

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

EIGHTH DAY'S PROCEEDINGS

**Fortieth Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

House of Representatives
State Capitol
Baton Rouge, Louisiana

Thursday, March 20, 2014

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

Morning Hour

ROLL CALL

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

PRESENT

Mr. Speaker	Garofalo	Montoucet
Adams	Gisclair	Moreno
Anders	Greene	Morris, Jay
Armes	Guinn	Norton
Arnold	Harris	Ortego
Badon	Harrison	Pearson
Barras	Havard	Pierre
Barrow	Hazel	Ponti
Berthelot	Henry	Pope
Billiot	Hensgens	Price
Bishop, W.	Hill	Pugh
Broadwater	Hodges	Pylant
Brossett	Hoffmann	Reynolds
Brown	Hollis	Richard
Burford	Honore	Ritchie
Burns, H.	Howard	Robideaux
Burns, T.	Hunter	Schexnayder
Burrell	Huval	Schroder
Carmody	Jackson	Smith
Carter	James	St. Germain
Champagne	Jefferson	Stokes
Chaney	Johnson	Talbot
Cox	Jones	Thibaut
Cromer	Lambert	Thierry
Danahay	Landry, T.	Thompson
Dove	LeBas	Whitney
Edwards	Leger	Williams, A.
Fannin	Leopold	Williams, P.
Foil	Lorusso	Willmott
Franklin	Mack	Woodruff
Gaines	Miller	
Total - 92		

The Speaker announced that there were 92 members present and a quorum.

Prayer

Jerris Cade sang "*The Lord's Prayer*".

Pledge of Allegiance

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

Reading of the Journal

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

On motion of Rep. Hill, the Journal of March 19, 2014, was adopted.

**House and House Concurrent Resolutions
Lying Over**

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

HOUSE CONCURRENT RESOLUTION NO. 28—

BY REPRESENTATIVE RICHARD

A CONCURRENT RESOLUTION

To apply to the Congress of the United States to call a convention, pursuant to Article V of the Constitution of the United States of America, for the sole and limited purpose of proposing an amendment or amendments to the Constitution of the United States of America to address concerns raised by the decision of the United States Supreme Court in the case of *Citizens United v. Federal Election Commission*.

Read by title.

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

**Senate Concurrent Resolutions
Lying Over**

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

SENATE CONCURRENT RESOLUTION NO. 27—

BY SENATOR GUILLORY

A CONCURRENT RESOLUTION

To commend Annie Clae Barousse on her 2013 equine accomplishments in various professional rodeos.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 28—

BY SENATORS CLAITOR, MURRAY AND GARY SMITH AND REPRESENTATIVES CONNICK, FOIL, GAROFALO, JOHNSON AND LOPINTO

A CONCURRENT RESOLUTION

To commend and congratulate the College of Law at Loyola University New Orleans upon its one hundredth anniversary and to declare Tuesday, March 25, 2014, as Loyola Law Day at the State Capitol.

Read by title.

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

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

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

HOUSE BILL NO. 1038—

BY REPRESENTATIVE DIXON

AN ACT

To amend and reenact Code of Criminal Procedure Article 926.1(A)(1) and (H)(3), relative to post-conviction DNA testing; to extend the time period in which to file an application for post-conviction DNA testing; to extend the time period for preservation of biological material which can be subject to DNA testing once an application for DNA testing has been served; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 1039—

BY REPRESENTATIVE HAZEL

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2014-2015 to be used to pay the consent judgment in the suit entitled "State Farm Mutual Automobile Insurance Company and Harold Lafleur v. State of Louisiana, Department of Transportation and Development"; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 1040—

BY REPRESENTATIVE GAROFALO

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2014-2015 to be used to pay the consent judgment in the suit entitled "Everet L. Dage v. State of Louisiana, through the Department of Transportation and Development"; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 1041—

BY REPRESENTATIVE HOLLIS

AN ACT

To enact R.S. 49:260, relative to the Louisiana Healthcare Freedom Legal Fund; to create the Louisiana Healthcare Freedom Legal Fund as a special treasury fund; to provide for deposit, use, and investment of money in the fund; to provide for definitions; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 1042—

BY REPRESENTATIVE RITCHIE

AN ACT

To amend and reenact R.S. 47:1838(introductory paragraph), relative to fees levied by the Louisiana Tax Commission; to authorize the continued levy and collection of fees associated with the assessment of certain properties by the commission; to provide an effective date; and to provide for related matters.

Read by title.

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

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

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

SENATE BILL NO. 2—

BY SENATOR MILLS

AN ACT

To amend and reenact R.S. 11:1903(A)(2) and to enact R.S. 11:1903(F), relative to employer participation in the Parochial Employees' Retirement System; to provide relative to participating hospital districts; to provide for an effective date; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 6—

BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 11:2260(A)(2) and (6), relative to the membership of the Firefighters' Retirement System board of trustees; to provide for an additional retiree representative on the board of trustees; to provide for an effective date; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 7—

BY SENATORS PEACOCK AND BUFFINGTON

AN ACT

To enact R.S. 47:463.165, relative to motor vehicle special prestige license plates; to provide for the creation, issuance, and design of such license plates; to provide relative to the fee and distribution of such plates; to authorize the promulgation of rules and regulations relative to the creation and implementation of a special prestige license plate; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 43—

BY SENATOR BROOME

AN ACT

To amend and reenact R.S. 24:973.1(B)(1) and (F)(6), relative to the Legislative Youth Advisory Council; to provide for membership and staffing of the council; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 58—

BY SENATOR ALARIO

AN ACT

To amend and reenact the heading of Subpart AA of Part I of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950 and R.S. 47:120.91, relative to state individual income tax return checkoffs for certain donations; to change the Louisiana Chapter of the National Multiple Sclerosis Society to the National Multiple Sclerosis Society; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 62—
BY SENATOR APPEL

AN ACT

To enact R.S. 17:3138, relative to public postsecondary education; to provide for the development and implementation of a common application for admission to public institutions of postsecondary education in Louisiana; to allow use of the common application by certain independent colleges and universities; to provide relative to application fees; to allow collection of ancillary information; to provide for an implementation date; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 101—
BY SENATOR MORRELL

AN ACT

To enact R.S. 47:463.165, relative to motor vehicle special prestige license plates; to provide for the creation, issuance, and design of such license plates; to provide relative to the fee and distribution of such plates; to authorize the promulgation of rules and regulations relative to the creation and implementation of a special prestige license plate; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 116—
BY SENATOR THOMPSON AND REPRESENTATIVE FANNIN

AN ACT

To enact R.S. 47:463.165, relative to motor vehicle special prestige license plates; to provide for the creation, issuance, and design of such license plates; to provide relative to the fee and distribution of such plates; to authorize the promulgation of rules and regulations relative to the creation and implementation of a special prestige license plate; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 131—
BY SENATOR MORRELL

AN ACT

To amend and reenact R.S. 47:463.60(B), (C), (D)(introductory paragraph), and (E), and to repeal R.S. 47:463.60(H), relative to special prestige license plates; to provide with respect to the "Animal Friendly" prestige license plate; to provide for a royalty fee; to abolish the Pet Overpopulation Fund; to provide for the transfer of any remaining monies in the Pet Overpopulation Fund; to provide for an effective date; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 149—
BY SENATOR APPEL

AN ACT

To repeal Chapter 14 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:2751 through 2759, and to repeal

R.S. 36:651(D)(6), relative to the Louisiana Systemic Initiatives Program; to repeal statutory provisions relative to program components and activities, program administration, and the Louisiana Systemic Initiatives Program Council and its powers, duties, and staff; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 192—
BY SENATOR MORRISH

AN ACT

To amend and reenact R.S. 32:388(B)(1)(b)(iv), relative to trucks hauling concrete or construction aggregates; extends termination date for two years for ready-mixed concrete trucks to exceed licensed gross vehicle weight under certain conditions; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 327—
BY SENATOR GARY SMITH

AN ACT

To enact R.S. 47:463.165, relative to motor vehicle special prestige license plates; to provide for the creation, issuance, and design of such license plates; to provide relative to the fee and distribution of such plates; to authorize the promulgation of rules and regulations relative to the creation and implementation of a special prestige license plate; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 413—
BY SENATOR CROWE

AN ACT

To name the bridge along Interstate 10 that crosses the eastern end of Lake Pontchartrain connecting New Orleans to Slidell the Frank Davis "Naturally N'Awlins" Memorial Bridge; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 465—
BY SENATOR ADLEY

AN ACT

To amend and reenact R.S. 47:490.4(B), relative to motor vehicles; to provide with respect to military honor license plates for certain disabled veterans; to provide that such plates bear the international symbol of accessibility; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 477—
BY SENATOR WALSWORTH

AN ACT

To enact R.S. 47:463.165, relative to motor vehicle special prestige license plates; to provide for the creation, issuance, and design

of such license plates; to provide relative to fees for such plates; to authorize the promulgation of rules and regulations relative to the creation and implementation of a special prestige license plate; and to provide for related matters.

Read by title.

