

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

TWENTY-FIFTH DAY'S PROCEEDINGS

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

House of Representatives
State Capitol
Baton Rouge, Louisiana

Tuesday, June 7, 2011

The House of Representatives was called to order at 2:00 P.M., by the Honorable Joel Robideaux, Speaker Pro Tempore of the House of Representatives.

Morning Hour

ROLL CALL

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

PRESENT

Mr. Speaker	Gallot	McVea
Abramson	Geymann	Monica
Anders	Gisclair	Montoucet
Armes	Greene	Moreno
Arnold	Guillory	Morris
Aubert	Guinn	Norton
Badon, A.	Hardy	Nowlin
Badon, B.	Harrison	Pearson
Baldone	Hazel	Ponti
Barras	Henderson	Pope
Barrow	Henry	Pugh
Billiot	Hensgens	Richard
Bishop	Hill	Richardson
Brossett	Hines	Ritchie
Burford	Hoffmann	Robideaux
Burns, H.	Honore	Roy
Burns, T.	Howard	Schroder
Burrell	Hutter	Seabaugh
Carmody	Huval	Simon
Carter	Jackson, G.	Smiley
Champagne	Jackson, M.	Smith, G.
Chandler	Johnson	Smith, J.
Chaney	Jones, R.	Smith, P.
Connick	Katz	St. Germain
Cortez	Kleckley	Stiaes
Danahay	LaBruzzo	Talbot
Dixon	LaFonta	Templet
Doerge	Lambert	Thibaut
Dove	Landry	Thierry

Downs	LeBas	White
Edwards	Leger	Williams
Ellington	Ligi	Willmott
Fannin	Little	Wooton
Foil	Lopinto	
Franklin	Lorusso	
Total - 103		

The Speaker Pro Tempore announced that there were 103 members present and a quorum.

Prayer

Prayer was offered by Rep. Foil.

Pledge of Allegiance

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

Jenny Heroman sang *The National Anthem*.

Reading of the Journal

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

On motion of Rep. Thibaut, the Journal of June 6, 2011, was adopted.

**Petitions, Memorials, and
Communications**

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

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

June 7, 2011

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. 147
Returned without amendments

House Concurrent Resolution No. 148
Returned without amendments

House Concurrent Resolution No. 149
Returned without amendments

House Concurrent Resolution No. 153
Returned without amendments

House Concurrent Resolution No. 154
Returned without amendments

House Concurrent Resolution No. 155
Returned without amendments

House Concurrent Resolution No. 156
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

**Message from the Senate
ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

June 7, 2011

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. 58, 59, 60, and 61

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

**Senate Concurrent Resolutions
Lying Over**

The following Senate Concurrent Resolutions contained in the message were taken up and acted upon as follows:

**SENATE CONCURRENT RESOLUTION NO. 59—
BY SENATOR MOUNT**

A CONCURRENT RESOLUTION

To commend and congratulate Sam Houston High School on winning the Class 4A Girls High School State Softball Championship.

Read by title.

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

Message from the Senate

SENATE BILLS

June 7, 2011

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

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

Senate Bill Nos. 177, 210, 254, 264, and 269

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

**Senate Bills and Joint Resolutions
on First Reading**

The following Senate Bills and Joint Resolutions on first reading were taken up, read, and placed upon the calendar for their second reading:

**SENATE BILL NO. 177—
BY SENATOR HEITMEIER**

AN ACT

To enact R.S. 47:297.13, relative to individual income tax; to provide a credit for interest paid on certain education loans which pay higher education expenses; and to provide for related matters.

Read by title.

**SENATE BILL NO. 210—
BY SENATOR MORRELL**

AN ACT

To amend and reenact R.S. 47:854, relative to the intent and purposes of the tax on tobacco; to exempt certain tobacco products sampled at convention facilities during certain conventions from the purposes of such tax; to provide for the taxable periods in which the exemption applies; and to provide for related matters.

Read by title.

**SENATE BILL NO. 254—
BY SENATOR WILLARD-LEWIS**

AN ACT

To amend and reenact R.S. 47:305.59 and 337.9(D)(27), relative to sales and use tax exemptions; to provide for an exemption from the tax of all tax authorities for certain charitable residential constructions; and to provide for related matters.

Read by title.

**SENATE BILL NO. 264—
BY SENATOR CHAISSON**

AN ACT

To amend and reenact R.S. 47:6007(B)(7) and (C)(2) and (4) and to enact R.S. 47:6007(B)(15) and (C)(1)(c)(iii), relative to tax credits; to provide for granting motion picture investor tax credits; to provide for definitions, allowing the credits, and transferability; and to provide for related matters.

Read by title.

**SENATE BILL NO. 269 (Substitute of Senate Bill No. 249 by
Senator Riser)—**

BY SENATORS RISER AND THOMPSON
AN ACT

To enact R.S. 40:600.4(E), 600.64(C), and Chapter 3-G of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:600.86 through 600.111 and R.S. 42:1124.2(A)(5), and to repeal R.S. 36:769(J) and Chapter 3-A of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:600.1 through 600.25.1, relative to housing authorities; to create the Louisiana Housing Corporation and provide for its powers, functions, and duties; to provide for the abolishment of certain programs or agencies, the consolidation of housing programs, and the transfer of certain programs or agencies; to provide for the filing of certain financial disclosure statements relative to certain boards and commissions; to provide terms, conditions, definitions, procedures, and effects; to provide for an effective date; and to provide for related matters.

Read by title.

**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. 72—
BY REPRESENTATIVE BROSSETT**

A RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study issues relative to using biodiesel fuel in school buses used to transport students and to report its findings and recommendations to the House Committee on Education at least sixty days prior to the convening of the 2012 Regular Session of the Legislature of Louisiana.

Read by title.

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

HOUSE RESOLUTION NO. 73—
BY REPRESENTATIVE ROSALIND JONES
A RESOLUTION

To commend the efforts of Links, Incorporated and to recognize Wednesday, June 8, 2011, as Louisiana Links Day at the Louisiana State Capitol.

Read by title.

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

**House and House Concurrent Resolutions
Lying Over**

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

HOUSE RESOLUTION NO. 69—
BY REPRESENTATIVE TEMPLET
A RESOLUTION

To authorize and direct the Louisiana State Law Institute to study and make recommendations for the revision of laws regarding criminal history background checks for individuals who provide personal care or other health-related services to adults.

Read by title.

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

**Senate Concurrent Resolutions
Lying Over**

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

SENATE CONCURRENT RESOLUTION NO. 55—
BY SENATOR BROOME
A CONCURRENT RESOLUTION

To commend the black pioneers of nursing at Baton Rouge General Hospital and to recognize the special place they hold in the history of the state of Louisiana.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 56—
BY SENATOR CHEEK
A CONCURRENT RESOLUTION

To commend Seth Irby upon selection as a member of the Louisiana State University Tiger Twelve Class of 2011 and for his many academic accomplishments and community service efforts.

Read by title.

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

**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. 67—
BY SENATOR BROOME

AN ACT

To amend and reenact R.S. 17:416(A)(1)(c)(iii) and (v), (2)(a) and (b), (3)(a)(i), (vii) and (xvi), and (C)(1), and to enact R.S. 17:416(A)(1)(c)(viii), relative to the discipline of students; to provide for certain disciplinary actions; to provide for the discipline of public school students upon removal from a classroom; to provide for implementation of certain disciplinary measures; to provide for the adoption of certain guidelines for the use of in-school and out-of-school suspensions; to require city, parish and other local public school boards to adopt certain rules relative to suspensions; to provide relative to in-school and out-of-school suspensions for certain violations; to provide relative to expulsion hearings; to provide for definitions; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 207—
BY SENATOR MOUNT

AN ACT

To enact Part XLII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.21 through 1300.23, relative to Medicaid; to require the Department of Health and Hospitals to submit an annual report to the legislature on the Coordinated Care Network Medicaid initiative; to provide for termination of legislative authority; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Health and Welfare.

SENATE BILL NO. 216—
BY SENATOR MORRELL

AN ACT

To enact R.S. 17:1990(I), relative to the Recovery School District; to provide for the creation of a community outreach plan for schools within the district; to provide for the submission of such plan to the State Board of Elementary and Secondary Education and the appropriate legislative committees; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 242—
BY SENATOR APPEL

AN ACT

To amend and reenact R.S. 14:141 and R.S. 39:126 and 1767, and R.S. 48:251.8, to enact R.S. 38:2192 and 2222 and R.S. 39:1557.1, and to repeal R.S. 38:2196.1, R.S. 39:200(N) and 1493.1, and Part X of Chapter 17 of Subtitle III of Title 39 of the Louisiana Revised Statutes of 1950, consisting of R.S. 39:1758, relative to public contracts; to provide for prohibited splitting of profits, fees, and commissions; to provide with respect to recordation of certain change orders, amendments, or other revisions to public contracts; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 253—

BY SENATORS JACKSON AND MURRAY
AN ACT

To amend and reenact R.S. 9:2347(A)(1), (H), and (M), and R.S. 39:1403(A), relative to the issuance of bonds by public trusts; to provide for the publication of the notice of intention to issue bonds, notes, or other evidences of indebtedness by a public trust; to provide for the sale of bonds, notes and other evidences of indebtedness by a public trust; to provide that property owned by certain public trusts authorized to issue bonds to finance projects, is public and used for a public purpose; and to provide for related matters.

Read by title.

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

**House 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 CONCURRENT RESOLUTION NO. 117—

BY REPRESENTATIVE BALDONE
A CONCURRENT RESOLUTION

To urge and request the commissioner of alcohol and tobacco control to refrain from taking any regulatory or enforcement action regarding the conducting of promotional poker tournaments at Class A-General retail or Class A-Restaurant establishments until the Louisiana Legislature has an opportunity to legislatively address the issue of the conducting of promotional poker tournaments.

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 Original House Concurrent Resolution No. 117 by Representative Baldone

AMENDMENT NO. 1

On page 1, line 2, after "control" delete the comma "," and delete the remainder of the line

AMENDMENT NO. 2

On page 1, delete lines 3 and 4 in their entirety and insert "to refrain from taking any"

AMENDMENT NO. 3

On page 1, delete lines 18 through 21 in their entirety

AMENDMENT NO. 4

On page 2, delete lines 1 through 4 in their entirety

AMENDMENT NO. 5

On page 2, line 17, after "control" delete the comma "," and delete the remainder of the line

AMENDMENT NO. 6

On page 2, delete line 18 in its entirety and on line 19, delete "General Gaming Division"

AMENDMENT NO. 7

On page 2, line 25, after "control" delete the comma "," and insert a period "." and delete the remainder of the line

AMENDMENT NO. 8

On page 2, delete lines 26 and 27 in their entirety

On motion of Rep. Rosalind Jones, the amendments were adopted.

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

HOUSE CONCURRENT RESOLUTION NO. 131—

BY REPRESENTATIVE HARRISON
A CONCURRENT RESOLUTION

To create and form a Human Services Coordinated Transit Work Group, led by the Department of Transportation and Development, with active support and leadership commitment from both public and private stakeholders to improve mobility, optimize efficiencies, and manage costs of transit and paratransit services for both able-bodied and disabled persons.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Concurrent Resolution No. 131 by Representative Harrison

AMENDMENT NO. 1

On page 1, line 9, after "WHEREAS" delete "American Association of Retired Persons (AARP)" and insert "AARP" in lieu thereof

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

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

HOUSE CONCURRENT RESOLUTION NO. 143—

BY REPRESENTATIVE ROSALIND JONES
A CONCURRENT RESOLUTION

To urge and request the Supreme Court to conduct a comprehensive study of the caseload data and the number of judges of each appellate court, district court, parish court, city court, mayor's court, and justice of the peace court in Louisiana to determine changes necessary to the existing structure of the judiciary to provide the most efficient use of judicial resources and to report its findings and recommendations to the Louisiana Legislature prior to February 15, 2012.

