

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

**THIRTY-NINTH DAY'S PROCEEDINGS**

**Thirty-fourth Regular Session of the Legislature  
Under the Adoption of the  
Constitution of 1974**

House of Representatives  
State Capitol  
Baton Rouge, Louisiana

Wednesday, June 4, 2008

The House of Representatives was called to order at 2:00 P.M., by the Honorable Jim Tucker, Speaker of the House of Representatives.

**Morning Hour**

**ROLL CALL**

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

**PRESENT**

Mr. Speaker	Gallot	McVea
Abramson	Geymann	Mills
Anders	Gisclair	Monica
Armes	Greene	Montoucet
Arnold	Guillory, E.	Morrell
Aubert	Guillory, M.	Morris
Badon, A.	Guinn	Norton
Badon, B.	Hardy	Nowlin
Baldone	Harrison	Pearson
Barras	Hazel	Perry
Barrow	Henderson	Ponti
Billiot	Henry	Pope
Burford	Hill	Pugh
Burns, H.	Hines	Richard
Burns, T.	Hoffmann	Richardson
Burrell	Honey	Richmond
Carmody	Howard	Ritchie
Carter	Hutter	Robideaux
Champagne	Jackson G.	Roy
Chandler	Jackson M.	Schroder
Chaney	Johnson	Simon
Connick	Jones, R.	Smiley
Cortez	Jones, S.	Smith, G.
Cromer	Katz	Smith, J.
Danahay	Kleckley	Smith, P.
Dixon	LaFonta	St. Germain
Doerge	Lambert	Talbot
Dove	LeBas	Templet
Downs	Leger	Trahan
Edwards	Ligi	Waddell
Ellington	Little	White

Fannin	Lopinto	Williams
Foil	Lorusso	Willmott
Franklin	Marchand	Wooton
Total - 102		

ABSENT

LaBruzzo	Peterson
Total - 2	

The Speaker announced that there were 102 members present and a quorum.

**Prayer**

Prayer was offered by Rev. Randy Cuevas.

**Pledge of Allegiance**

Rep. Hutter 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. Billiot, the reading of the Journal was dispensed with.

On motion of Rep. Billiot, the Journal of June 3, 2008, was adopted.

**Petitions, Memorials and  
Communications**

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

**Message from the Senate**

**HOUSE BILLS**

June 4, 2008

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

I am directed to inform your honorable body that the Senate has finally passed the following House Bills:

House Bill No. 198  
Returned with amendments

House Bill No. 434  
Returned without amendments

House Bill No. 448  
Returned without amendments

House Bill No. 449  
Returned without amendments

House Bill No. 478  
Returned with amendments

House Bill No. 495  
Returned without amendments

House Bill No. 497  
Returned without amendments

House Bill No. 516  
Returned without amendments

House Bill No. 517  
Returned without amendments

House Bill No. 527  
Returned without amendments

# Page 2 HOUSE

39th Day's Proceedings - June 4, 2008

House Bill No. 545  
Returned without amendments

House Bill No. 548  
Returned with amendments

House Bill No. 553  
Returned with amendments

House Bill No. 641  
Returned without amendments

House Bill No. 653  
Returned without amendments

House Bill No. 654  
Returned with amendments

House Bill No. 751  
Returned without amendments

House Bill No. 752  
Returned without amendments

House Bill No. 762  
Returned without amendments

House Bill No. 786  
Returned without amendments

House Bill No. 842  
Returned without amendments

House Bill No. 920  
Returned with amendments

House Bill No. 925  
Returned without amendments

House Bill No. 941  
Returned without amendments

House Bill No. 967  
Returned without amendments

House Bill No. 1020  
Returned without amendments

House Bill No. 1114  
Returned without amendments

House Bill No. 1118  
Returned without amendments

House Bill No. 1122  
Returned without amendments

House Bill No. 1131  
Returned without amendments

House Bill No. 1147  
Returned with amendments

House Bill No. 1179  
Returned without amendments

House Bill No. 1203  
Returned without amendments

House Bill No. 1204  
Returned with amendments

House Bill No. 1224  
Returned without amendments

House Bill No. 1269  
Returned without amendments

House Bill No. 1273  
Returned with amendments

House Bill No. 1311  
Returned without amendments

House Bill No. 1324  
Returned without amendments

House Bill No. 1333  
Returned without amendments

House Bill No. 1336  
Returned without amendments

House Bill No. 1341  
Returned without amendments

House Bill No. 1359  
Returned with amendments

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

## 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. 101—

BY REPRESENTATIVE DIXON

#### A RESOLUTION

To urge and request the House Committee on Municipal, Parochial and Cultural Affairs to study economic development in Alexandria, looking in particular at the further refinement and execution of the mayor's SPARC plan, and that the committee consider visiting Alexandria as part of its investigation.

Read by title.

On motion of Rep. Dixon, and under a suspension of the rules, the above resolution was referred to the Committee on Municipal, Parochial and Cultural Affairs, under the rules.

### HOUSE CONCURRENT RESOLUTION NO. 183—

BY REPRESENTATIVE GISCLAIR AND SENATOR DUPRE

#### A CONCURRENT RESOLUTION

To commend Simone Nicole Guidry of South Lafourche High School, daughter of Troy and Kim Guidry, upon her selection as a representative of south Louisiana at the Hugh O'Brian World Leadership Congress in Washington, D.C.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 184—**

BY REPRESENTATIVE LAFONTA

**A CONCURRENT RESOLUTION**

To create the Mental Health Care Improvement Task Force to study the ongoing mental health crisis in Louisiana and to report to the House and Senate committees on health and welfare no later than April 1, 2009.

Read by title.

Lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 185—**

BY REPRESENTATIVE ROSALIND JONES

**A CONCURRENT RESOLUTION**

To urge and request that each state correctional facility, local jail, or private correctional facility provide suitable space where inmates may receive substance abuse counseling.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 186—**

BY REPRESENTATIVE CARTER AND SENATOR CASSIDY

**A CONCURRENT RESOLUTION**

To commend Bonnie McLindon of St. Joseph Academy in Baton Rouge, daughter of Michelle and John McLindon, upon her selection as an alternate representative of Louisiana at the Hugh O'Brian World Leadership Congress in Washington, D.C.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 187—**

BY REPRESENTATIVE SIMON

**A CONCURRENT RESOLUTION**

To urge and request the town of Abita Springs, with the assistance of the Department of Transportation and Development, to develop a model "complete streets" plan which could be used as a design template for building streets, highways, and communities that provide for travel by all citizens regardless of mode of travel.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 188—**

BY REPRESENTATIVES HUTTER, BARROW, CHAMPAGNE, DOERGE, HILL, ROSALIND JONES, KATZ, MARCHAND, NORTON, PETERSON, JANE SMITH, PATRICIA SMITH, AND ST. GERMAIN AND SENATORS BROOME, CHEEK, DORSEY, DUPLESSIS, GRAY, JACKSON, MOUNT, AND QUINN

**A CONCURRENT RESOLUTION**

To commend Loretta Harrison of New Orleans upon her receipt of a 2008 Women of Excellence Award from the Louisiana Legislative Women's Caucus Foundation and to recognize her outstanding contributions to entrepreneurship in Louisiana as the owner of Loretta's Authentic Pralines.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 189—**

BY REPRESENTATIVES HUTTER, BARROW, CHAMPAGNE, DOERGE, HILL, ROSALIND JONES, KATZ, MARCHAND, NORTON, PETERSON, JANE SMITH, PATRICIA SMITH, AND ST. GERMAIN AND SENATORS BROOME, CHEEK, DORSEY, DUPLESSIS, GRAY, JACKSON, MOUNT, AND QUINN

**A CONCURRENT RESOLUTION**

To commend Doris Voitier of Chalmette upon her receipt of a 2008 Women of Excellence Award from the Louisiana Legislative Women's Caucus Foundation and to recognize her outstanding contributions to education in Louisiana as superintendent of St. Bernard Parish Public Schools.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 190—**

BY REPRESENTATIVE TUCKER AND SENATOR CHAISSON

**A CONCURRENT RESOLUTION**

To approve a proposed amendment, Action Plan Amendment Number 6, to the Action Plan for Fiscal Year 2006 Community Development Block Grant Disaster Recovery Funds proposed by the Louisiana Recovery Authority and approved by the governor and the Joint Legislative Committee on the Budget for the Long Term Community Recovery Program and for Infrastructure Program Delivery; and to provide for other matters pertaining thereto.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 191—**

BY REPRESENTATIVE TUCKER AND SENATOR CHAISSON

**A CONCURRENT RESOLUTION**

To approve a proposed amendment, Action Plan Amendment Number 19, to the Action Plan for Fiscal Year 2006 Community Development Block Grant Disaster Recovery Funds proposed by the Louisiana Recovery Authority and approved by the governor and the Joint Legislative Committee on the Budget for the Long Term Community Recovery Program and the Local Government Emergency Infrastructure Program: Primary and Secondary Education Infrastructure; and to provide for other matters pertaining thereto.

Read by title.

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

**Senate Concurrent Resolutions**

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

**SENATE CONCURRENT RESOLUTION NO. 65—**

BY SENATOR CROWE

**A CONCURRENT RESOLUTION**

To memorialize the Congress of the United States to provide financial support for the establishment and construction of a general aviation facility in the lower portion of Plaquemines Parish.

Read by title.

On motion of Rep. Wooton, 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:

**Motion**

On motion of Rep. Abramson, the Committee on Appropriations was discharged from further consideration of House Bill No. 1156.

**HOUSE BILL NO. 1156—**  
BY REPRESENTATIVE ABRAMSON  
AN ACT

To enact Subpart P of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:100.71 through 100.75, relative to state grants; to establish the Grants for Grads Program; to provide for administration and operation of the program by certain agencies of the state; to provide for eligibility and participation in the program; to establish the Grants for Grads Fund as a special treasury fund; to provide for the deposit, use, transfer, and investment of monies in the fund; to provide for the making of grants to certain home buyers; to provide for the deposit of monies into the TOPS Fund; to authorize rulemaking; and to provide for related matters.

Read by title.

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

**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. 16—**  
BY SENATOR CRAVINS  
AN ACT

To amend and reenact R.S. 22:25.1(B) and (C), R.S. 32:862(B)(1) and to enact R.S. 32:898(C) and 899(C), relative to motor vehicle liability policies; to provide with respect to a database to determine compliance with the Motor Vehicle Safety Responsibility Law; to provide for the duration of maintaining the database; to provide with respect to proof of compliance to be sent to the commissioner of insurance; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 433—**  
BY SENATOR MARIONNEAUX  
AN ACT

To amend and reenact R.S. 9:3573.1, 3573.2(A), 3573.3(1), (7), (8), (9) and (10), 3573.4, 3573.6(A)(2), 3573.10(C), 3573.11(B) and (C), 3573.13(B) and (C), and 3573.16, and to repeal R.S. 9:3573.9 and 3573.17, relative to the Louisiana consumer credit law; to provide an exception to licensing requirements for certain attorneys; to provide certain terms, procedures, conditions, requirements, definitions, and exemptions; to

provide for damages; to provide for orders, injunctions, publication, and availability of records to the general public; to provide for penalties; to provide for notification or service; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 652—**  
BY SENATOR MICHOT  
AN ACT

To amend and reenact R.S. 40:1299.41(E)(1), 1299.42(A)(3), (B)(2) and (3)(a), 1299.44(A)(4) and 1299.47(A)(1)(e), and to enact R.S. 40:1299.41(A)(22) and 1299.44(D)(2)(b)(xiv) and (xv) and (E), relative to medical malpractice; to provide certain definitions; to provide certain terms, conditions, and procedures; to allow the Patient's Compensation Fund Oversight Board to intervene in lawsuits under certain circumstances; to provide for the admissibility of certain documents relative to stipulations exceeding one hundred thousand dollars; to provide for the board to receive a copy of the complaint filed in court by a person having a claim subject to the Medical Malpractice Act and notice of the trial date; 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 Civil Law and Procedure.

**SENATE BILL NO. 716—**  
BY SENATOR MARTINY  
AN ACT

To amend and reenact Children's Code Article 412(J) and to enact Children's Code Article 412(K), relative to records; to provide for the confidentiality of certain records; to provide for the custodian of the records; 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.

**SENATE BILL NO. 717—**  
BY SENATOR MARTINY  
AN ACT

To amend and reenact R.S. 15:535(C) and Children's Code Article 908.1, relative to the sexual offender law; to provide for blood and saliva testing under certain circumstances; to provide for certain criteria; to provide for follow-up tests under certain circumstances; 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.

**SENATE BILL NO. 734—**  
BY SENATOR JACKSON  
AN ACT

To amend and reenact R.S. 33:2740.38(B) and (C)(1)(f), relative to the Shreveport Downtown Development District; to provide for the boundaries of the Shreveport Downtown Development District; to provide for the composition of the governing board; and to provide for related matters.

Read by title.

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

### House and House Concurrent Resolutions Reported by Committee

The following House and House Concurrent Resolutions reported by committee were taken up and acted upon as follows:

#### HOUSE RESOLUTION NO. 94—

BY REPRESENTATIVE BARROW  
A RESOLUTION

To urge and request the Department of Health and Hospitals to submit a state plan amendment to the Centers for Medicare and Medicaid Services to allow a home health care recipient to receive more than fifty reimbursable visits in a calendar year and to institute a prior authorization program in an effort to control costs.

Read by title.

Reported favorably by the Committee on Health and Welfare.

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

#### HOUSE CONCURRENT RESOLUTION NO. 162—

BY REPRESENTATIVES GARY SMITH, BARRAS, CONNICK, ELLINGTON, GIROD JACKSON, ROSALIND JONES, MARCHAND, PETERSON, PUGH, RICHARD, AND WADDELL  
A CONCURRENT RESOLUTION

To amend and readopt Joint Rule No. 4(B)(1), (4), (5), and (6) of the Joint Rules of the Senate and House of Representatives and to adopt Joint Rule No. 4(B)(7) of the Joint Rules of the Senate and House of Representatives, relative to fiscal notes; to authorize the executive director of House Legislative Services and the administrator of Senate Legislative Services to request a fiscal note at prefilng or introduction; to authorize any member of the legislature to request a fiscal note on any measure in the possession of his house of the legislature; 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 Concurrent Resolution No. 162 by Representative Gary Smith

##### AMENDMENT NO. 1

On page 1, at the end of line 4, insert the following:

"authorize the executive director of House Legislative Services and the administrator of Senate Legislative Services to request a fiscal note at prefilng or introduction; to"

##### AMENDMENT NO. 2

On page 1, line 17, after "or introduction," insert "the executive director of House Legislative Services, the administrator of Senate Legislative Services, or"

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

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

### Senate Concurrent Resolutions Reported by Committee

The following Senate Concurrent Resolutions reported by committee were taken up and acted upon as follows:

#### SENATE CONCURRENT RESOLUTION NO. 77—

BY SENATOR DUPRE  
A CONCURRENT RESOLUTION

To urge and request the U. S. Army Corps of Engineers to certify for purposes of the National Flood Insurance Program the Larose to Golden Meadow hurricane protection project.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Hutter, the resolution was ordered passed to its third reading.