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

House Bills and Joint Resolutions on Second Reading Reported by Committee

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

HOUSE BILL NO. 55—

BY REPRESENTATIVES LOPINTO, ADAMS, ARMES, BADON, WESLEY BISHOP, BROWN, BURRELL, DIXON, GAINES, GUILLORY, HAZEL, HODGES, HONORE, HOWARD, KATRINA JACKSON, JEFFERSON, TERRY LANDRY, MORENO, JIM MORRIS, NORTON, PYLANT, SMITH, AND WOODRUFF AND SENATORS GALLOT, MARTINY, MILLS, AND MORRELL

AN ACT

To enact Title XXXIV of the Code of Criminal Procedure, to be comprised of Articles 971 through 993, and to repeal R.S. 44:9, relative to expungement; to provide for the effect of expunged records; to provide for definitions; to authorize the expungement of certain felony conviction records; to prohibit the dissemination of expunged records by third parties; to provide penalties for the unlawful dissemination of expunged records by third parties; to provide for legislative findings; to provide for applicability; to provide for procedures for obtaining an expungement; to provide for filing of motions to obtain an expungement; to provide for service of motions for expungement; to provide for service of judgments of expungement; to authorize the expungement of conviction records after a certain period of time has elapsed; to provide for eligibility to obtain an expungement; to delete provisions of law referring to destruction of arrest or conviction records; to provide for the assessment of certain fees for expungement; to provide that certain fees are nonrefundable; to provide for expungement by redaction of records; to provide for uniform forms for expungement; to provide for the exemption of certain fees in certain circumstances; to provide for a judgment granting an expungement; to provide for contradictory hearings; to prohibit incarcerated individuals from filing a motion to expunge an arrest or conviction record; 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 Original House Bill No. 55 by Representative Lopinto

AMENDMENT NO. 1

On page 1, line 3, change "993" to "995"

AMENDMENT NO. 2

On page 1, line 19, after "record;" and before "and" insert "to provide for the interim expungement of certain arrests from criminal history records;"

AMENDMENT NO. 3

On page 2, line 3, change "993" to "995"

AMENDMENT NO. 4

On page 5, line 11, after "conviction." delete the remainder of the line and delete lines 12 and 13 in their entirety

AMENDMENT NO. 5

On page 5, between lines 20 and 21, insert the following:

"C. The person obtaining the expungement shall send notice of the order of expungement by registered or certified mail with return receipt requested and the private third party shall not require a certified or courtesy copy of the order and judgment of expunging of the record."

AMENDMENT NO. 6

On page 5, at the beginning of line 21, change "C." to "D."

AMENDMENT NO. 7

On page 5, at the beginning of line 25, change "D." to "E."

AMENDMENT NO. 8

On page 6, line 14, after "prosecute" delete the remainder of the line and delete line 15 in its entirety and insert "any offense arising out of that arrest."

AMENDMENT NO. 9

On page 6, line 26, after "any" and before "offense" insert "felony"

AMENDMENT NO. 10

On page 7, line 1, after "no" and before "convictions" insert "felony"

AMENDMENT NO. 11

On page 7, line 2, after "pending" and before "charges" insert "felony"

AMENDMENT NO. 12

On page 7, delete lines 6 through 9 in their entirety and insert the following:

"C. No person shall be entitled to expungement of a record if either of the following occur:

(1) The misdemeanor conviction arose from circumstances involving a sex offense as defined in R.S. 15:541, except that an interim expungement shall be available as authorized by the provisions of Code of Criminal Procedure Article 985.1.

(2) The misdemeanor conviction was for domestic abuse battery, which was not dismissed pursuant to Code of Criminal Procedure Article 894(B)."

AMENDMENT NO. 13

On page 7, at the end of line 11, delete the period "." and insert a comma "," and insert "unless the person was sentenced pursuant to Code of Criminal Procedure Article 894(B)."

AMENDMENT NO. 14

On page 8, line 6, after "by" and before "R.S. 14:2(B)" insert "or enumerated in"

AMENDMENT NO. 15

On page 8, at the end of line 16, add the following:

"The burden is on the mover to establish that the elements of the offense of conviction are equivalent to the current definition of misdemeanor carnal knowledge of a juvenile as defined by R.S. 14:80.1. A copy of the order waiving the sex offender registration and notification requirements issued pursuant to the provisions of R.S. 15:542(F) shall be sufficient to meet this burden."

AMENDMENT NO. 16

On page 9, delete lines 4 through 8 in their entirety

AMENDMENT NO. 17

On page 9, line 14, after "an" and before "objection" insert "affidavit of response with reasons for the"

AMENDMENT NO. 18

On page 9, delete lines 17 through 20 in their entirety and insert the following:

"(2) If the Louisiana Bureau of Criminal Identification and Information objects to the granting of the motion to expunge a record, it shall file an affidavit of response with reasons for the objection in the record with service to the defendant within one hundred and twenty days from the date of the service of the motion until August 1, 2015. On August 1, 2015 and thereafter, if the Louisiana Bureau of Criminal Identification and Information objects to the granting of the motion to expunge a record, it shall file an affidavit of response with reasons for the objection in the record with service to the defendant within sixty days from the date of the service of the motion."

AMENDMENT NO. 19

On page 9, line 22, change "filing" to "service"

AMENDMENT NO. 20

On page 10, line 11, delete "A."

AMENDMENT NO. 21

On page 10, delete lines 18 through 20 in their entirety

AMENDMENT NO. 22

On page 12, between lines 12 and 13, insert the following:

"(4) The applicant has been determined to be factually innocent and entitled to compensation for a wrongful conviction pursuant to the provisions of R.S. 15:572.8."

AMENDMENT NO. 23

On page 13, between lines 22 and 23, insert the following:

"Art. 985.1. Interim motion to expunge a felony arrest from criminal history in certain cases resulting in a misdemeanor conviction

A. A person may file an interim motion to expunge a felony arrest from his criminal history when that original arrest results in a conviction for a misdemeanor. In such cases, only the original felony arrest may be expunged.

B. The interim motion to expunge an arrest from criminal history is separate and distinct from an expungement of a final conviction pursuant to Code of Criminal Procedure Articles 976, 977, and 978.

C. Except as provided in Paragraph D of this Article, an interim motion to expunge a felony arrest from criminal history shall follow the same procedures and fees established pursuant to the provisions of Code of Criminal Procedure Article 979, et seq.

D. An interim motion to expunge shall not be subject to the time limitations provided for in Articles 977(A)(2) or 978(A)(2), and there shall be no restriction on the number of interim expungements which may be granted."

AMENDMENT NO. 24

On page 14, delete lines 18 through 20 in their entirety and insert the following:

"in the above numbered case be set aside and that the prosecution dismissed in accordance with the Code of Criminal Procedure in that the period of the deferred sentence has run and petitioner has successfully completed the terms of his probation."

AMENDMENT NO. 25

On page 18, line 33, after "Procedure" and before "for" insert "and the arrestee did not participate in a pretrial diversion program"

AMENDMENT NO. 26

On page 18, between lines 33 and 34, insert the following:

"OR

- The case involving the arrestee listed above was dismissed or the district attorney declined to prosecute the case prior to the time limitations prescribed in Chapter 1 of Title XVII of the Code of Criminal Procedure, and the arrestee did not participate in a pretrial diversion program.

OR

- The arrestee listed above has been determined to be factually innocent and entitled to compensation for a wrongful conviction pursuant to the provisions of R.S. 15:572.8."

AMENDMENT NO. 27

On page 18, delete line 35 in its entirety and insert "District Attorney or his designee - Print Name"

AMENDMENT NO. 28

On page 18, delete line 37 in its entirety and insert "District Attorney or his designee - Signature"

AMENDMENT NO. 29

On page 20, delete lines 14 and 15 in their entirety and insert the following:

"() Not prosecuted for any offense arising out of this charge."

AMENDMENT NO. 30

On page 20, line 16, change the question mark "?" to a period "."

AMENDMENT NO. 31

On page 20, between lines 16 and 17, insert the following:

"() DWI Pre-Trial Diversion Program and 5 years have elapsed since the date of arrest."

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AMENDMENT NO. 32

On page 20, delete lines 23 and 24 in their entirety and insert the following:

"() Not prosecuted for any offense arising out of this charge."

AMENDMENT NO. 33

On page 20, line 25, change the question mark "?" to a period "."

AMENDMENT NO. 34

On page 20, delete lines 32 and 33 in their entirety and insert the following:

"() Not prosecuted for any offense arising out of this charge."

AMENDMENT NO. 35

On page 20, line 34, change the question mark "?" to a period "."

AMENDMENT NO. 36

On page 20, line 43, change the question mark "?" to a period "."

AMENDMENT NO. 37

On page 20, line 49, change the question mark "?" to a period "."

AMENDMENT NO. 38

On page 21, between lines 27 and 28, insert the following:

- Certification Letter from the District Attorney verifying that the applicant has no convictions or pending applicable criminal charges in the requisite time periods.
- Certification Letter from the District Attorney verifying that the charges were refused.
- Certification Letter from the District Attorney verifying that the applicant did not participate in a pretrial diversion program."

AMENDMENT NO. 39

On page 22, line 1, after "law," and before "or" insert "for the purpose of any other statutorily defined law enforcement or administrative duties, or for the purpose of the requirements of sex offender registration and notification pursuant to the provisions of R.S. 15:541, et seq."

AMENDMENT NO. 40

On page 23, between lines 22 and 23, insert the following:

"OR

Pursuant to Louisiana Code of Criminal Procedure Article 980, the arresting law enforcement agency _____ acknowledges the following:

- No Opposition. Respondent respectfully consents to waiver of the contradictory hearing.
- Opposition to the Motion of Expungement with Reasons. Respondent respectfully requests a contradictory hearing."

AMENDMENT NO. 41

On page 24, line 16, after "Information" and before "show" insert "and the arresting law enforcement agency"

AMENDMENT NO. 42

On page 24, delete line 29 in its entirety

AMENDMENT NO. 43

On page 24, at the beginning of line 30, change "4." to "3." and after line 30, add the following:

"4. A r r e s t i n g A g e n c y :
_____"

AMENDMENT NO. 44

On page 25, delete line 21 in its entirety and insert the following:

A violation of the Uniform Controlled Dangerous Substances Law which is ineligible to be expunged."