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 Original House Concurrent Resolution No. 143 by Representative Rosalind Jones

AMENDMENT NO. 1

On page 1, line 2, change "Judicial Council" to "Supreme Court"

AMENDMENT NO. 2

On page 1, line 21, change "Judicial Council" to "Supreme Court"

AMENDMENT NO. 3

On page 2, line 7, change "Judicial Council" to "Supreme Court"

On motion of Rep. Rosalind Jones, the amendments were adopted.

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

House Bills and Joint Resolutions on Second Reading Reported by Committee

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

HOUSE BILL NO. 151— BY REPRESENTATIVE HOFFMANN AN ACT

To amend and reenact R.S. 11:710(A)(3), relative to the Teachers' Retirement System of Louisiana; to allow certain reemployed retirees to receive benefits during reemployment; to provide an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Original House Bill No. 151 by Representative Hoffmann

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 11:710(A)(3)" delete "and to enact R.S. 11:710(A)(4)"

AMENDMENT NO. 2

On page 1, at the end of line 10 delete "and R.S." and at the beginning of line 11 delete "11:710(A)(4) is hereby enacted"

AMENDMENT NO. 3

On page 1, delete lines 18 and 19 in their entirety and on page 2 delete lines 1 through 3 in their entirety

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 158— BY REPRESENTATIVE ARNOLD AN ACT

To enact R.S. 11:3363(H), relative to the Firefighters' Pension and Relief Fund in the city of New Orleans; to provide with respect to compliance of benefit payments with the Internal Revenue Code; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Retirement.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 175— BY REPRESENTATIVE TALBOT AN ACT

To amend and reenact R.S. 23:991, 992, 992.2, 995(A), and 996(A) and (B) and to enact R.S. 23:991.1 and 992.3, relative to employment of certain aliens; to provide for the purpose and enforcement of rules; to provide for definitions; to require employment verification through the federal E-Verify system; to prohibit public employers from contracting with certain persons; to require the Louisiana Workforce Commission to provide training and instructions; to provide for immunity; to require that investigations be conducted by the Louisiana Workforce Commission; to provide for civil penalties; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Labor and Industrial Relations.

The substitute was read by title as follows:

HOUSE BILL NO. 646 (Substitute for House Bill No. 175 by Representative Talbot) — BY REPRESENTATIVE TALBOT AN ACT

To amend and reenact R.S. 23:995, relative to the verification of citizenship and authorization for employment; to provide with respect to civil penalties for violations; to provide for defenses; and to provide for related matters.

Read by title.

On motion of Rep. Ponti, the substitute was adopted and became House Bill No. 646 by Rep. Talbot, on behalf of the Committee on Labor and Industrial Relations, as a substitute for House Bill No. 175 by Rep. Talbot.

Under the rules, lies over in the same order of business.

HOUSE BILL NO. 215— BY REPRESENTATIVE SMILEY AN ACT

To amend and reenact R.S. 33:342(A) and 343(A), relative to classifications of municipalities based upon population; to authorize a municipality under certain circumstances to retain its classification when population changes would otherwise change its classification; to provide procedures; to provide

relative to the designation of the governing authority; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Original House Bill No. 215 by Representative Smiley

AMENDMENT NO. 1

On page 1, line 3, between "municipality" and "to" insert "under certain circumstances"

AMENDMENT NO. 2

On page 1, at the end of line 5, insert a semi-colon ";" and at the beginning of line 6, delete "as a village, town, or city council;"

AMENDMENT NO. 3

On page 2, at the beginning of line 4, delete "changed so as to place it in a different classification." and insert in lieu thereof "increased by less than two hundred persons since the last decennial census, but such increase would change the municipality's classification from village to town."

AMENDMENT NO. 4

On page 2, line 17, between "classification" and "as authorized" insert "as a village"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 303—
BY REPRESENTATIVE PONTI

AN ACT

To amend and reenact R.S. 23:152, 182, 183, 184(2)(f) and (g), 187, 191, 192, 213, 214, 215(B), 233, and 251(A) and to repeal R.S. 23:253 and 254, relative to the employment of minors; to provide for hours during which minors may work; to provide for limitations in employment; to provide technical changes; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Labor and Industrial Relations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Labor and Industrial Relations to Original House Bill No. 303 by Representative Ponti

AMENDMENT NO. 1

On page 2, line 1, after "modeling," and before "musical" change "or" to "motion picture or television production,"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 334—
BY REPRESENTATIVE CHAMPAGNE
AN ACT

To amend and reenact R.S. 38:291(AA)(1) and (2) and to enact R.S. 38:291(CC), relative to levee districts; to remove Vermilion Parish from the limits of the Chenier Plain Coastal Restoration and Protection Authority; to create the Vermilion Parish Levee, Hurricane Protection, and Conservation District; to provide for jurisdictional limits; to provide for a board of commissioners; to provide for appointment of commissioners, terms of office, and determination of domicile; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 335—
BY REPRESENTATIVES BROSETT, ABRAMSON, ARNOLD, AUSTIN
BADON, BISHOP, HENDERSON, HINES, LEGER, MORENO, AND
STIAES AND SENATOR MORRELL
AN ACT

To amend and reenact R.S. 47:2161, relative to the city of New Orleans; to provide relative to property sold at tax sales in the city; to provide relative to improvements made to abandoned or blighted property by a tax sale purchaser prior to redemption; to require a person redeeming property to reimburse a tax sale purchaser for the costs of improvements required to bring the property into compliance with one or more municipal code ordinances; to provide relative to the maximum amount of reimbursement; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Original House Bill No. 335 by Representative Brossett

AMENDMENT NO. 1

On page 1, at the beginning of line 4, insert "abandoned or blighted"

AMENDMENT NO. 2

On page 1, line 5, after "improvements" delete the remainder of the line and at the beginning of line 6, delete "property by the tax sale purchaser;" and insert in lieu thereof "required to bring the property into compliance with one or more municipal code ordinances; to provide relative to the maximum amount of reimbursement;"

AMENDMENT NO. 3

On page 2, line 1, after "B." and before "Notwithstanding" insert "(1)"

AMENDMENT NO. 4

On page 2, line 2, after "improvements to" delete the remainder of the line and insert "abandoned or blighted property, as defined in R.S. 19:136.1, in order to bring the property into compliance with one or more municipal code ordinances prior"

AMENDMENT NO. 5

On page 2, line 4, after "improvements" delete the remainder of the line and delete lines 5 and 6 in their entirety and insert in lieu thereof "required to bring the property into compliance with any such ordinances. The maximum amount of reimbursement for improvements shall be fifteen hundred dollars for abandoned property and three thousand dollars for blighted property. The maximum amount shall be per property per year."

(2) In order to receive reimbursement for the costs of improvements, the tax sale purchaser shall be required to file an affidavit and receipts in the mortgage records of the parish documenting the costs of such improvements within sixty days after receiving notice of redemption.

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 338—

BY REPRESENTATIVES STIAES AND BISHOP
AN ACT

To enact R.S. 32:300.8 and to repeal R.S. 32:300.5 and 300.6, relative to motor vehicles; to prohibit the use of hand-held wireless telecommunications devices while operating motor vehicles; to provide for penalties; to repeal current prohibitions on texting while driving and use of wireless telecommunication devices by certain drivers; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 338 by Representative Stiaes

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 32:300.8" insert "and to repeal R.S. 32:300.5 and 300.6"

AMENDMENT NO. 2

On page 1, at the beginning of line 4, insert "to repeal current prohibitions on texting while driving and use of wireless telecommunication devices by certain drivers;

AMENDMENT NO. 3

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

"(8) Navigate using a global positioning system.

(9) Relay information between a transit or for-hire operator and that operator's dispatcher, in which the device is permanently affixed to the vehicle."

AMENDMENT NO. 4

On page 2, between lines 16 and 17, insert the following:

"(1) 'Engage in a call' means talking or listening on a hands-free telecommunication device or a hand-held wireless telecommunication device. However, this definition shall not preclude the use of either hand to activate, deactivate, or initiate a function of the hands-free wireless telecommunication device."

AMENDMENT NO. 5

On page 2, line 17, change "(1)" to "(2)" and on line 24, change "(2)" to "(3)"

AMENDMENT NO. 6

On page 3, line 1 after "hybrids," and before "or" insert "devices with a push-to-talk function,"

AMENDMENT NO. 7

On page 3, delete lines 4 and 5 in their entirety and insert the following:

"(4) 'Text-based communication' shall mean using a hand-held wireless telecommunications device to manually communicate with any person or business by communication referred to as a text message, instant message, or electronic mail.

E. (1) Whoever violates the provisions of this Section shall be fined one hundred twenty-five dollars, in addition to court costs.

(2) If a person is involved in a crash at the time of a violation, then the fine shall be equal to double the amount of the standard fine imposed in this Subsection and the law enforcement officer investigating the crash shall indicate on the written accident form that the person was using a hand-held wireless telecommunication device at the time of the crash.

F. In any action to recover damages arising out of the ownership, common maintenance, or operation of a motor vehicle, use of a hand-held wireless telecommunication device in violation of this Section shall not be considered evidence of comparative negligence. Use of a hand-held wireless telecommunication device in violation of this Section shall not be admitted to mitigate damages.

G. The provisions of this Section shall not apply to persons seventeen years of age or younger.

Section 2. R.S. 32:300.5 and 300.6 are hereby repealed in their entirety."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 377—

BY REPRESENTATIVE PEARSON
AN ACT

To amend and reenact R.S. 11:164(B) and 191(A) and R.S. 24:36(A) and to enact R.S. 11:191(C), relative to state and statewide retirement systems; to prohibit certain earnings from being

included in the calculation of benefits for certain members elected to the legislature; to provide with respect to service credit for such members; to provide with respect to contributions; to provide with respect to benefit calculation for certain members elected to the legislature; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Original House Bill No. 377 by Representative Pearson

AMENDMENT NO. 1

On page 1, line 2, after "reenact" change "R.S. 11:191(A)" to "R.S. 11:164(B) and 191(A) and R.S. 24:36(A)"

AMENDMENT NO. 2

On page 1, line 6, before "and" insert "to provide with respect to benefit calculation for certain members elected to the legislature;"

AMENDMENT NO. 3

On page 1, line 11, after "Section 1." change "R.S. 11:191(A) is" to "R.S. 11:164(B) and 191(A) are"

AMENDMENT NO. 4

On page 1, between lines 12 and 13 insert the following:

"§164. Part-time public officials

* * *

B.(1) The provisions of Subsection A of this Section shall not apply to any person who is serving on January 1, 1997, in any elected or appointed position set forth in Subsection A of this Section and who is also a member on January 1, 1997, of a retirement system covering that position.

(2)(a) For any person to whom Paragraph (1) of this Subsection applies and who is elected to the legislature on or after July 1, 2011, the accrual rate shall be two percent for any creditable service earned as a legislator on or after that date. Furthermore, the additional one percent accrual rate provided pursuant to R.S. 24:36(A) shall not apply to any such person.

(b) The provisions of this Paragraph shall not apply to any person serving in the legislature on June 30, 2011.

* * *

AMENDMENT NO. 5

On page 2, between lines 16 and 17, insert the following:

"Section 2. R.S. 24:36(A) is hereby amended and reenacted to read as follows:

§36. Additional benefits payable to legislators; certain legislative personnel; governor; lieutenant governor; political subdivision service credit; credit for service previously rendered; additional contributions; computation of benefits payable; membership

A. All persons who are or have been members of the Louisiana Legislature, or who are or have been the clerk or sergeant-at-arms of the House of Representatives, or the secretary or sergeant-at-arms of the Senate, or who are or have been the governor, or who are or have been the lieutenant governor, and who are members of any actuarially funded retirement system maintained by the state of Louisiana or any political subdivision thereof, shall receive an additional benefit equal to one percent times the number of years of service in the Louisiana state legislature, except as provided by R.S. 11:164, or as clerk or sergeant-at-arms of the House of Representatives or as secretary or sergeant-at-arms of the Senate, or as an employee of the legislature, or as governor or lieutenant governor, times the average salary as defined in the law covering the particular system of which each is a member. Years of service as clerk or sergeant-at-arms of the House of Representatives, as secretary or sergeant-at-arms of the Senate, or as an employee of the legislature, or as governor or lieutenant governor shall be computed in the same manner as years of service is computed for membership in the legislature.

