

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

TWENTY-NINTH DAY'S PROCEEDINGS

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

House of Representatives
State Capitol
Baton Rouge, Louisiana

Thursday, May 23, 2013

The House of Representatives was called to order at 9:00 A.M., by the Honorable Walt Leger, Speaker Pro Tempore of the House of Representatives.

Morning Hour

ROLL CALL

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

PRESENT

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

Foil Lorusso
Franklin Mack
Total - 97

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. 157—
BY REPRESENTATIVE BROSSETT

A CONCURRENT RESOLUTION

To urge and request the Department of Justice, office of the attorney general, to develop a comprehensive plan for the delivery of youth gang violence prevention services and to report its recommendations to the House Committee on the Administration of Criminal Justice and the Senate Committee on Judiciary C on or before January 15, 2014.

Read by title.

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

Ordered to the Senate.

**House and House Concurrent Resolutions
Lying Over**

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

HOUSE RESOLUTION NO. 129—

BY REPRESENTATIVE KATRINA JACKSON

A RESOLUTION

To urge and request the House Committee on Municipal, Parochial and Cultural Affairs to study policies, practices, and funding needed to ensure that parks and recreation centers provide recreation equipment and opportunities appropriate for children with disabilities and to report its findings to the House of Representatives prior to the convening of the 2014 Regular Session of the Legislature of Louisiana.

Read by title.

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

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.

Reported favorably by the Committee on Ways and Means.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 688—

BY REPRESENTATIVE JOHNSON

AN ACT

To enact R.S. 47:6039, relative to tax credits; to authorize a tax credit against Louisiana income and corporation franchise tax for certain businesses which offer essential services during certain emergency situations; to provide for certain definitions; to provide for eligibility; to provide for the amount of the tax credit; to provide for certain requirements and limitations; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 688 by Representative Johnson

AMENDMENT NO. 1

On page 1, line 15, after "disaster." and before "The" insert the following:

"To be eligible for the tax credit, qualified expenses and investments shall be those that are certified by the Department of Revenue as eligible. The total aggregate amount of tax credits which may be issued for all taxpayers for purposes of this Section shall not exceed one million dollars in any tax year."

AMENDMENT NO. 2

On page 2, at the beginning of line 3, after "B." insert the following:

"(1) To be eligible for the tax credit, a business shall first receive pre-clearance of its emergency preparedness plan from the Office of Emergency Preparedness and Homeland Security, hereinafter referred to as "office". An emergency plan shall include the estimated amount of qualified expenses and investments which the business intends to claim for purposes of the tax credit, as well as any documents or other materials required by the office relative to the pre-clearance process. The office shall by rule establish requirements for application for and approval of pre-clearance status. Each tax year, the authority for the office to grant pre-clearance status to emergency preparedness plans shall be limited to that number of plans containing estimated qualified expenses and investments which, in the aggregate, would generate no more than one million dollars in tax credits.

(2) To claim a tax credit, in addition to any other documentation the Department of Revenue may require, a business shall also submit to the department evidence of the pre-clearance status of its emergency preparedness plan.

C."

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.

Senate Instruments on Second Reading Returned from the Legislative Bureau

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

SENATE BILL NO. 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

Page 4 HOUSE

29th Day's Proceedings - May 23, 2013

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. 20— BY SENATOR ALLAIN

AN ACT

To amend and reenact R.S. 42:19(A)(1)(b)(i) and to enact R.S. 42:19.1, relative to political subdivisions; to provide publication and other requirements prior to consideration of and action upon certain matters at meetings of political subdivisions; 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. 20 by Senator Allain

AMENDMENT NO. 1

On page 1, line 2, after "To" delete "amend and reenact R.S. 42:19(A)(1)(b)(i) and to"

AMENDMENT NO. 2

On page 1, line 7, after "Section 1." delete "R.S. 42:19(A)(1)(b)(i) is hereby amended and reenacted and"

AMENDMENT NO. 3

On page 1, delete lines 9 through 15

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. 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, JOHNS, LAFLEUR, 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 the required content of the action plans; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

Reported without amendments by the Legislative Bureau.