AMENDMENT NO. 45

On page 25, line 26, after "defined" and before "as" insert "or enumerated"

AMENDMENT NO. 46

On page 26, between lines 2 and 3, insert the following:

- Mover was convicted of a misdemeanor which arose from circumstances involving a sex offense as defined in R.S. 15:541.
- Mover was convicted of misdemeanor offense of domestic abuse battery which was not dismissed pursuant to Code of Criminal Procedure Article 894(B).
- Mover did not complete pretrial diversion.
- The charges against the mover were not dismissed or refused.
- Mover's felony conviction was not set aside and dismissed pursuant to Code of Criminal Procedure Article 893(E).
- Mover's felony conviction was not set aside and dismissed pursuant to Code of Criminal Procedure Article 894(B).
- Mover completed a DWI pretrial diversion program, but five years have not elapsed since the mover's date of arrest.
- Mover's conviction for felony carnal knowledge of a juvenile is not defined as misdemeanor carnal knowledge of a juvenile had the mover been convicted on or after August 15, 2001.
- Denial for any other reason provided by law with attached reasons for denial."

AMENDMENT NO. 47

On page 26, line 10, after "law," and before "or" insert "for the purpose of any other statutorily defined law enforcement or administrative duties, or for the purpose of the requirements of sex offender registration and notification pursuant to the provisions of R.S. 15:541, et seq."

AMENDMENT NO. 48

On page 27, delete line 3 in its entirety

AMENDMENT NO. 49

On page 27, line 4, change "7." to "6."

AMENDMENT NO. 50

On page 27, line 5, change "8." to "7."

AMENDMENT NO. 51

On page 27, line 13, change the question mark "?" to a period "."

AMENDMENT NO. 52

On page 27, line 14, change the question mark "?" to a period "."

AMENDMENT NO. 53

On page 27, line 21, change the question mark "?" to a period "."

AMENDMENT NO. 54

On page 27, line 22, change the question mark "?" to a period "."

AMENDMENT NO. 55

On page 27, line 29, change the question mark "?" to a period "."

AMENDMENT NO. 56

On page 27, line 30, change the question mark "?" to a period "."

AMENDMENT NO. 57

On page 27, line 37, change the question mark "?" to a period "."

AMENDMENT NO. 58

On page 27, line 38, change the question mark "?" to a period "."

AMENDMENT NO. 59

On page 27, line 45, change the question mark "?" to a period "."

AMENDMENT NO. 60

On page 27, line 46, change the question mark "?" to a period "."

AMENDMENT NO. 61

On page 28, line 5, change the question mark "?" to a period "."

AMENDMENT NO. 62

On page 28, line 6, change the question mark "?" to a period "."

AMENDMENT NO. 63

On page 28, line 16, change the question mark "?" to a period "."

AMENDMENT NO. 64

On page 28, line 22, change the question mark "?" to a period "."

AMENDMENT NO. 65

On page 28, line 28, change the question mark "?" to a period "."

AMENDMENT NO. 66

On page 28, line 34, change the question mark "?" to a period "."

AMENDMENT NO. 67

On page 28, line 40, change the question mark "?" to a period "."

AMENDMENT NO. 68

On page 28, line 46, change the question mark "?" to a period "."

AMENDMENT NO. 69

On page 29, line 6, change the question mark "?" to a period "."

AMENDMENT NO. 70

On page 29, line 12, change the question mark "?" to a period "."

AMENDMENT NO. 71

On page 29, line 18, change the question mark "?" to a period "."

AMENDMENT NO. 72

On page 30, between lines 24 and 25, insert the following:

"Art. 994. Motion for interim expungement form to be used

"STATE OF LOUISIANA
JUDICIAL DISTRICT FOR THE PARISH OF

No.: _____ Division: " _____ "

State of Louisiana

vs.

MOTION FOR INTERIM EXPUNGEMENT

NOW INTO COURT comes mover, who provides the court with the following information in connection with this request:

I. DEFENDANT INFORMATION

N A M E :

(Last, First, MI)

DOB: _____
(MM/DD/YYYY)

GENDER _____ Female _____ Male

SSN (last 4 digits): XXX-XX-_____

RACE: _____

DRIVER LIC.# _____

ARRESTING AGENCY: _____

SID# (if available): _____

ITEM NUMBER: _____

ARREST NUMBER: _____

Mover is entitled to expunge the entry of the felony charge(s) of his arrest pursuant to Louisiana Code of Criminal Procedure Article 985.1 and states the following in support:

II. ARREST INFORMATION

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1. Mover was arrested on ____/____/____ (MM/DD/YYYY)

2. ____ YES ____ NO A supplemental sheet with arrests and/or convictions is attached after page 2 of this Motion.

3. Mover was:
____ YES ____ NO Arrested for a felony offense.
____ YES ____ NO Convicted of a misdemeanor arising out of that felony offense.

4. Mover was booked and/or charged with the following offenses: (List each offense booked and charged separately. Attach a supplemental sheet, if necessary.)

____ Yes ____ No FELONY ARREST THAT RESULTED IN A MISDEMEANOR CONVICTION

OFFENSE 1 La. Rev. Stat. Ann. § ____ : ____
Name of the offense
(MM/DD/YYYY)

- () Felony charge dismissed.
() Convicted of misdemeanor offense arising out of felony arrest.

4. Mover has attached to his Motion a criminal background check from the Louisiana State Police/Parish Sheriff dated within the past thirty days (required).

The Mover prays that a Rule to Show Cause be issued herein setting a contradictory hearing with the arresting law enforcement agency, the District Attorney's Office, and Louisiana Bureau of Criminal Identification and Information, why an order should not be granted expunging the entry of the felony charges set forth above.

If an "Affidavit of No Opposition" by each agency named herein is attached hereto and made a part hereof, Defendant requests that no contradictory hearing be required and the Motion be granted ex parte.

Respectfully submitted,

Signature of Attorney for Mover/Defendant

Attorney for Mover/Defendant Name

Attorney's Bar Roll No.

Address

City, State, ZIP Code

Telephone Number

If not represented by counsel:

Signature of Mover/Defendant

Mover/Defendant Name

Address

City, State, ZIP Code

Telephone Number"

Art. 995. Order of interim expungement form to be used

"STATE OF LOUISIANA
JUDICIAL DISTRICT FOR THE PARISH OF

No.: _____ Division: " _____ "

State of Louisiana

vs.

ORDER OF EXPUNGEMENT OF INTERIM ARREST RECORD

Considering the Motion for Expungement

- [] The hearing conducted and evidence adduced herein, OR
[] Affidavits of No Opposition filed,

IT IS ORDERED, ADJUDGED AND DECREED

[] THE MOTION IS DENIED for the following reasons (check all that apply):

- [] Mover was not arrested for a felony.
[] Mover was not convicted of a misdemeanor offense.

[] THE MOTION IS HEREBY GRANTED and the Louisiana Bureau of Criminal Identification and Information is hereby ordered to expunge the entry of the felony charge(s) contained in the criminal history of the above-named for the following felony charge(s):

La. R.S. _____ : _____

Name of Offense _____

La. R.S. _____ : _____

Name of Offense _____

IT IS FURTHER ORDERED that the Clerk of Court, District Attorney and arresting agency expunge the entry of the felony charge(s) from any public indices of the above-named on the above enumerated charge(s).

THUS ORDERED AND SIGNED this ____ day of _____, 20 ____ at _____,

Louisiana.

JUDGE""