* * *

AMENDMENT NO. 6

On page 2, line 17, change "Section 2." to "Section 3."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 404—

BY REPRESENTATIVE ELLINGTON
AN ACT

To enact R.S. 11:428, relative to the Louisiana State Employees' Retirement System; to provide for purchase of service credit for certain federal service; to provide for the purchase price of such service credit; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Original House Bill No. 404 by Representative Ellington

AMENDMENT NO. 1

On page 1, at the end of line 20, delete "greater of:" and on page 2, at the beginning of line 1 delete "(a) The"

AMENDMENT NO. 2

On page 2, delete lines 3 through 5 in their entirety

AMENDMENT NO. 3

On page 2, between lines 8 and 9 insert the following:

"(4) No member shall receive service credit pursuant to this Section if he has service credit in a retirement plan for federal employees which duplicates the credit being purchased pursuant to this Section."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 411—

BY REPRESENTATIVE WOOTON
AN ACT

To amend and reenact R.S. 23:991, 992, 992.2, 995, and 996(A) and (B) and to enact Division 6 of Subpart A of Part VI of Chapter 1 of Title 14 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 14:100.21 through 100.24, R.S. 14:126.5, R.S. 23:991.1 and 992.3, R.S. 33:227 and 228, and Part XI of Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:460.31, relative to illegal aliens; to prohibit unlawfully harboring, concealing, transporting, or sheltering an alien; to provide with respect to unlawful solicitation for employment; to provide with respect to alien registration documents; to require employment verification through the federal E-Verify system; to prohibit public employers from contracting with certain persons; to create an immigration enforcement trust fund; to provide with respect to public assistance fraud; to provide for verification of citizenship; to provide for definitions; to provide for penalties; to provide for affirmative defenses; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 425—

BY REPRESENTATIVES STIAES, ABRAMSON, ARNOLD, AUSTIN, BADON, BISHOP, HENDERSON, LEGER, AND MORENO AND SENATORS MORRELL AND WILLARD-LEWIS
AN ACT

To amend and reenact R.S. 11:3821(B), (C)(introductory paragraph), and (D) and to enact R.S. 11:3821(E), relative to the Employees' Retirement System of the Sewerage and Water Board of the city of New Orleans, provides for governance of such system; to grant the board of trustees of such system jurisdiction, control, and management of the system; to provide with respect to membership of the board of trustees; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Retirement.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 475—

BY REPRESENTATIVE LORUSSO
AN ACT

To amend and reenact R.S. 38:330.12(B)(2) and 330.12.1(C)(1) as added by Acts 2010, No. 1014, Section 2, of the 2010 Regular Session of the Legislature and as amended by Acts 2010, No. 1014, Section 4 of the 2010 Regular Session of the Legislature, relative to non-flood assets; to provide relative to the proceeds from the sale of non-flood assets; to provide for membership of the Non-Flood Protection Asset Management Authority; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 475 by Representative Lorusso

AMENDMENT NO. 1

On page 1, at the beginning of line 18, delete the period "." and insert ", and any proceeds therefrom be paid within thirty days following the sale or transfer in a ratio of eighty percent of the proceeds to the Authority and twenty percent of the proceeds to the members of the class established in the matter of "Haspel and Davis, Milling and Planting, Co., Ltd., et al. vs. Board of Levee Commissioners" Docket No. 31-357 of the Twenty-fifth Judicial District Court for the Parish of Plaquemines, to satisfy the outstanding debt of the Orleans Levee District pursuant to the judgment dated December 11, 2000, and the settlement agreement homologated therein."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 495—

BY REPRESENTATIVE PEARSON AND SENATOR GAUTREAUX
AN ACT

To amend and reenact R.S. 11:102(B)(1) and to enact R.S. 11:102(D), relative to certain state retirement systems; to provide relative to employer contributions; to provide for direct appropriation of certain amortization payments; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Retirement.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 502—

BY REPRESENTATIVE PONTI
AN ACT

To enact R.S. 23:1377(G), relative to workers compensation; to provide with respect to the Second Injury Fund; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Labor and Industrial Relations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Labor and Industrial Relations to Original House Bill No. 502 by Representative Ponti

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "enact" delete "amend and reenact R.S. 23:1226(A), (B), (D), and (E) and 1377(A) and to"

Page 10 HOUSE

25th Day's Proceedings - June 7, 2011

AMENDMENT NO. 2

On page 1, line 3, change "23:1227 and 1377(G)" to "23:1377(G)"

AMENDMENT NO. 3

On page 1, line 3, after "compensation; to" delete the remainder of the line

AMENDMENT NO. 4

On page 1, delete line 4 in its entirety

AMENDMENT NO. 5

On page 1, line 7, after "Section 1." delete the remainder of the line

AMENDMENT NO. 6

On page 1, line 8, change "reenacted and R.S. 23:1227 and 1377(G) are" to "R.S. 23:1377(G) is"

AMENDMENT NO. 7

On page 1, delete lines 9 through 20

AMENDMENT NO. 8

Delete pages 2 through 5 in their entirety

AMENDMENT NO. 9

On page 6, delete lines 1 through 25 in their entirety

AMENDMENT NO. 10

On page 6, delete lines 27 through 29 in their entirety

AMENDMENT NO. 11

On page 7, delete lines 1 through 9 in their entirety

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 523—

BY REPRESENTATIVE GIROD JACKSON
AN ACT

To amend and reenact R.S. 13:477(introductory paragraph) and (24) and 621.24, relative to judicial district; to provide for the composition of the Twenty-Fourth Judicial District; to provide with respect to judges; to provide for certain elections and judicial vacancies in the Twenty-Fourth Judicial District Court; and to provide for related matters.

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 Original House Bill No. 523 by Representative Girod Jackson

AMENDMENT NO. 1

On page 2, line 23, after "judgeship" and before "which" insert "in election section two" and at the end of the line delete "other"

AMENDMENT NO. 2

On page 2, line 24, delete "than a vacancy in either Division C or Division P."

Rep. Rosalind Jones moved adoption of the amendment.

Rep. Lopinto objected.

As a substitute motion, Rep. Girod Jackson moved the bill be recommitted to the Committee on House and Governmental Affairs, which motion was agreed to.

Speaker Tucker in the Chair

HOUSE BILL NO. 572—

BY REPRESENTATIVE BARROW
AN ACT

To enact R.S. 32:295.3.1, relative to motor vehicles; to permit day care centers to have a child safety alarm installed in vehicles it uses to transport children; to require that an owner or director of a day care center ensure proper maintenance and good working order of child safety alarms; to provide definitions; to require the Department of Children and Family Services to promulgate rules and procedures requiring the installation of child safety alarms in vehicles owned and operated by a day care center and used to transport children; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Engrossed House Bill No. 572 by Representative Barrow

AMENDMENT NO. 1

On page 1, line 2, delete "require certain" and insert "permit"

AMENDMENT NO. 2

On page 1, line 13, after "R.S. 46:1403", delete the remainder of the line

AMENDMENT NO. 3

On page 1, line 14, delete "levels in the Quality Start Child Care Rating System shall" and insert "may"

AMENDMENT NO. 4

On page 1, line 19, after "who" delete the remainder of the line

AMENDMENT NO. 5

On page 1, line 20, delete "Section to" and insert "elects to"

AMENDMENT NO. 6

On page 2, line 12, after "May 31, 2012," delete the remainder of the line

AMENDMENT NO. 7

On page 2, line 13, delete "Care Rating System to require" and insert "relative to"

AMENDMENT NO. 8

On page 2, line 15, after "from day care centers" delete the remainder of the line

AMENDMENT NO. 9

On page 2, delete line 16 in its entirety and insert a period "." in lieu thereof

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 629—
BY REPRESENTATIVE ELLINGTON
AN ACT

To enact R.S. 22:832.1 and Chapter 55 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:3110 through 3117, relative to tax credits; to establish the Louisiana Entrepreneurial Assistance and Development Program to provide a credit against insurance premium tax for certain venture capital investors; to provide for administration of the program by the Department of Economic Development; to provide for applications and to establish criteria for approval; to establish criteria for investments; to provide for reporting; to provide for other requirements and limitations; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 411—
BY REPRESENTATIVE WOOTON
AN ACT

To amend and reenact R.S. 23:991, 992, 992.2, 995, and 996(A) and (B) and to enact Division 6 of Subpart A of Part VI of Chapter 1 of Title 14 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 14:100.21 through 100.24, R.S. 14:126.5, R.S. 23:991.1 and 992.3, R.S. 33:227 and 228, and Part XI of Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:460.31, relative to illegal aliens; to prohibit unlawfully harboring, concealing, transporting, or sheltering an alien; to provide with respect to unlawful solicitation for employment; to provide with respect to alien registration documents; to require employment verification through the federal E-Verify system; to prohibit public employers from contracting with certain persons; to create an immigration enforcement trust fund; to provide with respect to public assistance fraud; to provide for verification of citizenship; to provide for definitions; to provide for penalties;

to provide for affirmative defenses; and to provide for related matters.

Called from calendar.

Read by title.

Reported with amendments by the Committee on Labor and Industrial Relations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Labor and Industrial Relations to Original House Bill No. 411 by Representative Wooton

AMENDMENT NO. 1

On page 1, line 2, after "(B)" and before "and" insert "and R.S. 51:712(E)"

AMENDMENT NO. 2

On page 1, at the end of line 6, add "and R.S. 51:712(F),"

AMENDMENT NO. 3

On page 1, line 9, after "employment;" and before "to" insert "to provide relative to mutual funds controlled by foreign law;"

AMENDMENT NO. 4

On page 16, between lines 13 and 14, insert the following:

"Section 5. R.S. 51:712(E) is hereby amended and reenacted and R.S. 51:712(F) is hereby enacted to read as follows:

§712. Unlawful practices

* * *

E. For any rule, regulation, or order promulgated or issued by the commissioner under this Part:

(1) If a mutual fund, when offered, sold, or purchased in this state is subject to, bound by, or otherwise controlled by a foreign law, in which any part of that foreign law, relevant to the security or not, would violate an existing state or federal law if applied in this state, each provision, rule, regulation, or procedure of that foreign law that would violate an existing state or federal law if applied in this state is a material fact which must be disclosed in order to make the statements clear in the light of the circumstances under which they were made.

(2) Failure to disclose a material fact as set forth in Paragraph (1) of this Subsection shall constitute fraud or deceit.

(3) The provisions of this Subsection shall not be construed to limit the scope of Subsections A through D of this Section.

F. (1) For purposes of this Subsection, the following terms shall have the meanings set forth below:

(a) "Allocated share" shall mean any plan security held by a trustee, beneficially or of record, that is allocated to the account of a participant.

(b) "Foreign law" shall mean any law or administrative rule, regulation, or accepted and binding custom given legal effect in any

jurisdiction outside of the United States and its territories, or any religious or tribal law, edict, or code.

(c) "Investment plan" shall mean any plan, trust or similar arrangement that invests in securities and that satisfies each of the following requirements:

(i) At least ten percent of the total number of participants are residents of or domiciled in this state.

(ii) The trustee or a majority of the trustees are residents of or domiciled in this state.

(d) "Issuing corporation" shall mean the issuer of a particular plan security.

(e) "Participants" shall mean all persons who have accounts in an investment plan.

(f) "Plan documents" shall mean the documents and other instruments pursuant to which an investment plan is established and governed.