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

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

SENATE BILL NO. 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, CLAITOR, CORTEZ, CROWE, DORSEY-COLOMB, GALLOT, GUILLORY, HEITMEIER, LONG, MARTINY, MILLS, MURRAY, NEVERS, PEACOCK, PERRY, RISER, GARY SMITH, THOMPSON, WALSWORTH AND WARD AND REPRESENTATIVE THOMPSON

AN ACT

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

Read by title.

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

* * *

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 "and"

AMENDMENT NO. 2

On page 2, line 29, following "to" and before "the" delete "and"

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. Lopinto, 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.

SENATE BILL NO. 191—

BY SENATORS MORRELL AND MURRAY AND REPRESENTATIVES BROSSETT AND LEGER

AN ACT

To amend and reenact R.S. 18:402(D), (E)(1)(e) and (2)(e), and (F)(6), 467(4), and 514, relative to parochial and municipal elections in certain parishes; to provide relative to the qualifying period, the dates for primary, general, special, bond, tax or other elections and inauguration; 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. 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.

Page 8 HOUSE

29th Day's Proceedings - May 23, 2013

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 "children" and before "five years" delete "at least"

AMENDMENT NO. 6

On page 2, line 26, after "A" and before "day care center" insert "child"

AMENDMENT NO. 7

On page 2, line 29, after "full-time" and before "day care center" insert "child"

AMENDMENT NO. 8

On page 2, line 29, 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 are available online and list the ~~web~~ Internet website address where such information may be obtained and information which explains that 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 " ,"

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 Ways and Means.

Under the rules, the bill was recommitted to 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, to provide 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)(iii) and (v), (2)(a) and (b), and (3)(a)(introductory paragraph), (i), (vii), (xvi), and (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)(viii) 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

Pursuant to House Rule No. 8.26(A), Rep. James gave notice of Rep. Smith's intention to call House Bill No. 646 from the calendar on Tuesday, May 28, 2013.

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), 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 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:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Barrow on behalf of the Legislative Bureau to Engrossed House Bill No. 728 by Representative Cromer

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:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Broadwater to Engrossed House Bill No. 728 by Representative Cromer

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 "pavor"

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 pavor 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 pavor"

AMENDMENT NO. 10

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

"Such suspension of benefits by the employer or pavor 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 pavor 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

* * *

H.(1) 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 begun or has been suspended, as the case may be. After February 1, 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 the employee's representative, with the first payment of compensation.

(c) Send the notice of payment to the injured employee, or the employee's representative, within ten days of a suspension or modification to 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.

(2)(a) The injured employee or the employee's representative who disagrees with any information provided on the notice of payment shall, in writing, notify the payor of the basis for disagreement and provide the amounts believed appropriate.

(b) The payor, within five business days of receipt of the notice of disagreement, shall do one of the following:

(i) Send a revised notice of payment along with a revised payment in accordance therewith 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.

(c) 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.

(3) 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.

Page 14 HOUSE

29th Day's Proceedings - May 23, 2013

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."

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. 23:23:1201" 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 "J.".

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. 23:1226(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 comply with R.S. 23:1208(H) 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 LWC- 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 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 payor 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 other earnings to his employer's insurer payor 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 payor 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 payor. 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 employer fails to report to its insurer payor as required by this Section, the employer may be subject to a penalty of five hundred dollars, payable to the insurer payor.