#### SENATE CONCURRENT RESOLUTION NO. 80—

BY SENATOR MOUNT  
A CONCURRENT RESOLUTION

To create the Louisiana Alzheimer's Disease Task Force to study and make recommendations to the Legislature of Louisiana concerning the current and future impact of Alzheimer's disease and related dementias on Louisiana citizens.

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 Senate Concurrent Resolution No. 80 by Senator Mount

##### AMENDMENT NO. 1

On page 2, line 13, between "by" and "Louisiana" insert "the"

##### AMENDMENT NO. 2

On page 2, line 15, between "by" and "Louisiana" insert "the"

##### AMENDMENT NO. 3

On page 3, between lines 19 and 20, insert the following:

"(27) One person representing and appointed by the Louisiana State Nurses Association."

##### AMENDMENT NO. 4

On page 4, line 27, between "serve" and "vice-chairman" insert "as"

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

On motion of Rep. Katz, the above resolution, as amended, was recommitted to the Committee on House and Governmental Affairs.

#### SENATE CONCURRENT RESOLUTION NO. 83—

BY SENATOR JACKSON  
A CONCURRENT RESOLUTION

To urge and request the state agencies which participate in BrightStart, formerly known as the Early Childhood Comprehensive Systems initiative, to coordinate policy, budget planning, and services that support early childhood development.

Read by title.

Reported favorably by the Committee on Health and Welfare.

On motion of Rep. Katz, the resolution was ordered passed to its third reading.

**Senate Instruments on Second Reading Returned from the Legislative Bureau**

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

**SENATE BILL NO. 109—**  
BY SENATOR MORRISH

AN ACT

To amend and reenact R.S. 39:128(B)(1) and (2), relative to certain higher education capital outlay projects; to increase the threshold for exclusion of certain higher education projects from the capital outlay budget; to increase the exemption threshold for professional service contracts which are related to certain higher education capital outlay projects; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 192—**  
BY SENATOR DUPLISSIS

AN ACT

To amend and reenact R.S. 34:1121(B)(introductory paragraph) and (3) and (9), relative to the composition of the Pilotage Fee Commission; to add an alternate at-large member to the commission; to provide for the level of participation of the alternate; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

Reported without amendments by the Legislative Bureau.

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

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

**SENATE BILL NO. 220—**  
BY SENATOR QUINN

AN ACT

To amend and reenact R.S. 9:374(E), relative to divorce; to provide relative to possession and use of the family residence or community movables or immovables; to provide terms, conditions, procedures, and requirements, and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

Reported without amendments by the Legislative Bureau.

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

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

**SENATE BILL NO. 264—**  
BY SENATORS QUINN AND BROOME  
AN ACT

To amend and reenact R.S. 46:2136(A)(4) and 2136.1 and Children's Code Article 1570.1(A) and to enact R.S. 46:2135(A)(6) and (7) and Children's Code Articles 1569(A)(6) and (7) and 1570(A)(5), relative to domestic abuse assistance; to provide for temporary restraining orders; to expand the scope of protection of a temporary restraining order; to provide relative to protective orders; to provide for certain medical evaluations; to provide for the payment of attorney fees; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 264 by Senator Quinn

AMENDMENT NO. 1

On page 1, line 2, following "and" and before "and" change "2136.1" to "2136.1(A)"

AMENDMENT NO. 2

On page 1, line 10, following "and" and before "and" change "2136.1" to "2136.1(A)"

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

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

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

**SENATE BILL NO. 295—**  
BY SENATORS MURRAY AND DORSEY  
A JOINT RESOLUTION

Proposing to add Article I, Section 4(H)(5) of the Constitution of Louisiana, relative to property; to provide relative to the right to property; to provide relative to the taking of property; to provide relative to the taking of property in the city of Baton Rouge, the city of New Orleans, and in Jefferson Parish for certain purposes; to specify an election for submission of the proposition to electors; and to provide a ballot proposition.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 295 by Senator Murray

AMENDMENT NO. 1

On page 1, at the end of line 4, insert "the city of Monroe,"

AMENDMENT NO. 2

On page 1, line 5, change "and in Jefferson Parish" to "Jefferson Parish, and St. Tammany Parish"

AMENDMENT NO. 3

On page 2, line 1, after "Rouge," and before "the" insert "the city of Monroe."

AMENDMENT NO. 4

On page 2, line 1, after the comma "," and before "Jefferson" delete "or in"

AMENDMENT NO. 5

On page 2, at the end of line 1, after "Parish" insert a comma "," and add "or St. Tammany Parish"

AMENDMENT NO. 6

On page 2, line 2, change "Item" to "Subsubparagraph"

AMENDMENT NO. 7

On page 2, line 12, after "Rouge," and before "the" insert "city of Monroe,"

AMENDMENT NO. 8

On page 2, line 12, after "Orleans," and before "in" delete "or"

AMENDMENT NO. 9

On page 2, line 13, after "Parish" and before "is" insert a comma "," and add "or St. Tammany Parish"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 329—**

BY SENATOR ADLEY

**AN ACT**

To enact R.S. 47:337.101, relative to the Uniform Local Sales Tax Code; to provide for procedures to determine whether a law, rule, regulation, policy, or interpretation of local sales and use tax law, ordinance, rules, or regulations violates the requirement of uniformity of interpretation; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Ways and Means to Reengrossed Senate Bill No. 329 by Senator Adley

AMENDMENT NO. 1

On page 1, line 13, after "under a" delete the remainder of the line and insert "rule."

AMENDMENT NO. 2

On page 1, line 14, after "interpretation of" delete "local"

AMENDMENT NO. 3

On page 1, line 15, after "regulations." delete "which interpretation" and insert "the interpretation of which"

AMENDMENT NO. 4

On page 2, line 1, after "interpretation of" delete "local"

AMENDMENT NO. 5

On page 2, at the beginning of line 7, after "interpretation of" delete the remainder of the line in its entirety and insert "a rule, regulation, policy or interpretation of sales and use tax laws, ordinances, rules, or regulations in accordance with"

AMENDMENT NO. 6

On page 2, line 8, change "remedies" to "remedy"

AMENDMENT NO. 7

On page 2, line 19, after "interpretation of" insert "a common sales tax law or"

AMENDMENT NO. 8

On page 2, line 25, after "Chapter" delete the comma "," insert a period "." and delete the remainder of the line in its entirety

AMENDMENT NO. 9

On page 3, at the beginning of line 22, after "party, the" delete "opposing party shall" and insert "other party may"

AMENDMENT NO. 10

On page 4, at the end of line 8, delete "compliance"

AMENDMENT NO. 11

On page 4, line 12, after "necessary." insert "which are"

AMENDMENT NO. 12

On page 4, at the beginning of line 13, after "panel and" delete "simultaneously"

AMENDMENT NO. 13

On page 4, line 21, after "required by" delete "it" and insert "the panel"

AMENDMENT NO. 14

On page 5, line 3, change "procedure" to "proceeding"

AMENDMENT NO. 15

On page 5, line 4, change "procedure" to "proceeding"

AMENDMENT NO. 16

On page 5, line 8, after "interpretation of" delete "local"

# Page 8 HOUSE

39th Day's Proceedings - June 4, 2008

## AMENDMENT NO. 17

On page 5, line 13, after "to a" insert "provision of law that is applicable to only local taxing authorities or any"

## AMENDMENT NO. 18

On page 5, line 19, after "there" delete the remainder of the line in its entirety and insert "exists a uniform interpretation."

## AMENDMENT NO. 19

On page 5, at the end of line 20, before the period "." insert a comma "," and "if any"

## AMENDMENT NO. 20

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

"(iii) Whether or not there has been a violation of uniformity."

## AMENDMENT NO. 21

On page 5, at the beginning of line 21, change "(iii)" to "(iv)"

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

### **LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 329 by Senator Adley

## AMENDMENT NO. 1

On page 4, line 11, following "fact" and before "law" change "and/or" to "or"

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

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

Under the rules, placed on the regular calendar.

## **SENATE BILL NO. 416—** BY SENATOR MURRAY

### AN ACT

To amend and reenact Chapter 5 of Title 12 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 12:501 through 520, relative to unincorporated associations; to define certain terms; to provide that unincorporated associations can acquire, encumber, and transfer interests in movable and immovable property; to provide that statements of authority be filed where an unincorporated association transfers immovable property; to limit the liability of members of an unincorporated association in contract and in tort; to provide that unincorporated associations have capacity to sue and be sued; to provide for the disposition of property of an inactive unincorporated association; to provide a procedure for the appointment of an agent for service of process of an unincorporated association; to provide a procedure for the involuntary dissolution of an unincorporated association; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

## **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Commerce to Engrossed Senate Bill No. 416 by Senator Murray

## AMENDMENT NO. 1

On page 3, at the beginning of line 2, change "(a)" to "A."

## AMENDMENT NO. 2

On page 3, at the beginning of line 5, change "(b)" to "B."

## AMENDMENT NO. 3

On page 3, at the beginning of line 8, change "(c)" to "C."

## AMENDMENT NO. 4

On page 3, at the beginning of line 11, change "(a)" to "A."

## AMENDMENT NO. 5

On page 3, at the beginning of line 14, change "(b)" to "B."

## AMENDMENT NO. 6

On page 3, at the beginning of line 19, change "(c)" to "C."

## AMENDMENT NO. 7

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

## AMENDMENT NO. 8

On page 4, at the beginning of line 7, change "(e)" to "E."

## AMENDMENT NO. 9

On page 4, at the beginning of line 9, change "(f)" to "F."

## AMENDMENT NO. 10

On page 4, at the beginning of line 14, change "(g)" to "G."

## AMENDMENT NO. 11

On page 4, at the beginning of line 21, change "(a)" to "A."

## AMENDMENT NO. 12

On page 4, at the beginning of line 24, change "(b)" to "B."

## AMENDMENT NO. 13

On page 5, at the beginning of line 3, change "(c)" to "C."

## AMENDMENT NO. 14

On page 5, at the beginning of line 8, change "(d)" to "D."

## AMENDMENT NO. 15

On page 5, at the beginning of line 13, change "(e)" to "E."

## AMENDMENT NO. 16

On page 5, at the beginning of line 19, change "(a)" to "A."

## AMENDMENT NO. 17

On page 5, at the beginning of line 23, change "(b)" to "B."

AMENDMENT NO. 18

On page 6, at the beginning of line 15, change "(a)" to "A."

AMENDMENT NO. 19

On page 6, at the beginning of line 17, change "(b)" to "B."

AMENDMENT NO. 20

On page 6, at the beginning of line 26, change "(c)" to "C."

AMENDMENT NO. 21

On page 7, at the beginning of line 3, change "(d)" to "D."

AMENDMENT NO. 22

On page 7, at the beginning of line 6, change "(e)" to "E."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 520—**  
BY SENATOR MORRISH

## AN ACT

To enact R.S. 9:1149.4(C), relative to the immobilization of manufactured homes; to prohibit certain actions to collect tax on the purchase of certain manufactured homes used as residences; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Ways and Means to Reengrossed Senate Bill No. 520 by Senator Morrish

AMENDMENT NO. 1

On page 1, at the end of line 17, change the period "." to a colon ":"

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 569—**  
BY SENATOR MORRISH

## AN ACT

To enact Subpart P of Part II-A of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:100.71, relative to the Manufactured Home Tax Fairness Fund; and to enact R.S. 47:1508(B)(26), relative to the confidential character of tax records; to provide for the deposit and credit of certain money to the fund; to require appropriations for refunding certain tax, penalty, interest or other charges paid on the purchase of manufactured homes used or intended for use solely as residential housing; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Ways and Means to Reengrossed Senate Bill No. 569 by Senator Morrish

AMENDMENT NO. 1

On page 1, at the beginning of line 8, after "housing;" insert "to provide a deadline for requests for refunds;"

AMENDMENT NO. 2

On page 4, between lines 2 and 3, insert the following:

"(3) Persons requesting a refund pursuant to the provisions of this Subsection shall submit a claim to the state treasurer on or before June 30, 2010."

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 569 by Senator Morrish

AMENDMENT NO. 1

On page 3, line 6, following "All" and before "and" change "unexpected" to "unexpended"

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

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 628—**  
BY SENATOR N. GAUTREAUX

## AN ACT

To enact R.S. 51:140.1, relative to price gouging; to prohibit any railroad corporation from price gouging; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Commerce to Engrossed Senate Bill No. 628 by Senator N. Gautreaux

AMENDMENT NO. 1

On page 1, line 2, change "gouging" to "fixing"

AMENDMENT NO. 2

On page 1, line 3, change "gouging" to "fixing"

AMENDMENT NO. 3

On page 1, line 6, change "gouging" to "fixing"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 657—**

BY SENATORS MCPHERSON, ADLEY, ALARIO, AMEDEE, BROOME, CASSIDY, CHAISSON, CHEEK, CROWE, DONAHUE, DORSEY, DUPLESSIS, DUPRE, ERDEY, B. GAUTREAUX, N. GAUTREAUX, HEBERT, HEITMEIER, JACKSON, KOSTELKA, LAFLEUR, LONG, MICHOT, MORRISH, MOUNT, MURRAY, NEVERS, QUINN, RISER, SHAW, SMITH, THOMPSON AND WALSWORTH  
AN ACT

To amend and reenact R.S. 32:1(10), 125(B), 141(C), 296(A)(introductory paragraph), 471(1) and (2), and 473.1(A) and (B), and 1735(C), to enact R.S. 32:125(D), Subpart E-1 of Part IV of Chapter 1 of Title 32 of the Louisiana Revised Statutes of 1950, to be comprised of 32:151 through 153, 291.1(C), and 296(C), and to repeal R.S. 32:475, all relative to motor vehicles; to create and provide relative to the Open Roads Law; to provide for definitions; to provide relative to motor vehicles stopping, standing, or parking on state roadways and shoulder of roadways; to provide relative to the procedure upon approaching an authorized emergency vehicle; to provide relative to roadway hazard cleanup; to create and provide relative to the Instant Tow Dispatch Pilot Program and the Expedited Towing Pilot Program; to require submission of reports from pilot programs; to require removal of abandoned vehicles from roadways within a certain time; to repeal certain provisions relating to disposal of vehicles; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

Reported without amendments by the Legislative Bureau.