(g) "Plan security" shall mean any security that is held beneficially or of record by a trustee, whether such security is at the time an allocated share, unallocated share or uninstructed share.

(h) "Trustee" shall mean the natural person, natural persons, entity or entities named as trustee or trustees under the terms of an investment plan, in the capacity as such.

(i) "Unallocated share" shall mean any plan security held by a trustee, beneficially or of record, that is not allocated to the account of a participant.

(j) "Uninstructed share" shall mean any allocated share as to which the trustee has not received, from the participant to whose account such share is allocated, instructions as to how to vote such allocated share in a matter properly submitted to the vote of the shareholders of the issuing corporation.

(2) If, with respect to any investment plan:

(a) The plan documents provide that participants have the right to direct in a confidential manner:

(i) Whether any plan securities will be tendered in response to a tender or exchange offer for such plan securities.

(ii) How any plan securities shall be voted on any particular matter to come before a vote of shareholders of the issuing corporation; and

(b) A valid tender or exchange offer has been made for plan securities or a matter has come before the vote of the shareholders of an issuing corporation relating, directly or indirectly, to the possible offer or sale of plan securities, whether pursuant to:

(i) A merger or consolidation of the issuing corporation with or into any other person.

(ii) The sale of all or substantially all of the assets of the issuing corporation.

(iii) The liquidation or dissolution of the issuing corporation.

(iv) A contested election of directors of the issuing corporation.

(v) The removal or adoption of any defensive devices by the issuing corporation, or otherwise, then, it shall be unlawful for the

trustee not to permit participants to tender or direct the voting of the plan securities in the manner set forth in the plan documents, and the trustee shall have no authority or discretion whatsoever to tender or vote, as the case may be, any plan securities in any manner inconsistent with or contrary to the specific instructions of the participants relating to such plan securities."

AMENDMENT NO. 5

On page 16, line 14, change "Section 5" to "Section 6"

On motion of Rep. Ponti, the amendments were rejected.

Under the rules, the above bill was ordered engrossed and recommitted to the Committee on Appropriations.

**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. 1—

BY SENATORS ADLEY, ALARIO, BROOME, CHEEK, CROWE, DONAHUE, JACKSON, LAFLEUR, LONG, MARIONNEAUX, MICHOT, MURRAY, THOMPSON AND WALSWORTH

AN ACT

To enact R.S. 29:26.1 and to repeal R.S. 22:941(A)(5), relative to death and disability benefits for Louisiana National Guardsmen activated by the governor or the president; to remove authority for certain lump sum payments of death and permanent disability benefits for Louisiana National Guardsmen activated by the governor or the President of the United States; to provide for an effective date; and to provide for related matters.

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 Reengrossed Senate Bill No. 1 by Senator Adley

AMENDMENT NO. 1

On page 2, line 27, change "Qualifying" to "Qualified"

AMENDMENT NO. 2

On page 3, line 27, after "by" and before "United" delete "the" and insert a colon ":" and "(i) The"

AMENDMENT NO. 3

On page 3, at the end of line 29, delete the period "." and insert a semi colon ";" and insert "or"

AMENDMENT NO. 4

On page 4, delete line 1 in its entirety and insert the following:

"(ii) The proper state entity that"

AMENDMENT NO. 5

On page 4, at the beginning of line 5, change "(d)" to "(c)"

On motion of Rep. Rosalind Jones, the amendments were adopted.

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

SENATE BILL NO. 203—

BY SENATORS PETERSON, DORSEY, ERDEY, JACKSON, MARIONNEAUX, MORRELL, RISER, SHAW AND WILLARD-LEWIS
AN ACT

To enact Subpart BB of Part I of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:120.96, relative to state individual income tax return checkoffs for certain donations; to provide for a method for individuals to donate a portion of any refund due to them to the Louisiana Food Bank Association; to provide for the disposition of such donated monies; to establish the Louisiana Food Bank Association Fund as a special escrow fund in the state treasury; to provide for the administration and use of monies in the fund; to authorize the treasurer to make certain deposits into the fund; to provide for an effective date; and to provide for related matters

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Engrossed Senate Bill No. 203 by Senator Peterson

AMENDMENT NO. 1

On page 1, at the beginning of line 16, after "A." insert "(1)"

AMENDMENT NO. 2

On page 2, between lines 8 and 9, insert the following:

"(2) Other Donations. Every individual who files an individual income tax return for the current tax year and who owes additional income tax may, in addition to payment of that tax liability, make and pay an additional donation of money to the Louisiana Food Bank Association. The donation shall be made at the time of filing the current year tax return and shall be made upon the income tax return form as prescribed by the secretary. No donation made under the provisions of this Part shall be invalid for want of an authenticic."

AMENDMENT NO. 3

On page 2, line 9, after "state" and before "a" delete "treasurer" and insert "treasury"

AMENDMENT NO. 4

On page 2, at the beginning of line 14, insert "state"

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

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

Reconsideration

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

HOUSE BILL NO. 641 (Substitute for House Bill No. 544 by Representative Rosalind Jones)—

BY REPRESENTATIVE ROSALIND JONES
AN ACT

To amend and reenact R.S. 47:301(4)(h) and 302(K)(5) and to enact R.S. 47:301(4)(m), relative to sales and use tax; to provide with respect to dealers; to provide for certain definitions; to provide a method for reporting and remitting taxes by certain dealers; and to provide for related matters.

Read by title.

On motion of Rep. Rosalind Jones, the vote by which the above House Bill failed to pass on the previous legislative day was reconsidered.

Returned to the calendar under the rules.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Rosalind Jones gave notice of her intention to call House Bill No. 641 from the calendar on Thursday, June 9, 2011.

Suspension of the Rules

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

House Bills and Joint Resolutions on Third Reading and Final Passage

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

Regular Calendar

HOUSE BILL NO. 14—

BY REPRESENTATIVE HONORE
AN ACT

To amend and reenact R.S. 14:95(H), relative to the crime of illegal carrying of weapons; to provide for an exception for justices or judges of federal courts domiciled in Louisiana; and to provide for related matters.

Read by title.

Rep. Honore 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	Guillory	Moreno
Armes	Guinn	Morris
Arnold	Hardy	Norton
Aubert	Harrison	Nowlin
Badon, B.	Hazel	Pearson
Baldone	Henderson	Ponti
Barras	Henry	Pope
Barrow	Hensgens	Pugh
Billiot	Hill	Richard
Bishop	Hines	Richardson
Brossett	Hoffmann	Ritchie

Page 14 HOUSE

25th Day's Proceedings - June 7, 2011

Burford	Honore	Roy
Burns, H.	Howard	Schroder
Burrell	Huval	Simon
Carter	Jackson, G.	Smiley
Champagne	Jackson, M.	Smith, G.
Chandler	Johnson	Smith, J.
Chaney	Jones, R.	Smith, P.
Connick	Katz	St. Germain
Cortez	LaBruzzo	Stiaes
Danahay	LaFonta	Talbot
Dixon	Lambert	Templet
Doerge	Landry	Thibaut
Downs	Leger	Thierry
Edwards	Ligi	White
Ellington	Little	Williams
Foil	Lopinto	Willmott
Franklin	Lorusso	Wooton
Gallot	McVea	

Total - 92

NAYS

Total - 0

ABSENT

Badon, A.	Fannin	LeBas
Burns, T.	Greene	Robideaux
Carmody	Hutter	Seabaugh
Cromer	Jones, S.	
Dove	Kleckley	

Total - 13

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Consent to Correct a Vote Record

Rep. Champagne requested the House consent to record her vote on final passage of House Bill No. 14 as yea, which consent was unanimously granted.

HOUSE BILL NO. 97—
BY REPRESENTATIVE HOFFMANN
AN ACT

To amend and reenact R.S. 17:3351(A)(5)(d)(i), relative to the assessment of operational fees at public institutions of postsecondary education; to provide relative to the powers of public postsecondary education management boards to assess operational fees; to provide relative to operational fee amounts; to provide limitations; to provide an effective date; and to provide for related matters.

Read by title.

Rep. Hoffmann moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Chaney	Guillory	Nowlin
Downs	Hoffmann	Ponti
Foil	LaFonta	Pugh

Total - 9

NAYS

Mr. Speaker	Fannin	Lorusso
Abramson	Franklin	McVea
Anders	Gallot	Monica
Arnes	Geymann	Montoucet
Arnold	Gisclair	Moreno
Aubert	Guinn	Morris
Badon, A.	Hardy	Norton
Badon, B.	Hazel	Pope
Baldone	Henderson	Richard
Barras	Henry	Richardson
Barrow	Hensgens	Ritchie
Billiot	Hill	Robideaux
Bishop	Hines	Roy
Brossett	Howard	Seabaugh
Burford	Hutter	Simon
Burns, H.	Huval	Smiley
Burrell	Jackson, G.	Smith, G.
Carter	Jackson, M.	Smith, J.
Champagne	Johnson	Smith, P.
Chandler	Jones, R.	St. Germain
Connick	Katz	Stiaes
Cortez	Lambert	Talbot
Danahay	Landry	Templet
Dixon	LeBas	Thibaut
Doerge	Leger	White
Dove	Ligi	Williams
Edwards	Little	Willmott
Ellington	Lopinto	Wooton

Total - 84

ABSENT

Burns, T.	Harrison	LaBruzzo
Carmody	Honore	Pearson
Cromer	Jones, S.	Schroder
Greene	Kleckley	Thierry

Total - 12

The chair declared the above bill, not having received a two-thirds vote of the elected members, failed to pass.

Rep. Roy 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.

Consent to Correct a Vote Record

Rep. Hardy requested the House consent to correct his vote on final passage of House Bill No. 97 from yea to nay, which consent was unanimously granted.

Consent to Correct a Vote Record

Rep. Chandler requested the House consent to record his vote on final passage of House Bill No. 97 as nay, which consent was unanimously granted.

HOUSE BILL NO. 111—
BY REPRESENTATIVE WOOTON
AN ACT

To amend and reenact Code of Criminal Procedure Article 895.1(F)(introductory paragraph), relative to fees for supervised probation; to provide for an increase in the supervised probation fees dedicated to the Sex Offender Registry Technology Fund; and to provide for related matters.

Read by title.

Rep. Wooton moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Franklin	McVea
Anders	Gallot	Monica
Armes	Geymann	Montoucet
Arnold	Guillory	Moreno
Aubert	Guinn	Morris
Badon, A.	Hardy	Norton
Badon, B.	Harrison	Nowlin
Baldone	Hazel	Pearson
Barras	Hensgens	Ponti
Barrow	Hill	Pugh
Billiot	Hines	Richard
Bishop	Hoffmann	Richardson
Brossett	Honore	Ritchie
Burford	Howard	Robideaux
Burns, H.	Hutter	Roy
Burrell	Huval	Seabaugh
Carter	Jackson, G.	Smiley
Champagne	Johnson	Smith, G.
Chandler	Jones, R.	Smith, J.
Chaney	Katz	Smith, P.
Connick	Kleckley	St. Germain
Cortez	LaBruzzo	Stiaes
Danahay	LaFonta	Talbot
Dixon	Lambert	Thibaut
Doerge	Landry	Thierry
Dove	LeBas	White
Downs	Leger	Williams
Edwards	Ligi	Willmott
Ellington	Little	Wooton
Fannin	Lopinto	
Foil	Lorusso	
Total - 91		

NAYS

Total - 0

ABSENT

Mr. Speaker	Greene	Pope
Burns, T.	Henderson	Schroder
Carmody	Henry	Simon
Cromer	Jackson, M.	Templet
Gisclair	Jones, S.	
Total - 14		

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.

