

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

SECOND DAY'S PROCEEDINGS

**Forty-first Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

House of Representatives
State Capitol
Baton Rouge, Louisiana

Tuesday, April 14, 2015

The House of Representatives was called to order at 4:00 P.M., by the Honorable Chuck Kleckley, Speaker of the House of Representatives.

Morning Hour

ROLL CALL

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

PRESENT

Mr. Speaker	Gisclair	Miller
Abramson	Guillory	Montoucet
Adams	Guinn	Moreno
Anders	Hall	Morris, Jay
Arnold	Harris	Morris, Jim
Badon	Harrison	Norton
Barras	Havard	Ortego
Barrow	Hazel	Ourso
Berthelot	Henry	Pearson
Billiot	Hensgens	Pierre
Bishop, S.	Hill	Ponti
Bishop, W.	Hodges	Pope
Bouie	Hoffmann	Price
Broadwater	Honore	Pugh
Brown	Howard	Reynolds
Burford	Hunter	Richard
Burns, H.	Huval	Ritchie
Burns, T.	Ivey	Schexnayder
Burrell	Jackson	Schroder
Carmody	James	Seabaugh
Carter	Jefferson	Shadoin
Chaney	Johnson M.	Simon
Connick	Johnson R.	Smith
Cox	Jones	St. Germain
Danahay	Lambert	Stokes
Dove	Landry, N.	Talbot
Edwards	Landry, T.	Thibaut
Fannin	LeBas	Thierry
Foil	Leger	Whitney
Franklin	Leopold	Williams, A.

Gaines	Lorusso	Williams, P.
Garofalo	Mack	Willmott
Geymann	Miguez	Woodruff
Total - 99		

The Speaker announced that there were 99 members present and a quorum.

Prayer

Prayer was offered by Rep. Fannin.

Pledge of Allegiance

Rep. Anders 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 April 13, 2015, was adopted.

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

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

HOUSE RESOLUTION NO. 24—
BY REPRESENTATIVE SCHEXNAYDER
A RESOLUTION

To commend and congratulate the lifters and coaches of the Lucher High School girls' powerlifting team for winning nine consecutive Division II Class 4A state championships from 2007 to 2015.

Read by title.

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

HOUSE RESOLUTION NO. 25—
BY REPRESENTATIVE CARMODY
A RESOLUTION

To commend the Youth Legislature of the Boys and Girls Club of Greater Baton Rouge for promoting and encouraging teamwork and leadership in students.

Read by title.

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

HOUSE RESOLUTION NO. 26—
BY REPRESENTATIVE ROBERT JOHNSON
A RESOLUTION

To commend Louisiana Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP) and to designate Monday, May 11, 2015, as Louisiana GEAR UP Day at the state capitol.

Read by title.

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

HOUSE RESOLUTION NO. 27—
BY REPRESENTATIVE MONTOUCKET
A RESOLUTION

To commend Jo-El Sonnier for winning the Grammy Award for Best Regional Roots Album at the 57th Annual Grammy Awards.

Read by title.

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

HOUSE RESOLUTION NO. 28—

BY REPRESENTATIVE THIERRY

A RESOLUTION

To commend Francis Melancon, Jr., the oldest African American licensed horse trainer in the United States.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 44—

BY REPRESENTATIVE FOIL

A CONCURRENT RESOLUTION

To urge and request each agency in the executive branch of state government to develop and implement a crisis leave pool that would enable employees to donate leave which could be used by employees who cannot work due to a crisis situation and who have insufficient leave to cover the absence required by the crisis situation.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 45—

BY REPRESENTATIVE BOUIE AND SENATOR MURRAY

A CONCURRENT RESOLUTION

To direct the legislative auditor to conduct audits, for certain prior fiscal years and annually thereafter, of severance taxes that are owed but have not been paid to the state; to direct the Department of Revenue to promptly collect taxes identified by the legislative auditor; and to direct the Department of Natural Resources, through the office of conservation, to provide the Department of Revenue with quarterly reports on oil and gas production.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 46—

BY REPRESENTATIVE ROBERT JOHNSON

A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana upon the death of Colonel Gene C. Hazel of Shreveport.

Read by title.

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

Ordered to the Senate.