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

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

**SENATE BILL NO. 699—**

BY SENATOR QUINN  
AN ACT

To amend and reenact Children's Code Articles 1106(A) and (C), and R.S. 40:34(B)(1)(h)(ii) and (D), to enact R.S. 40:34(F), and to repeal R.S. 40:34(B)(1)(h)(v) and (vi), relative to vital records forms; to provide for the recordation of acknowledgment by authentic act for children born in Louisiana and judgments of filiation; to provide for voluntary acknowledgments to be signed by both parents; to provide for amendments to birth records; to designate the office of vital records as the central repository for all paternity acknowledgments and adjudications; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 699 by Senator Quinn

AMENDMENT NO. 1

On page 1, line 3, change "R.S. 40:34(B)(1)(h)(v) and (vi)" to "R.S. 40:34(B)(1)(h)(vi)"

AMENDMENT NO. 2

On page 3, line 8, change "R.S. 40:34(B)(1)(h)(v) and (vi) are" to "R.S. 40:34(B)(1)(h)(vi) is"

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 699 by Senator Quinn

AMENDMENT NO. 1

On page 3, line 7, before ":" change "466(a)(5)(M)" to "666(a)(5)(M)"

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

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 789—**

BY SENATORS HEBERT AND N. GAUTREAUX AND REPRESENTATIVES BARRAS, CHAMPAGNE, PERRY AND TRAHAN  
AN ACT

To enact Chapter 31-A of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:2106, relative to expressway commissions; to provide for membership on certain such commissions; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 789 by Senator Hebert

AMENDMENT NO. 1

On page 1, line 6, following "Statutes" and before "," insert "of 1950"

AMENDMENT NO. 2

On page 1, line 17, following "population" and before "fifty-three" change "of" to "between"

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

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 796—**

BY SENATOR MCPHERSON

## AN ACT

To amend and reenact R.S. 39:1367(E)(2)(a)(iii), and to enact R.S. 39:1367(E)(2)(b)(v), relative to state debt; to provide that certain debt secured by statewide tax revenues or statewide special assessments be excluded from the definition of net state tax supported debt; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 801—**

BY SENATORS NEVERS AND BROOME

## AN ACT

To amend and reenact R.S. 9:3198(A)(2), and to enact Code of Civil Procedure Art. 2332.1, relative to property disclosure document; to provide for disclosure of information relative to the production or manufacturing of methamphetamine; to provide for exceptions; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

Reported without amendments by the Legislative Bureau.

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

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

**SENATE BILL NO. 108—**

BY SENATOR MORRISH

## AN ACT

To amend and reenact R.S.40:2852, relative to pretrial diversion programs; to provide relative to housing and the administration of such programs and housing by the Department of Public Safety and Corrections; and to provide for related matters.

Called from the calendar.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Judiciary to Engrossed Senate Bill No. 108 by Senator Morrish

**AMENDMENT NO. 1**

On page 1, line 2, after "R.S. 40:2852" and before the "comma" insert "and to enact R.S. 15:828.4"

**AMENDMENT NO. 2**

On page 1, line 4, after "Corrections; and before "and" insert "to provide for review by the Department of Public Safety and

Corrections of an inmate's closed cell restriction type of confinement; to provide for review boards; to provide for hearing procedures; to provide for review criteria to be used by the review board;"

**AMENDMENT NO. 3**

On page 1, between lines 5 and 6, insert the following:

"Section 1. R.S. 15:828.4 is hereby enacted to read as follows:

**§828.4. Classification procedures for inmates held in closed cell confinement**

A. The purpose of this Section is to establish procedural and substantive criteria that will permit the Department of Public Safety and Corrections to determine whether, consistent with sound institutional policy, an inmate who has been assigned to closed cell restriction shall remain in that type of confinement.

B. For purposes of this Section the following words shall have the following meanings:

(1) "Assault" shall mean physical or sexual assault, attempted physical or sexual assault, or conspiracy to commit physical or sexual assault while housed in a correctional facility.

(2) "Closed cell restriction" shall mean any type of confinement in which an inmate is held for at least eighteen hours each day in a cell and additionally includes the maximum security dormitory at Camp D of the Louisiana State Penitentiary at Angola established March, 2008.

(3) "Escape" shall mean escape, attempted escape, or conspiracy to escape from a correctional facility.

(4) "Homicide" shall mean homicide, attempted homicide, or conspiracy to commit homicide while housed at a correctional facility.

**C. Review boards**

(1) Any inmate housed in closed cell restriction shall be entitled to a live hearing conducted by a review board every ninety days to determine whether the inmate shall remain in closed cell restriction.

(2) The review board shall consist of a minimum of three neutral members of the prison staff. At least one member shall be from treatment or mental health services.

**D. Hearing procedures**

(1) The inmate shall be given notice at least five days in advance when a hearing is scheduled.

(2) The inmate shall have an opportunity to submit evidence and to contest any evidence relied upon by the review board.

(3) The inmate shall have an opportunity to consult with inmate counsel before the hearing and to be represented by inmate counsel during the hearing if the inmate so desires.

(4) All hearing shall be recorded, in their entirety, by video or audiotape. Such recordings shall be maintained for at least three years.

(5) The inmates shall be given written notice of the board's decision, which notice shall include the reasons for the action of the board.

(6) After an inmate is placed in closed cell confinement for more than one year, the review board shall articulate specific reasons, supported by the record, for concluding that an inmate shall remain in closed cell confinement.

(7) After an inmate is placed in closed cell confinement for more than one year, the inmate shall have the right to appeal any adverse decision by a review board in accordance with the Corrections Administrative Remedy Procedure as set forth in Part XV of Chapter 7 of Title 15 of the Louisiana Revised Statutes of 1950.

E. Criteria to be used by the review board

(1) The review board shall base its decision about whether an inmate will be released from closed cell confinement on the inmate's conduct since being transferred to closed cell confinement. Other factors may be considered to the extent they are relevant and not inconsistent with the provisions of this Section.

(2) In determining whether the inmate's conduct since being transferred to closed cell confinement warrants release, relevant factors shall include, but not be limited to, the following factors:

(a) Negative

(i) Attempts to escape.

(ii) Assaults upon staff or prisoners.

(iii) Self-destructive acts.

(b) Positive

(i) Any positive acts toward staff and fellow prisoners.

(ii) Affirmative acts of rehabilitation, including such acts as obtaining a GED.

(iii) Any acts by the inmate to acknowledge and address past behavioral issues.

(3) After one year, the original reason for placement in closed cell confinement shall no longer be relevant to or considered in the review process, unless the original reason was for escape, homicide, or assault.

(4) After three years, if the original reason for placement in closed cell confinement was escape, homicide, or assault, the original reason for placement in closed cell confinement shall not be the principal reason why an inmate is denied release from closed cell confinement. Instead, after three years, the board's decision shall be based primarily on the inmate's conduct since being placed in closed cell confinement. The original reason may only be considered where, after considering the inmate's conduct record since placement in closed cell restriction, the review board determines it is virtually in equipoise as to whether the inmate should be released."

AMENDMENT NO. 4

On page 1, at the beginning of line 6, change "Section 1" to "Section 2"

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 108 by Senator Morrish

AMENDMENT NO. 1

In House Committee Amendment No. 3 proposed by the House Committee on Judiciary to Engrossed Senate Bill No. 108 by Senator Morrish, on page 1, line 26, following "March" and before "2008" delete "2"

AMENDMENT NO. 2

In House Committee Amendment No. 3 proposed by the House Committee on Judiciary to Engrossed Senate Bill No. 108 by Senator Morrish, on page 2, line 4, following "All" and before "shall" change "hearing" to "hearings"

AMENDMENT NO. 3

In House Committee Amendment No. 3 proposed by the House Committee on Judiciary to Engrossed Senate Bill No. 108 by Senator Morrish, on page 2, line 32, following "GED" and before "2" insert "credential"

AMENDMENT NO. 4

In House Committee Amendment No. 3 proposed by the House Committee on Judiciary to Engrossed Senate Bill No. 108 by Senator Morrish, on page 2, line 43, following "may" change "only be considered" to "be considered only"

AMENDMENT NO. 5

In House Committee Amendment No. 3 proposed by the House Committee on Judiciary to Engrossed Senate Bill No. 108 by Senator Morrish, on page 2, line 44, change "where" to "when"

**Point of Order**

Rep. Geymann 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 not germane to the subject matter contained in the bill as introduced.

Rep. Geymann moved the withdrawal of the committee and Legislative Bureau amendments.

Rep. Richmond objected.

Rep. Richmond withdrew his objection.

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

Under the rules, placed on the regular calendar.

**Senate Bills on Second Reading Reported by Committee**

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

**SENATE BILL NO. 653—**  
BY SENATOR DUPLESSIS

AN ACT

To amend and reenact R.S. 24:31.4(A) and (C) and 31.5, relative to the legislature; to provide with respect to the funds available for legislative assistants of members of the legislature; to provide for additional office clerical staff for senators; 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 House and Governmental Affairs to Reengrossed Senate Bill No. 653 by Senator Duplessis

AMENDMENT NO. 1

On page 1, line 2, after "(C)" delete "31.5," and insert "to enact R.S. 24:31.10,"

AMENDMENT NO. 2

On page 1, delete line 3, and insert "provide relative to the office expense allowance for members of"

AMENDMENT NO. 3

On page 1, between lines 5 and 6, insert the following:

"Notice of intention to introduce this Act has been published as provided by Article X, Section 29(C) of the Constitution of Louisiana."

AMENDMENT NO. 4

On page 1, line 7, after "(C)" delete the remainder of the line and insert "are hereby amended and reenacted and R.S. 24:31.10 is hereby enacted to"

AMENDMENT NO. 5

On page 2, delete lines 14 through 29 and pages 3 through 6 and insert the following:

"§31.10. Office clerical staff for members of the Senate

A. (1) In addition to the legislative assistant or assistants provided for in R.S. 24:31.5, each member of the Senate may employ one or more office clerical staff members, who shall be employed as unclassified state employees. The total salary of such clerical staff shall not exceed the applicable monthly salary as follows:

<u>STEP</u>	<u>MONTHLY SALARY</u>
Base	\$ 2,000
First	\$ 2,083
Second	\$ 2,169
Third	\$ 2,259
Fourth	\$ 2,352
Fifth	\$ 2,450
Sixth	\$ 2,551
Seventh	\$ 2,657
Eighth	\$ 2,767
Ninth	\$ 2,881
Maximum	\$ 3,000

(2)(a) Annually, on July first, the amount for each step provided for in Paragraph (1) of this Subsection shall be adjusted when, and to the extent of, any increase in the Consumer Price Index for All Urban Consumers: All Items determined by the Bureau of Labor Statistics of the United States Department of Labor based on the preceding calendar year.

(b) Any senator who has the maximum salary step available to him for his office clerical staff shall have available a step increase of four percent per year for the salary available for his office clerical staff.

(3) Each senator shall determine the qualifications of his office clerical staff. However, no person who is a member of the family of the senator may serve as his office clerical staff.

(4)(a) Each office clerical staff member shall perform such duties as the senator may assign and shall be paid a salary fixed by the senator, provided that the salary for any one office clerical staff member shall not exceed the monthly salary for the base step plus the equivalent of one step for each year of his employment as a office clerical staff member, or the equivalent of one step for each year of the employing senator's service as a legislator, at the option of the employing senator.

(b) When more than one office clerical staff member is employed by a senator, the total salary shall not exceed the monthly salary base step plus the equivalent of one step for each year of employment as a office clerical staff member, or the equivalent of one step for each year of the employing senator's service as a legislator, at the option of the employing senator, by all of these office clerical staff members. When part-time help or contractual services are used, the total payments shall not exceed an amount equal to the base salary of a office clerical staff member, as appropriate based on the duties of the part-time help or contractual services.

(5) The salary of each office clerical staff member shall be paid from the funds of the Senate, withdrawn from the state treasury and deposited in the manner provided in R.S. 24:31.1, and shall be paid to each individual office clerical staff member whose employment and salary have been certified by the senator to the president of the Senate. Payment shall be by check signed by another member of the Senate designated by the president of the Senate and countersigned by the president of the Senate.

(6) Nothing in this Section shall prohibit the use of contractual secretarial services in lieu of one or more office clerical staff, nor shall anything preclude two or more senators from cooperatively employing office clerical staff, who may be paid in excess of the salary limits prescribed above, but not in excess of the salary limits available to the cooperating senators.

B. Each senator who employs one or more office clerical staff as provided in this Section shall notify the president of the Senate in writing as to the name of each such office clerical staff member and the salary to be paid. Any change of person or salary shall be reported to the president of the Senate within ten days after such change. The president of the Senate shall hold such reports during the term of office of the senator involved.

C.(1) Each office clerical staff member employed full time and who either has at least one year of experience or receives at least eighty percent of the total compensation available to the employing senator for his office clerical staff, including all step increases authorized by law, may participate in the state's group life, health, and hospitalization insurance program and the state employees' retirement system. Any office clerical staff member who does not meet the criteria set forth in this Paragraph shall not be eligible to participate in these or any other benefits accruing under law to state employees.

(2) All office clerical staff shall be eligible for workers' compensation coverage as state employees immediately upon employment.

Section 2. The cost of this Act for the provision of retirement benefits, if any, shall be funded with additional employer contributions in compliance with Article X, Section 29(E)(5)(b) of the Constitution of Louisiana.

Section 3. This Act shall become effective on July 1, 2008; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 2008, or on the day following such approval by the legislature, whichever is later."

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

On motion of Rep. Gallot, the bill, as amended, was recommitted to the Committee on Appropriations, under the rules.

**Special Order of the Day**

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

**SENATE BILL NO. 87—**

BY SENATORS SHAW, ADLEY, ALARIO, AMEDEE, BROOME, CASSIDY, CHAISSON, CHEEK, CRAVINS, CROWE, DONAHUE, DORSEY, DUPLESSIS, DUPRE, ERDEY, B. GAUTREAU, N. GAUTREAU, GRAY, HEBERT, HEITMEIER, KOSTELKA, LAFLEUR, LONG, MARIONNEAU, MARTINY, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, RISER, SCALISE, SHEPHERD, SMITH, THOMPSON AND WALSWORTH

**AN ACT**

To amend and reenact R.S. 47:31, 32(A), 290(B), 297.4(B)(1), 300.1, 6006(B), 6006.1(C), 6023(D)(1), and 6025(C), and R.S. 51:1807(C), relative to individual income tax; to provide for a reduction of the tax by phasing-out the tax on incomes of individuals, estates, and trusts; to provide with respect to certain refundable tax credits; and to provide for related matters.

Read by title.

**Acting Speaker Trahan in the Chair**

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Tucker to Reengrossed Senate Bill No. 87 by Senator Shaw

AMENDMENT NO. 1

In Amendment No. 3 of the set of Amendments proposed by the House Committee on Ways and Means and adopted by the House of Representatives on May 19, 2008, on page 1, between lines 23 and 24, insert the following:

"Section 2. The secretary of the Department of Revenue shall not amend the withholding tables for individual income tax until after July 1, 2009."

AMENDMENT NO. 2

In Amendment No. 3 of the set of Amendments proposed by the House Committee on Ways and Means and adopted by the House of Representatives on May 19, 2008, on page 1, at the beginning of line 24, change "Section 2." to "Section 3."