HOUSE BILL NO. 116—
BY REPRESENTATIVE STIAES

AN ACT

To amend and reenact Code of Criminal Procedure Article 926.1(H)(6) and to enact R.S. 15:621, relative to evidence in criminal cases; to prohibit the destruction of biological evidence in certain criminal cases; to provide for definitions; to provide for applicability; to provide for a limitation of liability for failure to comply; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Stiaes to Engrossed House Bill No. 116 by Representative Stiaes

AMENDMENT NO. 1

On page 2, at the end of line 12, add the following:

"Work product generated during DNA analysis shall not be considered biological evidence with the exception of the extracted DNA when the original biological evidence is consumed during analysis. In this event, the extracted DNA shall be retained."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Gallot	McVea
Anders	Geymann	Monica
Armes	Guillory	Montoucet
Arnold	Guinn	Moreno
Aubert	Hardy	Morris
Badon, A.	Harrison	Norton
Badon, B.	Hazel	Nowlin
Baldone	Henderson	Pearson
Barrow	Hensgens	Ponti
Billiot	Hill	Pope
Bishop	Hines	Pugh
Burford	Hoffmann	Richard
Burns, H.	Honore	Richardson
Burns, T.	Howard	Ritchie
Burrell	Hutter	Robideaux
Carter	Huval	Roy
Champagne	Jackson, G.	Schroder
Chandler	Jackson, M.	Seabaugh
Chaney	Johnson	Simon
Connick	Jones, R.	Smiley
Cortez	Katz	Smith, G.
Danahay	Kleckley	Smith, J.
Dixon	LaBruzzo	Smith, P.
Doerge	LaFonta	St. Germain
Dove	Lambert	Stiaes
Downs	Landry	Talbot
Edwards	Leger	Thibaut
Ellington	Ligi	Thierry
Fannin	Little	White
Foil	Lopinto	Williams
Franklin	Lorusso	Willmott
Total - 93		

NAYS

Total - 0

ABSENT

Mr. Speaker	Cromer	Jones, S.
Barras	Gisclair	LeBas
Brossett	Greene	Templet
Carmody	Henry	Wooton
Total - 12		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 138—
BY REPRESENTATIVE PATRICIA SMITH
AN ACT

To enact R.S. 15:574.4(A)(4), relative to parole; to provide for eligibility for parole consideration for certain inmates who are at least sixty years of age and have met certain conditions; to provide for exceptions; and to provide for related matters.

Read by title.

Speaker Pro Tempore Robideaux in the Chair

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Smiley to Engrossed House Bill No. 138 by Representative Patricia Smith

AMENDMENT NO. 1

On page 1, at the beginning of line 17, change "sixty" to "sixty-five"

Rep. Smiley moved the adoption of the amendments.

Rep. Patricia Smith objected.

By a vote of 44 yeas and 45 nays, the amendments were rejected.

Rep. Patricia Smith moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Armes	Franklin	McVea
Arnold	Gallot	Monica
Aubert	Gisclair	Montoucet
Badon, A.	Guillory	Moreno
Badon, B.	Hardy	Norton
Baldone	Harrison	Nowlin
Barras	Henderson	Ponti
Barrow	Hensgens	Pope
Bishop	Hill	Richardson
Brossett	Hines	Ritchie
Burns, H.	Hoffmann	Roy
Burrell	Honore	Smith, G.
Carmody	Howard	Smith, P.
Carter	Huval	St. Germain
Chaney	Jackson, M.	Stiaes
Danahay	Jones, R.	Thibaut
Dixon	Katz	Thierry
Doerge	LaFonta	White
Downs	Lambert	Williams
Edwards	LeBas	Willmott
Ellington	Leger	Wooton
Foil	Ligi	
Total - 65		

NAYS

Abramson	Hazel	Pearson
Billiot	Henry	Schroder
Burford	Hutter	Seabaugh
Burns, T.	Johnson	Simon
Chandler	Landry	Smiley
Connick	Little	Talbot
Cortez	Lopinto	Templet
Dove	Lorusso	
Fannin	Morris	
Total - 25		

ABSENT

Mr. Speaker	Greene	LaBruzzo
Anders	Guinn	Pugh
Champagne	Jackson, G.	Richard
Cromer	Jones, S.	Robideaux
Geymann	Kleckley	Smith, J.
Total - 15		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 305—
BY REPRESENTATIVE LIGI
AN ACT

To enact Code of Criminal Procedure Article 881.6, relative to sentencing; to provide for the reduction of a sentence when the defendant assists in an investigation or prosecution; to provide for definitions; to provide for time periods; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Abramson to Engrossed House Bill No. 305 by Representative Ligi

AMENDMENT NO. 1

On page 1, delete lines 17 through 20 in their entirety and insert the following:

"C. If the court makes a determination to reduce the sentence to a time period which is less than the minimum sentence provided by law, that sentence shall not be imposed without the consent of the district attorney."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Foil	Montoucet
Armes	Franklin	Moreno

Arnold	Gisclair	Morris
Aubert	Guillory	Norton
Badon, A.	Guinn	Nowlin
Badon, B.	Harrison	Pearson
Baldone	Hazel	Ponti
Barras	Henderson	Pope
Barrow	Henry	Pugh
Billiot	Hensgens	Richard
Bishop	Hill	Richardson
Brossett	Hines	Ritchie
Burford	Hoffmann	Robideaux
Burns, H.	Honore	Roy
Burns, T.	Howard	Schroder
Burrell	Hutter	Seabaugh
Carmody	Huval	Simon
Carter	Jackson, M.	Smiley
Champagne	Johnson	Smith, G.
Chandler	Katz	Smith, J.
Chaney	Kleckley	Smith, P.
Connick	LaFonta	St. Germain
Cortez	Lambert	Stiaes
Danahay	Landry	Talbot
Dixon	LeBas	Templet
Doerge	Leger	Thibaut
Dove	Ligi	Thierry
Downs	Little	White
Edwards	Lopinto	Willmott
Ellington	Lorusso	Wooton
Fannin	Monica	
Total - 92		

NAYS

Total - 0

ABSENT

Mr. Speaker	Greene	LaBruzzo
Anders	Hardy	McVea
Cromer	Jackson, G.	Williams
Gallot	Jones, R.	
Geymann	Jones, S.	
Total - 13		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Ligi 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. 316—

BY REPRESENTATIVE BISHOP

AN ACT

To amend and reenact R.S. 14:95(F), relative to illegal carrying of weapons; to provide with respect to prior offenses; to authorize the use of convictions of state statutes and ordinances as predicate offenses for the purpose of increased penalties; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Bishop to Engrossed House Bill No. 316 by Representative Bishop

AMENDMENT NO. 1

On page 1, line 3, after "convictions of" delete the remainder of the line

AMENDMENT NO. 2

On page 1, line 12, delete "the laws of another state or"

AMENDMENT NO. 3

On page 1, line 13, after "state" and before "which" delete "or another state"

AMENDMENT NO. 4

On page 1, between lines 20 and 21 insert the following:

"(3) Any ordinance that prohibits the unlawful carrying of firearms enacted by a municipality, town, or similar political subdivision or governing authority of this state is subject to R.S. 40:1796."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Dixon	Landry
Armes	Edwards	LeBas
Arnold	Ellington	Leger
Aubert	Fannin	Lopinto
Badon, A.	Franklin	Monica
Baldone	Gallot	Montoucet
Barrow	Gisclair	Moreno
Billiot	Guillory	Norton
Bishop	Hensgens	Richard
Brossett	Hines	Ritchie
Burns, H.	Hoffmann	Smith, G.
Burrell	Honore	Smith, P.
Carmody	Howard	St. Germain
Chandler	Huval	Stiaes
Chaney	Jackson, M.	Thierry
Connick	Jones, R.	Williams
Danahay	LaFonta	
Total - 50		

NAYS

Badon, B.	Hutter	Richardson
Barras	Johnson	Roy
Burns, T.	Katz	Schroder
Carter	Kleckley	Seabaugh
Champagne	Lambert	Simon
Cortez	Ligi	Smiley
Doerge	Little	Talbot
Dove	Lorusso	Templet
Foil	Morris	Thibaut
Harrison	Nowlin	White
Hazel	Pearson	Willmott
Henry	Ponti	Wooton
Hill	Pope	
Total - 38		

ABSENT

Mr. Speaker	Greene	LaBruzzo
Anders	Guinn	McVea
Burford	Hardy	Pugh
Cromer	Henderson	Robideaux
Downs	Jackson, G.	Smith, J.
Geymann	Jones, S.	
Total - 17		

The Chair declared the above bill failed to pass.

Motion to reconsider pending.

HOUSE BILL NO. 321—
BY REPRESENTATIVES DOERGE, HENRY BURNS, FANNIN, MCVEA, MORRIS, JANE SMITH, AND WILLIAMS
AN ACT

To enact R.S. 33:3839, relative to Lake Bistineau; to provide for the authority of certain parish governing authorities to enter into a cooperative endeavor agreement to sell the waters of Lake Bistineau and its tributaries; to provide for terms; to provide for uses of revenue; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 345—
BY REPRESENTATIVE LAFONTA
AN ACT

To amend and reenact R.S. 22:1068(D) and 1074(D) and to enact R.S. 22:1061(5)(y) and Subpart B-1 of Part III of Chapter 4 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1060.1 through 1060.4, relative to health insurance; to provide with respect to coverage by a health benefit plan of prescription drugs, including through the use of a drug formulary; to provide relative to guaranteed renewability of coverage in the group and individual market with regard to modifications affecting drug coverage; to provide for applicability; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Doerge on behalf of the Legislative Bureau to Engrossed House Bill No. 345 by Representative LaFonta

AMENDMENT NO. 1

On page 6, line 3, following "not" and before "than" change "less" to "later"

AMENDMENT NO. 2

On page 6, line 17, following "not" and before "than" change "less" to "later"

AMENDMENT NO. 3

On page 6, line 19, following "shall" and before "to" change "only apply" to "apply only"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative LaFonta to Engrossed House Bill No. 345 by Representative LaFonta

AMENDMENT NO. 1

On page 2, at the end of line 1, delete the colon ":" and insert "which meets any of the following criteria:"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Lopinto to Engrossed House Bill No. 345 by Representative LaFonta

AMENDMENT NO. 1

On page 3, line 28, after "Notice" and before "that" insert a comma "," and insert "on a form approved by the Department of Insurance,"

AMENDMENT NO. 2

On page 6, line 1, after "notifies" and before "each" insert a comma "," and insert "on a form approved by the Department of Insurance,"

AMENDMENT NO. 3

On page 6, line 15, after "notifies" and before "each" insert a comma "," and insert "on a form approved by the Department of Insurance,"

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

Acting Speaker Arnold in the Chair

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

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Geymann	Lopinto
Armes	Gisclair	Lorusso
Arnold	Guillory	McVea
Aubert	Harrison	Monica
Badon, A.	Hazel	Montoucet
Badon, B.	Henderson	Moreno
Baldone	Henry	Norton
Barras	Hensgens	Pearson
Barrow	Hill	Ponti
Billiot	Hines	Richard
Bishop	Hoffmann	Richardson
Brossett	Honore	Ritchie
Burford	Howard	Roy
Burns, H.	Hutter	Schroder
Burrell	Huval	Seabaugh
Carmody	Jackson, G.	Smiley
Carter	Jackson, M.	Smith, G.
Chandler	Johnson	Smith, J.
Chaney	Jones, R.	Smith, P.
Connick	Kleckley	St. Germain

Cortez	LaFonta	Stiaes
Dixon	Lambert	Talbot
Doerge	Landry	Templet
Edwards	LeBas	Thibaut
Ellington	Leger	Thierry
Franklin	Ligi	Williams
Gallot	Little	Willmott
Total - 81		

NAYS

Foil	Pope	Wooton
Katz	Simon	
Total - 5		

ABSENT

Mr. Speaker	Downs	Morris
Anders	Fannin	Nowlin
Burns, T.	Greene	Pugh
Champagne	Guinn	Robideaux
Cromer	Hardy	White
Danahay	Jones, S.	
Dove	LaBruzzo	
Total - 19		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. LaFonta 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. 360—
BY REPRESENTATIVE STIAES
AN ACT

To amend and reenact R.S. 17:3973(2)(a), relative to charter schools; to provide relative to the definition of a charter school; to provide that certain types of charter schools may have a residential component; and to provide for related matters.

