Pylant
Brossett Hill Pylant
Brown Hodges Reynolds
Burns, H. Hoffmann Richard
Burns, T. Holis Ritchie
Burns, T. Honore Robideaux
Burrell Howard Schexnayder
Carmody Hunter Theriot
Carter Ivey Seabaugh
Champagne Johnson, K. Shadoin
Chanev James St. Germain
Connick Jones Thompson
Cox LeBas Williams, A.
Dixon Lopinto Willmott
Fannin Mack Williams, P.

Total - 0

ABSENT

Armes Harrison Lambert
Barrow Henry Landry, N.
Burns, T. Hensgens Morris, Jay
Dove Hodges Smith
Geynam Huval Thibaut
Guillory Jackson, G. Thompson

Total - 12

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Fannin gave notice of his intention to call House Bill No. 677 from the calendar on Tuesday, May 28, 2013.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Abramson gave notice of his intention to call Senate Bill No. 175 from the calendar on Wednesday, May 29, 2013.

Suspension of the Rules

On motion of Rep. Geynam, the rules were suspended in order to take up and consider Petitions, Memorials, and Communications at this time.
The following petitions, memorials, and communications were received and read:

**Message from the Senate**

**HOUSE CONCURRENT RESOLUTIONS**

May 23, 2013

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

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

House Concurrent Resolution No. 149
Returned without amendments

House Concurrent Resolution No. 152
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

**Message from the Senate**

**ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS**

May 23, 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. 78, 82, 91, 108, 109, and 110

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. 109—**

BY SENATOR JOHNS AND REPRESENTATIVE GEYMANN
A CONCURRENT RESOLUTION

To commend the St. Louis Catholic High School Lady Saints track team on winning the 2013 Class 4A Girls Outdoor Track and Field state championship.

Read by title.

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

**SENATE CONCURRENT RESOLUTION NO. 110—**

BY SENATOR JOHNS AND REPRESENTATIVE GEYMANN
A CONCURRENT RESOLUTION

To commend the Sam Houston High School Lady Broncos softball team on winning their third consecutive state championship.

Read by title.

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

**Introduction of Resolutions, House and House Concurrent**

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

**HOUSE CONCURRENT RESOLUTION NO. 158—**

BY REPRESENTATIVES SCHRODER, KLECKLEY, AND FANNIN
A CONCURRENT RESOLUTION

To create the Ad Hoc Interim Joint Legislative Committee on Budgetary Procedure to study the feasibility of changing the format and procedure regarding the development, implementation, and review of the state budget and to make recommendations to the Joint Legislative Committee on the Budget no later than sixty days prior to the convening of the 2014 Regular Session of the Legislature of Louisiana.

Read by title.

Lies over under the rules.

**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:

**Suspension of the Rules**

On motion of Rep. Leger, the rules were suspended in order to take up and consider Senate Bill No. 188 at this time.

**SENATE BILL NO. 188—**

BY SENATOR MARTINY
AN ACT

To enact R.S. 13:50, relative to certain judicial salaries; to provide for salary increases for judges of the supreme court, courts of appeal, district courts, city courts, and parish courts as recommended by the Judicial Compensation Commission; and to provide for related matters.

Read by title.

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

**Suspension of the Rules**

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

**House and House Concurrent Resolutions Lying Over**

The following House and House Concurrent Resolutions lying over were taken up and acted upon as follows:
HOUSE CONCURRENT RESOLUTION NO. 158—
BY REPRESENTATIVES SCHRODER, KLECKLEY, AND FANNIN
A CONCURRENT RESOLUTION
To create the Ad Hoc Interim Joint Legislative Committee on Budgetary Procedure to study the feasibility of changing the format and procedure regarding the development, implementation, and review of the state budget and to make recommendations to the Joint Legislative Committee on the Budget no later than sixty days prior to the convening of the 2014 Regular Session of the Legislature of Louisiana.

Read by title.

On motion of Rep. Schroder, and under a suspension of the rules, the resolution was ordered passed to its third reading.

Privileged Report of the Legislative Bureau
May 23, 2013
To the Speaker and Members of the House of Representatives:

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

Senate Bill No. 2
Reported without amendments.

Senate Bill No. 3
Reported without amendments.

Senate Bill No. 10
Reported without amendments.

Senate Bill No. 13
Reported without amendments.

Senate Bill No. 42
Reported with amendments.

Senate Bill No. 44
Reported without amendments.

Senate Bill No. 47
Reported without amendments.

Senate Bill No. 50
Reported without amendments.

Senate Bill No. 63
Reported without amendments.

Senate Bill No. 78
Reported without amendments.

Senate Bill No. 159
Reported without amendments.

Senate Bill No. 165
Reported with amendments.

Senate Bill No. 199
Reported without amendments.

Senate Bill No. 204
Reported with amendments.

Senate Bill No. 207
Reported without amendments.

Senate Bill No. 255
Reported without amendments.

Senate Bill No. 256
Reported without amendments.

Respectfully submitted,
REGINA BARROW
Chairman

Privileged Report of the Committee on Enrollment
May 23, 2013
To the honorable Speaker and Members of the House of Representatives:

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

The following House Concurrent Resolutions have been properly enrolled:

HOUSE CONCURRENT RESOLUTION NO. 2—
BY REPRESENTATIVE HARRISON
A CONCURRENT RESOLUTION
To suspend until July 1, 2014, the provisions of Chapter 7 of Subtitle II of Title 11 of the Louisiana Revised Statutes of 1950, comprised of R.S. 11:1399.1 through 1399.7, providing for a Cash Balance Plan in certain state retirement systems.