AMENDMENT NO. 3

On page 7, at the beginning of line 12, change "Section 3." to "Section 4."

Rep. Tucker moved the adoption of the amendments.

Rep. Henry objected.

A record vote was asked for and ordered by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Guillory, E.	Montoucet
Anders	Guillory, M.	Morrell
Arnold	Harrison	Morris
Badon, A.	Henderson	Norton
Badon, B.	Hill	Nowlin
Baldone	Hoffmann	Pearson
Barrow	Honey	Perry
Billiot	Howard	Ponti
Burford	Hutter	Pope
Burns, T.	Jackson G.	Richard
Burrell	Jackson M.	Richardson
Carter	Johnson	Richmond
Champagne	Jones, R.	Ritchie
Chandler	Katz	Robideaux
Chaney	Kleckley	Schroder
Connick	LaFonta	Simon
Cortez	Lambert	Smiley
Cromer	LeBas	Smith, G.
Dixon	Leger	Smith, P.
Dove	Ligi	St. Germain
Downs	Little	Templet
Ellington	Lopinto	Trahan
Fannin	Lorusso	Waddell
Foil	Marchand	White
Gallot	McVea	Williams
Geymann	Mills	Willmott
Gisclair	Monica	Wooton
Total - 81		

**NAYS**

Abramson	Franklin	Jones, S.
Armes	Hardy	Roy
Burns, H.	Henry	Smith, J.
Carmody	Hines	Talbot
Total - 12		

**ABSENT**

Aubert	Edwards	LaBruzzo
Barras	Greene	Peterson
Danahay	Guinn	Pugh
Doerge	Hazel	
Total - 11		

The amendments were adopted.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representatives Gary Smith and Sam Jones to Reengrossed Senate Bill No. 87 by Senator Shaw

AMENDMENT NO. 1

In Amendment No. 3 of the set of House Committee Amendments proposed by the House Ways and Means Committee and adopted by the House of Representatives on May 19, 2008, delete lines 16 through 22 in their entirety and insert the following:

"(1) ~~Two percent on that portion of~~ No tax shall be assessed on the first twelve thousand five hundred dollars of net income which is in excess of the credits against net income provided for in R.S. 47:79;

(2) Four percent on the next twelve thousand five hundred dollars of net income;

(3) Six percent on any amount of net income in excess of twenty-five thousand dollars of net income."

**Speaker Tucker in the Chair****Acting Speaker Trahan in the Chair****Motion**

Rep. Gallot moved the previous question be ordered on the amendment.

Rep. Tucker objected.

By a vote of 42 yeas and 53 nays, the House refused to order the previous question on the amendments.

**Consent to Correct a Vote Record**

Rep. Franklin requested the House consent to record his vote on the previous question on the motion to adopt the floor amendment by Rep. Gary Smith on Senate Bill No. 87 as yea, which consent was unanimously granted.

Rep. Gary Smith moved the adoption of the amendments.

Rep. Robideaux objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Abramson	Franklin	Leger
Anders	Gallot	Marchand
Armes	Gisclair	Mills
Badon, A.	Guillory, E.	Monica
Badon, B.	Guillory, M.	Montoucet
Baldone	Hardy	Morrell
Barras	Henderson	Norton
Barrow	Hill	Richard
Billiot	Hines	Richmond
Burrell	Honey	Ritchie
Champagne	Jackson G.	Roy
Chandler	Jackson M.	Smith, G.
Chaney	Johnson	Smith, P.
Dixon	Jones, R.	St. Germain
Doerge	Jones, S.	Williams
Edwards	LaFonta	
Ellington	LeBas	
Total - 49		

**NAYS**

Mr. Speaker	Harrison	Perry
Arnold	Hazel	Ponti
Burford	Henry	Pope
Burns, H.	Hoffmann	Pugh
Burns, T.	Howard	Richardson
Carmody	Hutter	Robideaux
Carter	Katz	Schroder
Connick	Kleckley	Simon
Cortez	Lambert	Smiley
Cromer	Ligi	Smith, J.
Dove	Little	Talbot
Downs	Lopinto	Templett
Fannin	Lorusso	Trahan
Foil	McVea	Waddell
Geymann	Morris	White
Greene	Nowlin	Willmott
Guinn	Pearson	
Total - 50		

**ABSENT**

Aubert	LaBruzzo	Wooton
Danahay	Peterson	
Total - 5		

The amendments were rejected.

**Consent to Correct a Vote Record**

Rep. Franklin requested the House consent to record his vote on the above floor amendment by Rep. Gary Smith as yea, which consent was unanimously granted.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Hines to Reengrossed Senate Bill No. 87 by Senator Shaw

**AMENDMENT NO. 1**

Delete the set of 3 House Committee Amendments proposed by the House Ways and Means Committee and adopted by the House of Representatives on May 19, 2008.

**AMENDMENT NO. 2**

On page line 1, at the beginning of line 12, change "1, 2017" to "1, 2013"

**AMENDMENT NO. 3**

On page 1, line 15, change "January 1, 2017" to "January 1, 2013"

**AMENDMENT NO. 4**

On page 2, line 6, change "January 1, 2017" to "January 1, 2013"

**AMENDMENT NO. 5**

On page 2, line 12, change "January 1, 2008" to "January 1, 2009"

**AMENDMENT NO. 6**

On page 2, line 22, change "January 1, 2008 until January 1, 2017" to "January 1, 2009 until January 1, 2013"

**AMENDMENT NO. 7**

On page 2, delete lines 27 through 29 in their entirety and on page 3, delete lines 1 through 7 in their entirety and insert the following:

"(a) For tax years beginning during 2009, eighty percent.

(b) For tax years beginning during 2010, sixty percent.

(c) For tax years beginning during 2011, forty percent.

(d) For tax years beginning during 2012, twenty percent.

(3) For tax years beginning on and after January 1, 2013, there shall be"

**AMENDMENT NO. 8**

On page 3, at the end of line 12, change "January 1, 2017" to "January 1, 2013"

# Page 16 HOUSE

39th Day's Proceedings - June 4, 2008

## AMENDMENT NO. 9

On page 4, line 4, change "January 1, 2008" to "January 1, 2009"

## AMENDMENT NO. 10

On page 4, line 11, change "January 1, 2008 until January 1, 2017" to "January 1, 2009 until January 1, 2013"

## AMENDMENT NO. 11

On page 4, delete lines 15 through 24 in their entirety and insert the following:

"(a) For tax years beginning during 2009, eighty percent.

(b) For tax years beginning during 2010, sixty percent.

(c) For tax years beginning during 2011, forty percent.

(d) For tax years beginning during 2012, twenty percent.

(3) For tax years beginning on and after January 1, 2013, there shall be"

Rep. Hines moved the adoption of the amendments.

Rep. Tucker objected.

By a vote of 22 yeas and 73 nays, the amendments were rejected.

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

### **HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Baldone to Reengrossed Senate Bill No. 87 by Senator Shaw

## AMENDMENT NO. 1

Delete the set of Amendments proposed by the House Committee on Ways and Means and adopted by the House of Representatives on May 19, 2008.

## AMENDMENT NO. 2

On page 1, line 12, after "1," change "2017" to "2027"

## AMENDMENT NO. 3

On page 1, line 15, change "January 1, 2017," to "January 1, 2027,"

## AMENDMENT NO. 4

On page 2, line 6, change "January 1, 2017," to "January 1, 2027,"

## AMENDMENT NO. 5

On page 2, line 22, change "January 1, 2017," to "January 1, 2027,"

## AMENDMENT NO. 6

On page 2, line 27, change "ninety" to "ninety-five"

## AMENDMENT NO. 7

On page 2, line 28, change "eighty" to "ninety"

## AMENDMENT NO. 8

On page 2, line 29, change "seventy" to "eighty-five"

## AMENDMENT NO. 9

On page 3, line 1, change "sixty" to "eighty"

## AMENDMENT NO. 10

On page 3, line 2, change "fifty" to "seventy-five"

## AMENDMENT NO. 11

On page 3, line 3, change "forty" to "seventy"

## AMENDMENT NO. 12

On page 3, line 4, change "thirty" to "sixty-five"

## AMENDMENT NO. 13

On page 3, line 5, change "twenty" to "sixty"

## AMENDMENT NO. 14

On page 3, line 6, change "ten" to "fifty-five"

## AMENDMENT NO. 15

On page 3, between lines 6 and 7, insert the following:

"(j) For tax years beginning during 2017, fifty percent.

(k) For tax years beginning during 2018, forty-five percent.

(l) For tax years beginning during 2019, forty percent.

(m) For tax years beginning during 2020, thirty-five percent.

(n) For tax years beginning during 2021, thirty percent.

(o) For tax years beginning during 2022, twenty-five percent.

(p) For tax years beginning during 2023, twenty percent.

(q) For tax years beginning during 2024, fifteen percent.

(r) For tax years beginning during 2025, ten percent.

(s) For tax years beginning during 2026, five percent."

## AMENDMENT NO. 16

On page 3, line 7, change "January 1, 2017," to "January 1, 2027,"

## AMENDMENT NO. 17

On page 3, line 12, change "January 1, 2017" to "January 1, 2027"

## AMENDMENT NO. 18

On page 4, line 11, change "January 1, 2017," to "January 1, 2027,"

## AMENDMENT NO. 19

On page 4, line 15, change "ninety" to "ninety-five"

## AMENDMENT NO. 20

On page 4, line 16, change "eighty" to "ninety"

## AMENDMENT NO. 21

On page 4, line 17, change "seventy" to "eighty-five"

AMENDMENT NO. 22

On page 4, line 18, change "sixty" to "eighty"

AMENDMENT NO. 23

On page 4, line 19, change "fifty" to "seventy-five"

AMENDMENT NO. 24

On page 4, line 20, change "forty" to "seventy"

AMENDMENT NO. 25

On page 4, line 21, change "thirty" to "sixty-five"

AMENDMENT NO. 26

On page 4, line 22, change "twenty" to "sixty"

AMENDMENT NO. 27

On page 4, line 23, change "ten" to "fifty-five"

AMENDMENT NO. 28

On page 4, between lines 23 and 24, insert the following:

- "(10) For tax years beginning during 2017, fifty percent.
- (11) For tax years beginning during 2018, forty-five percent.
- (12) For tax years beginning during 2019, forty percent.
- (13) For tax years beginning during 2020, thirty-five percent.
- (14) For tax years beginning during 2021, thirty percent.
- (15) For tax years beginning during 2022, twenty-five percent.
- (16) For tax years beginning during 2023, twenty percent.
- (17) For tax years beginning during 2024, fifteen percent.
- (18) For tax years beginning during 2025, ten percent.
- (19) For tax years beginning during 2026, five percent."

AMENDMENT NO. 29

On page 4, line 24, change "January 1, 2017," to "January 1, 2027,"

**Motion**

Rep. Lopinto moved to end consideration of amendments.

Rep. Gallot objected.

By a vote of 49 yeas and 48 nays, the House agreed to end consideration of amendments.

Rep. Baldone moved the adoption of the amendments.

Rep. Tucker objected.

By a vote of 39 yeas and 59 nays, the amendments were rejected.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	McVea
Abramson	Geymann	Mills
Anders	Gisclair	Monica
Arnes	Greene	Montoucet
Arnold	Guillory, E.	Morrell
Aubert	Guillory, M.	Morris
Badon, A.	Guinn	Norton
Badon, B.	Hardy	Nowlin
Baldone	Harrison	Pearson
Barras	Hazel	Perry
Barrow	Henderson	Ponti
Billiot	Henry	Pope
Burford	Hill	Pugh
Burns, H.	Hines	Richard
Burns, T.	Hoffmann	Richardson
Burrell	Honey	Richmond
Carmody	Howard	Ritchie
Carter	Hutter	Robideaux
Champagne	Jackson G.	Roy
Chandler	Jackson M.	Schroder
Chaney	Johnson	Simon
Connick	Jones, R.	Smiley
Cortez	Jones, S.	Smith, G.
Cromer	Katz	Smith, J.
Danahay	Kleckley	Smith, P.
Dixon	LaFonta	St. Germain
Doerge	Lambert	Talbot
Dove	LeBas	Templet
Downs	Leger	Trahan
Edwards	Ligi	Waddell
Ellington	Little	White
Fannin	Lopinto	Williams
Foil	Lorusso	Willmott
Franklin	Marchand	Wooton
Total - 102		

NAYS

Total - 0

ABSENT

LaBruzzo Peterson  
Total - 2

The Chair declared the above bill was finally passed.

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

**Suspension of the Rules**

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

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

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

**Regular Calendar**

**Speaker Tucker in the Chair**

**SENATE BILL NO. 54—**  
BY SENATOR MURRAY

A JOINT RESOLUTION

Proposing to add Article I, Section 4(H)(5) of the Constitution of Louisiana, relative to property; to provide relative to the right to property; to provide relative to the taking of property; to provide relative to the taking of property in certain areas for certain purposes; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

**Motion**

On motion of Rep. Lorusso, the bill was returned to the calendar.

**SENATE BILL NO. 123—**  
BY SENATOR DUPRE

AN ACT

To enact R.S. 23:921(J), (K) and (L), relative to the prohibition on restraint of business; to provide with regard to corporations; to provide with regard to partnerships; to provide with regard to limited liability companies; and to provide for related matters.

Read by title.

Rep. Baldone moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Mills
Abramson	Geymann	Monica
Anders	Gisclair	Montoucet
Armes	Greene	Morrell
Arnold	Guillory, E.	Morris
Aubert	Guillory, M.	Norton
Badon, A.	Guinn	Nowlin
Badon, B.	Hardy	Pearson
Baldone	Harrison	Perry
Barras	Hazel	Ponti
Barrow	Henry	Pope
Billiot	Hill	Pugh
Burford	Hines	Richard
Burns, H.	Hoffmann	Richardson
Burns, T.	Honey	Richmond
Burrell	Howard	Ritchie
Carmody	Hutter	Robideaux
Carter	Jackson G.	Roy
Champagne	Jackson M.	Schroder
Chandler	Johnson	Simon
Chaney	Jones, R.	Smiley
Cortez	Katz	Smith, G.
Cromer	Kleckley	Smith, J.
Danahay	LaFonta	Smith, P.
Dixon	Lambert	St. Germain
Doerge	LeBas	Talbot
Dove	Leger	Templet
Downs	Ligi	Trahan
Edwards	Little	Waddell
Ellington	Lopinto	White
Fannin	Lorusso	Williams
Foil	Marchand	Willmott
Franklin	McVea	Wooton
Total - 99		

NAYS

Total - 0

ABSENT

Connick	Jones, S.	Peterson
Henderson	LaBruzzo	
Total - 5		

The Chair declared the above bill was finally passed.