Read by title.

Rep. Stiaes moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Franklin	McVea
Armes	Gallot	Monica
Arnold	Geymann	Montoucet
Aubert	Gisclair	Moreno
Badon, A.	Guillory	Morris
Baldone	Harrison	Norton
Barras	Hazel	Nowlin
Barrow	Henderson	Pearson
Billiot	Hill	Ponti
Bishop	Hines	Richard
Brossett	Hoffmann	Richardson
Burford	Honore	Ritchie
Burns, H.	Howard	Roy
Burns, T.	Hutter	Schroder
Burrell	Huval	Seabaugh
Carmody	Jackson, G.	Simon
Carter	Jackson, M.	Smiley
Champagne	Johnson	Smith, G.
Chandler	Jones, R.	Smith, J.
Chaney	Katz	Smith, P.

Connick	Kleckley	St. Germain
Cortez	LaFonta	Stiaes
Danahay	Lambert	Talbot
Dixon	Landry	Templet
Doerge	LeBas	Thibaut
Dove	Leger	Thierry
Downs	Ligi	White
Edwards	Little	Williams
Ellington	Lopinto	Willmott
Fannin	Lorusso	Wooton
Total - 90		

NAYS

Total - 0

ABSENT

Mr. Speaker	Greene	Jones, S.
Anders	Guinn	LaBruzzo
Badon, B.	Hardy	Pope
Cromer	Henry	Pugh
Foil	Hensgens	Robideaux
Total - 15		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 448—
BY REPRESENTATIVE DOWNS
AN ACT

To enact R.S. 17:3129.9 and 3351.16, relative to tuition charges at certain postsecondary education institutions; to authorize the boards of supervisors of the Louisiana State University System, the Southern University System, the University of Louisiana System, and the Board of Supervisors of Community and Technical Colleges to establish and impose an additional tuition charge on a credit hour basis for students attending the institutions under the management and supervision of each respective board and to provide relative to such charges; to provide conditions; to provide for waivers; to provide requirements for the use of funds generated from the tuition charge; to require the Board of Regents to develop and adopt a tuition refund policy; to provide that such policy may include a withdrawal fee; to provide for an effective date; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 489—
BY REPRESENTATIVE SEABAUGH
AN ACT

To amend and reenact R.S. 40:1379.3(C)(3), relative to concealed handgun permits; to remove requirement that a person be a resident of Louisiana for six months prior to applying for a concealed handgun permit in order to be eligible for the permit; and to provide for related matters.

Read by title.

Rep. Seabaugh moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Guillory	Montoucet
Armes	Harrison	Moreno
Arnold	Hazel	Morris
Badon, B.	Henderson	Nowlin
Baldone	Henry	Pearson
Barras	Hensgens	Ponti
Billiot	Hill	Pope
Brossett	Hines	Richard
Burford	Hoffmann	Richardson
Burns, H.	Honore	Ritchie
Burns, T.	Howard	Roy
Burrell	Hutter	Schroder
Carmody	Huval	Seabaugh
Carter	Johnson	Simon
Champagne	Jones, R.	Smiley
Chandler	Katz	Smith, G.
Chaney	Kleckley	Smith, J.
Connick	LaFonta	St. Germain
Cortez	Lambert	Stiaes
Danahay	Landry	Talbot
Doerge	LeBas	Templet
Dove	Leger	Thibaut
Downs	Ligi	Thierry
Fannin	Little	Williams
Foil	Lopinto	Willmott
Franklin	Lorusso	Wooton
Geymann	McVea	
Gisclair	Monica	

Total - 82

NAYS

Aubert	Bishop	Norton
Badon, A.	Dixon	Smith, P.

Total - 6

ABSENT

Mr. Speaker	Gallot	Jones, S.
Anders	Greene	LaBruzzo
Barrow	Guinn	Pugh
Cromer	Hardy	Robideaux
Edwards	Jackson, G.	White
Ellington	Jackson, M.	

Total - 17

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Consent to Correct a Vote Record

Rep. Austin Badon requested the House consent to correct his vote on final passage of House Bill No. 489 from yea to nay, which consent was unanimously granted.

Consent to Correct a Vote Record

Rep. Bobby Badon requested the House consent to correct his vote on final passage of House Bill No. 489 from nay to yea, which consent was unanimously granted.

Consent to Correct a Vote Record

Rep. Champagne requested the House consent to record her vote on final passage of House Bill No. 489 as yea, which consent was unanimously granted.

Consent to Correct a Vote Record

Rep. Thibaut requested the House consent to record his vote on final passage of House Bill No. 489 as yea, which consent was unanimously granted.

HOUSE BILL NO. 560—

BY REPRESENTATIVE CARMODY
AN ACT

To amend and reenact R.S. 17:3139(E), relative to audits of public postsecondary education institutions by the legislative auditor; to require audits of information submitted by such institutions to the Board of Regents as indication of achievement of performance objectives; to provide relative to the timing and costs of such audits; and to provide for related matters.

Read by title.

Rep. Carmody moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Franklin	Monica
Armes	Gallot	Montoucet
Arnold	Geymann	Moreno
Aubert	Gisclair	Morris
Badon, A.	Guillory	Norton
Badon, B.	Harrison	Nowlin
Baldone	Hazel	Pearson
Barras	Henderson	Ponti
Barrow	Henry	Pope
Billiot	Hensgens	Pugh
Bishop	Hill	Richard
Brossett	Hines	Richardson
Burford	Hoffmann	Ritchie
Burns, H.	Honore	Roy
Burns, T.	Howard	Schroder
Burrell	Hutter	Seabaugh
Carmody	Huval	Simon
Carter	Jackson, G.	Smiley
Champagne	Johnson	Smith, G.
Chandler	Jones, R.	Smith, J.
Chaney	Katz	Smith, P.
Connick	Kleckley	St. Germain
Cortez	LaFonta	Stiaes
Danahay	Lambert	Talbot
Dixon	Landry	Templet
Doerge	LeBas	Thibaut
Dove	Leger	Thierry
Downs	Ligi	White
Edwards	Little	Williams
Ellington	Lopinto	Willmott
Fannin	Lorusso	Wooton
Foil	McVea	

Total - 95

NAYS

Total - 0

ABSENT

Mr. Speaker	Guinn	LaBruzzo
Anders	Hardy	Robideaux
Cromer	Jackson, M.	
Greene	Jones, S.	
Total - 10		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Carmody 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. 580—
BY REPRESENTATIVE HOFFMANN
AN ACT

To enact R.S. 17:8.3, 8.4, and 3996(B)(13) and to repeal R.S. 17:8 through 8.2, 351 through 353, and 415.1, relative to textbooks and other instructional materials; to provide relative to procedures for recommendation and purchasing; to provide relative to contracts with publishers; to provide relative to electronic versions; to provide relative to funding; and to provide for related matters.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Hoffmann gave notice of his intention to call House Bill No. 580 from the calendar on Wednesday, June 8, 2011.

HOUSE BILL NO. 582—
BY REPRESENTATIVE HONORE
AN ACT

To amend and reenact R.S. 13:477(32) and 621.32, relative to the Thirty-Second Judicial District; to provide for election sections for the Thirty-Second Judicial District; to provide for the assignment of judgeships for election purposes; to provide for the election of judges; 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

Abramson	Franklin	Moreno
Armes	Gallot	Morris
Arnold	Geymann	Norton
Aubert	Guinn	Nowlin
Badon, A.	Hardy	Richard
Baldone	Hines	Roy
Barrow	Honore	Smith, G.
Billiot	Jackson, G.	Smith, P.
Bishop	Jackson, M.	St. Germain
Brossett	Johnson	Stiaes
Burrell	Jones, R.	Thierry

Danahay	LaFonta	Williams
Dixon	Leger	Willmott
Edwards	Lopinto	
Total - 41		

NAYS

Mr. Speaker	Gisclair	Little
Badon, B.	Greene	Lorusso
Barras	Harrison	McVea
Burford	Hazel	Monica
Burns, T.	Henderson	Pearson
Carmody	Henry	Ponti
Carter	Hensgens	Pope
Champagne	Hill	Pugh
Chandler	Hoffmann	Richardson
Chaney	Howard	Schroder
Cortez	Hutter	Seabaugh
Doerge	Huval	Simon
Dove	Katz	Smiley
Downs	Kleckley	Smith, J.
Ellington	Lambert	Talbot
Fannin	Landry	White
Foil	Ligi	Wooton
Total - 51		

ABSENT

Anders	Jones, S.	Robideaux
Burns, H.	LaBruzzo	Templet
Connick	LeBas	Thibaut
Cromer	Montoucet	
Guillory	Ritchie	
Total - 13		

The Chair declared the above bill failed to pass.

Rep. Harrison 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.

Consent to Correct a Vote Record

Rep. Guinn requested the House consent to record his vote on final passage of House Bill No. 582 as yea, which consent was unanimously granted.

HOUSE BILL NO. 448—
BY REPRESENTATIVE DOWNS
AN ACT

To enact R.S. 17:3129.9 and 3351.16, relative to tuition charges at certain postsecondary education institutions; to authorize the boards of supervisors of the Louisiana State University System, the Southern University System, the University of Louisiana System, and the Board of Supervisors of Community and Technical Colleges to establish and impose an additional tuition charge on a credit hour basis for students attending the institutions under the management and supervision of each respective board and to provide relative to such charges; to provide conditions; to provide for waivers; to provide requirements for the use of funds generated from the tuition charge; to require the Board of Regents to develop and adopt a tuition refund policy; to provide that such policy may include a withdrawal fee; to provide for an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Downs to Engrossed House Bill No. 448 by Representative Downs

AMENDMENT NO. 1

On page 1, line 2, after "to" and before "at" change "tuition charges" to "fees"

AMENDMENT NO. 2

On page 1, line 3, after "institutions;" and before "the boards" delete "to authorize" and insert the following:

"to require the Board of Regents to develop and adopt a uniform course withdrawal and tuition refund policy; to provide that such policy may include a withdrawal fee; to require"

AMENDMENT NO. 3

On page 1, delete line 6 and insert "implement the uniform course withdrawal and tuition refund policy for students"

AMENDMENT NO. 4

On page 1, delete lines 8 through 11 in their entirety and insert "board; to provide for an effective"

AMENDMENT NO. 5

On page 1, line 15, after "Uniform" and before "tuition" insert "course withdrawal and"

AMENDMENT NO. 6

On page 1, line 17, after "uniform" delete the remainder of the line and insert "course withdrawal and tuition refund policy. Such"

AMENDMENT NO. 7

On page 1, delete line 19 and on page 2, delete lines 1 and 2 and insert the following:

"tuition per semester credit hour for each credit hour withdrawn above twelve hours for undergraduate level courses or the equivalent for alternative academic calendars and degree levels. For purposes of this Section, tuition per semester credit hour shall be defined as one-twelfth of the tuition charge for twelve semester credit hours for undergraduate level courses or the equivalent for alternative academic calendars and degree levels."

AMENDMENT NO. 8

On page 2, line 4, after "boards;" delete the remainder of the line and delete line 5, and insert "course withdrawal and tuition refund policy; fees; conditions"

AMENDMENT NO. 9

On page 2, line 12, after "Colleges," delete the remainder of the line and delete lines 13 through 19 in their entirety and insert the following:

"shall implement the uniform course withdrawal and tuition refund policy as provided for in R.S. 17:3129.9 at all of its institutions prior to imposing any withdrawal fee charges authorized by the policy."