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

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

HOUSE BILL NO. 63—

BY REPRESENTATIVES LEGER, ANDERS, COX, HARRIS, HOFFMANN,
KATRINA JACKSON, LEBAS, POPE, AND PATRICK WILLIAMS
AN ACT

To amend and reenact R.S. 4:163.1(D)(2)(d) and 715(B)(2), R.S. 6:747(A), R.S. 9:1613, 2799(A)(2) and (B)(1), 2799.3, the heading of Part V-A of Chapter 2 of Title 9 of the Louisiana Revised Statutes of 1950, and 3541.21(1) and (3), R.S. 11:202, 203(A) and (C), 204(A), 206, 207(A) and (B), 208 through 210, 211(A) and (B), 213(A), 215(A), 218(A), (C), and (D)(3), 293(C), 701(19), 768(D)(2), 778(A), (B), and (D), 783(G)(1)(a), (I)(1)(a), and (K)(1), 784(C)(2) and (E), 804, 805(A) and (B), 901.36, 901.37, 952.36, 1147(A) and (C)(1), 1151(D), 1151.1(B)(1), (C)(2), and (D)(1), 1313(A), (B)(introductory paragraph), and (C), 1318, 1323(B)(1), (C)(2), and (D)(1), 1345.8(B), 1402(5), 1431, 1432(A)(introductory paragraph), 1442, 1483(B), 1503(6), 1522(A)(1)(introductory paragraph) and (B)(introductory paragraph), 1523(G), 1530(K)(3), 1614(D), 1634(A) and (B)(introductory paragraph), 1636(B)(5), 1732(20), 1758(A) and (F), 1763(J)(2), 1784(introductory paragraph), 1785(A)(2), 1804(introductory paragraph), 1805(A)(1)(a), 1902(19), 1934(A) and (F), 1938(J)(4)(c), 1944(A)(introductory paragraph), 1945(A)(2), 1964(A)(introductory paragraph), 1974(A), 2074(A) and (B)(1)(introductory paragraph), 2077(A)(introductory paragraph) and (B)(introductory paragraph) and (2), 2144(K), 2165.6(A) and (B)(introductory paragraph), 2178(B)(introductory paragraph), (1)(b), and (3)(c) and (C)(1)(c)(iv)(aa), 2180(C)(2), 2214(A)(2)(e), 2220(A)(1)(g)(v) and (B)(2)(a)(ii), 2221(K)(4)(a) and (M), 2223(A)(1), 2241.7(A)(1), 2241.8(2)(a)(ii), 2242.7(A)(1), 2242.8(2)(a)(i), 2256(B)(2)(a) and (3), 2256.2(A), 2257(K)(4), 2258(A), (B)(introductory paragraph) and (1)(c) and (d), (2)(a), and (C) through (E), 2259(A)(1), 3005.1(I)(2) and (J)(4), 3039.1(K)(4), 3041(B), 3101, 3107(5), 3113(6), 3132, 3143(1) and (2), 3145(D), 3166(A), 3178(C)(2), 3192, 3200(1) and (2), 3222, 3232(A), (B), and (C), 3281, 3288(B)(5), 3293(1), 3317(C)(5), 3322(B)(1)(a), 3341(A), 3346(3), 3363(A), 3377(A), 3378(A)(1)(g) and (2)(c), 3385.1(K)(6) and (7)(f), 3402, 3410(5), 3431, 3438(B)(4)(b) and (5)(b), 3442(1) through (4), 3447(C), 3461, 3473(1) through (4), 3514(A), 3515(B), 3516(C)(1) and (2), 3548(A), 3552(A) and (B), 3553(B)(2), 3601(A), 3605(A)(5), 3609(A), 3644, 3645(E), 3647(E) and (F), 3685.1(B)(2)(a) and (D), 3686(B)(1)(a) and (b), 3724(1) through (3), 3731(introductory paragraph) and (B), 3761, 3771(2)(a)(introductory paragraph), 3773, 3778(A), 3780, 3791, 3802(3) and (4), 3804(A), 3805, and 3808, R.S. 13:1278 and 3881(A)(8), R.S. 14:32(D)(3), 35.2(A)(introductory paragraph), (B), and (C), 39(D)(3), 45(A)(3), 67.16(A)(1), (C)(1)(b), (2)(b), (3)(b), and (4)(b), 67.21(A) through (D), 79.1(A)(2), 89.1(A)(4), the heading of Subpart B(3) of Part V of Chapter 1 of Title 14 of the Louisiana Revised Statutes of 1950, 93.3(A) through (D) and (E)(1), 93.4, 93.5(A)(introductory paragraph) and (D), 106(D)(2)(introductory paragraph) and (d), 107.1(C)(2) and (3), 126.3(A), and 202.1(F)(4), R.S. 15:536(A), 537(A), 541(2)(m), 571.3(B)(3)(r), 571.34(A), 581, 830(A) and (B), 830.1(A), 1039, 1402(A), 1503(6) and (7), and 1510(C), R.S. 17:67(G), 124, 158(H)(2)(f), 240(A)(1) and (B)(2), 407.2, 421.4, 422.6(B), 1947(A)(1) and (2), and 3217.2(D), R.S. 18:106(C)(2)(b), 106.1(A)(introductory paragraph), 564(D)(1)(a)(ii) and (2)(a)(ii) and (E), 1303(I)(introductory paragraph) and (1)(a), 1309.3(D)(1)(a)(ii) and (E), and 1400.21(B)(4), R.S. 21:51(C) and 52(A) and (B), R.S. 22:941(B)(7), 1000(A)(1)(a)(vi)(bb)(IV) and (2)(a) and (b)(iv), 1001(B), 1003(A)(2)(d), 1012(B), 1097(B), 1242(6), and 1288(B), R.S. 23:251(A)(3), 322(3), (5), (6), (8), and (9)(introductory paragraph), 323(A), (B)(1) through (7), (C)(2), and (D)(1) and (2), 324(A), 1017.1(5), 1226(B)(1)(introductory paragraph) and (C)(1)(introductory paragraph), 1371.1(introductory paragraph), (5), and (6), 1378(F)(34)(introductory paragraph), (a), and (c), 1472(12)(F)(IV), 1823(4)(e), 1829(G), 2061(introductory paragraph) and (10), and 3004(A)(1), R.S. 25:33(B)(4), R.S. 28:2(14) and (20), 22.5, 22.7(A), 22.9, 22.10, 25.1(C)(1)(a)(v),

50(1) and (3), 52(B) and (G), 55(G), 64(B) through (G), 146, 148, 172(A), the heading of Part VIII of Chapter 1 of Title 28 of the Louisiana Revised Statutes of 1950, 200 through 205, 215.5(B)(5), the heading of Chapter 5 of Title 28 of the Louisiana Revised Statutes of 1950, 475, 476, 477(1) and (3)(a)(introductory paragraph) and (b), 478(A), 831(A)(introductory paragraph), (2), (3), (C)(1)(a) and (b)(i) through (iii), (E), and (F)(1), (4), and (5), 854(A)(2) and (3), 864(A)(2) and (3), 874(A)(2) and (3), 904(A)(2) and (3), and 915(A)(2), R.S. 29:403(8), 726(E)(17)(a) and (20)(a)(i) and (iii)(aa), and 729(E)(13)(a)(i) and (iii)(aa), R.S. 32:295.1(D)(1), (2)(a), and (3)(a), 351(A)(2), 401(introductory paragraph) and (9), 403.2, and 863.1(C)(7), R.S. 33:1236(42), 1947(C)(2), 2411, 4720.62(C), 4720.112(C), and 4720.138(C), R.S. 36:151(B), 251(B), and 254(A)(10)(c) and (h), (B)(9), and (E)(1), R.S. 37:752(9)(a), (c)(ii), and (d)(ii), 775(A)(10), 776(A)(9)(b) and (10)(b), 961(2), 1360.64(C)(1), 2363(C)(1), and 3003, R.S. 38:2261(A), (B), (E)(2), (3)(introductory paragraph) and (a), (4), (5), and (7), R.S. 39:302, 362(B)(3)(a)(iii) and (4)(a) and (F), 1484(B)(1)(introductory paragraph) and (h), (2)(c), and (5)(introductory paragraph) and (a), 1494.1(A)(3), 1554(D)(3), 1594(I)(1), 1595.4(A) and (E)(2), (3)(introductory paragraph) and (a), (4), (5), and (7), and 1952(14)(introductory paragraph) and (e), R.S. 40:5(18), 384(11), 442(2), 501(A)(2), 1299.27(A), (B)(introductory paragraph) and (2), and (C), 1299.52, 1299.58(A)(introductory paragraph), (1), and (3), 1299.78.5(A)(1) and (2), 1299.113(A)(4), 1299.114(9), 1299.118(3), 1299.119(A), 1300.85(C), 1300.361(B)(introductory paragraph), 1355(B), 1379.3(C)(5), 1400(A) and (C) through (F), 1472.3(E)(2)(d), 1485.2(3), 1563(C)(6), 1573.1(A), 1574.1(A)(13)(a), 1730.39(B), 1730.66(A), 1735, 1742(A)(1), (3), and (4)(a), (B)(1), (2)(c), and (6), and (C), 1742.1, 1742.2(A)(1), (3), and (4) and (B)(1), the heading of Part V-A of Chapter 8 of Title 40 of the Louisiana Revised Statutes of 1950, 1748(A), 2009.21, 2009.25(F)(12), 2010.8(A)(2)(b)(v) and (vi), 2013(6), 2013.2, 2013.3, 2017(A)(1), (2), and (4), 2102(A)(3), 2113.5, 2116(B)(1) and (G), 2142(A), 2405.5(A) and (B)(1) and (2)(c) through (f), and 2471, R.S. 42:808(E), R.S. 46:51(8) and (13), 53(B), 56(B)(2) and (H)(1), 61(A)(3), the heading of Subpart A of Part I of Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950, 151, 156(A) and (C), 230.1(A), 231.6(B), 437.14(A)(7), the heading of Part III of Chapter 4 of Title 46 of the Louisiana Revised Statutes of 1950, 541, 932(9) and (10), 1053(E), 1407(B)(1)(e)(introductory paragraph), 1951, 1952(introductory paragraph), (1), and (3), 1953(A), (B)(introductory paragraph), (C), and (D), 1954, 1955, 1956(A), 1957, 1959, the heading of Chapter 29 of Title 46 of the Louisiana Revised Statutes of 1950, the heading of 2200, 2201, 2203, the heading of Chapter 30 of Title 46 of the Louisiana Revised Statutes of 1950, 2251, 2252(B), 2253(1), (2), (4), and (5), 2254(A), (F)(1), (2), (4), and (5), (G)(introductory paragraph), (I), and (J)(1)(a) through (c) and (2), 2255, 2256(A) and (B), 2582(1), (2), (4), and (6), 2584(introductory paragraph), (4), and (5), and 2673(C)(5), R.S. 47:34(C)(2)(introductory paragraph) and (d)(ii), 44.1(B), 79(A)(2) and (B)(5), 287.749(C)(2)(introductory paragraph) and (d)(ii), 305.38, 305.69(B)(2) and (3), 337.9(D)(17), 360(G), 463.4(A)(1), (2), (4), and (6), (B)(1), (2), (3)(a), (4)(a) and (b), (5), and (6), (C)(2), (D), (E)(1)(introductory paragraph), (F), (G)(1) through (5) and (7), (I), (J)(1) through (3), (4)(introductory paragraph), (a), (c), and (d), (K), and (L), 463.4.1(A), 463.4.2(A)(1) and (B)(1) and (4), 463.4.3(A), 463.5(C), 463.21(A), 463.51(D)(2), 473.2(B) and (D), 490.4(E), 492(E), and 1061(B), R.S. 48:23(B) and 261(A)(1), R.S. 49:121(E), the heading of Subpart D of Part VII of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950, 148, and 148.1(G)(1), (H), and (I), R.S. 51:1402(4), 1407(C) and (D)(1) through (3) and (4)(introductory paragraph), (b), (c), and (f), 2232(11)(a)(ii), 2303(3), 2312(A)(3), 2602(A), 2603(9)(a)(introductory paragraph), 2606(A)(3) through (5), (6)(a)(introductory paragraph), (b)(introductory paragraph), and