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

**SENATE BILL NO. 138—**  
BY SENATOR QUINN

AN ACT

To enact R.S. 9:5168, relative to cancellation of mortgages and privileges; to require the recorder of mortgages to cancel mortgages and vendor's privileges under certain circumstances; to authorize certain persons to execute an affidavit of cancellation; to provide for the contents of the affidavit of cancellation; to provide with respect to limitation of liability for clerks of court and recorder of mortgages; to provide for indemnification of persons relying on the affidavit of cancellation; to provide for an effective date; and to provide for related matters.

Read by title.

**Motion**

On motion of Rep. Jane Smith, the bill was returned to the calendar.

**SENATE BILL NO. 172—**  
BY SENATOR DUPLESSIS

AN ACT

To amend and reenact R.S. 51:579(B) and to enact R.S. 51:579(A)(3), relative to purchasers of certain metals; to provide for the purchase of copper wire, alloy, bronze, zinc, aluminum, stainless steel, or brass; to provide for register and reporting requirements; and to provide for related matters.

Read by title.

Rep. Arnold moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Foil	Marchand
Abramson	Franklin	McVea
Anders	Gallot	Mills
Armes	Geymann	Monica
Arnold	Gisclair	Montoucet
Aubert	Greene	Morris
Badon, A.	Guillory, M.	Norton
Badon, B.	Guinn	Nowlin
Baldone	Hardy	Pearson
Barras	Harrison	Perry
Barrow	Hazel	Ponti
Billiot	Henry	Pope
Burford	Hill	Richard
Burns, H.	Hines	Richardson
Burns, T.	Honey	Ritchie
Burrell	Howard	Roy
Carmody	Hutter	Smiley
Carter	Jackson G.	Smith, G.
Champagne	Jackson M.	Smith, J.

Chandler	Johnson	Smith, P.
Chaney	Jones, R.	St. Germain
Cortez	Katz	Talbot
Cromer	Kleckley	Templet
Danahay	LaFonta	Trahan
Dixon	Lambert	Waddell
Doerge	Leger	White
Dove	Ligi	Williams
Downs	Little	Willmott
Ellington	Lopinto	Wooton
Fannin	Lorusso	

Total - 89

NAYS

Morrell	Richmond
---------	----------

Total - 2

ABSENT

Connick	Jones, S.	Robideaux
Edwards	LaBruzzo	Schroder
Guillory, E.	LeBas	Simon
Henderson	Peterson	
Hoffmann	Pugh	

Total - 13

The Chair declared the above bill was finally passed.

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

**SENATE BILL NO. 182—**

BY SENATORS GRAY, ALARIO, AMEDEE, BROOME, CASSIDY, CHAISSON, CHEEK, CRAVINS, CROWE, DORSEY, DUPLESSIS, DUPRE, ERDEY, B. GAUTREUX, N. GAUTREUX, HEBERT, HEITMEIER, JACKSON, KOSTELKA, LAFLEUR, LONG, MARIONNEAUX, MARTINY, MCPHERSON, MICHOT, MORRISH, MOUNT, MURRAY, NEVERS, QUINN, RISER, SHAW, SHEPHERD, SMITH, THOMPSON AND WALSWORTH

AN ACT

To amend and reenact R.S. 28:53.2(B), the introductory paragraph of (C), (D), (E), (F), and (G), and to enact R.S. 28:53.2(H) and Part III-A of Chapter 1 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:67 through 76, relative to involuntary outpatient treatment for behavioral health services; to provide for criteria for involuntary outpatient treatment; to provide for judicial procedure; to provide for an order of custody; to provide for a written treatment plan; to provide for an appeal; and to provide for related matters.

Read by title.

Rep. Mills moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Mills
Abramson	Geymann	Monica
Anders	Gisclair	Montoucet
Armes	Greene	Morrell
Arnold	Guillory, E.	Morris
Aubert	Guillory, M.	Norton
Badon, A.	Guinn	Nowlin
Badon, B.	Hardy	Pearson
Baldone	Harrison	Perry
Barras	Hazel	Ponti
Barrow	Henry	Pope
Billiot	Hill	Richard
Burford	Hines	Richardson

Burns, H.	Hoffmann	Richmond
Burns, T.	Honey	Ritchie
Burrell	Howard	Robideaux
Carmody	Hutter	Roy
Carter	Jackson G.	Schroder
Champagne	Jackson M.	Smiley
Chandler	Johnson	Smith, G.
Chaney	Jones, R.	Smith, J.
Connick	Katz	Smith, P.
Cortez	Kleckley	St. Germain
Cromer	LaFonta	Talbot
Danahay	Lambert	Templet
Dixon	LeBas	Trahan
Doerge	Leger	Waddell
Dove	Ligi	White
Downs	Little	Williams
Ellington	Lopinto	Willmott
Fannin	Lorusso	Wooton
Foil	Marchand	
Franklin	McVea	

Total - 97

NAYS

Total - 0

ABSENT

Edwards	LaBruzzo	Simon
Henderson	Peterson	
Jones, S.	Pugh	

Total - 7

The Chair declared the above bill was finally passed.

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

**SENATE BILL NO. 188—**

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact Section 3 of Act No. 535 of the 1988 Regular Session of the Legislature, as amended by Section 2 of Act No. 285 of the 1992 Regular Session of the Legislature, Section 3 of Act No. 1291 of the 1997 Regular Session of the Legislature, Section 1 of Act No. 50 of the 1998 Regular Session of the Legislature, Section 1 of Act No. 7 of the 2001 First Extraordinary Session of the Legislature, Section 1 of Act No. 14 of the 2004 First Extraordinary Session of the Legislature, and Section 1 of Act No. 76 of the 2006 Regular Session of the Legislature, relative to the Louisiana Tax Free Shopping Program; to change the termination date of the program; and to provide for related matters.

Read by title.

Rep. Greene moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Geymann	Monica
Abramson	Gisclair	Montoucet
Anders	Greene	Morrell
Armes	Guillory, M.	Norton
Arnold	Guinn	Nowlin
Aubert	Hardy	Pearson
Badon, A.	Harrison	Perry
Badon, B.	Hazel	Ponti

**Page 20 HOUSE**

39th Day's Proceedings - June 4, 2008

Baldone	Henderson	Pope
Barras	Henry	Pugh
Billiot	Hill	Richard
Burford	Hines	Richardson
Burns, H.	Hoffmann	Richmond
Burns, T.	Honey	Ritchie
Burrell	Howard	Robideaux
Carmody	Hutter	Roy
Carter	Jackson G.	Simon
Champagne	Jackson M.	Smiley
Chandler	Johnson	Smith, G.
Chaney	Jones, R.	Smith, J.
Cortez	Jones, S.	Smith, P.
Cromer	Katz	St. Germain
Danahay	Kleckley	Talbot
Dixon	LaFonta	Templet
Doerge	Lambert	Trahan
Dove	LeBas	Waddell
Downs	Leger	White
Edwards	Ligi	Williams
Fannin	Little	Willmott
Foil	Lorusso	Wooton
Franklin	Marchand	
Gallot	Mills	

Total - 94

NAYS

Total - 0

ABSENT

Barrow	LaBruzzo	Peterson
Connick	Lopinto	Schroder
Ellington	McVea	
Guillory, E.	Morris	

Total - 10

The Chair declared the above bill was finally passed.

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

**SENATE BILL NO. 190—**  
BY SENATOR DUPLISSIS

AN ACT

To amend and reenact R.S. 32:1262(B)(1), relative to the Motor Vehicles and Traffic Regulations Act; to provide for audits of automobile dealer records; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Arnold to Engrossed Senate Bill No. 190 by Senator Duplessis

AMENDMENT NO. 1

In House Committee Amendment No. 1 proposed by the House Committee on Commerce and adopted by the House of Representatives on May 14, 2008, on line 3, delete "not"

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Geymann	Monica
Abramson	Gisclair	Montoucet
Anders	Greene	Morrell
Arnes	Guillory, M.	Norton
Arnold	Guinn	Nowlin
Aubert	Hardy	Pearson
Badon, A.	Harrison	Perry
Badon, B.	Hazel	Ponti
Baldone	Henderson	Pope
Barras	Henry	Pugh
Barrow	Hill	Richard
Billiot	Hines	Richardson
Burford	Hoffmann	Richmond
Burns, H.	Honey	Ritchie
Burns, T.	Howard	Robideaux
Burrell	Hutter	Roy
Carmody	Jackson G.	Schroder
Carter	Jackson M.	Simon
Champagne	Johnson	Smiley
Chaney	Jones, R.	Smith, G.
Cortez	Jones, S.	Smith, J.
Cromer	Katz	Smith, P.
Danahay	Kleckley	St. Germain
Dixon	LaFonta	Talbot
Doerge	Lambert	Templet
Dove	LeBas	Trahan
Downs	Leger	Waddell
Edwards	Ligi	White
Ellington	Little	Williams
Fannin	Lopinto	Willmott
Foil	Lorusso	Wooton
Franklin	Marchand	
Gallot	Mills	

Total - 97

NAYS

Total - 0

ABSENT

Chandler	LaBruzzo	Peterson
Connick	McVea	
Guillory, E.	Morris	

Total - 7

The Chair declared the above bill was finally passed.

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

**SENATE BILL NO. 206—**  
BY SENATOR MARIONNEAUX

AN ACT

To repeal the provisions of R.S. 47:2401 through 2426, relative to the inheritance tax; to repeal the tax; to provide for an effective date; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Greene to Engrossed Senate Bill No. 206 by Senator Marionneaux

AMENDMENT NO. 1

On page 1, between lines 5 and 6, insert the following:

"Section 2. Inheritance taxes due to the state shall prescribe as provided in the constitution, in three years from the thirty-first day of December of the year in which such taxes became due. Inheritance taxes due to the state for deaths occurring before July 1, 2004 for which no inheritance tax return has been filed before January 1, 2010 shall be deemed due on January 1, 2010."

AMENDMENT NO. 2

On page 1, at the beginning of line 6, change "Section 2." to "Section 3."

**Motion**

On motion of Rep. Greene, the bill was returned to the calendar.

**SENATE BILL NO. 265—**  
BY SENATOR QUINN

AN ACT

To amend and reenact Chapter 2 of Title VIII of Book I of the Civil Code, formerly comprised of Articles 365 through 385, to be comprised of Articles 365 through 371, Civil Code Article 2318, and Title V of Book VII of the Louisiana Code of Civil Procedure, formerly comprised of Articles 3991 through 3994, to be comprised of Articles 3991 through 3998, all relative to the emancipation of minors; to provide for the kinds of emancipation; to provide for judicial emancipation; to provide for emancipation by marriage; to provide for limited emancipation by authentic act; to provide for the effective date of an emancipation; to provide for the modification or termination of an emancipation; to provide for parental liability of an unemancipated minor; to provide for a petition for a judicial emancipation; to provide for the venue for a judicial emancipation; to provide for the hearing of a petition for a judicial emancipation; to provide for an appeal of a judicial emancipation; to provide for the termination or modification of an emancipation; to provide when an emancipation is effective; to provide for an effective date; and to provide for related matters.

Read by title.

**Motion**

On motion of Rep. Lorusso, the bill was returned to the calendar.

**SENATE BILL NO. 285—**  
BY SENATOR DUPLESSIS

AN ACT

To amend and reenact R.S. 35:1, 191(A)(1) and (2), (C) and (E), 199(A)(2)(b), and 201(A)(1) and (B) and to enact R.S. 35:2(C), 191.3(A) and (B), and 201(C), and to repeal R.S. 44:184.2, relative to notaries public and issuance of notary public commissions; to provide relative to qualifications, administration and procedures; to provide terms and conditions; to provide for recordation of acts affecting immovable property in the parish of Orleans; to provide for an effective date; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Johnson to Reengrossed Senate Bill No. 285 by Senator Duplessis

AMENDMENT NO. 1

Delete House Committee Amendment No. 1 proposed by the House Committee on Civil Law and Procedure and adopted by the House of Representatives on May 14, 2008.

AMENDMENT NO. 2

On page 2, line 17, after "resident" and before "citizen" delete the comma ","

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Geymann	Monica
Abramson	Gisclair	Montouquet
Anders	Greene	Morrell
Armes	Guillory, E.	Morris
Aubert	Guillory, M.	Norton
Badon, A.	Guinn	Nowlin
Badon, B.	Hardy	Pearson
Baldone	Harrison	Perry
Barras	Hazel	Ponti
Barrow	Henry	Pope
Billiot	Hill	Pugh
Burford	Hines	Richard
Burns, H.	Hoffmann	Richardson
Burns, T.	Honey	Richmond
Burrell	Howard	Ritchie
Carmody	Hutter	Robideaux
Carter	Jackson G.	Roy
Chandler	Jackson M.	Schroder
Chaney	Johnson	Simon
Connick	Jones, S.	Smiley
Cortez	Katz	Smith, G.
Cromer	Kleckley	Smith, J.
Danahay	LaFonta	Smith, P.
Dixon	Lambert	St. Germain
Doerge	LeBas	Talbot
Dove	Leger	Templet
Downs	Ligi	Trahan
Edwards	Little	Waddell
Ellington	Lopinto	White
Fannin	Lorusso	Williams
Foil	Marchand	Willmott
Franklin	McVea	Wooton
Gallot	Mills	
Total - 98		

NAYS

Total - 0

ABSENT

Arnold	Henderson	LaBruzzo
Champagne	Jones, R.	Peterson
Total - 6		

The Chair declared the above bill was finally passed.

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

**Suspension of the Rules**

On motion of Rep. Ellington, and under a suspension of the rules, Senate Bill No. 807 was made Special Order of the Day No. 1 for Tuesday, June 10, 2008.

**Suspension of the Rules**

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

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

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

**HOUSE BILL NO. 864—**

BY REPRESENTATIVE SMILEY

AN ACT

To amend and reenact R.S. 49:308.3(D), to enact R.S. 32:402.3, and to repeal R.S. 17:282, relative to the Motorcycle Safety, Awareness, and Operator Training Program; to transfer administration of the Motorcycle Safety, Awareness, and Operator Training Program to the Department of Public Safety and Corrections; and to provide for related matters.

Called from the calendar.

Read by title.

**Motion**

On motion of Rep. Smiley, the bill was returned to the calendar.

**Notice of Intention to Call**

Pursuant to House Rule No. 8.26(A), Rep. Smiley gave notice of his intention to call House Bill No. 864 from the calendar on Tuesday, June 10, 2008.

**HOUSE BILL NO. 1034—**

BY REPRESENTATIVES MCVEA AND WOOTON

AN ACT

To amend and reenact R.S. 32:414.2(A)(9)(b), relative to operators of commercial motor vehicles; to require certain violations be included on the operating record of commercial motor vehicle drivers; to require law enforcement officers to issue "hard copy" tickets for moving violations committed by operators of commercial motor vehicles; and to provide for related matters.