AMENDMENT NO. 10

On page 2, line 20, after "any" and before "pursuant" change "additional tuition charge" to "course withdrawal fee"

AMENDMENT NO. 11

On page 2, at the beginning of line 22, change "additional tuition charges" to "fees"

AMENDMENT NO. 12

On page 2, line 24, after "the" and before "in" change "additional charges" to "fees"

AMENDMENT NO. 13

On page 2, line 25, after "of the" and before "and" change "charges" to "fees"

AMENDMENT NO. 14

On page 3, delete lines 1 through 3 in their entirety

Speaker Tucker in the Chair

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

Motion

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

HOUSE BILL NO. 167—

BY REPRESENTATIVES HOWARD AND SMILEY
AN ACT

To amend and reenact R.S. 32:57(A) and 125(D), to enact R.S. 32:171(F)(5) and to repeal R.S. 32:123(E), relative to penalties for traffic violations; to provide for enhanced penalties for failure to yield violations resulting in injury or death; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Smiley to Engrossed House Bill No. 167 by Representative Howard

AMENDMENT NO. 1

On page 2, at the beginning of line 12, change "twelve" to "six"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Abramson to Engrossed House Bill No. 167 by Representative Howard

AMENDMENT NO. 1

On page 2, delete line 17 and 18 in their entirety and insert the following:

"When penalties are imposed pursuant to Paragraph (2) of this Subsection for violations of R.S. 32:75, 79, 103, 104, 121, 122, 123, 124, 125, 171, 203, 212, or 219, penalties shall not be imposed pursuant to Paragraph (1) of this Subsection."

AMENDMENT NO. 2

On page 2, line 24, after "dollars." delete the remainder of the line and delete line 25 through 28 in their entirety and insert the following:

"When penalties are imposed pursuant to R.S. 32:57(A)(2) for violations of this Section, penalties shall not be imposed pursuant to this Section."

AMENDMENT NO. 3

On page 3, delete lines 7 through 10 in their entirety and insert the following:

"When penalties are imposed pursuant to R.S. 32:57(A)(2) for violations of this Section, penalties shall not be imposed pursuant to this Section."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Howard	Richard
Baldone	Jackson, M.	Simon
Burns, H.	Little	Smiley
Dixon	Morris	Smith, G.
Dove	Nowlin	Williams
Gallot	Pugh	
Total - 17		

NAYS

Mr. Speaker	Fannin	LeBas
Armes	Foil	Leger
Arnold	Franklin	Ligi
Aubert	Geymann	Lopinto
Badon, A.	Gisclair	Lorusso
Badon, B.	Greene	Monica
Barras	Guinn	Montoucet
Barrow	Harrison	Moreno
Billiot	Hazel	Norton
Bishop	Henry	Pearson
Brossett	Hensgens	Pope
Burford	Hill	Richardson
Burns, T.	Hines	Roy
Burrell	Hoffmann	Schroder
Carmody	Honore	Seabaugh
Carter	Hutter	Smith, P.
Champagne	Huval	St. Germain
Chandler	Jackson, G.	Stiaes
Chaney	Johnson	Talbot
Connick	Jones, R.	Templet
Cortez	Katz	Thibaut

Danahay	LaBruzzo	Thierry
Doerge	LaFonta	White
Edwards	Lambert	Willmott
Ellington	Landry	Wooton
Total - 75		

ABSENT

Anders	Henderson	Ritchie
Cromer	Jones, S.	Robideaux
Downs	Kleckley	Smith, J.
Guillory	McVea	
Hardy	Ponti	
Total - 13		

The Chair declared the above bill failed to pass.

HOUSE BILL NO. 170—

BY REPRESENTATIVE GARY SMITH
AN ACT

To repeal R.S. 3:2475(D), relative to the sterilization requirements for pet overpopulation control; to repeal the exception for dog or cat adopters to provide written agreement for offspring care obligation.

Called from the calendar.

Read by title.

Rep. Gary Smith moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Franklin	Lopinto
Abramson	Gallot	Lorusso
Armes	Geymann	Monica
Arnold	Gisclair	Montoucet
Aubert	Greene	Moreno
Badon, A.	Guillory	Morris
Badon, B.	Guinn	Norton
Baldone	Hardy	Nowlin
Barras	Harrison	Pearson
Barrow	Hazel	Pope
Billiot	Henderson	Pugh
Bishop	Henry	Richard
Brossett	Hensgens	Richardson
Burford	Hill	Ritchie
Burns, H.	Hines	Roy
Burns, T.	Hoffmann	Schroder
Burrell	Honore	Seabaugh
Carmody	Howard	Simon
Carter	Hutter	Smiley
Champagne	Huval	Smith, G.
Chandler	Jackson, G.	Smith, P.
Chaney	Jackson, M.	St. Germain
Connick	Johnson	Stiaes
Cortez	Jones, R.	Talbot
Danahay	Katz	Templet
Dixon	LaBruzzo	Thibaut
Doerge	LaFonta	Thierry
Dove	Lambert	White
Downs	Landry	Williams
Edwards	LeBas	Willmott
Ellington	Leger	Wooton
Fannin	Ligi	
Foil	Little	
Total - 97		

Page 24 HOUSE

25th Day's Proceedings - June 7, 2011

NAYS

Total - 0

ABSENT

Anders	Kleckley	Robideaux
Cromer	McVea	Smith, J.
Jones, S.	Ponti	
Total - 8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Gary Smith 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. 575—
BY REPRESENTATIVE FANNIN
AN ACT

To amend and reenact R.S. 18:402(E)(introductory paragraph) and 601(A), relative to state legislative vacancies; to provide relative to elections to fill state legislative vacancies; to require such elections to be held on certain dates; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Fannin to Engrossed House Bill No. 575 by Representative Fannin

AMENDMENT NO. 1

On page 1, line 18, after "A." and before "If" insert "(1)"

AMENDMENT NO. 2

On page 2, between lines 17 and 18, insert the following:

"(2) Notwithstanding the provisions of Paragraph (1) of this Subsection or R.S. 18:402, if a vacancy in the office of state legislator occurs less than sixty days before the convening of a legislative session and if six months or more of the term remains unexpired, then within ten days of the vacancy occurring, the presiding officer of the house in which the vacancy occurs shall determine the dates of the primary and general elections and the dates of the qualifying period for the election and shall issue a proclamation advising of the vacancy and setting forth the election dates and dates of the qualifying period for candidates. However, if the deadline for issuing the proclamation falls on a Saturday, Sunday, or other legal holiday, then the next day which is not a Saturday, Sunday, or legal holiday shall be deemed to be the final day for issuing such proclamation. The speaker of the House of Representatives or the president of the Senate shall immediately forward such information to the secretary of state, who shall within twenty-four hours after receipt of the information notify all election officials having any duty to perform in connection with a special election to fill such vacancy, including the parish boards of election supervisors for the parish or parishes in which the vacancy occurred. The secretary of state shall also publish the proclamation in the official journal of each parish in which the election is to be held."

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

Motion

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

HOUSE BILL NO. 621—
BY REPRESENTATIVE TALBOT
AN ACT

To enact R.S. 47:6038, relative to tax credits; to authorize a tax credit against any Louisiana income or corporation franchise tax for certain donations to certain school tuition organizations; to provide for definitions, requirements, and limitations; to provide for the amount, approval, and issuance of tax credits; to authorize the Department of Revenue to conduct audits; to authorize the promulgation of rules and regulations; to provide for an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Talbot to Engrossed House Bill No. 621 by Representative Talbot

AMENDMENT NO. 1

On page 1, line 10, after "credits;" and before "to school" delete "contributions" and insert "donations"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Nowlin to Engrossed House Bill No. 621 by Representative Talbot

AMENDMENT NO. 1

On page 6, line 4, after "year" change the semi-colon ";" to a period "."

AMENDMENT NO. 2

On page 6, delete lines 5 through 7 in their entirety

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Rosalind Jones to Engrossed House Bill No. 621 by Representative Talbot

AMENDMENT NO. 1

On page 3, at the end of line 20, insert the following:

"If a qualified student transfers to a public school in Louisiana, the qualifying school shall remit the prorated amount of the scholarship to the public school in which the qualified student transfers."

On motion of Rep. Rosalind Jones, the amendments were adopted.

Acting Speaker Aubert in the Chair

Speaker Tucker in the Chair

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Foil	Lorusso
Abramson	Geymann	Moreno
Arnold	Greene	Morris
Aubert	Guinn	Nowlin
Badon, A.	Hazel	Ponti
Barras	Henderson	Richard
Burford	Henry	Richardson
Burns, H.	Hines	Robideaux
Burns, T.	Hutter	Roy
Carmody	Katz	Seabaugh
Carter	Kleckley	Simon
Champagne	LaBruzzo	Smith, J.
Chaney	Lambert	Talbot
Cannick	Landry	Templet
Cortez	Ligi	Thibaut
Danahay	Little	White
Ellington	Lopinto	
Total - 50		

NAYS

Armes	Hardy	Norton
Badon, B.	Hensgens	Pearson
Barrow	Hill	Pope
Billiot	Hoffmann	Ritchie
Brossett	Honore	Schroder
Burrell	Howard	Smiley
Chandler	Huval	Smith, G.
Dixon	Jackson, G.	Smith, P.
Doerge	Jackson, M.	Stiaes
Edwards	Johnson	Thierry
Fannin	LaFonta	Williams
Franklin	LeBas	Willmott
Gallot	Leger	Wooton
Gisclair	Montoucet	
Total - 41		

ABSENT

Anders	Downs	McVea
Baldone	Guillory	Monica
Bishop	Harrison	Pugh
Cromer	Jones, R.	St. Germain
Dove	Jones, S.	
Total - 14		

The Chair declared the above bill failed to pass.

Consent to Correct a Vote Record

Rep. Willmott requested the House consent to correct his vote on final passage of House Bill No. 621 from yea to nay, which consent was unanimously granted.

HOUSE BILL NO. 575—

BY REPRESENTATIVE FANNIN

AN ACT

To amend and reenact R.S. 18:402(E)(introductory paragraph) and 601(A), relative to state legislative vacancies; to provide relative to elections to fill state legislative vacancies; to require such elections to be held on certain dates; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Fannin to Engrossed House Bill No. 575 by Representative Fannin

AMENDMENT NO. 1

On page 1, line 18, after "A." and before "If" insert "(1)"

AMENDMENT NO. 2

On page 2, between lines 17 and 18, insert the following:

"(2) Notwithstanding the provisions of Paragraph (1) of this Subsection or R.S. 18:402, if a vacancy in the office of state legislator occurs and if six months or more of the term remains unexpired and in the discretion of the presiding officer of the house of the legislature in which the vacancy occurs a person may be elected and serve during a session of the legislature which occurs prior to the next regularly scheduled election dates provided in R.S. 18:402, then within ten days of the vacancy occurring, the presiding officer of the house in which the vacancy occurs shall determine the dates of the primary and general elections and the dates of the qualifying period for the election and shall issue a proclamation advising of the vacancy and setting forth the election dates and dates of the qualifying period for candidates. However, if the deadline for issuing the proclamation falls on a Saturday, Sunday, or other legal holiday, then the next day which is not a Saturday, Sunday, or legal holiday shall be deemed to be the final day for issuing such proclamation. The speaker of the House of Representatives or the president of the Senate shall immediately forward such information to the secretary of state, who shall within twenty-four hours after receipt of the information notify all election officials having any duty to perform in connection with a special election to fill such vacancy, including the parish boards of election supervisors for the parish or parishes in which the vacancy occurred. The secretary of state shall also publish the proclamation in the official journal of each parish in which the election is to be held."