(c)(iii)(aa), 2607(A) and (C), and 2608, R.S. 56:104.1(A), 109(A), 302.1(F)(1) and (3) through (5), 302.3(B)(2)(b) and (4)(b), 1699(A), (B), (C)(1) and (2), and (D), and 1762(C)(6) and (7), the heading of Section 12 of Chapter 1 of Title VIII of Book I of the Louisiana Civil Code and Civil Code Articles 354, 356, 358 through 360, and 3107, Code of Criminal Procedure Articles 334.4(A)(7), 573.1, 648(B)(3)(q) through (s), 658(A), 814(A)(58), and 905.5.1(A) through (G) and (H)(1) and (2)(introductory paragraph), Code of Evidence Article 510(B)(2)(k) and (C)(2)(f), and Children's Code Articles 559(B)(introductory paragraph) and (C)(introductory paragraph), 681(A)(3), 683(E) and (F), 781(D) and (E), 809(C), 837(B)(3) and (G), 837.1(A)(3), 894(introductory paragraph) and (3), 895(A), 910(E), 916, 1003(9), 1125(B), 1402(I) and (3), 1404(15) through (17) and (24), 1405(C), 1416(D) and (E), 1417(A), 1420(A), 1451(A), 1465(A) and (B), 1467(B)(1), 1468(A), and 1469(A), to enact R.S. 28:64(H) and (I) and Children's Code Article 1003(introductory paragraph), and to repeal R.S. 17:348(C), Part IX of Chapter 1 of Title 28 of the Louisiana Revised Statutes of 1950, comprised of R.S. 28:211 and 213, R.S. 40:2113.1, Chapter 9 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:981 and 982, Chapter 27 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:2111 through 2114, Chapter 33 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:2391 through 2397, and Chapter 53 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:2681, relative to terminology referring to persons with disabilities and other persons with exceptionalities; to delete and make substitutions for obsolete, derogatory, or offensive terms; to provide for corrections in names of agencies, institutions, private organizations, and other entities; to remove references to offices, bureaus, and other subdivisions of state agencies and to programs and services that have otherwise been repealed or no longer exist; to make technical changes and corrections; to provide for legislative intent; to provide for construction; 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 Original House Bill No. 63 by Representative Leger

AMENDMENT NO. 1

On page 4, line 27, delete "and (c)(iii)(aa)," and insert in lieu thereof "(c)(i), (iii)(aa) and (bb), (d), and (B),"

AMENDMENT NO. 2

On page 5, line 4, after "through (G)" insert a comma "," and delete the remainder of the line and insert in lieu thereof "(H)(1), (2)(introductory paragraph), and (n), Code of Evidence Article"

AMENDMENT NO. 3

On page 227, line 26, delete "and (c)(iii)(aa)," and insert in lieu thereof "(c)(i), (iii)(aa) and (bb), (d), and (B),"

AMENDMENT NO. 4

On page 231, between lines 24 and 25, insert the following:

"(i) A refusal to permit, at the expense of the handicapped person with a disability, reasonable modifications of existing premises occupied or to be occupied by such person if such

modifications may be necessary to afford such person full enjoyment of the premises except that, in the case of a rental, the landlord may, where it is reasonable to do so, condition permission for a modification on the renter agreeing to restore the interior of the premises to the condition that existed before the modification, reasonable wear and tear excepted;"

AMENDMENT NO. 5

On page 232, between lines 2 and 3, insert the following:

"(bb) All ~~the~~ doors designed to allow passage into and within all premises within such dwellings are sufficiently wide to allow passage by handicapped persons in persons who use wheelchairs; and

* * *

(d) Compliance with the appropriate requirements of the American National Standard for buildings and facilities providing accessibility and usability for physically handicapped people persons with disabilities (commonly cited as "ANSI A117.1") suffices to satisfy the requirements of R.S. 51:2606(A)(6)(c)(iii)(cc).

* * *

B. Nothing in this Section shall be construed to invalidate or limit any law of this state or a political subdivision of this state that requires dwellings to be designed and constructed in a manner that affords handicapped persons with disabilities greater access than is required by this Section."

AMENDMENT NO. 6

On page 238, line 13, after "through (G)" insert a comma "," and delete the remainder of the line and insert in lieu thereof "(H)(1), (2)(introductory paragraph), and (n)"

AMENDMENT NO. 7

On page 238, at the beginning of line 14, delete "paragraph)"

AMENDMENT NO. 8

On page 242, delete lines 10 through 13 in their entirety and insert in lieu thereof the following:

"H.(1) ~~"Mental retardation"~~ means a disability characterized by significant limitations in both intellectual functioning and adaptive behavior as expressed in conceptual, social, and practical adaptive skills. The onset must occur before the age of eighteen years. "Intellectual disability", formerly referred to as "mental retardation", is a disability characterized by all of the following deficits, the onset of all of which must occur during the developmental period:

(a) Deficits in intellectual functions such as reasoning, problem solving, planning, abstract thinking, judgment, academic learning, and learning from experience, confirmed by both clinical assessment and individualized, standardized intelligence testing.

(b) Deficits in adaptive functioning that result in failure to meet developmental and sociocultural standards for personal independence and social responsibility; and that, without ongoing support, limit functioning in one or more activities of daily life including, without limitation, communication, social participation, and independent living, across multiple environments such as home, school, work, and community."

AMENDMENT NO. 9

On page 242, between lines 16 and 17, insert the following:

"(n) Other handicapping disabling conditions.

* * *

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

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

HOUSE BILL NO. 68—

BY REPRESENTATIVE TIM BURNS
AN ACT

To amend and reenact R.S. 28:454.16(A) and R.S. 40:2009.16(A)(1) and (B), relative to responsibility for certain administrative hearings and appeals; to provide that certain hearings and appeals formerly conducted by the bureau of appeals of the Department of Health and Hospitals shall be conducted by the division of administrative law; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

HOUSE BILL NO. 104—

BY REPRESENTATIVE GREENE AND SENATOR BROOME
AN ACT

To amend and reenact R.S. 15:1202(A)(1) through (21), (23), and (28) and 1203, relative to the membership of the Louisiana Commission on Law Enforcement and Administration of Criminal Justice; to change the membership of the commission; to provide for the terms of office for the chairman and vice chairman of the commission; to provide for the meeting schedule of the commission; to make technical corrections; 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 Original House Bill No. 104 by Representative Greene

AMENDMENT NO. 1

On page 1, line 2, after "(21)" insert a comma "," and delete the remainder of the line

AMENDMENT NO. 2

On page 1, at the beginning of line 3, delete "15:1202(A)(28)," and insert "(23), (28) and 1203,"

AMENDMENT NO. 3

On page 1, delete lines 5 and 6 in their entirety and insert "the commission; to provide for the terms of office for the chairman and vice chairman of the commission; to provide for the meeting schedule of the commission; to make technical corrections; and to provide"

AMENDMENT NO. 4

On page 1, line 9, after "Section 1." delete the remainder of the line and add "R.S. 15:1202(A)(1) through (21), (23), (28), and 1203 are hereby amended and"

AMENDMENT NO. 5

On page 1, line 12, delete "fifty-four" and insert "fifty-five"

AMENDMENT NO. 6

On page 2, delete line 28 in its entirety and add the following:

"(28) The ~~president/director of the Louisiana Chapter of the National Constables Association~~ director of the Louisiana Clerks of Court Association.

* * *

§1203. Officers; meetings

A. The commission shall elect a chairman and vice chairman from the commission members for ~~two~~ four-year terms. The chairman shall be the chief executive officer of the commission. The vice chairman shall function as the chief executive officer of the commission upon direction of the chairman.

B. The domicile of the commission shall be in Baton Rouge. The commission shall hold public meetings ~~monthly~~ at least quarterly except as provided by vote of the commission or by order of the chairman."

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

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

HOUSE BILL NO. 144—

BY REPRESENTATIVE THIBAUT
AN ACT

To enact R.S. 41:907, relative to the exchange of school lands; to authorize West Baton Rouge Parish School Board to exchange certain school lands, including sixteenth section lands; to provide procedures for such exchange; to provide for the reservation of mineral rights; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

HOUSE BILL NO. 193—

BY REPRESENTATIVE RICHARD
AN ACT

To amend and reenact R.S. 18:107(A) and (D), 109, 463(A)(1)(a), and 551(D), relative to political party affiliation; to provide relative to the indication of political party affiliation in connection with voter registration, candidate qualifying, and election ballots; 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 Original House Bill No. 193 by Representative Richard

AMENDMENT NO. 1

On page 3, after line 19, insert the following:

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"Section 2. This Act shall become effective on January 1, 2015."