Called from the calendar.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Wooton to Engrossed House Bill No. 1034 by Representative McVea

AMENDMENT NO. 1

On page 2, line 6, delete "or ICC Number"

AMENDMENT NO. 2

On page 2, line 7, delete "hard copy" ticket at the time for the" and line 8 in its entirety and insert in lieu thereof:

"ticket in compliance with R.S. 32:398.1 and dispose of such ticket as provided for in R.S. 32:398.2. A citation for a moving violation issued by the Department of Public Safety and Corrections on a motor carrier safety inspection report shall not result in a fine, civil penalty or fee."

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Franklin	McVea
Abramson	Gallot	Mills
Anders	Geymann	Monica
Armes	Gisclair	Morrell
Arnold	Guillory, M.	Morris
Aubert	Guinn	Norton
Badon, A.	Hardy	Nowlin
Badon, B.	Harrison	Pearson
Baldone	Hazel	Perry
Barras	Henderson	Pope
Barrow	Henry	Pugh
Billiot	Hill	Richard
Burford	Hines	Richardson
Burns, H.	Hoffmann	Richmond
Burns, T.	Honey	Ritchie
Burrell	Howard	Robideaux
Carmody	Hutter	Roy
Carter	Jackson G.	Schroder
Champagne	Jackson M.	Simon
Chandler	Johnson	Smiley
Chaney	Jones, R.	Smith, G.
Connick	Jones, S.	Smith, J.
Cortez	Katz	St. Germain
Cromer	Kleckley	Talbot
Danahay	LaFonta	Templet
Dixon	Lambert	Trahan
Doerge	LeBas	Waddell
Dove	Leger	White
Downs	Ligi	Williams
Edwards	Little	Willmott
Ellington	Lopinto	Wooton
Fannin	Lorusso	
Foil	Marchand	
Total - 97		

**NAYS**

Total - 0

**ABSENT**

Greene	Montoucet	Smith, P.
Guillory, E.	Peterson	
LaBruzzo	Ponti	
Total - 7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

### Notice of Intention to Call Withdrawn

Rep. Connick withdrew his notice of intention to call House Bill No. 1013 from the calendar for future action.

### Notice of Intention to Call Withdrawn

Rep. Connick withdrew his notice of intention to call House Bill No. 783 from the calendar for future action.

### Acting Speaker Trahan in the Chair

#### HOUSE BILL NO. 199—

BY REPRESENTATIVES WOOTON AND WHITE  
AN ACT

To amend and reenact R.S. 14:95.2(B)(1) and (C)(4) and R.S. 40:1379.3(N)(11) and to enact R.S. 14:95.2(C)(9) and (H), relative to carrying a firearm on school property; to provide an exception for individuals on the campus of a college, university, or postsecondary vocational-technical school who possess a concealed handgun permit; to limit the authority of the governing body of a college, university, or postsecondary vocational-technical school to regulate the ability of a person issued a concealed handgun permit to lawfully carry a concealed handgun; to create an exception regarding areas where a concealed handgun may be carried; to amend definitions; and to provide for related matters.

Called from the calendar.

Read by title.

### Motion

On motion of Rep. Wooton, the bill was returned to the calendar.

### Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Wooton gave notice of his intention to call House Bill No. 199 from the calendar on Monday, June 9, 2008.

### Notice of Intention to Call Withdrawn

Rep. Lorusso withdrew his notice of intention to call House Bill No. 1219 from the calendar for future action

#### HOUSE BILL NO. 1272—

BY REPRESENTATIVES TUCKER, ABRAMSON, ARNOLD, BALDONE, HENRY BURNS, TIM BURNS, DOVE, GISCLAIR, GUINN, HENDERSON, HINES, LAFONTA, LEGER, LOPINTO, LORUSSO, MORRELL, NORTON, JANE SMITH, TEMPLET, AND TRAHAN  
AN ACT

To enact Chapter 6 of Title 2 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 2:701 through 710, relative to airports; to create the Southeast Regional Airport Authority, to provide for definitions; to provide for the board of commissioners of the authority; to provide for the powers, duties, and functions of the board; to authorize for the issuance of bonds by the authority; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Waddell, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Waddell on behalf of the Legislative Bureau to Engrossed House Bill No. 1272 by Representative Tucker

#### AMENDMENT NO. 1

On page 3, line 10, following "state" and before "any" change "and/or" to "or"

#### AMENDMENT NO. 2

On page 3, line 18, following "property" and before "useful" change "real or personal" to "immovable or movable"

#### AMENDMENT NO. 3

On page 5, line 29, before "upon" delete "1"

#### AMENDMENT NO. 4

On page 7, line 20, following "sell" change "real and" to "immovable and movable" and on page 21, delete "personal"

#### AMENDMENT NO. 5

On page 11, line 20, following "state" and before "public" change "and/or" to "or"

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

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

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Tucker to Engrossed House Bill No. 1272 by Representative Tucker

#### AMENDMENT NO. 1

On page 4, line 25, after "shall" and before "appoint" delete "from a list of twelve names"

#### AMENDMENT NO. 2

On page 5, line 29, change "lupon" to "upon"

#### AMENDMENT NO. 3

On page 6, line 6, after "J." delete the remainder of the line and delete line 7 in its entirety and insert "The board is authorized to adopt rules and regulations consistent with the authority granted herein."

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

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

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Tucker to Engrossed House Bill No. 1272 by Representative Tucker

# Page 24 HOUSE

39th Day's Proceedings - June 4, 2008

## AMENDMENT NO. 1

On page 4, delete lines 13 through 26 in their entirety and insert in lieu thereof the following:

"(1) The mayor of New Orleans shall appoint one member, who shall be a resident of New Orleans.

(2) The governor shall appoint one member, who shall be a resident of New Orleans.

(3) The governor shall appoint one member from a list of three nominees submitted by the mayor of New Orleans.

(4) The president of Jefferson Parish shall appoint one member, who shall be a resident of Jefferson Parish.

(5) The mayor of Kenner shall appoint one member, who shall be a resident of Kenner.

(6) The governor shall appoint one member from a list of three nominees submitted by the mayor of Kenner.

(7) The president of St. Charles Parish shall appoint one member, who shall be a resident of St. Charles Parish.

(8) The governor shall appoint one member from a list of three nominees submitted by the president of St. Charles Parish.

(9) The governor shall appoint one member from the state at large."

## AMENDMENT NO. 2

On page 5, delete lines 14 and 15 in their entirety and insert in lieu thereof:

"G. The appointees shall serve terms concurrent with their appointing authority."

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

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

### **HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Gary Smith to Engrossed House Bill No. 1272 by Representative Tucker

## AMENDMENT NO. 1

On page 1, line 5, after "board;" and before "to" insert :

"to require the authority to conform and comply with all parish and municipal zoning ordinances;"

## AMENDMENT NO. 2

On page 9, between lines 22 and 23 insert the following:

### "§706.1. Local zoning regulations

Notwithstanding any provisions of law to the contrary, any project, construction, or development on any property acquired by the authority shall conform to and comply with all parish and municipal zoning ordinances."

On motion of Rep. Gary Smith, the amendments were adopted.

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

### **HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Willmott to Engrossed House Bill No. 1272 by Representative Tucker

## AMENDMENT NO. 1

On page 1, line 5, after "board;" and before "to" insert:

"to require the authority to conform and comply with all parish and municipal zoning ordinances;"

## AMENDMENT NO. 2

On page 9, between lines 22 and 23 insert the following:

### "§706.1. Local zoning regulations

Notwithstanding any provisions of law to the contrary, any project, construction, or development on property owned, acquired, or governed by the authority shall conform to and comply with all parish and municipal zoning ordinances."

## AMENDMENT NO. 3

Delete House Floor Amendment Nos. 1 and 2 proposed by Representative Gary Smith and adopted by the House of Representatives on June 4, 2008.

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

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

### **HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Willmott to Engrossed House Bill No. 1272 by Representative Tucker

## AMENDMENT NO. 1

On page 1, line 5, after "board;" and before "to" insert:

"to provide for a joint agreement between the most local governing entity and the authority relative to the expropriation of property under certain circumstances;"

## AMENDMENT NO. 2

On page 9, between lines 22 and 23, insert the following:

### "§706.1. Expropriation

Before any property is expropriated by the Southeast Regional Airport Authority for any project, construction, or development, the expropriation must be approved by an affirmative vote from the most local governing public entity in which the property sought to be expropriated is located."

Rep. Willmott moved the adoption of the amendments.

Rep. Tucker objected.

By a vote of 31 yeas and 68 nays, the amendments were rejected.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Richmond to Engrossed House Bill No. 1272 by Representative Tucker

AMENDMENT NO. 1

On page 6, at the beginning of line 17, insert "(A.)"

AMENDMENT NO. 2

On page 9, between lines 22 and 23, insert the following:

"B. Authority personnel shall comply with all conflict-related provisions of state and federal laws and regulations, with the code of ethics adopted by the authority and with the code of ethics of the following organizations: National Association of Purchasing Management, National Purchasing Institute, National Contract Management Association, and National Institute of Governmental Purchasing.

C.(1) The authority vendors are to be selected in such a manner as to foster public confidence in the integrity of the southeast regional airport authority.

(2) The authority is designated as the point of contact for potential suppliers.

(3) Product evaluations or demonstrations shall be coordinated through the authority to ensure that vendors are treated fairly and equitably and to protect the authority from unnecessary exposure to potential risk.

D.(1) The authority shall actively recruit minority and women-owned vendors and ensure that minority and women-owned business enterprises are aggressively solicited. All bid or proposal packages may be forwarded to minority chambers of commerce and assistance centers.

(2) The authority shall adopt the minority and women-owned business enterprise goals that contractors must make a good faith effort to reach, and the results of the minority and women-owned business enterprise efforts are reported to the board quarterly."

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Willmott to Engrossed House Bill No. 1272 by Representative Tucker

AMENDMENT NO. 1

On page 1, line 5, after "board" and before "to" insert

"to provide with respect to cooperation endeavor agreements between the authority and the most local governing authority;"

AMENDMENT NO. 2

On page 9, lines 22 and 23 insert the following:

"§706.1, Cooperative Endeavor Agreement

The Southeast Regional Airport Authority shall be required to enter into a cooperative endeavor agreement with the most local governing authority and shall share concurrent jurisdiction with the most local governing authority, for the purposes of property acquisition matters that may take place in the parishes of Jefferson, Orleans, and St. Charles."

Rep. Willmott moved the adoption of the amendments.

Rep. Tucker objected.

By a vote of 22 yeas and 73 nays, the amendments were rejected.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Richmond to Engrossed House Bill No. 1272 by Representative Tucker

AMENDMENT NO. 1

On page page 6 at the beginning of line 17, insert "A."

AMENDMENT NO. 2

On page 9, between lines 22 and 23, insert the following:

"E. Any sale, transfer, or conveyance of the New Orleans International Airport shall be approved by a two-thirds vote of the New Orleans City Council."

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Hutter to Engrossed House Bill No. 1272 by Representative Tucker

AMENDMENT NO. 1

On page 8, at the end of line 22, after the period "." insert the following:

"The authority shall not establish any requirements for the domicile of any employee of the authority or the airport."

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Ellington to Engrossed House Bill No. 1272 by Representative Tucker

AMENDMENT NO. 1

On page 7, line 17, after "within" delete "or without"

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Ligi to Engrossed House Bill No. 1272 by Representative Tucker

AMENDMENT NO. 1

On page 14, between lines 20 and 21, insert the following:

"Section 2. The provisions of this Act shall not become effective until the Louisiana Department of Economic Development completes a study which finds that the creation of the Southeast Regional Airport Authority is economically feasible."

AMENDMENT NO. 2

On page 14, delete lines 21 through 25 in their entirety

Motion

Rep. Arnold moved to end consideration of amendments.

Rep. Roy objected.

By a vote of 78 yeas and 17 nays, the House agreed to end consideration of amendments.

Rep. Ligi moved the adoption of the amendments.

Rep. Tucker objected.

By a vote of 20 yeas and 74 nays, the amendments were rejected.

Motion

Rep. Richmond moved the previous question be ordered on the entire subject matter.

Rep. Ligi objected.

By a vote of 71 yeas and 24 nays, the House agreed to order the previous question on the entire subject matter.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of representatives who voted 'YEAS', including Mr. Speaker, Franklin, Marchand, Abramson, Gallot, Mills, Anders, Geymann, Monica, Armes, Gisclair, Montoucet, Arnold, Greene, Morrell, Aubert, Guillory, E., Morris, Badon, A., Guillory, M., Norton, Badon, B., Guinn, Nowlin, Baldone, Hardy, Pearson, Barras, Harrison, Perry, Barrow, Hazel, Ponti, Billiot, Henderson, Pope, Burford, Henry, Pugh, Burns, H., Hill, Richard, Burns, T., Hines, Richardson, Burrell, Hoffmann, Richmond, Carmody, Honey, Ritchie, Carter, Howard, Robideaux, Champagne, Hutter, Roy, Chandler, Jackson G., Schroder, Chaney, Jackson M., Simon, Connick, Johnson, Smith, G., Cortez, Jones, R., Smith, J., Cromer, Jones, S., Smith, P., Danahay, Katz, St. Germain, Dixon, Kleckley, Talbot, Doerge, LaFonta, Templet, Dove, Lambert, Trahan, Downs, Leger, Waddell, Edwards, Little, White

Table listing names of representatives who voted 'NAYS': Fannin, Lopinto, Williams, Foil, Lorusso, Wooton, Total - 96

NAYS

Table listing names of representatives who voted 'ABSENT': Ellington, Ligi, Willmott, LeBas, Smiley, Total - 5

ABSENT

Table listing names of representatives who were present: LaBruzzo, McVea, Peterson, Total - 3

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Tucker 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.

Speaker Tucker in the Chair

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Downs gave notice of his intention to call House Bill No. 1133 from the calendar on Tuesday, June 10, 2008.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Trahan gave notice of his intention to call House Bill No. 734 from the calendar on Tuesday, June 10, 2008.

HOUSE BILL NO. 583— BY REPRESENTATIVE RICHARDSON AN ACT

To enact R.S. 41:903, relative to public lands; to provide relative to school board lands; to authorize the Central Community School Board to exchange certain unused school land; to provide procedures and conditions; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Richardson to Engrossed House Bill No. 583 by Representative Richardson

AMENDMENT NO. 1

On page 1, line 14, after "by the" delete the remainder of the line and delete lines 15 through 17 and insert the following:

"conveyance of such land in exchange for other land and consideration proportionate to the appraised value of the land being conveyed, the school board may convey such land in exchange for other land within the boundaries of the school system and other consideration in accordance with the procedures set forth in this Section. For purposes of this Section, "exchange" includes an exchange of land for other land and other consideration in accordance with Article VII, Section 14 of the Constitution of Louisiana."