Acting Speaker Jane Smith in the Chair

Speaker Tucker in the Chair

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Ellington	Little
Abramson	Fannin	Lopinto
Armes	Franklin	Lorusso

Arnold	Gallot	Monica
Aubert	Geymann	Montoucet
Badon, B.	Gisclair	Moreno
Baldone	Greene	Morris
Barras	Guillory	Nowlin
Billiot	Guinn	Pearson
Brossett	Hardy	Ponti
Burford	Henderson	Pugh
Burns, H.	Henry	Richard
Burns, T.	Hensgens	Richardson
Carmody	Hill	Ritchie
Carter	Hoffmann	Schroder
Champagne	Honore	Seabaugh
Chandler	Howard	Simon
Chaney	Huval	Smiley
Connick	Jackson, G.	Smith, G.
Cortez	Jones, R.	Smith, J.
Danahay	LaBruzzo	Talbot
Doerge	Landry	Thibaut
Dove	LeBas	Thierry
Downs	Leger	Williams
Edwards	Ligi	Willmott
Total - 75		

NAYS

Badon, A.	Hutter	Pope
Barrow	Jackson, M.	Roy
Burrell	Johnson	Smith, P.
Foil	Katz	Stiaes
Hazel	LaFonta	Wooton
Hines	Norton	
Total - 17		

ABSENT

Anders	Jones, S.	St. Germain
Bishop	Kleckley	Templet
Cromer	Lambert	White
Dixon	McVea	
Harrison	Robideaux	
Total - 13		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. LaBruzzo gave notice of his intention to call House Bill No. 645 from the calendar on Wednesday, June 8, 2011.

Acting Speaker Leger in the Chair

Suspension of the Rules

On motion of Rep. Robideaux, 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
ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS

June 7, 2011

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 No. 62

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

SIGNED SENATE CONCURRENT RESOLUTIONS

June 7, 2011

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. 48, 50, 51, 52, 53 and 54

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.

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. 74—
BY REPRESENTATIVE GUILLORY
A RESOLUTION

To commend the Louisiana State University-Eunice softball team upon winning the 2011 National Junior College Athletic Association Division II National Championship.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 157—
BY REPRESENTATIVE CARTER
A CONCURRENT RESOLUTION

To commend John Peterson of Louisiana State University upon winning the 2011 National Collegiate Athletic Association Division I Men's Golf Championship.

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. 158—
BY REPRESENTATIVE CARTER

A CONCURRENT RESOLUTION

To commend Austin Ernst of Louisiana State University upon winning the 2011 National Collegiate Athletic Association Division I Women's Golf Championship.

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. 159—
BY REPRESENTATIVE GUINN AND SENATOR MORRISH

A CONCURRENT RESOLUTION

To commend the Jennings High School track and field team upon being recognized by the Louisiana High School Athletic Association as the rightful winner of the Class 4A state championship in the boys 4x100 meter relay event.

Read by title.

On motion of Rep. Guinn, 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
Appropriations**

June 7, 2011

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on June 6, 2011, I am directed by your Committee on Appropriations to submit the following report:

House Bill No. 100, by Carter
Reported with amendments. (18-0) (Regular)

House Bill No. 143, by Lorusso
Reported favorably. (18-0) (Regular)

House Bill No. 306, by Richard
Reported with amendments. (20-0) (Regular)

House Bill No. 313, by Simon
Reported with amendments. (23-0) (Regular)

House Bill No. 364, by Roy
Reported with amendments. (19-0) (Regular)

House Bill No. 384, by Pearson (Joint Resolution)
Reported with amendments. (21-0) (Regular)

House Bill No. 435, by Pearson
Reported with amendments. (21-0) (Regular)

House Bill No. 516, by Leger
Reported favorably. (21-0) (Regular)

House Bill No. 571, by Robideaux
Reported with amendments. (19-0) (Regular)

House Bill No. 573, by Willmott
Reported with amendments. (21-0) (Regular)

House Bill No. 644, by Katz
Reported favorably. (20-0) (Regular)

JAMES R. "JIM" FANNIN
Chairman

**Report of the Committee on
Municipal, Parochial and Cultural Affairs**

June 7, 2011

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Municipal, Parochial and Cultural Affairs to submit the following report:

Senate Bill No. 19, by McPherson
Reported favorably. (13-0) (Regular)

Senate Bill No. 41, by Alario
Reported with amendments. (15-0) (Regular)

Senate Bill No. 118, by Mills
Reported with amendments. (12-0) (Regular)

Senate Bill No. 122, by Amedee
Reported favorably. (14-0) (Regular)

Senate Bill No. 129, by Donahue
Reported favorably. (14-0) (Regular)

Senate Bill No. 153, by Murray
Reported favorably. (13-0) (Regular)

Senate Bill No. 157, by Amedee
Reported favorably. (14-0) (Regular)

Senate Bill No. 167, by Cheek
Reported favorably. (14-0) (Local & Consent)

Senate Bill No. 199, by Claitor
Reported with amendments. (14-0) (Regular)

Senate Bill No. 261, by Chaisson
Reported with amendments. (12-0) (Regular)

REGINA ASHFORD BARROW
Chairman

The above Senate Bills reported favorably or with amendments were referred to the Legislative Bureau.

**Report of the Committee on
Retirement**

Tuesday, June 7, 2011

To the Speaker and Members of the House of Representatives:

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

House Concurrent Resolution No. 135, by Robideaux
Reported favorably. (9-0)

House Bill No. 569, by Arnold
Reported with amendments. (9-0) (Regular)

Senate Bill No. 2, by Guillory, Elbert
Reported favorably. (6-0) (Local & Consent)

Senate Bill No. 3, by Gautreaux
Reported favorably. (8-0) (Local & Consent)

Senate Bill No. 6, by Gautreaux
Reported favorably. (10-0) (Regular)

Senate Bill No. 9, by Gautreaux
Reported favorably. (9-0) (Local & Consent)

J. KEVIN PEARSON
Chairman

The above Senate Bills reported favorably or with amendments
were referred to the Legislative Bureau.

Privileged Report of the Legislative Bureau

June 7, 2011

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. 13
Reported without amendments.

Senate Bill No. 16
Reported without amendments.

Senate Bill No. 17
Reported without amendments.

Senate Bill No. 18
Reported without amendments.

Senate Bill No. 20
Reported without amendments.

Senate Bill No. 22
Reported with amendments.

Senate Bill No. 24
Reported with amendments.

Senate Bill No. 27
Reported without amendments.

Senate Bill No. 30
Reported without amendments.

Senate Bill No. 32
Reported with amendments.

Senate Bill No. 34
Reported without amendments.

Senate Bill No. 36
Reported with amendments.

Senate Bill No. 44
Reported without amendments.

Senate Bill No. 45
Reported without amendments.

Senate Bill No. 55
Reported with amendments.

Senate Bill No. 58
Reported without amendments.

Senate Bill No. 62
Reported without amendments.

Senate Bill No. 63
Reported without amendments.

Senate Bill No. 66
Reported with amendments.

Senate Bill No. 72
Reported without amendments.

Senate Bill No. 76
Reported without amendments.

Senate Bill No. 78
Reported without amendments.

Senate Bill No. 87
Reported without amendments.

Senate Bill No. 88
Reported without amendments.

Senate Bill No. 100
Reported without amendments.

Senate Bill No. 102
Reported without amendments.

Senate Bill No. 112
Reported without amendments.

Senate Bill No. 120
Reported without amendments.

Senate Bill No. 121
Reported with amendments.

Senate Bill No. 123
Reported without amendments.

Senate Bill No. 130
Reported without amendments.

Senate Bill No. 132
Reported without amendments.

Senate Bill No. 134
Reported with amendments.

Senate Bill No. 150
Reported without amendments.

Senate Bill No. 158
Reported without amendments.

Senate Bill No. 159
Reported without amendments.

Senate Bill No. 160
Reported without amendments.

Senate Bill No. 164
Reported with amendments.

Senate Bill No. 166
Reported without amendments.

Senate Bill No. 187
Reported without amendments.

Senate Bill No. 208
Reported without amendments.

Senate Bill No. 219
Reported without amendments.

Senate Bill No. 222
Reported without amendments.

Senate Bill No. 237
Reported without amendments.

Senate Bill No. 252
Reported without amendments.

Respectfully submitted,

JEAN DOERGE
Chairman

Privileged Report of the Committee on Enrollment

June 7, 2011

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. 62—
BY REPRESENTATIVE JOHNSON
A RESOLUTION

To commend the Tunica-Biloxi Tribe of Louisiana for its many contributions to the state and to recognize Monday, June 6, 2011, as Tunica-Biloxi Day.

HOUSE RESOLUTION NO. 63—
BY REPRESENTATIVE BILLIOT
A RESOLUTION

To commend Jada O'Blanc of Gueydan, the 2011 Louisiana Association of Fairs and Festivals Queen of Queens.

HOUSE RESOLUTION NO. 64—
BY REPRESENTATIVE KATZ
A RESOLUTION

To recognize Tuesday, June 7, 2011, as Nurse-Family Partnership Day at the Louisiana State Capitol.

HOUSE RESOLUTION NO. 65—
BY REPRESENTATIVE THIERRY
A RESOLUTION

To recognize Tuesday, June 7, 2011, as Girl Scouts of the USA Day at the Louisiana State Capitol.

HOUSE RESOLUTION NO. 66—
BY REPRESENTATIVES LORUSSO, HENRY, LEGER, AND TUCKER
A RESOLUTION

To commend Father Anthony McGinn, S.J., upon the completion of his term as president of Jesuit High School in New Orleans, to recognize and record his myriad accomplishments and his remarkable contributions, and to extend to him best wishes as he embarks on new challenges and endeavors.

HOUSE RESOLUTION NO. 67—
BY REPRESENTATIVE WILLIAMS
A RESOLUTION

To commend the Charles L. Thomas family for more than one hundred years of service to the St. Paul United Methodist Church in Shreveport.

HOUSE RESOLUTION NO. 68—
BY REPRESENTATIVE ARNOLD
A RESOLUTION

To commend Robert Gebrian for his years of service to the city of New Orleans and for his years as a lobbyist for the city of New Orleans.

HOUSE RESOLUTION NO. 70—
BY REPRESENTATIVE ARNOLD
A RESOLUTION

To express the condolences of the Louisiana House of Representatives upon the death of Ben H. Baker of Alexandria.

HOUSE RESOLUTION NO. 71—
BY REPRESENTATIVE ARNOLD
A RESOLUTION

To recognize Tuesday, June 7, 2011, as "Louisiana Industry for Film and Entertainment Day" in the state of Louisiana.

Respectfully submitted,

JEAN DOERGE
Chair

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 7, 2011

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

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

The following House Concurrent Resolutions have been properly enrolled:

HOUSE CONCURRENT RESOLUTION NO. 141—
BY REPRESENTATIVE ARNOLD
A CONCURRENT RESOLUTION

To recognize August 11, 2011, as Fibromyalgia Awareness Day in Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 142—
BY REPRESENTATIVE CROMER
A CONCURRENT RESOLUTION

To memorialize the United States Congress to dedicate a portion of marine and fishery product import tariffs to a national seafood marketing fund for the promotion of Louisiana seafood.

HOUSE CONCURRENT RESOLUTION NO. 151—
BY REPRESENTATIVES CHAMPAGNE, BALDONE, AND LEGER
A CONCURRENT RESOLUTION

To recognize Monday, June 6, 2011, as Coastal Day at the Louisiana Legislature.

Respectfully submitted,

JEAN DOERGE
Chair

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

Suspension of the Rules

On motion of Rep. Wooton, the rules were suspended to permit the Committee on Administration of Criminal Justice 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. 497

House Resolution No. 69

Senate Bill No. 232

Suspension of the Rules

On motion of Rep. Austin Badon, the rules were suspended to permit the Committee on Education 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 Nos. 115 and 121

Senate Bill Nos. 104 and 142

Suspension of the Rules

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

House Bill Nos. 428, 432, and 523

Leave of Absence

Rep. Sam Jones - 1 day

Adjournment

On motion of Rep. Brossett, at 7:00 P.M., the House agreed to adjourn until Wednesday, June 8, 2011, at 1:00 P.M.

Acting Speaker Leger declared the House adjourned until 1:00 P.M., Wednesday, June 8, 2011.

ALFRED W. SPEER
Clerk of the House