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

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

HOUSE BILL NO. 202— BY REPRESENTATIVE STUART BISHOP AN ACT

To enact R.S. 49:191(7) and to repeal R.S. 49:191(5)(h), relative to the Department of Environmental Quality, including provisions to provide for the re-creation of the Department of Environmental Quality and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources and Environment.

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

HOUSE BILL NO. 212— BY REPRESENTATIVE LEBAS AN ACT

To amend and reenact R.S. 40:964(Schedule IV)(B)(1) and to enact R.S. 40:964(Schedule II)(E)(3), (Schedule III)(B)(15), (29.1), and (53.1), (Schedule IV)(B)(1.5) and (Schedule IV)(D)(13), relative to the Uniform Controlled Dangerous Substances Law; to add certain substances to Schedules II, III, and IV; 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 Original House Bill No. 212 by Representative LeBas

AMENDMENT NO. 1

On page 1, delete line 2 in its entirety and insert "To amend and reenact R.S. 40:964(Schedule IV)(B)(1) and to enact R.S. 40:964(Schedule 40:964(II)(E)(3), (Schedule III)(B)(15), (29.1), and (53.1), (Schedule IV)(B)(1.5) and (Schedule IV)(D)(13),"

AMENDMENT NO. 2

On page 1, line 6, after "Section 1." delete the remainder of the line and insert "R.S. 40:964(Schedule IV)(B)(1) is hereby amended and reenacted and R.S. (40:964 Schedule II)(E)(3), (Schedule III)(B)(15),(29.1), and (53.1), (Schedule IV)(B)(1.5) and (Schedule"

AMENDMENT NO. 3

On page 2, between lines 9 and 10, add the following:

"E. Anabolic steroids and muscle building substances. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation, containing any quantity of the following substances, including its salts, esters, ethers, isomers, and salts of isomers whenever the existence of such salts,

esters, ethers, isomers, and salts of isomers is possible within the specific chemical designation. The term "anabolic steroid" means any drug or hormonal substance, chemically and pharmacologically related to testosterone, other than estrogens, progestins, corticosteroids, and dehydroepiandrosterone that promote muscle growth and include the following:

* * * (29.1) Methasterone (2,17α-dimethyl-5α-androstan-17α-ol-3-one)

* * * (53.1) Prostanazol (17α-hydroxy-5α-androstano[3,2-c]pyrazole) * * *

AMENDMENT NO. 4

On page 2, between lines 11 and 12, add the following:

"B. Depressants

Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing any quantity of the following substances, including its salts, isomers, and salts of isomers, whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) Alfaxalone

(1.5) Alprazolam

* * *

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

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

HOUSE BILL NO. 227— BY REPRESENTATIVE HENRY AN ACT

To amend and reenact R.S. 14:34.4(B), relative to battery of a school or recreation athletic contest official; to amend the penalties for the crime of battery of a school or recreation athletic contest official; to require participation by the offender in community service and a counseling program; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

HOUSE BILL NO. 229— BY REPRESENTATIVE MACK AN ACT

To enact R.S. 40:964(Schedule I)(A)(56) and (F)(15 through 22), relative to the Uniform Controlled Dangerous Substances Law; to add certain substances to Schedule I of the Uniform Controlled Dangerous Substances Law; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

HOUSE BILL NO. 259—
BY REPRESENTATIVE CHAMPAGNE
AN ACT

To amend and reenact R.S. 15:587.2(B), relative to criminal history information; to provide relative to criminal history records requested by institutions of postsecondary education; to provide relative to the type of arrest records provided to institutions of postsecondary education; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

HOUSE BILL NO. 278—
BY REPRESENTATIVES HAVARD AND THIBAUT
AN ACT

To enact R.S. 14:30(A)(12) and (B)(4), relative to first degree murder; to add "correctional facility employee" to the list of specific victims of the crime of first degree murder; to provide for a definition of "correctional facility employee"; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

HOUSE BILL NO. 286—
BY REPRESENTATIVE THIBAUT
AN ACT

To enact R.S. 22:931(A)(12), relative to individual life insurance policies; to require insurers to notify insureds of when their conversion option will expire; to provide for proof of notice to policyholders; to provide an exception for a child term rider; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Original House Bill No. 286 by Representative Thibaut

AMENDMENT NO. 1

On page 1, line 3, after "expire;" insert "to provide for proof of notice to policyholders; to provide an exception for a child term rider;"

AMENDMENT NO. 2

On page 1, line 13, after "notice." insert "(a)"

AMENDMENT NO. 3

On page 1, between lines 17 and 18, insert the following:

"(b) Evidence of a business procedure or practice to provide the required notice by mailing the notice to the policyholder at the address shown in the policy shall be sufficient to prove that the required notice was provided.

(c) This Paragraph shall not apply to a policyholder who is covered under a child term rider."

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

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

HOUSE BILL NO. 293—
BY REPRESENTATIVES ADAMS AND LOPINTO
AN ACT

To enact R.S. 14:90.7, relative to gambling; to create the crime of gambling by electronic sweepstakes device; to provide for definitions; to provide for criminal penalties; to provide for applicability; to provide for exceptions; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

HOUSE BILL NO. 308—
BY REPRESENTATIVE SEABAUGH
AN ACT

To amend and reenact R.S. 14:108.1(E), relative to the crime of flight from an officer; to increase the possible term of imprisonment for the crime of aggravated flight from an officer; to provide for increased penalties when the crime results in serious bodily injury; to provide for a definition of "serious bodily injury"; 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 Original House Bill No. 308 by Representative Seabaugh

AMENDMENT NO. 1

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

"to provide for increased penalties when the crime results in serious bodily injury; to provide for a definition of "serious bodily injury";"

AMENDMENT NO. 2

On page 1, at the beginning of line 9, change "E." to "E.(1)"

AMENDMENT NO. 3

On page 1, line 10, after "more than" and before "years" change "ten" to "five"

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AMENDMENT NO. 4

On page 1, between lines 11 and 12, insert the following:

"(2)(a) Whoever commits the crime of aggravated flight from an officer that results in serious bodily injury shall be imprisoned at hard labor for not more than ten years and may be fined not more than two thousand dollars.

(b) For purposes of this Section, "serious bodily injury" means bodily injury which involves unconsciousness, extreme physical pain or protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty, or a substantial risk of death."

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

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

HOUSE BILL NO. 326— BY REPRESENTATIVE LOPINTO AN ACT

To amend and reenact R.S. 15:574.2(D)(8), relative to parole hearings; to provide relative to the powers and duties of the committee on parole; to require notice of the hearing to the district attorney of the parish of conviction; to authorize the district attorney to present testimony and submit information relevant to the proceedings; 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 Original House Bill No. 326 by Representative Lopinto

AMENDMENT NO. 1

On page 1, delete lines 5 and 6 in their entirety and insert the following:

"to present testimony and submit information relevant to the proceedings; and to provide for related matters."

AMENDMENT NO. 2

On page 1, delete line 20 in its entirety and insert the following:

"occurred shall be allowed to review the record of the offender since incarceration, including but not limited to any educational or vocational training, rehabilitative program participation, disciplinary conduct, and risk assessment score. The district attorney shall be allowed to present testimony to the committee on parole and submit information relevant to the proceedings."

AMENDMENT NO. 3

On page 2, delete lines 1 and 2 in their entirety

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

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

HOUSE BILL NO. 330— BY REPRESENTATIVE LOPINTO AN ACT

To amend and reenact R.S. 28:53.2(D), relative to involuntary mental health treatment; to provide relative to the method of delivery of the custody order to law enforcement; 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 Original House Bill No. 330 by Representative Lopinto

AMENDMENT NO. 1

On page 1, delete line 3 in its entirety and insert "provide relative to the method of delivery of the custody order to law enforcement;"

AMENDMENT NO. 2

On page 1, line 11, after "delivered to the" and before "for execution" change "sheriff" to "appropriate law enforcement agency"

AMENDMENT NO. 3

On page 1, line 12, after "by" and before "or" delete "facsimile" and insert "hand, facsimile."

AMENDMENT NO. 4

On page 1, at the beginning of line 13, change "sheriff" to "law enforcement officer"

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

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

HOUSE BILL NO. 337— BY REPRESENTATIVE THOMPSON AN ACT

To enact R.S. 40:1472.3(A)(4) and (E)(1)(q), relative to the regulation of explosives; to provide for the authority to inspect all facilities under the control of an explosives licensee; to require that an applicant for a state explosives license possess a valid federal explosives license; 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 Original House Bill No. 337 by Representative Thompson

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "relative" delete "enact R.S. 40:1472.3(A)(4) and (E)(1)(q)," and insert "amend and reenact R.S. 40:1472.3(B) and to enact R.S. 40:1472.3(A)(4),"

AMENDMENT NO. 2

On page 1, line 5, after "license" delete the semicolon ";" and insert "or permit;"

AMENDMENT NO. 3

On page 1, line 7, after "Section 1." delete the remainder of the line in its entirety and add "R.S. 40:1472.3(B) is hereby amended and reenacted and R.S. 40:1472.3(A)(4) is hereby enacted to read as follows:"

AMENDMENT NO. 4

On page 1, delete lines 15 through 20 in their entirety and add the following:

"B.(1) Each manufacturer, dealer-distributor, and user shall possess a valid license or permit issued by the United States Bureau of Alcohol, Tobacco, Firearms and Explosives.