(3) The insurer payor 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 hearing." and insert in lieu thereof "employee shall have a right to 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 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"

Page 16 HOUSE

29th Day's Proceedings - May 23, 2013

AMENDMENT NO. 38

On page 10, line 18, delete "employee." and insert "employee, his dependant, or beneficiary; or when the employer or pavor is an aggrieved party appealing a decision of the medical director pursuant to R.S. 23:1203(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, CLAITOR, CROWE, ERDEY, GUILLORY, HEITMEIER, 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:

YEAS

Table with 3 columns: Mr. Speaker, Foil, Lopinto; Abramson, Franklin, Lorusso; Adams, Gaines, Mack; Anders, Garofalo, Miller; Arnold, Geymann, Montoucet; Badon, Gisclair, Moreno; Barras, Greene, Morris, Jay; Berthelot, Guillory, Pearson; Billiot, Guinn, Pierre; Bishop, S., Harris, Pope; Bishop, W., Harrison, Price; Broadwater, Hazel, Pugh; Brossett, Hill, Reynolds; Brown, Hodges, Richard; Burford, Hoffmann, Ritchie; Burns, H., Hollis, Robideaux; Burns, T., Honore, Schexnayder; Burrell, Howard, Schroder; Carmody, Hunter, Seabaugh; Carter, Ivey, Shadoin; Champagne, Jackson, K., Simon; Chaney, James, St. Germain; Connick, Jefferson, Stokes; Cox, Johnson, Thibaut; Cromer, Jones, Thierry; Danahay, Landry, N., Whitney; Dixon, Landry, T., Williams, A.; Dove, LeBas, Williams, P.; Edwards, Leger, Willmott; Fannin, Leopold

Total - 89

NAYS

Total - 0

ABSENT

Table with 3 columns: Armes, Jackson, G., Pylant; Barrow, Lambert, Smith; Havard, Morris, Jim, Talbot; Henry, Norton, Thompson; Hensgens, Ortego; Huval, Ponti

Total - 16

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
Brown	Henry	Price
Burford	Hill	Pugh
Burns, H.	Hodges	Pylant
Burns, T.	Hoffmann	Reynolds
Burrell	Hollis	Richard
Carmody	Honore	Ritchie
Carter	Howard	Schexnayder
Champagne	Hunter	Seabaugh
Chaney	Ivey	Shadoin
Connick	Jackson, K.	St. Germain
Cox	Jefferson	Stokes
Cromer	Johnson	Talbot
Danahay	Jones	Thierry
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	Simon
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 MORRISH

AN ACT

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 the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 90

NAYS

Total - 0

ABSENT

Armes	Hensgens	Montoucet
Barrow	Hodges	Ortego
Burrell	Huval	Simon
Dixon	Jackson, G.	Smith
Greene	Lambert	Thompson

Total - 15

The Chair declared the above bill was finally passed.

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

AN ACT

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

Read by title.

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.

Page 18 HOUSE

29th Day's Proceedings - May 23, 2013

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Franklin	Lorusso
Abramson	Gaines	Mack
Adams	Garofalo	Miller
Anders	Geymann	Moreno
Arnold	Gisclair	Morris, Jay
Badon	Greene	Morris, Jim
Barras	Guillory	Ortego
Berthelot	Guinn	Pearson
Billiot	Harris	Pierre
Bishop, S.	Havard	Ponti
Bishop, W.	Hazel	Pope
Broadwater	Hill	Price
Brossett	Hodges	Pugh
Brown	Hoffmann	Pylant
Burns, H.	Hollis	Reynolds
Burns, T.	Honore	Richard
Burrell	Howard	Ritchie
Carmody	Hunter	Robideaux
Carter	Ivey	Schexnayder
Champagne	Jackson, K.	Schroder
Chaney	James	Seabaugh
Connick	Jefferson	Shadoin
Cox	Johnson	Simon
Cromer	Jones	Talbot
Danahay	Landry, N.	Thierry
Dixon	Landry, T.	Whitney
Dove	LeBas	Williams, A.
Edwards	Leger	Williams, P.
Fannin	Leopold	Willmott
Foil	Lopinto	
Total - 89		

NAYS

Total - 0

ABSENT

Armes	Huval	St. Germain
Barrow	Jackson, G.	Stokes
Burford	Lambert	Thibaut
Harrison	Montoucet	Thompson

Henry	Norton
Hensgens	Smith
Total - 16	

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.

Consent to Correct a Vote Record

Rep. Johnson requested the House consent to record his vote on final passage of Senate Bill No. 186 as yea, which consent was unanimously granted.