House and House Concurrent Resolutions Lying Over

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

HOUSE CONCURRENT RESOLUTION NO. 23—

BY REPRESENTATIVE ABRAMSON AND SENATOR CROWE

A CONCURRENT RESOLUTION

To apply to the United States Congress, under the provisions of Article V of the Constitution of the United States of America, for the calling of a convention of the states limited to proposing amendments to the Constitution of the United States of America that address term limits for federal officials and members of congress, election reform, ethics for public servants, financial discipline, states' countermand authority, and other appropriate

matters to modernize the constitution and enhance the freedoms, opportunities, and prosperity of the people; to demand that the United States Congress convene the convention within a specific time period leaving all other decisions regarding the convention to the state legislatures and their appointed delegates in the manner provided herein; and to demand that delegates be prohibited from offering and instructed to oppose amendments that weaken the Bill of Rights, limit civil rights, reduce personal freedoms, or create special privileges.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 24—

BY REPRESENTATIVE ABRAMSON

A CONCURRENT RESOLUTION

To create a committee to provide for an in-depth study of the need for, and for preparation of a plan for the conduct of, a convention to revise the Constitution of Louisiana and to express legislative intent to call a constitutional convention based upon the results of such study.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 29—

BY REPRESENTATIVE HARRISON

A CONCURRENT RESOLUTION

To urge and request the United States Environmental Protection Agency to withdraw the proposed guidelines for reducing carbon dioxide emissions from fossil fuel-fired power plants pursuant to Section 111(d) of the federal Clean Air Act and that in the event the United States Environmental Protection Agency adopts the proposed guidelines, urge and request the governor and the attorney general to use every means at their disposal, including taking legal action, to prevent the guidelines from being implemented.

Read by title.

Under the rules, the above resolution was referred to the Committee on Natural Resources and Environment.

HOUSE CONCURRENT RESOLUTION NO. 35—

BY REPRESENTATIVE HUNTER

A CONCURRENT RESOLUTION

To urge and request the United States Postal Service to consider assigning a new zip code to the town of Richwood in Ouachita Parish.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 39—

BY REPRESENTATIVE HOLLIS

A CONCURRENT RESOLUTION

To authorize and request the House Committee on House and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs to meet and function as a joint committee to study and make recommendations with respect to the advisability of reducing the number of signatures required to have a recall election.

Read by title.

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

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. 777—

BY REPRESENTATIVE ST. GERMAIN
AN ACT

To enact R.S. 47:818.12.1 and 818.101.1, relative to the state excise tax; to provide for the excise tax levied on certain fuel; to levy an additional tax on gasoline, diesel fuel, and certain special fuels for a certain period of time; to provide for establishment of the rate of the tax based upon the price of gasoline; to provide for the duties of the legislative auditor; to provide for duties of the secretary of the Department of Revenue; to provide for effectiveness; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 778—

BY REPRESENTATIVE ST. GERMAIN
AN ACT

To enact Chapter 2-E of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:340, relative to state sales and use tax; to provide for the levy and collection of a one percent sales and use tax; to provide for the period of time during which the tax shall be imposed; to require the deposit of monies into certain special treasury funds; to establish a special treasury fund; to provide for the deposit, use, and investment of monies in the fund; to provide for the specific highway and bridge projects for which monies from the fund may be appropriated; to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 779—

BY REPRESENTATIVE PONTI
AN ACT

To amend and reenact R.S. 47:6030(A)(1), (B), (C)(6), and (D), relative to tax credits; to provide with respect to the solar energy systems tax credit; to provide for the amount of the credit; to provide with respect to eligibility for certain types of solar energy systems; to limit certain types of financing for eligible systems; to provide with respect to the claiming of the credit; to repeal the credit for leased systems; to provide for effectiveness; and to provide for related matters.

Read by title.

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

Motion

Rep. Mike Johnson moved to call House Bill No. 707 from the calendar, which motion was agreed to.

HOUSE BILL NO. 707—

BY REPRESENTATIVE MIKE JOHNSON
AN ACT

To enact Part XX of Chapter 32 of Title 13 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:5243 through 5248,

relative to marriage and the right of conscience; to create a cause of action for the protection of the right of conscience as relates to marriage; to provide for definitions; to provide for applicability; to provide for rules of construction; to provide for remedies; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Mike Johnson to Original House Bill No. 707 by Representative Mike Johnson

AMENDMENT NO. 1

On page 2, line 17, after "conviction" delete the remainder of the line and delete line 18 in its entirety and insert the following:

"that marriage is or should be recognized as the union of one man and one woman."

