

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

THIRD DAY'S PROCEEDINGS

Fiftieth Extraordinary Session of the Legislature
Under the Adoption of the
Constitution of 1974

House of Representatives
State Capitol
Baton Rouge, Louisiana

Wednesday, February 1, 2023

The House of Representatives was called to order at 10:00 A.M., by the Honorable Clay Schexnayder, Speaker of the House of Representatives.

Morning Hour

ROLL CALL

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

PRESENT

| | | |
|-------------|-------------|-------------|
| Mr. Speaker | Freiberg | McKnight |
| Adams | Frieman | Miguez |
| Amedee | Gadberry | Miller, D. |
| Bacala | Gaines | Miller, G. |
| Bagley | Garofalo | Mincey |
| Beaullieu | Geymann | Moore |
| Bishop | Glover | Muscarello |
| Bourriaque | Goudeau | Nelson |
| Boyd | Green | Newell |
| Brass | Harris | Orgeron |
| Brown | Hilferty | Owen, C. |
| Bryant | Hodges | Phelps |
| Butler | Hollis | Pierre |
| Carpenter | Horton | Pressly |
| Carrier | Huval | Riser |
| Carter, R. | Illg | Romero |
| Carter, W. | Ivey | Schamerhorn |
| Cormier | Jefferson | Schlegel |
| Coussan | Jenkins | Seabaugh |
| Cox | Johnson, M. | Selders |
| Crews | Johnson, T. | St. Blanc |
| Davis | Jordan | Stagni |
| Deshotel | Kerner | Stefanski |
| DeVillier | LaCombe | Tarver |
| DuBuisson | LaFleur | Thomas |
| Echols | Landry | Thompson |
| Edmonds | Larvadain | Turner |
| Edmonston | Lyons | Villio |
| Emerson | Mack | Wheat |
| Farnum | Magee | White |
| Firment | Marcelle | Willard |
| Fisher | Marino | Wright |
| Fontenot | McCormick | Zeringue |
| Freeman | McFarland | |

Total - 101

The Speaker announced that there were 101 members present and a quorum.

Prayer

Prayer was offered by Rep. Zeringue.

Pledge of Allegiance

Rep. Green 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. Moore, the reading of the Journal was dispensed with.

On motion of Rep. Moore, the Journal of January 31, 2023, was adopted.

**House Bills and Joint Resolutions on
Third Reading and Final Passage**

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

Motion

Rep. Magee moved the House resolve itself into a Committee of the Whole House for the purpose of taking testimony and questions regarding the Insure Louisiana Incentive Program, which motion was agreed to.

Chairman

Rep. Robby Carter in the Chair.

House Business Resumed

Speaker Schexnayder in the Chair

HOUSE BILL NO. 1—
BY REPRESENTATIVE ZERINGUE
AN ACT

To appropriate funds for Fiscal Year 2022-2023, relative to the Insure Louisiana Incentive Program; to impose restrictions on the use of such appropriation; to require reports relative to the use of such appropriation; to direct the state treasurer to transfer certain sums into the program fund for the execution of the appropriation; to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Zeringue to Engrossed House Bill No. 1 by Representative Zeringue

AMENDMENT NO. 1

On page 1, line 26, after "Any" and before "insurer applying" delete "nonadmitted" and insert in lieu thereof "licensed surplus lines"

AMENDMENT NO. 2

On page 2, line 7, between "pursuant to the" and "Such monitoring" delete "program." and insert in lieu thereof "program from funds appropriated herein."