SENATE BILL NO. 195—

BY SENATORS GALLOT, KOSTELKA AND LONG
AN ACT

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

Read by title.

Rep. Brown moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Franklin	Lorusso
Abramson	Gaines	Mack
Adams	Garofalo	Miller
Anders	Geymann	Moreno
Arnold	Gisclair	Morris, Jay
Badon	Greene	Morris, Jim
Barras	Guillory	Ortego
Berthelot	Guinn	Pearson
Billiot	Harris	Pierre
Bishop, S.	Havard	Ponti
Bishop, W.	Hazel	Pope
Broadwater	Hill	Price
Brossett	Hodges	Pugh
Brown	Hoffmann	Pylant
Burns, H.	Hollis	Reynolds
Burrell	Honore	Richard
Carmody	Howard	Ritchie
Carter	Hunter	Schexnayder
Champagne	Ivey	Shadoin
Chaney	Jackson, K.	St. Germain
Connick	James	Talbot
Cox	Jefferson	Thibaut
Dixon	Johnson	Thierry
Dove	Jones	Whitney
Edwards	Landry, T.	Williams, A.
Fannin	Leger	Williams, P.
Foil	Leopold	
Total - 80		

NAYS

Landry, N.
Total - 1

ABSENT

Armes	Hensgens	Robideaux
Barrow	Huval	Schroder
Burford	Jackson, G.	Seabaugh
Burns, T.	Lambert	Simon

Cromer	LeBas	Smith
Danahay	Lopinto	Stokes
Harrison	Montoucet	Thompson
Henry	Norton	Willmott
Total - 24		

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

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

NAYS

Landry, N.
Total - 1

ABSENT

Armes	Geymann	Leger
Barrow	Greene	Norton

Burford	Hensgens	Smith
Burns, H.	Huval	Stokes
Carmody	Jackson, G.	Thompson
Cromer	Lambert	
Total - 17		

The Chair declared the above bill was finally passed.

Rep. LeBas 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. 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	Guillory	Norton
Barras	Guinn	Ortego
Berthelot	Harris	Pearson
Billiot	Harrison	Pierre
Bishop, S.	Havard	Ponti
Bishop, W.	Hazel	Pope
Broadwater	Henry	Price
Brossett	Hill	Pugh
Brown	Hodges	Pylant
Burford	Hoffmann	Reynolds
Burns, T.	Hollis	Richard
Burrell	Honore	Ritchie
Carter	Howard	Schexnayder
Champagne	Hunter	Schroder
Chaney	Ivey	Seabaugh
Connick	Jackson, K.	Shadoin
Cox	James	Simon
Cromer	Jefferson	St. Germain
Danahay	Johnson	Talbot
Dixon	Jones	Thibaut
Dove	Landry, N.	Thierry
Edwards	Landry, T.	Williams, A.
Fannin	LeBas	Williams, P.
Foil	Leopold	Willmott
Total - 84		

NAYS

Total - 0

ABSENT

Armes	Hensgens	Moreno
Badon	Huval	Morris, Jim
Barrow	Jackson, G.	Robideaux
Burns, H.	Lambert	Smith
Carmody	Leger	Stokes
Geymann	Lorusso	Thompson
Greene	Montoucet	Whitney
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	Pylant
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	Carmody	Montoucet
Barrow	Hensgens	Norton
Billiot	Huval	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

Berthelot	Havard	Pierre
Bishop, S.	Hazel	Ponti
Bishop, W.	Henry	Pope
Broadwater	Hill	Price
Brossett	Hodges	Pugh
Brown	Hoffmann	Pylant
Burford	Hollis	Reynolds
Burns, H.	Honore	Richard
Burns, T.	Howard	Ritchie
Burrell	Hunter	Robideaux
Carter	Ivey	Schexnayder
Champagne	Jackson, K.	Schroder
Chaney	James	Seabaugh
Connick	Jefferson	Shadoin
Cox	Johnson	Simon
Cromer	Jones	St. Germain
Danahay	Landry, N.	Stokes
Dixon	Landry, T.	Talbot
Dove	LeBas	Thibaut
Edwards	Leger	Thierry
Fannin	Leopold	Whitney
Foil	Lopinto	Williams, A.
Franklin	Lorusso	Williams, P.
Gaines	Mack	Willmott
Garofalo	Miller	
Total - 92		

NAYS

Total - 0

ABSENT

Abramson	Geymann	Montoucet
Armes	Hensgens	Smith
Barrow	Huval	Thompson
Billiot	Jackson, G.	
Carmody	Lambert	
Total - 13		

The Chair declared the above bill was finally passed.