HOUSE CONCURRENT RESOLUTION NO. 32—
BY REPRESENTATIVES GREENE AND FOIL
A CONCURRENT RESOLUTION
To urge and request the Louisiana State Law Institute to review the child support guidelines, the laws governing the application of the guidelines to children with developmental disabilities, and the laws regarding custody and visitation for developmentally disabled adult children, and to report its findings and recommendations in the form of specific proposed legislation to the Louisiana Legislature no later than February 1, 2014.

HOUSE CONCURRENT RESOLUTION NO. 142—
BY REPRESENTATIVES HENSGENS AND CHAMPAGNE AND SENATOR PERRY
A CONCURRENT RESOLUTION
To commend Caroline Poché and Kelsey Trahan of Vermilion Parish for winning the top two leadership roles in Louisiana's Junior Beta Club.

HOUSE CONCURRENT RESOLUTION NO. 147—
BY REPRESENTATIVE GREENE AND SENATOR CLAITOR
A CONCURRENT RESOLUTION
To commend the Catholic High School baseball team upon winning the 2013 Class 5A state championship.

Respectfully submitted,
HAROLD RITCHIE
Chairman

The above House Concurrent Resolutions contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk of the House and were signed by the President of the Senate and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Privileged Report of the Committee on Enrollment
May 23, 2013
To the honorable Speaker and Members of the House of Representatives:
I am directed by your Committee on Enrollment to submit the following report:

The following House Bills have been properly enrolled:

**HOUSE BILL NO. 16** —
BY REPRESENTATIVES DIXON AND HAZEL AND SENATOR GALLOT
AN ACT
To authorize and provide for the transfer of certain state property in Rapides Parish; to provide for the property descriptions; to provide for reservation of mineral rights; to provide terms and conditions; to provide an effective date; and to provide for related matters.

**HOUSE BILL NO. 37** —
BY REPRESENTATIVE NANCY LANDRY
AN ACT
To amend and reenact R.S. 11:2096, relative to the Registrars of Voters Employees' Retirement System; to establish a range for employee contributions; to provide for the establishment of a rate within that range; and to provide for related matters.

**HOUSE BILL NO. 58** —
BY REPRESENTATIVE GREENE
AN ACT
To amend and reenact R.S. 11:62(13) and 2132(B), relative to Orleans Parish; to provide for the extension of liberative prescription; to provide for the interruption or suspension of the period; to provide for the effect of the extension on other obligors and obligees; to provide for the interjection of suspension of prescription during a period of extension; and to provide for related matters.

**HOUSE BILL NO. 239** —
BY REPRESENTATIVE SHADOIN AND SENATOR WALSWORTH
AN ACT
To designate a portion of Louisiana Highway 33 in Union Parish as the "James Peyton Smith Bridge".

**HOUSE BILL NO. 291** —
BY REPRESENTATIVES PRICE AND BURRELL
AN ACT
To amend and reenact R.S. 22:32(A)(1) introductory paragraph, (i), (l), and (n) and (3) and to enact R.S. 22:32(A)(1)(r) and (4), relative to the Advisory Committee on Equal Opportunity within the Department of Insurance; to require the deputy commissioner of the division of minority affairs to serve as the committee chairperson; to make changes to the list of associations that may submit nominees to be considered for appointment to the committee; and to provide for related matters.

**HOUSE BILL NO. 588** —
BY REPRESENTATIVE ABRAMSON
AN ACT
To amend and reenact Civil Code Articles 2041 and to enact Civil Code Articles 3505, 3505.1, 3505.2, 3505.3, and 3505.4, relative to modes of acquiring ownership; to provide relative to obligations and contracts; to provide for enforcement and termination; to provide for the extension of liberative prescription; to provide for actions in cases of fraud; to provide formal requirements for the extension of liberative prescription; to provide for the commencement of the period of extension; to provide for the effect of the extension on other obligors and obligees; to provide for the interruption or suspension of prescription during a period of extension; and to provide for related matters.

Respectfully submitted,

HAROLD RITCHIE
Chairman

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

Suspension of the Rules

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

Senate Bill No. 188

Suspension of the Rules

On motion of Rep. Abramson, the rules were suspended to permit the Committee on Civil Law and Procedure to meet at 11:00 A.M. on Tuesday, May 29, 2013, and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

Senate Bill No. 96

Suspension of the Rules

On motion of Rep. Robideaux, the rules were suspended to permit the Committee on Ways and Means to meet at 10:30 A.M. on Tuesday, May 29, 2013, and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:
House Bill No. 699

Leave of Absence

Rep. Thompson - 1 day
Rep. Smith - 1 day
Rep. Huval - 1 day
Rep. Barras - 1 day
Rep. Girod Jackson - 1 day

Adjournment

On motion of Rep. Billiot, at 11:09 A.M., the House agreed to adjourn until Tuesday, May 28, 2013, at 1:00 P.M.

The Speaker of the House declared the House adjourned until 1:00 P.M., Tuesday, May 28, 2013.

ALFRED W. SPEER
Clerk of the House