AMENDMENT NO. 3

On page 2, line 10, after "to the program" and before "remain financially" insert "from funds appropriated herein"

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AMENDMENT NO. 4

On page 2, line 14, after "respectively," and before "the amount" delete "detailing;" and insert in lieu thereof "detailing the following for grantees receiving grants from funds appropriated herein:"

AMENDMENT NO. 5

On page 2, between lines 20 and 21, insert the following:

"Provided further that the commissioner of insurance may adopt emergency rules pursuant to the Administrative Procedure Act to implement the Insure Louisiana Incentive Program in conformity with the provisions of this Act."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Beaulieu to Engrossed House Bill No. 1 by Representative Zeringue

AMENDMENT NO. 1

On page 2, between lines 20 and 21 insert the following:

"Provided further that the commissioner shall promulgate rules for the program that require reporting at least quarterly by each grantee that receives a grant from the funding appropriated herein regarding the grantee's: premium to surplus ratio, net of reinsurance; gross premium to surplus ratio; and detail on the catastrophe reinsurance program maintained by the grantee, including retentions, limits, reinstatements, the current rating of the grantee, and Probable Maximum Loss models for at least five different scenarios. Such rules shall establish ratios for these reporting requirements, as applicable. Within thirty days of the end of each reporting period, the department shall aggregate all responses and submit them as a report to the Legislature. The commissioner of insurance is authorized to adopt emergency rules for the implementation of this provision."

Point of Order

Rep. Jenkins asked for a ruling from the Chair as to whether the above amendments were germane to the subject matter contained in the bill as introduced.

Ruling of the Chair

The Chair ruled that the above amendments were germane to the subject matter contained in the bill as introduced.

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative McFarland to Engrossed House Bill No. 1 by Representative Zeringue

AMENDMENT NO. 1

On page 1, line 5, after "the appropriation;" and before "to provide" insert "to direct the state treasurer to transfer certain sums out of the program upon expiration of the appropriation;"

AMENDMENT NO. 2

On page 2, line 21, after "Section 2." and before "The state treasurer" insert "(A)"

AMENDMENT NO. 3

On page 2, between lines 24 and 25, insert the following:

"(B) Notwithstanding any provision of law to the contrary, on June 30, 2023, or upon the commissioner finalizing all responses for grant applications authorized pursuant to the program, whichever is earlier, the state treasurer is hereby authorized and directed to transfer all unexpended and unencumbered monies in the Insure Louisiana Incentive Fund to the Louisiana Fortify Homes Program Fund."

On motion of Rep. McFarland, the amendments were withdrawn.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Tarver to Engrossed House Bill No. 1 by Representative Zeringue

AMENDMENT NO. 1

On page 2, between lines 20 and 21, insert the following:

"Provided further that in order to continue to qualify for any funding appropriated herein for the Insure Louisiana Incentive Program, for each earning period the grantee shall have written at least twenty-five percent of its net written premium during the earning period for policyholders whose property was formerly insured by the Louisiana Citizens Property Insurance Corporation. The terms "earning period" and "net written premium" shall be defined by rule."

Point of Order

Rep. Jenkins asked for a ruling from the Chair as to whether the above amendments were germane to the subject matter contained in the bill as introduced.

Ruling of the Chair

The Chair ruled that the above amendments were germane to the subject matter contained in the bill as introduced.

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Thomas to Engrossed House Bill No. 1 by Representative Zeringue

AMENDMENT NO. 1

On page 1, line 3, after "impose" delete "restrictions" and insert "conditions"

AMENDMENT NO. 2

On page 2, between lines 20 and 21, insert the following:

"Provided further, that in awarding grants from funds appropriated herein pursuant to the Insure Louisiana Incentive Program, the