Rep. Gisclair 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. 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	Moreno
Abramson	Gisclair	Morris, Jay
Adams	Greene	Morris, Jim
Anders	Guillory	Norton
Arnold	Guinn	Ortego
Badon	Harris	Pearson
Barras	Harrison	Pierre
Berthelot	Hazel	Ponti

Billiot	Henry	Pope
Bishop, S.	Hill	Price
Broadwater	Hodges	Pugh
Brossett	Hoffmann	Pylant
Brown	Hollis	Reynolds
Burford	Honore	Richard
Burns, H.	Howard	Ritchie
Burns, T.	Hunter	Robideaux
Burrell	Ivey	Schexnayder
Carter	Jackson, K.	Schroder
Champagne	James	Seabaugh
Chaney	Jefferson	Shadoin
Connick	Johnson	Simon
Cox	Jones	St. Germain
Cromer	Landry, N.	Stokes
Dixon	Landry, T.	Talbot
Dove	Leger	Thibaut
Edwards	Leopold	Thierry
Fannin	Lopinto	Whitney
Foil	Lorusso	Williams, A.
Franklin	Miller	Williams, P.
Gaines	Montoucet	Willmott
Total - 90		

NAYS

Total - 0

ABSENT

Armes	Geymann	Lambert
Barrow	Havard	LeBas
Bishop, W.	Hensgens	Mack
Carmody	Huval	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 for 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
Barras	Harrison	Pierre
Berthelot	Havard	Ponti
Billiot	Hazel	Pope
Bishop, S.	Henry	Price
Broadwater	Hill	Pugh
Brown	Hodges	Pylant
Burford	Hoffmann	Reynolds

Burns, H.	Hollis	Richard
Burns, T.	Honore	Ritchie
Burrell	Howard	Robideaux
Carmody	Hunter	Schexnayder
Carter	Ivey	Schroder
Champagne	James	Seabaugh
Chaney	Jefferson	Shadoin
Connick	Johnson	Simon
Cox	Landry, N.	St. Germain
Cromer	Landry, T.	Stokes
Danahay	LeBas	Talbot
Dixon	Leger	Thierry
Dove	Leopold	Whitney
Fannin	Lopinto	Williams, P.
Foil	Lorusso	Willmott
Franklin	Mack	
Gaines	Miller	
Total - 88		

NAYS

Total - 0

ABSENT

Adams	Hensgens	Norton
Barrow	Huval	Smith
Bishop, W.	Jackson, G.	Thibaut
Brossett	Jackson, K.	Thompson
Edwards	Jones	Williams, A.
Geymann	Lambert	
Total - 17		

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 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

A. The school board of any school district comprised of a parish having a population between twenty-two thousand four hundred and twenty-two thousand eight hundred according to the latest federal decennial census is hereby authorized to levy and collect an additional sales and use tax not to exceed one percent within the territorial jurisdiction of the parish.

B. In accordance with the provisions of Article VI, Section 29(B) of the Constitution of Louisiana, the additional sales and use tax shall be authorized to exceed the limitation found in Article VI, Section 29(A) of the Constitution of Louisiana and shall be in addition to the taxes authorized by R.S. 47:338.54 and other law.