AMENDMENT NO. 2

On page 2, delete lines 26 through 28 and on page 3, delete lines 1 through 8 in their entirety

AMENDMENT NO. 3

On page 3, at the beginning of line 9, change "(5)" to "(3)"

AMENDMENT NO. 4

On page 3, at the beginning of line 12, change "(6)" to "(4)"

AMENDMENT NO. 5

On page 3, at the beginning of line 14, change "(7)" to "(5)"

AMENDMENT NO. 6

On page 4, between lines 15 and 16, insert the following:

"D. The provisions of this Act shall not be construed to authorize any act of discrimination, but are instead intended to prevent the state from discriminating against persons with the deeply held religious belief that marriage consists only in the union of one man and one woman."

On motion of Rep. Mike Johnson, the amendments were withdrawn.

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

Suspension of the Rules

Rep. St. Germain moved the rules be suspended to permit the receipt of the following report containing House Concurrent Resolution No. 1, which was heard without the notice required by House Rule 14.24(A), which motion was agreed to.

Reports of Committees

The following reports of committees were received and read:

**Report of the Committee on
Transportation, Highways, and Public Works**

April 14, 2015

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Transportation, Highways, and Public Works to submit the following report:

House Concurrent Resolution No. 1, by Dove
Reported favorably, with recommendation that it be recommitted to the Committee on Natural Resources and Environment. (13-0)

House Bill No. 28, by Montoucet
Reported with amendments. (12-0)

House Bill No. 36, by Shadoin
Reported favorably. (13-0)

House Bill No. 128, by Chaney
Reported favorably. (13-0)

House Bill No. 140, by Jefferson
Reported favorably. (13-0)

House Bill No. 227, by Morris, Jim
Reported favorably. (11-0)

House Bill No. 417, by Berthelot
Reported favorably. (11-0)

House Bill No. 420, by Burns, Henry
Reported favorably. (13-0)

House Bill No. 674, by Whitney
Reported favorably. (13-0)

House Bill No. 699, by Abramson
Reported favorably. (13-0)

KAREN GAUDET ST. GERMAIN
Chairwoman

**Report of the Committee on
Commerce**

April 14, 2015

To the Speaker and Members of the House of Representatives:

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

House Bill No. 357, by Ritchie
Reported with amendments. (18-0)

House Bill No. 394, by Miller
Reported favorably. (17-0)

House Bill No. 468, by Landry, Nancy
Reported favorably. (16-0)

House Bill No. 572, by Arnold
Reported with amendments. (18-0)

House Bill No. 592, by Ritchie
Reported favorably. (18-0)

House Bill No. 711, by Bishop, Stuart
Reported favorably. (16-0)

House Bill No. 743, by Foil
Reported with amendments. (17-0)

ERICH E. PONTI
Chairman

Suspension of the Rules

On motion of Rep. Fannin, 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. 47—
BY REPRESENTATIVE FANNIN
A CONCURRENT RESOLUTION

To commend the Louisiana Developmental Disabilities Council and its grassroots advocacy network, LaCAN, and to designate April 29, 2015, as Disability Rights Day in Louisiana.

Read by title.

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

Ordered to the Senate.

Privileged Report of the Committee on Enrollment

April 14, 2015

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. 1—
BY REPRESENTATIVE BERTHELOT
A RESOLUTION

To commend the Louisiana Airport Managers and Associates and to welcome them to the state capitol.

HOUSE RESOLUTION NO. 2—
BY REPRESENTATIVE HARRIS
A RESOLUTION

To express the condolences of the House of Representatives upon the death of Clarence Herbert Downs of Alexandria, Louisiana.

HOUSE RESOLUTION NO. 3—
BY REPRESENTATIVE LEOPOLD
A RESOLUTION

To recognize Wednesday, April 29, 2015, as Plaquemines Parish Day at the state capitol.

HOUSE RESOLUTION NO. 4—
BY REPRESENTATIVE LEOPOLD
A RESOLUTION

To commend the organizers and volunteers of the 2015 Plaquemines Parish Heritage and Seafood Festival.

HOUSE RESOLUTION NO. 5—
BY REPRESENTATIVE LEOPOLD
A RESOLUTION

To commend the organizers and volunteers of the 2015 Plaquemines Parish Fair and Orange Festival.

HOUSE RESOLUTION NO. 6—BY REPRESENTATIVE SCHEXNAYDER
A RESOLUTION

To commend the Riverside Academy High School boys' basketball team upon winning their third consecutive Class 2A state championship and to congratulate the Riverside Academy Runnin' Rebels on an outstanding 2014-2015 season.