commissioner shall give preference to grant applicants that agree to provide wind and hail coverage."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-------------|-------------|-------------|
| Mr. Speaker | Fontenot | McKnight |
| Adams | Freeman | Miguez |
| Amedee | Freiberg | Miller, D. |
| Bacala | Frieman | Miller, G. |
| Bagley | Gadberry | Mincey |
| Beaulieu | Garofalo | Nelson |
| Bishop | Glover | Newell |
| Bourriaque | Goudeau | Orgeron |
| Boyd | Green | Owen, C. |
| Brass | Harris | Phelps |
| Brown | Hilferty | Pierre |
| Bryant | Hodges | Riser |
| Butler | Hollis | Romero |
| Carpenter | Horton | Schamerhorn |
| Carrier | Huval | Schlegel |
| Carter, R. | Illg | Seabaugh |
| Cormier | Ivey | Selders |
| Coussan | Jefferson | St. Blanc |
| Crews | Jenkins | Stagni |
| Davis | Johnson, M. | Stefanski |
| Deshotel | Johnson, T. | Tarver |
| DeVillier | Kerner | Thomas |
| DuBuisson | LaCombe | Thompson |
| Echols | LaFleur | Turner |
| Edmonds | Landry | Villio |
| Edmonston | Larvadain | White |
| Emerson | Lyons | Willard |
| Farnum | Magee | Wright |
| Firment | Marcelle | Zeringue |
| Fisher | Marino | |
| Total - 90 | | |

NAYS

| | | |
|------------|-----------|------------|
| Carter, W. | Mack | Muscarello |
| Geymann | McCormick | Pressly |
| Jordan | McFarland | |
| Total - 8 | | |

ABSENT

| | | |
|-----------|---------|----------|
| Cox | Hughes | Moore |
| Gaines | McMahan | Owen, R. |
| Total - 6 | | |

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 2—
BY REPRESENTATIVE STEFANSKI
AN ACT

To provide restrictions on funding appropriated to the Department of Insurance for Fiscal Year 2022-2023 for the Insure Louisiana

Incentive Program; to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Stefanski to Engrossed House Bill No. 2 by Representative Stefanski

AMENDMENT NO. 1

On page 1, delete lines 18 and 19 in their entirety

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

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-------------|-------------|-------------|
| Mr. Speaker | Freiberg | McFarland |
| Adams | Frieman | McKnight |
| Amedee | Gadberry | Miguez |
| Bacala | Gaines | Miller, D. |
| Bagley | Garofalo | Miller, G. |
| Beaulieu | Geymann | Mincey |
| Bishop | Glover | Muscarello |
| Bourriaque | Goudeau | Nelson |
| Boyd | Green | Newell |
| Brass | Harris | Orgeron |
| Brown | Hilferty | Owen, C. |
| Bryant | Hodges | Phelps |
| Butler | Hollis | Pierre |
| Carpenter | Horton | Pressly |
| Carrier | Huval | Riser |
| Carter, R. | Illg | Romero |
| Carter, W. | Ivey | Schamerhorn |
| Cormier | Jefferson | Schlegel |
| Coussan | Jenkins | Seabaugh |
| Crews | Johnson, M. | Selders |
| Davis | Johnson, T. | St. Blanc |
| Deshotel | Jordan | Stagni |
| DeVillier | Kerner | Stefanski |
| DuBuisson | LaCombe | Tarver |
| Echols | LaFleur | Thomas |
| Edmonds | Landry | Thompson |
| Edmonston | Larvadain | Turner |
| Emerson | Lyons | Villio |
| Farnum | Mack | White |
| Firment | Magee | Willard |
| Fisher | Marcelle | Wright |
| Fontenot | Marino | Zeringue |
| Freeman | McCormick | |
| Total - 99 | | |

NAYS

Total - 0

ABSENT

| | | |
|-----------|---------|----------|
| Cox | McMahan | Owen, R. |
| Hughes | Moore | |
| Total - 5 | | |

The Chair declared the above bill was finally passed.

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The title of the above bill was read and adopted.

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

Leave of Absence

Rep. Moore - 1/2 day

Adjournment

On motion of Rep. Thompson, at 1:54 P.M., the House agreed to adjourn until Friday, February 3, 2023, at 2:00 P.M.

The Speaker of the House declared the House adjourned until 2:00 P.M., Friday, February 3, 2023.

MICHELLE D. FONTENOT
Clerk of the House

ANGELA S. SMITH
Assistant Clerk of the House / Journal Clerk