(2) Each manufacturer, dealer-distributor, and user maintaining a Type 1, Type 2, Type 4, or Type 5 storage magazine as defined by regulations promulgated pursuant to this Part shall possess an additional license, as herein set forth, for each magazine. Type 3 portable magazines or "day boxes" used for taking detonators and other explosives from storage magazines to the blasting area are exempt from the licensing and location reporting requirements of this Subsection. The department shall assign to each magazine licensed pursuant to this Part a license number which shall be posted on the magazine in a manner prescribed by the department. The exact location of such magazines shall be reported to the deputy secretary in the application for such license. Any change in such magazine locations shall be reported to the Department of Public Safety and Corrections, explosives control unit, in advance of the actual change in a manner prescribed by the department. Written notice of such location change shall be filed with the Department of Public Safety and Corrections, explosives control unit and the deputy secretary, not later than seven calendar days after such change is effected.

* * *

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

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

HOUSE BILL NO. 361—

BY REPRESENTATIVE JONES

AN ACT

To authorize and provide for the transfer of certain state property; to authorize the transfer of certain state property in St. Mary Parish; to provide for the property description; to provide for reservation of mineral rights; to provide terms and conditions; to provide an effective date; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources and Environment to Original House Bill No. 361 by Representative Jones

AMENDMENT NO. 1

On page 2, at the end of line 3, insert the following:

"In the event that Lawrence Toups, Gloria Toups, Perry Toups, and Erin Toups do not acquire the property described in Section 1 of this Act on or before December 31, 2017, the authorization to convey, transfer, assign, lease, or deliver any interest in that property shall terminate and be null and void on that date."

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

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

HOUSE BILL NO. 388—

BY REPRESENTATIVES KATRINA JACKSON, BARROW, BURFORD, COX, HARRIS, HAVARD, HENSGENS, HILL, HOFFMANN, LEBAS, JAY MORRIS, ORTEGO, POPE, SIMON, STOKES, WHITNEY, PATRICK WILLIAMS, AND WILLMOTT

AN ACT

To amend and reenact R.S. 40:1299.35.2(A), 1299.35.2.1, and 2175.3(2) and (5), relative to abortion; to provide for requirements of physicians who perform abortions; to require delivery of certain information concerning health care facilities and services to a pregnant woman prior to abortion; to provide regulations for the practice of inducing an abortion through use of drugs or chemicals; to provide for definitions of terms in the Outpatient Abortion Facility Licensing Law; to provide for penalties; to provide for application of laws; to provide for legislative intent; 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 Original House Bill No. 388 by Representative Katrina Jackson

AMENDMENT NO. 1

On page 4, at the beginning of line 12, change "Section 2." to "Section 2.(A)"

AMENDMENT NO. 2

On page 4, between lines 12 and 13, insert the following:

"(B) It is the intent of the legislature that each physician who performs an abortion as defined in R.S. 40:1299.35.1, whether the abortion is surgical or drug-induced, shall follow the long-established procedure of reporting anonymous, aggregate abortion statistics and health complications to the Department of Health and Hospitals, subject to all state and federal privacy protections, for the purpose of providing anonymous and accurate public health and safety data regarding abortion and its impact on women's health.

(C) Nothing in this Act shall be construed or interpreted to apply to emergency contraceptives or any other drugs or chemicals that do not cause abortion as defined in R.S. 40:1299.35.1."

AMENDMENT NO. 3

On page 4, at the beginning of line 21, change "____" to "667"

AMENDMENT NO. 4

On page 4, at the beginning of line 23, change "Bill No. ____" to "Bill No. 667"

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

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

HOUSE BILL NO. 416—
BY REPRESENTATIVES LAMBERT AND GUINN
AN ACT

To amend and reenact Subpart L of Part VII of Chapter 1 of Title 56 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 56:638.1 through 638.5, relative to fishery management; to add responsibility for sustainability of fishery resources to the responsibilities of the Wildlife and Fisheries Commission; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources and Environment.

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

HOUSE BILL NO. 440—
BY REPRESENTATIVES HARRISON AND DOVE
AN ACT

To amend and reenact R.S. 56:499(B) and (C), relative to shrimping trawls and skimmer nets; to provide relative to the size and configuration of skimmer nets; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources and Environment.

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

HOUSE BILL NO. 454—
BY REPRESENTATIVE SEABAUGH
AN ACT

To amend and reenact R.S. 22:1290, relative to the settlement or payment of a claim under a vehicle liability insurance policy; to provide that a payment under the uninsured motorist or property damage provisions of a motor vehicle liability policy to an insured shall not be construed as an acknowledgment of liability; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Original House Bill No. 454 by Representative Seabaugh

AMENDMENT NO. 1

On page 1, line 4, after "motorist" insert "or property damage"

AMENDMENT NO. 2

On page 1, line 5, change "a recognition" to "an acknowledgment"

AMENDMENT NO. 3

On page 1, line 12, after "motorist" insert "or property damage"

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

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

HOUSE BILL NO. 461—
BY REPRESENTATIVE BADON
AN ACT

To repeal R.S. 40:981.4, relative to drug-traffic loitering; to repeal provision of law creating the crime of drug-traffic loitering.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

HOUSE BILL NO. 501—
BY REPRESENTATIVE WESLEY BISHOP
AN ACT

To amend and reenact R.S. 18:114(B)(1) and 173(A) and (D)(1) and to enact R.S. 18:101(A)(3), relative to voter registration; to provide for the "Louisiana Motor Voter Preregistration Act"; to provide relative to qualifications for voter registration; to allow persons who are sixteen years of age to register to vote under certain circumstances; to provide relative to voter registration at driver's license facilities; to provide relative to certain reports to election officials concerning deaths; 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 Original House Bill No. 501 by Representative Wesley Bishop

AMENDMENT NO. 1

On page 1, line 2, after "reenact R.S." delete the remainder of the line and insert "18:114(B)(1) and 173(A) and (D)(1) and to enact R.S. 18:101(A)(3), relative to voter"

AMENDMENT NO. 2

On page 1, line 3, after "for the "Louisiana" delete "Preregistration Voting" and insert "Motor Voter Preregistration"

AMENDMENT NO. 3

On page 1, line 4, after "persons who are" and before "sixteen" delete "least"

AMENDMENT NO. 4

On page 1, line 5, after "to register to" delete "vote;" and insert "vote under certain circumstances;"

AMENDMENT NO. 5

On page 1, at the beginning of line 10, delete "Preregistration Voting" and insert "Motor Voter Preregistration"

AMENDMENT NO. 6

On page 1, line 11, after "R.S." delete the remainder of the line and at the beginning of line 12, delete "and reenacted" and insert "18:114(B)(1) and 173(A) and (D)(1) are hereby amended and reenacted and R.S. 18:101(A)(3) is hereby enacted"

AMENDMENT NO. 7

On page 1, delete lines 15 through 22 and on page 2, delete lines 1 and 2 and insert the following:

"A.

* * *

(3) A person who is sixteen years of age may register to vote in the manner provided in R.S. 18:114(B)(1). However, no one under the age of eighteen years shall be permitted to vote in any election.

AMENDMENT NO. 8

On page 2, delete line 11 and insert the following:

"application. Each application to obtain a driver's license issued by the Department of Public Safety and Corrections made by an applicant who is sixteen years old shall also serve as an application for voter registration by the applicant unless the applicant declines to register to vote through specific declination or by failing to sign the voter registration application. In addition, any person age seventeen"

AMENDMENT NO. 9

On page 3, after line 4, insert "Section 3. This Act shall become effective on January 1, 2015."

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

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

HOUSE BILL NO. 518—

BY REPRESENTATIVE HUVAL

AN ACT

To authorize and provide for the transfer of certain state property; to authorize the transfer of certain state property in St. Martin Parish; to provide for the property description; to provide for reservation of mineral rights; to provide terms and conditions; to provide an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources and Environment.

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

HOUSE BILL NO. 523—

BY REPRESENTATIVE LAMBERT

AN ACT

To enact R.S. 56:325(B)(4), relative to possession limits for recreational fishing; to provide for a possession limit for certain species of bass taken in saltwater areas of the state; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources and Environment.

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

HOUSE BILL NO. 530—

BY REPRESENTATIVE PYLANT

AN ACT

To amend and reenact R.S. 14:89(A) and (B) and 89.1(A) and (B), to enact R.S. 14:89.1(C) and (D), and to repeal R.S. 14:78 and 78.1, relative to offenses affecting sexual immorality; to repeal the crimes of incest and aggravated incest; to amend the offense of crime against nature to include the elements and penalties of the crime of incest; to amend the offense of aggravated crime against nature to include the elements and penalties of the crime of aggravated incest; to direct the Louisiana State Law Institute to amend all references in law accordingly; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

HOUSE BILL NO. 600—

BY REPRESENTATIVE ABRAMSON

AN ACT

To enact R.S. 17:158(J) and 3996(B)(34), relative to the loading and unloading of school busses at schools in certain parishes; to provide relative to adoption of policies and procedures by school governing authorities regarding such loading and unloading; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 600 by Representative Abramson

AMENDMENT NO. 1

On page 1, at the beginning of line 11, change "J." to "J.(1)"

AMENDMENT NO. 2

On page 1, between lines 17 and 18, insert the following:

"(2) The prohibition in Paragraph (1) of this Subsection shall not apply if the shoulder of a municipal road is the only available alternative and the municipality has not made the shoulder available by designating that area for loading and unloading students during designated school zone hours."