HOUSE RESOLUTION NO. 7—BY REPRESENTATIVE PUGH
A RESOLUTION

To commend the Ponchatoula High School girls' basketball team upon winning the Class 5A state championship.

HOUSE RESOLUTION NO. 8—BY REPRESENTATIVE BROADWATER
A RESOLUTION

To commend Joshua Husser upon his appointment to the United States Air Force Academy.

HOUSE RESOLUTION NO. 9—BY REPRESENTATIVES BROADWATER AND EDWARDS
A RESOLUTION

To commend Cadet Malik Donte Jarrett upon his selection to attend West Point's Summer Leaders Experience program.

HOUSE RESOLUTION NO. 10—BY REPRESENTATIVE MONTOUCKET
A RESOLUTION

To commend the Louisiana Physical Therapy Association for its outstanding achievements and to recognize April 27 through May 1, 2015, as Louisiana Physical Therapy Association Week.

HOUSE RESOLUTION NO. 11—BY REPRESENTATIVE BARROW
A RESOLUTION

To commend ExxonMobil and recognize Monday, April 20, 2015, as ExxonMobil Day at the Louisiana State Capitol.

HOUSE RESOLUTION NO. 12—BY REPRESENTATIVE BARROW
A RESOLUTION

To recognize Tuesday, May 19, 2015, as the thirty-first annual Red and White Day at the Louisiana Legislature.

HOUSE RESOLUTION NO. 13—BY REPRESENTATIVE BARROW
A RESOLUTION

To recognize the month of April as Sarcoidosis Awareness Month in Louisiana.

HOUSE RESOLUTION NO. 14—BY REPRESENTATIVES TERRY LANDRY, HONORE, PIERRE, SMITH,
AND THIERRY
A RESOLUTION

To recognize Friday, April 24, 2015, as Louisiana Knights and Ladies of Peter Claver Day.

HOUSE RESOLUTION NO. 15—BY REPRESENTATIVE LORUSSO
A RESOLUTION

To commend Paul Klein for winning his fourth individual Division I state wrestling title at the Louisiana High School Athletic Association's state wrestling championship held at the Pontchartrain Center in Kenner, in February of 2015.

HOUSE RESOLUTION NO. 16—BY REPRESENTATIVE SMITH
A RESOLUTION

To commend Kappa Beta Delta and the students at Baton Rouge Community College who are members of this international business honor society.

HOUSE RESOLUTION NO. 17—BY REPRESENTATIVE THIERRY
A RESOLUTION

To commend the North Central High School girls' basketball team for winning the Class 1A state championship.

HOUSE RESOLUTION NO. 18—BY REPRESENTATIVE THIERRY
A RESOLUTION

To commend Alton Broussard of Opelousas for his contributions to the community of Opelousas as a civil and social rights advocate and business owner.

HOUSE RESOLUTION NO. 19—BY REPRESENTATIVE ANDERS
A RESOLUTION

To designate June 3, 2015, as 4-H Day at the legislature and to commend the state executive board officers of 4-H.

HOUSE RESOLUTION NO. 20—BY REPRESENTATIVE ANDERS
A RESOLUTION

To designate April 28, 2015, as FFA Day at the legislature and to commend the state officers of FFA.

HOUSE RESOLUTION NO. 21—BY REPRESENTATIVE PIERRE
A RESOLUTION

To commend Major Luranie Richard upon her promotion as the first female major in the Lafayette Police Department.

HOUSE RESOLUTION NO. 22—BY REPRESENTATIVE STOKES
A RESOLUTION

To recognize Tuesday, April 28, 2015, as March of Dimes Day at the Louisiana state capitol.

HOUSE RESOLUTION NO. 23—BY REPRESENTATIVE PONTI
A RESOLUTION

To recognize Monday, April 13, 2015, as Electrical Lineman Appreciation Day in Louisiana.

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.

Suspension of the Rules

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

House Bill No. 353

Leave of Absence

Rep. Hollis - 1 day

Adjournment

On motion of Rep. Billiot, at 4:45 P.M., the House agreed to adjourn until Wednesday, April 15, 2015, at 4:00 P.M.

The Speaker of the House declared the House adjourned until 4:00 P.M., Wednesday, April 15, 2015.

ALFRED W. SPEER
Clerk of the House