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Franklin	McVea
Abramson	Gallot	Mills
Anders	Geymann	Monica
Armes	Gisclair	Montoucet
Arnold	Greene	Morrell
Badon, A.	Guillory, E.	Morris
Badon, B.	Guillory, M.	Norton
Baldone	Guinn	Pearson
Barras	Harrison	Perry
Barrow	Hazel	Ponti
Billiot	Henderson	Pope
Burford	Henry	Pugh
Burns, H.	Hill	Richard
Burns, T.	Hoffmann	Richardson
Burrell	Howard	Richmond
Carmody	Hutter	Ritchie
Carter	Jackson G.	Roy
Champagne	Jackson M.	Schroder
Chandler	Johnson	Simon
Chaney	Jones, R.	Smiley
Connick	Jones, S.	Smith, G.
Cortez	Katz	Smith, J.
Cromer	Kleckley	Smith, P.
Danahay	LaFonta	St. Germain
Dixon	Lambert	Talbot
Doerge	LeBas	Templet
Dove	Leger	Trahan
Downs	Ligi	Waddell
Edwards	Little	White
Ellington	Lopinto	Williams
Fannin	Lorusso	Willmott
Foil	Marchand	Wooton

Total - 96

**NAYS**

Total - 0

**ABSENT**

Aubert	Honey	Peterson
Hardy	LaBruzzo	Robideaux
Hines	Nowlin	

Total - 8

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Richardson 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. 1370 (Substitute for House Bill No. 1191 by Representative Tucker)—**

BY REPRESENTATIVE TUCKER

**AN ACT**

To enact Chapter 55 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:3201 through 3210, relative to economic development; to create the Global New Orleans Authority; to provide for findings and purpose; to provide for the board of commissioners of the authority; to provide for the powers, duties, and functions of the board; to authorize the issuance of bonds by the authority; and to provide for related matters.

Called from the calendar.

Read by title.

**Motion**

On motion of Rep. Tucker, the bill was returned to the calendar.

**HOUSE BILL NO. 951—**

BY REPRESENTATIVES RITCHIE, ELBERT GUILLORY, HENRY BURNS, AND HARDY

**AN ACT**

To amend and reenact R.S. 17:81.5, relative to rules and policies used for the dismissal of certain public school employees; to provide certain requirements for the rules and policies used for the dismissal of certain school employees who have not attained tenure; to require written valid reasons for dismissal and documentation thereof; to provide relative to a conference as part of such rules and policies; to provide relative to collective bargaining agreements; to provide for definitions; to provide for applicability; to provide an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Elbert Guillory moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Gallot	Marchand
Abramson	Geymann	McVea
Anders	Gisclair	Mills
Armes	Guillory, E.	Monica
Arnold	Guillory, M.	Montoucet
Aubert	Guinn	Morrell
Badon, A.	Hardy	Morris
Badon, B.	Harrison	Norton
Baldone	Hazel	Nowlin
Barras	Henderson	Pugh
Barrow	Hill	Richard
Billiot	Hines	Richardson
Burford	Hoffmann	Richmond
Burns, H.	Honey	Ritchie
Burns, T.	Howard	Robideaux
Burrell	Hutter	Roy
Carmody	Jackson G.	Schroder
Champagne	Jackson M.	Simon
Chandler	Johnson	Smith, G.
Chaney	Jones, R.	Smith, J.
Cortez	Jones, S.	Smith, P.
Cromer	Katz	St. Germain
Danahay	Lambert	Talbot
Dixon	LeBas	Templet
Doerge	Leger	Waddell
Downs	Ligi	White
Edwards	Little	Williams
Fannin	Little	Willmott
Foil	Lopinto	Wooton
Franklin	Lorusso	

Total - 87

**NAYS**

Carter	Henry	Perry
Greene	LaFonta	Ponti

Total - 6

**ABSENT**

Connick	Kleckley	Pope
Dove	LaBruzzo	Smiley
Edwards	Pearson	Trahan
Ellington	Peterson	

Total - 11

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Elbert Guillory 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. 1021—**

BY REPRESENTATIVES HINES, ABRAMSON, BALDONE, BILLIOT, HENRY BURNS, CARTER, CHANEY, GISCLAIR, HARDY, HOFFMANN, LAFONTA, LEGER, RICHARD, ST. GERMAIN, TUCKER, AND WILLIAMS

**AN ACT**

To amend and reenact R.S. 32:300.4(A), relative to smoking in motor vehicles; to prohibit an operator or a passenger in a motor vehicle from smoking when any other occupant is under the age of sixteen; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Hines moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Dixon	LeBas
Abramson	Doerge	Leger
Anders	Dove	Lorusso
Armes	Downs	Marchand
Arnold	Foil	Montoucet
Badon, A.	Franklin	Morrell
Badon, B.	Geymann	Norton
Baldone	GISclair	Perry
Barras	Guillory, E.	Pope
Barrow	Hardy	Richard
Billiot	Hill	Richardson
Burns, H.	Hines	Roy
Burns, T.	Hoffmann	Smith, J.
Burrell	Howard	St. Germain
Carter	Jones, S.	Trahan
Chandler	Katz	White
Chaney	LaFonta	Williams
Danahay	Lambert	Willmott
Total - 54		

**NAYS**

Burford	Hutter	Ponti
Carmody	Johnson	Pugh
Champagne	Jones, R.	Ritchie
Connick	Kleckley	Robideaux
Cortez	Ligi	Schroder
Edwards	Little	Simon
Ellington	Lopinto	Smiley
Fannin	Mills	Smith, G.
Greene	Monica	Smith, P.
Harrison	Nowlin	Talbot
Henderson	Pearson	Wooton
Total - 33		

**ABSENT**

Aubert	Henry	Morris
Cromer	Honey	Peterson
Gallot	Jackson G.	Richmond
Guillory, M.	Jackson M.	Templet
Guinn	LaBruzzo	Waddell
Hazel	McVea	
Total - 17		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

**HOUSE BILL NO. 1060—**

BY REPRESENTATIVE HILL

**AN ACT**

To enact R.S. 17:7(6)(f), relative to teacher certification requirements; to exempt certain individuals from having to take the examination required for certification; to provide eligibility criteria; and to provide for related matters.

Called from the calendar.

Read by title.

**Motion**

Rep. Hardy moved to table the entire subject matter.

Rep. Hill objected.

By a vote of 15 yeas and 75 nays, the House refused to table the entire subject matter.

Rep. Hill moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Anders	Hazel	Montoucet
Armes	Henderson	Morrell
Badon, B.	Henry	Pugh
Baldone	Hill	Richard
Burrell	Hines	Richardson
Carter	Howard	Richmond
Champagne	Hutter	Ritchie
Chaney	Jackson G.	Roy
Doerge	Jones, R.	St. Germain
Edwards	Jones, S.	Waddell
Ellington	LeBas	White
Foil	Leger	Williams
Gallot	Ligi	Wooton
GISclair	Little	
Guinn	Mills	
Total - 43		

**NAYS**

Mr. Speaker	Fannin	Norton
Abramson	Franklin	Nowlin
Badon, A.	Geymann	Pearson
Barras	Greene	Perry
Barrow	Guillory, E.	Ponti
Billiot	Hardy	Pope
Burford	Harrison	Robideaux
Burns, H.	Hoffmann	Schroder
Burns, T.	Jackson M.	Simon
Carmody	Johnson	Smiley
Chandler	Kleckley	Smith, J.
Connick	LaFonta	Smith, P.
Cortez	Lambert	Talbot
Cromer	Lopinto	Trahan
Danahay	Lorusso	Willmott
Dixon	Marchand	
Downs	Morris	
Total - 49		

**ABSENT**

Arnold	Honey	Monica
Aubert	Katz	Peterson
Dove	LaBruzzo	Smith, G.
Guillory, M.	McVea	Templet
Total - 12		

The Chair declared the above bill failed to pass.

Rep. Hardy moved to reconsider the vote by which the above bill failed to pass, and, on his own motion, the motion to reconsider was laid on the table.

**Suspension of the Rules**

On motion of Rep. Hill, the rules were suspended in order to take up and consider Petitions, Memorials and Communications at this time.

**Petitions, Memorials and Communications**

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

**Message from the Senate**

**DISAGREEMENT TO SENATE BILL**

June 4, 2008

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

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 116 by Sen. Martiny, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS**

June 4, 2008

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

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution Nos. 84 and 91

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**HOUSE CONCURRENT RESOLUTIONS**

June 4, 2008

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

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

House Concurrent Resolution No. 42  
Returned without amendments

House Concurrent Resolution No. 81  
Returned without amendments

House Concurrent Resolution No. 85  
Returned without amendments

House Concurrent Resolution No. 97  
Returned without amendments

House Concurrent Resolution No. 103  
Returned without amendments

House Concurrent Resolution No. 104  
Returned without amendments

House Concurrent Resolution No. 176  
Returned without amendments

House Concurrent Resolution No. 177  
Returned without amendments

House Concurrent Resolution No. 178  
Returned without amendments

House Concurrent Resolution No. 179  
Returned without amendments

House Concurrent Resolution No. 180  
Returned without amendments

House Concurrent Resolution No. 181  
Returned without amendments

House Concurrent Resolution No. 183  
Returned without amendments

House Concurrent Resolution No. 185  
Returned without amendments

House Concurrent Resolution No. 186  
Returned without amendments

House Concurrent Resolution No. 188  
Returned without amendments

House Concurrent Resolution No. 189  
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**SIGNED SENATE CONCURRENT RESOLUTIONS**

June 4, 2008

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

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Concurrent Resolutions:

Senate Concurrent Resolution Nos. 88 and 90

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

The Senate Concurrent Resolutions contained herein were signed by the Speaker of the House.

**Message from the Senate**

**SIGNED SENATE BILLS AND JOINT RESOLUTIONS**

June 4, 2008

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

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Bills:

Senate Bill Nos. 38, 86, 93, 102, 140, 146, 167, 197, 297, 303, 336, 424, 427, 525, 711, and 725

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

The Senate Bills and Joint Resolutions contained herein were signed by the Speaker of the House.

**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. 102—**  
BY REPRESENTATIVE KATZ

**A RESOLUTION**

To direct the Department of Health and Hospitals to study whether it is feasible to contract with a private contractor to provide forensic psychiatric services for any new forensic beds created and to report its findings to the House and Senate committees on health and welfare no later than February 1, 2009.

Read by title.

Lies over under the rules.

**HOUSE RESOLUTION NO. 103—**  
BY REPRESENTATIVE ARNOLD

**A RESOLUTION**

To commend John P. Ducrest, commissioner of the Louisiana office of financial institutions, on being elected secretary of the Conference of State Bank Supervisors for 2008-2009.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 192—**

BY REPRESENTATIVE MICKY GULLORY

**A CONCURRENT RESOLUTION**

To direct the Louisiana Vital Records Registry to process and issue certified copies of vital records in a timely manner.

Read by title.

Lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 193—**

BY REPRESENTATIVES HUTTER, BARROW, CHAMPAGNE, DOERGE, HILL, ROSALIND JONES, KATZ, MARCHAND, NORTON, PETERSON, JANE SMITH, PATRICIA SMITH, AND ST. GERMAIN AND SENATORS BROOME, CHEEK, DORSEY, DUPLESSIS, GRAY, JACKSON, MOUNT, AND QUINN

**A CONCURRENT RESOLUTION**

To commend Lieutenant Colonel Genevieve L. May of Baton Rouge upon her receipt of a 2008 Women of Excellence Award from the Louisiana Legislative Women's Caucus Foundation and to recognize her outstanding contributions to law enforcement in Louisiana as a lieutenant colonel with the Louisiana State Police.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 194—**

BY REPRESENTATIVES HUTTER, BARROW, CHAMPAGNE, DOERGE, HILL, ROSALIND JONES, KATZ, MARCHAND, NORTON, PETERSON, JANE SMITH, PATRICIA SMITH, AND ST. GERMAIN AND SENATORS BROOME, CHEEK, DORSEY, DUPLESSIS, GRAY, JACKSON, MOUNT, AND QUINN

**A CONCURRENT RESOLUTION**

To commend Dr. Karen B. DeSalvo of New Orleans upon her receipt of a 2008 Women of Excellence Award from the Louisiana Legislative Women's Caucus Foundation and to recognize her outstanding contributions to health care in Louisiana as an associate professor of medicine at Tulane University School of Medicine.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 195—**

BY REPRESENTATIVES HUTTER, BARROW, CHAMPAGNE, DOERGE, HILL, ROSALIND JONES, KATZ, MARCHAND, NORTON, PETERSON, JANE SMITH, PATRICIA SMITH, AND ST. GERMAIN AND SENATORS BROOME, CHEEK, DORSEY, DUPLESSIS, GRAY, JACKSON, MOUNT, AND QUINN

**A CONCURRENT RESOLUTION**

To commend Kim Sport of New Orleans upon her receipt of a 2008 Women of Excellence Award from the Louisiana Legislative Women's Caucus Foundation and to recognize her outstanding contributions to the citizens of Louisiana as an active and dedicated community servant.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 196—**

BY REPRESENTATIVES HUTTER, BARROW, CHAMPAGNE, DOERGE, HILL, ROSALIND JONES, KATZ, MARCHAND, NORTON, PETERSON, JANE SMITH, PATRICIA SMITH, AND ST. GERMAIN AND SENATORS BROOME, CHEEK, DORSEY, DUPLESSIS, GRAY, JACKSON, MOUNT, AND QUINN

**A CONCURRENT RESOLUTION**

To commend Catherine Elizabeth Rouchon of Clinton, Louisiana, upon her receipt of a 2008 Women of Excellence Award from the Louisiana Legislative Women's Caucus Foundation and to recognize her outstanding contributions to Louisiana as an active and dedicated young citizen.

Read by title.

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

Ordered to the Senate.

**Reports of Committees**

The following reports of committees were received and read:

**Report of the Committee on Education**

June 4, 2008

To the Speaker and Members of the House of Representatives:

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

House Concurrent Resolution No. 153, by Dixon  
Reported with amendments. (13-0)

House Concurrent Resolution No. 160, by Leger  
Reported favorably. (10-0)

House Concurrent Resolution No. 168, by Trahan  
Reported favorably. (12-0)

House Concurrent Resolution No. 170, by Morrell  
Reported favorably. (10-0)

Senate Concurrent Resolution No. 42, by Nevers  
Reported favorably. (13-0)

Senate Bill No. 269, by McPherson  
Reported with amendments. (14-0) (Regular)

Senate Bill No. 286, by Duplessis  
Reported with amendments. (14-0) (Regular)

DONALD MARK "DON" TRAHAN  
Chairman

The above Senate Bills reported favorably or with amendments, except Senate Bill No. 286, were referred to the Legislative Bureau.

**Report of the Committee on House and Governmental Affairs**

June 4, 2008

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on House and Governmental Affairs to submit the following report:

Senate Bill No. 56, by Michot  
Reported with amendments. (10-0) (Regular)

Senate Bill No. 296, by Adley (Joint Resolution)  
Reported with amendments. (11-0) (Regular)

Senate Bill No. 493, by McPherson  
Reported with amendments. (10-0) (Regular)

RICHARD "RICK" GALLOT, JR.  
Chairman

The above Senate Bills reported favorably or with amendments, except Senate Bill No. 296, were referred to the Legislative Bureau.