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

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

HOUSE BILL NO. 743—

BY REPRESENTATIVE MORENO

AN ACT

To amend and reenact R.S. 15:323(A), (B)(2)(introductory paragraph), and (D) and to enact R.S. 15:323(B)(2)(i) and (j), relative to the Louisiana Sentencing Commission; to provide for the membership of the commission; to provide for additional members of the commission; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 743 by Representative Moreno

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line and insert "R.S. 15:321(D) and (G)(introductory paragraph) and 323(A), (B)(2)(introductory paragraph), (D), and (G) and to enact"

AMENDMENT NO. 2

On page 1, between lines 3 and 4, insert "provide relative to the duties of the commission; to provide relative to legislation recommended by the commission; to"

AMENDMENT NO. 3

On page 1, line 5, after "commission;" and before "and" insert "to provide relative to persons serving as a proxy for a voting member of the commission;"

AMENDMENT NO. 4

On page 1, line 7, after "Section 1." delete the remainder of the line and insert "R.S. 15:321(D) and (G)(introductory paragraph) and 323(A), (B)(2)(introductory paragraph), (D), and (G) are hereby"

AMENDMENT NO. 5

On page 1, between lines 9 and 10, insert the following:

"§321. Purpose; duties of the commission; conducting of evaluation of sentencing structure; report

* * *

D. The commission shall conduct a continuous review of the state's sentencing structure based upon existing criminal law and law relative to criminal procedure. The commission may recommend such legislation as may be necessary and appropriate to achieve a uniform sentencing policy that ensures public safety and the imposition of appropriate and just sentences in terms that are clear and transparent and which make the most efficient use of the correctional system and community resources. Legislation may only be recommended by the commission upon approval by a two-thirds vote of the commission members present.

* * *

G. The commission shall make biannual recommendations for amendments to state law, pursuant to the provisions of Subsection D of this Section, that will maximize uniformity, certainty, consistency, and adequacy of a sentence structure to provide for all of the following:

* * *

AMENDMENT NO. 6

On page 2, after line 19, add the following:

"G.(1) Each Subject to the provisions set forth in Paragraph (2) of this Subsection, each voting member shall be entitled to appoint a single individual to serve as proxy for the duration of his term if the

member is unable to attend a meeting of the commission. The term of the designated proxy shall be the same as the voting member. A member appointing an individual to serve as his designated proxy shall make his appointment known to the chairman and to the secretary of the commission.

(2)(a) An individual appointed to serve as proxy for a voting member described in Subparagraph (B)(1)(a), (b), (c), or (d) of this Section shall be a member of the legislature.

(b) An individual appointed to serve as proxy for a voting member described in the provisions of Subparagraph (B)(1)(e) or Subparagraphs (B)(2)(a) through (B)(2)(h) of this Section shall have the same qualifications, or shall be a member of the same entity, as the voting member for whom he is serving.

(3) The proxy appointed by the voting member shall not be subject to the same nominating and appointment procedures as is required for the voting member for whom he is serving and shall not be subject to Senate confirmation as required by the provisions of Subsection E of this Section.

(4) An individual shall not serve as proxy pursuant to the provisions of this Subsection for more than one voting member of the commission."

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

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

HOUSE BILL NO. 833—

BY REPRESENTATIVES FOIL, ANDERS, BARROW, BURFORD, COX, HARRIS, HAVARD, HENSGENS, HILL, HOFFMANN, LEBAS, JAY MORRIS, POPE, WHITNEY, PATRICK WILLIAMS, AND WILLMOTT
AN ACT

To enact R.S. 36:259(Y) and 802.24 and Chapter 19 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:1721 through 1740, relative to a savings program for persons with disabilities; to provide for definitions, findings, and purposes; to create the ABLE Account Program and the ABLE Account Authority to administer such program; to provide for composition, powers, and duties of the ABLE Account Authority; to provide for equivalency of certain aspects of the ABLE Account Program to aspects of the Louisiana Student Assistance and Revenue Trust Program; to establish program rules; to provide for qualified expenses; to provide for transfer of entities to the Department of Health and Hospitals for the purpose of conferring rulemaking authority; to provide for promulgation of rules; 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 Original House Bill No. 833 by Representative Foil

AMENDMENT NO. 1

On page 1, line 11, after "rules;" and before "and" insert "to provide for effectiveness contingent upon certain actions by congress;"

AMENDMENT NO. 2

On page 6, at the end of line 12, change "speake" to "speaker"

AMENDMENT NO. 3

On page 8, after line 7, insert the following:

"Section 2. The effectiveness of the provisions of Section 1 of this Act shall be contingent upon enactment of amendments to Section 529 of the federal Internal Revenue Code that establish tax-advantaged savings accounts for persons with disabilities as provided in the Achieving a Better Life Experience Act of 2013, or any Act of the United States Congress that is substantially similar thereto."

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

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

HOUSE BILL NO. 857—

BY REPRESENTATIVE BROADWATER
AN ACT

To amend and reenact R.S. 18:602(E)(1), (2)(a), and (4) and to repeal R.S. 13:2583(F) and R.S. 42:373, relative to vacancies in certain local and municipal offices; to provide for the filling of such vacancies; to provide relative to the appointment of a person to fill such a vacancy under certain circumstances; to provide relative to the election of a person to fill such a vacancy under certain circumstances; 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 Original House Bill No. 857 by Representative Broadwater

AMENDMENT NO. 1

On page 2, at the beginning of line 13, change "Section" to "Subsection"

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

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

HOUSE BILL NO. 891—

BY REPRESENTATIVES STOKES AND SIMON
AN ACT

To enact Part LXXV of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.381 through 1300.386, relative to access to treatment for terminally ill patients; to provide for findings, definitions, intent, and construction; to authorize provision of certain pharmaceutical and therapeutic products by manufacturers; to specify that gratuitous provision and insurance coverage of certain treatments are not required; to prohibit actions against licenses of physicians in specific instances; to provide for a penalty; 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 Original House Bill No. 891 by Representative Stokes

AMENDMENT NO. 1

On page 1, line 3, delete "1300.386," and insert in lieu thereof "1300.385,"

AMENDMENT NO. 2

On page 1, line 7, after "required;" and before "to prohibit" insert "to provide for limitation of liability;"

AMENDMENT NO. 3

On page 1, line 8, delete "to provide for a penalty;"

AMENDMENT NO. 4

On page 1, line 12, delete "1300.386," and insert in lieu thereof "1300.385,"

AMENDMENT NO. 5

On page 2, line 17, after "person" delete the remainder of the line and insert in lieu thereof "to whom all of the following criteria apply:"

AMENDMENT NO. 6

On page 2, delete lines 19 and 20 in their entirety and insert in lieu thereof the following:

"(b) As determined by the person's physician, has no comparable or satisfactory treatment options that are approved by the United States Food and Drug Administration and available to diagnose, monitor, or treat the person's disease or condition, and the probable risk to the person from the investigational drug, biological product, or device is not greater than the probable risk from the person's disease or condition."

AMENDMENT NO. 7

On page 2, line 23, delete "informed"

AMENDMENT NO. 8

On page 3, at the end of line 5, change "measures," to "procedures."

AMENDMENT NO. 9

On page 3, delete 6 in its entirety and insert in lieu thereof the following:

"will result in death in the near future or a state of permanent unconsciousness from which recovery is unlikely. This diagnosis shall be confirmed by a second independent evaluation by a board-certified physician in an appropriate speciality."

AMENDMENT NO. 10

On page 3, delete lines 24 through 28 in their entirety and on page 4, delete lines 1 through 7 in their entirety and insert in lieu thereof the following:

"§1300.385. Limitation of liability

Notwithstanding any provision of law to the contrary, a physician who prescribes an investigational drug, biological product, or device to an eligible patient pursuant to the provisions of this Part

shall be immune from civil liability, including but not limited to any cause of action arising under R.S. 40:1299.41 et. seq., for any adverse action, condition, or other outcome resulting from the patient's use of the investigational drug, biological product, or device."

AMENDMENT NO. 11

On page 4, line 13, after "House Bill No." delete the remainder of the line and insert in lieu thereof "667 of"

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

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

HOUSE BILL NO. 913—

BY REPRESENTATIVE LEOPOLD
AN ACT

To enact R.S. 36:610(B)(12) and R.S. 56:301.10, relative to commercial and recreational finfish; to create the Louisiana Finfish Task Force; to provide for membership; to provide for powers, duties, and responsibilities; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources and Environment.

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

Suspension of the Rules

On motion of Rep. Ponti, the rules were suspended in order to take up and consider 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. 30—

BY REPRESENTATIVE PONTI
A CONCURRENT RESOLUTION

To commend Mr. and Mrs. Ray Gendron upon the celebration of their fiftieth wedding anniversary.

Read by title.

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

Ordered to the Senate.

Introduction of House Bills and Joint Resolutions

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

HOUSE BILL NO. 1043—

BY REPRESENTATIVE GUILLORY
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2014-2015 to be used to pay the

consent judgment against the Department of Transportation and Development in the suit entitled "Artimese Duplechain v. City of Opelousas, et al"; and to provide for related matters.

Read by title.

Privileged Report of the Committee on Enrollment

March 20, 2014

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

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

The following House Resolutions have been properly enrolled:

HOUSE RESOLUTION NO. 38—

BY REPRESENTATIVE BARROW
A RESOLUTION

To commend Jerris Cade, a Baton Rouge native, upon the recording of his live album "321 The ReBirth" and for his contributions to the gospel music ministry and his community.

Respectfully submitted,

HAROLD RITCHIE
Chairman

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

Leave of Absence

Rep. Shadoin - 1 day

Adjournment

On motion of Rep. Billiot, at 9:29 A.M., the House agreed to adjourn until Monday, March 24, 2014, at 3:00 P.M.

The Speaker of the House declared the House adjourned until 3:00 P.M., Monday, March 24, 2014.

ALFRED W. SPEER
Clerk of the House