C. The sales and use tax so levied shall be imposed by ordinance of the parish governing authority and shall be levied upon the sale at retail, the use, lease, or rental, the consumption and the storage for consumption of corporeal movable property, and on sales of services in the parish, all as defined in Chapter 2 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950. However, the ordinance imposing the tax shall be adopted by the school board only after the question of the imposition of the tax has been submitted to the qualified electors of the parish at an election conducted in accordance with the Louisiana Election Code and the majority of those voting in the election voted in favor of the adoption of the ordinance.

D. This tax shall be in addition to all other taxes and shall be collected at the same time and in the same manner as set forth in Chapter 2 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950."

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

Mr. Speaker	Franklin	Montoucet
Abramson	Gaines	Moreno
Adams	Garofalo	Morris, Jim
Anders	Gisclair	Norton
Arnold	Greene	Ortego
Badon	Guinn	Pearson
Barras	Harris	Pierre
Berthelot	Havard	Ponti
Billiot	Hazel	Pope
Bishop, S.	Hill	Price
Bishop, W.	Hoffmann	Pugh
Broadwater	Hollis	Pylant
Brossett	Honore	Reynolds
Brown	Howard	Richard

Burford	Hunter	Ritchie
Burns, H.	Ivey	Robideaux
Burrell	Jackson, K.	Schexnayder
Carmody	James	Schroder
Carter	Jefferson	Seabaugh
Champagne	Johnson	Shadoin
Chaney	Jones	Simon
Connick	Landry, T.	St. Germain
Cox	LeBas	Stokes
Cromer	Leger	Talbot
Danahay	Leopold	Thierry
Dixon	Lopinto	Whitney
Edwards	Lorusso	Williams, A.
Fannin	Mack	Williams, P.
Foil	Miller	Willmott

Total - 87

NAYS

Total - 0

ABSENT

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

Total - 18

The Chair declared the above bill was finally passed.

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

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

Total - 93

NAYS

Total - 0

ABSENT

Barrow	Jackson, G.	Pearson
Geymann	Lambert	Simon
Hensgens	Leopold	Smith
Huval	Morris, Jay	Thompson

Total - 12

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

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. Geymann, the rules were suspended in order to take up and consider Petitions, Memorials, and Communications at this time.

Petitions, Memorials, and Communications

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

Message from the Senate

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 GEYMAN
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 GEYMAN
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; to authorize 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 provide relative to the powers and duties of the board relative to system's actuarial assumptions; and to provide for related matters.

HOUSE BILL NO. 38—
BY REPRESENTATIVE GREENE
AN ACT

To amend and reenact R.S. 11:62(13) and 2132(B), relative to employee contributions in the Registrars of Voters Employees' Retirement System; to establish a range for employee contributions; to provide for establishment of a rate within that range; and to provide for related matters.

HOUSE BILL NO. 69—
BY REPRESENTATIVES BROSETT, ABRAMSON, ARNOLD, BADON, WESLEY BISHOP, BROWN, DOVE, GAINES, GAROFALO, JEFFERSON, LEGER, LEOPOLD, MORENO, PRICE, AND PATRICK WILLIAMS AND SENATOR MURRAY
AN ACT

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

HOUSE BILL NO. 107—
BY REPRESENTATIVE BADON
AN ACT

To amend and reenact R.S. 33:9080.1(B), relative to Orleans Parish; to provide relative to the McKendall Estates Neighborhood Improvement District; to change the boundaries of the district; and to provide for related matters.

HOUSE BILL NO. 176—
BY REPRESENTATIVE RITCHIE
AN ACT

To amend and reenact R.S. 8:503(A), relative to cemetery merchandise trusts; to provide for withdrawals; and to provide for related matters.

HOUSE BILL NO. 207—
BY REPRESENTATIVE CARMODY
AN ACT

To enact R.S. 17:3351(F), relative to the powers, duties, and functions of public postsecondary education management boards; to authorize each public postsecondary education management board to name buildings at institutions under its supervision and management in honor of living persons pursuant to board policy; to provide that such policy may include criteria for such naming; to provide relative to monetary donations; 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 Article 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 were signed by the President of the Senate and taken by the Clerk of the House to the Governor for executive approval.

Suspension of the Rules

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

Senate Bill No. 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