**Report of the Committee on Natural Resources and Environment**

June 4, 2008

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Natural Resources and Environment to submit the following report:

Senate Concurrent Resolution No. 82, by Hebert  
Reported favorably. (10-0-1)

GORDON E. DOVE, SR.  
Chairman

**Privileged Report of the Legislative Bureau**

June 4, 2008

To the Speaker and Members of the House of Representatives:

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

Senate Bill No. 53  
Reported without amendments.

Senate Bill No. 74  
Reported without amendments.

Senate Bill No. 119  
Reported without amendments.

Senate Bill No. 212  
Reported without amendments.

Senate Bill No. 274  
Reported without amendments.

Senate Bill No. 275  
Reported without amendments.

Senate Bill No. 337  
Reported without amendments.

Senate Bill No. 365  
Reported with amendments.

Senate Bill No. 373  
Reported with amendments.

Senate Bill No. 407  
Reported without amendments.

Senate Bill No. 418  
Reported without amendments.

Senate Bill No. 432  
Reported without amendments.

- Senate Bill No. 461  
Reported without amendments.
- Senate Bill No. 465  
Reported without amendments.
- Senate Bill No. 538  
Reported without amendments.
- Senate Bill No. 547  
Reported without amendments.
- Senate Bill No. 555  
Reported without amendments.
- Senate Bill No. 592  
Reported without amendments.
- Senate Bill No. 603  
Reported without amendments.
- Senate Bill No. 660  
Reported without amendments.
- Senate Bill No. 695  
Reported without amendments.
- Senate Bill No. 701  
Reported without amendments.
- Senate Bill No. 713  
Reported with amendments.
- Senate Bill No. 743  
Reported without amendments.
- Senate Bill No. 762  
Reported without amendments.
- Senate Bill No. 765  
Reported without amendments.
- Senate Bill No. 769  
Reported without amendments.
- Senate Bill No. 770  
Reported without amendments.
- Senate Bill No. 793  
Reported without amendments.
- Senate Bill No. 810  
Reported without amendments.

Respectfully submitted,  
WAYNE WADDELL  
Chairman

**Privileged Report of the Committee on Enrollment**

June 4, 2008

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. 53—**  
BY REPRESENTATIVES GEYMAN, KLECKLEY, DANAHAY, AND FRANKLIN AND SENATORS MOUNT AND MORRISH  
A RESOLUTION  
To direct the Department of Health and Hospitals to study the possibility of seeking a waiver from the Centers for Medicare and Medicaid Services which would exempt nursing homes not enrolled in the Medicaid and Medicare programs from paying a provider fee.
- HOUSE RESOLUTION NO. 96—**  
BY REPRESENTATIVE LABRUZZO  
A RESOLUTION  
To recognize Wednesday, June 11, 2008, as Pelican State Pachyderm Day at the Louisiana House of Representatives.
- HOUSE RESOLUTION NO. 97—**  
BY REPRESENTATIVE PETERSON  
A RESOLUTION  
To commend Delta Sigma Theta Sorority, Inc., for its achievements and community service and to designate Wednesday, June 4, 2008, as Delta Sigma Theta Sorority "Red and White" Day at the Louisiana House of Representatives.
- HOUSE RESOLUTION NO. 98—**  
BY REPRESENTATIVE ROSALIND JONES  
A RESOLUTION  
To commend the Cinderellas of the Cinderella Clinic sponsored by the Zeta Phi Omega chapter of Alpha Kappa Alpha Sorority, Incorporated.
- HOUSE RESOLUTION NO. 99—**  
BY REPRESENTATIVE LIGI  
A RESOLUTION  
To urge and request that Senator John McCain, as the unofficial nominee of the Republican Party for president of the United States, urge the Commission on Presidential Debates to hold a presidential debate in the city of New Orleans, with the nominee of the Democratic Party for president of the United States.
- HOUSE RESOLUTION NO. 100—**  
BY REPRESENTATIVES ARNOLD, TUCKER, AND MORRELL  
A RESOLUTION  
To commend New Orleans City Councilmember-at-Large Jacquelyn Brechtel Clarkson on being named president of the New Orleans City Council.

Respectfully submitted,  
WAYNE WADDELL  
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.

**Privileged Report of the Committee on Enrollment**

June 4, 2008

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

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

The following House Bills have been properly enrolled:

- HOUSE BILL NO. 17—**  
BY REPRESENTATIVE ELLINGTON  
AN ACT  
To enact R.S. 13:961(F)(1)(t), relative to court reporters for the Thirty-Seventh Judicial District Court in Caldwell Parish; to provide for the fees to be charged for transcriptions and copies in all cases; and to provide for related matters.

**HOUSE BILL NO. 27—**

BY REPRESENTATIVE JOHNSON  
AN ACT

To enact R.S. 33:452, relative to mayors' courts; to require the appointment of a court magistrate for the mayor's court in Evergreen; to provide for the powers of the magistrate; to provide for the salary of the magistrate; and to provide for related matters.

**HOUSE BILL NO. 40—**

BY REPRESENTATIVES HAZEL AND NORTON  
AN ACT

To amend and reenact R.S. 14:82(B), (C), (D), and (E) and 82.1(B) and to enact R.S. 14:82(F) and 82.1(C), relative to prostitution; to provide with respect to the crimes of prostitution and prostitution involving persons under age seventeen; to provide for a definition of "sexual intercourse"; and to provide for related matters.

**HOUSE BILL NO. 42—**

BY REPRESENTATIVE MONTOUCE  
AN ACT

To amend and reenact R.S. 32:791(I), relative to used motor vehicle dealers; to repeal an exemption that used motor vehicle dealers selling certain all-terrain vehicles not be required to carry minimum garage liability insurance coverage; and to provide for related matters.

**HOUSE BILL NO. 65—**

BY REPRESENTATIVE MORRIS  
AN ACT

To amend and reenact R.S. 40:1730.22(A) and (D), relative to the Louisiana State Uniform Construction Code Council; to provide for term limits on members of the council and a term limit for its chairman; to provide for payment of expenses and mileage incurred by members while attending council meetings; and to provide for related matters.

**HOUSE BILL NO. 98—**

BY REPRESENTATIVES LOPINTO, BILLIOT, CONNICK, HENRY, GIROD JACKSON, LABRUZZO, LIGI, TALBOT, AND WOOTON AND SENATOR MARTINY  
AN ACT

To amend and reenact R.S. 42:1441.3(E) and (G), relative to public liability; to provide for civil liability for political subdivisions; to provide for the determination of master for liability purposes; to provide for political subdivisions acting as third-party payors; and to provide for related matters.

**HOUSE BILL NO. 143—**

BY REPRESENTATIVE CROMER  
AN ACT

To enact R.S. 13:5202(E), relative to the City Court of Slidell; to provide for the civil jurisdictional amount for the small claims division; and to provide for related matters.

**HOUSE BILL NO. 144—**

BY REPRESENTATIVE CROMER  
AN ACT

To amend and reenact R.S. 13:2487.2, relative to qualifications of office for the City Court of Slidell; to increase the time that a city judge must have been licensed to practice law in the state prior to his election; and to provide for related matters.

**HOUSE BILL NO. 154—**

BY REPRESENTATIVE MILLS  
AN ACT

To enact R.S. 46:437.13(D), relative to the Department of Health and Hospitals; to provide authority for the department to certify that health care providers enrolled in the Medical Assistance Program are out of business; to provide that out-of-business providers cannot collect overpayments; and to provide for related matters.

**HOUSE BILL NO. 177—**

BY REPRESENTATIVES PONTI AND SCHRODER  
AN ACT

To amend and reenact R.S. 40:1573(3) and 1578.7(B), relative to the State Uniform Fire Prevention Code; to provide for definitions; to provide for exemptions to the State Uniform Fire Prevention Code; and to provide for related matters.

**HOUSE BILL NO. 188—**

BY REPRESENTATIVES KLECKLEY AND MONICA  
AN ACT

To amend and reenact R.S. 22:215.13(D), relative to group health insurance; to provide for noncontinuation of benefits; and to provide for related matters.

**HOUSE BILL NO. 208—**

BY REPRESENTATIVE ARNOLD  
AN ACT

To amend and reenact R.S. 36:746(A)(introductory paragraph), (B), (C), and (D) and R.S. 49:229(A) and (C)(introductory paragraph) and (3), relative to the First Stop Shop within the Department of State; to change the name from the First Stop Shop to the office of GeauxBiz; and to provide for related matters.

**HOUSE BILL NO. 224—**

BY REPRESENTATIVES KLECKLEY AND MONICA  
AN ACT

To amend and reenact R.S. 22:1078(B)(2), relative to fees assessed by the commissioner of insurance; to provide that each health maintenance organization shall pay an annual financial regulation fee; and to provide for related matters.

**HOUSE BILL NO. 247—**

BY REPRESENTATIVE WOOTON  
AN ACT

To amend and reenact R.S. 27:306(A)(4)(b)(introductory paragraph) and (7)(a), relative to the Video Draw Poker Devices Control Law; to provide for the determination of the number of video draw poker devices operated at truck stops based upon average monthly fuel sales calculated annually; to provide for the operation of twenty-five video draw poker devices at new truck stop facilities for ninety days without average fuel sale requirements; to provide for average monthly fuel sales calculated quarterly for the first year of operation and for monthly fuel sales calculated annually thereafter; and to provide for related matters.

**HOUSE BILL NO. 251—**

BY REPRESENTATIVES WOOTON AND BALDONE  
AN ACT

To amend and reenact R.S. 15:574.10, relative to conviction of a felony while on parole; to provide that a new sentence of imprisonment of a conviction while a person is on parole shall be served concurrently; and to provide for related matters.

**HOUSE BILL NO. 290—**

BY REPRESENTATIVES DIXON AND TUCKER  
AN ACT

To amend and reenact R.S. 42:1141(B)(1)(a) and (C)(1), (2), and (3), relative to the enforcement of laws within the jurisdiction of the Board of Ethics; to require the board to provide certain information to the accused and the complainant; to provide relative to deadlines for the provision of such information; to provide relative to the issuance of charges by the board; to provide relative to the content of such charges; to provide relative to hearings on such charges; to require the board to consider offering consent opinions; and to provide for related matters.

**HOUSE BILL NO. 298—**

BY REPRESENTATIVE ELLINGTON  
AN ACT

To enact R.S. 13:2115, relative to the City Court of Winnsboro; to authorize the transfer of surplus or unclaimed funds from the court's civil fee account to the court's general operational fund; and to provide for related matters.

**HOUSE BILL NO. 359—**

BY REPRESENTATIVES LAFONTA, ABRAMSON, ARNOLD, AUSTIN, BADON, BALDONE, BILLIOT, BURRELL, DANAHAY, DIXON, FRANKLIN, GISCLAIR, HARDY, HARRISON, HINES, ROSALIND JONES, LEGER, MARCHAND, MORRELL, NORTON, RICHARD, RICHMOND, AND TUCKER AND SENATOR MURRAY  
AN ACT

To enact R.S. 17:170.3, relative to immunizations; to require certain school boards to provide information relative to human papillomavirus to certain students; to provide for rules and regulations; and to provide for related matters.

**HOUSE BILL NO. 385—**

BY REPRESENTATIVE KLECKLEY  
AN ACT

To amend and reenact R.S. 22:1430.12(A)(2) and (C) and R.S. 44:4.1(B)(10), relative to the Louisiana Citizens Property Insurance Corporation; to provide for information required for ratemaking; to provide for confidentiality; to provide for the effective date of rate changes; and to provide for related matters.

**HOUSE BILL NO. 391—**

BY REPRESENTATIVE WOOTON  
AN ACT

To amend and reenact R.S. 15:542(D) and 542.1.4(A)(1) and to enact R.S. 15:542.1.4(A)(3), relative to sex offender registration; to provide with respect to the annual registration fee; to provide that the crime of failure to register as a sex offender shall include the failure to pay the registration fee; to provide for criminal penalties; and to provide for related matters.

**HOUSE BILL NO. 392—**

BY REPRESENTATIVES GALLOT, AUBERT, BILLIOT, BURRELL, CARMODY, DIXON, GISCLAIR, GREENE, HARRISON, HONEY, GIROD JACKSON, MICHAEL JACKSON, ROSALIND JONES, KATZ, LEGER, LORUSSO, MORRELL, PETERSON, PONTI, RICHARD, RICHMOND, ROY, JANE SMITH, WILLIAMS, AND WILLMOTT  
AN ACT

To amend and reenact R.S. 42:7(A)(1)(b)(i) and (ii), relative to public meetings; to provide relative to a provision authorizing a public body to consider matters not on the agenda of a meeting under certain circumstances; to provide for certain actions and requirements relative to such matters; and to provide for related matters.

**HOUSE BILL NO. 400—**

BY REPRESENTATIVE WOOTON  
AN ACT

To amend and reenact R.S. 14:207(B), relative to motor vehicles; to provide relative to the removal or alteration of identifying numbers; to provide for penalties; and to provide for related matters.

**HOUSE BILL NO. 1360 (Substitute for House Bill No. 412 by Representative Mills)—**

BY REPRESENTATIVES MILLS AND ELLINGTON  
AN ACT

To enact R.S. 22:170.2, relative to life insurance policies and annuities; to provide with respect to any such policy or annuity issued to fund a pre-need funeral contract; to provide for the relationship of a funeral establishment to such a policy or contract; and to provide for related matters.

Respectfully submitted,

WAYNE WADDELL  
Chairman

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

**Suspension of the Rules**

On motion of Rep. Anders, the rules were suspended to permit the Committee on Agriculture, Forestry, Aquaculture, and Rural Development to consider the following legislative instruments without giving the notice required by House Rule 14.24(A):

Senate Concurrent Resolution No. 85

**Suspension of the Rules**

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

House Concurrent Resolution No. 64

Senate Bill No. 277

**Suspension of the Rules**

On motion of Rep. Honey, the rules were suspended to permit the Committee on Labor and Industrial Relations 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. 1292

**Suspension of the Rules**

On motion of Rep. Morrell, the rules were suspended to permit the Committee on Municipal, Parochial and Cultural Affairs to consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Resolution No. 101

Senate Bill No. 734

**Suspension of the Rules**

On motion of Rep. Fannin, the rules were suspended to permit the Committee on Appropriations to meet on Thursday, June 5, 2008, without giving the notice required by House Rule 14.24(A) and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill Nos. 926 and 1287

**Leave of Absence**

Rep. Peterson - 1 day

Rep. LaBruzzo - 1 day

**Adjournment**

On motion of Rep. Trahan, at 8:41 P.M., the House agreed to adjourn until Thursday, June 5, 2008, at 2:00 P.M.

The Speaker of the House declared the House adjourned until 2:00 P.M., Thursday, June 5, 2008.

ALFRED W. SPEER  
Clerk of the House