

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

SEVENTH DAY'S PROCEEDINGS

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

House of Representatives
State Capitol
Baton Rouge, Louisiana

Wednesday, April 9, 2008

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

Morning Hour

ROLL CALL

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

PRESENT

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

Foil	Lorusso	Willmott
Franklin	Marchand	Wooton
Gallot	McVea	
Geymann	Mills	
Total - 103		
	ABSENT	

Cazayoux	Dove
Total - 2	

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

Prayer

Prayer was offered by Rev. Dale Hensarling.

Pledge of Allegiance

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

Reading of the Journal

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

On motion of Rep. Ritchie, the Journal of April 8, 2008, was adopted.

**Petitions, Memorials and
Communications**

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

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

April 8, 2008

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

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

House Concurrent Resolution No. 6
Returned without amendments.

House Concurrent Resolution No. 43
Returned without amendments.

House Concurrent Resolution No. 46
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

SENATE BILLS

April 9, 2008

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

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

Senate Bill Nos. 3, 5, 23, 39, 56, 149, 152, 153, 167, 172, 180, 285, 339, 343, 353, 359, 488, 510, 512, 514, and 543

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. 3—
BY SENATOR CROWE

AN ACT

To enact R.S. 49:170.15, relative to state symbols; to designate Plaquemines Parish as the Gateway to Louisiana and America; and to provide for related matters.

Read by title.

SENATE BILL NO. 5—
BY SENATOR QUINN

AN ACT

To amend and reenact R.S. 22:1430.24 and to enact R.S. 22:1430.25, relative to the Louisiana Citizens Property Insurance Corporation; to require the Louisiana Citizens Property Insurance Corporation to provide a preference to Louisiana adjusters and adjusting firms; to provide for certain monthly reports to be submitted to the corporation by its service providers; to require Louisiana Citizens Property Insurance Corporation to provide a preference to Louisiana insurance underwriters; and to provide for related matters.

Read by title.

SENATE BILL NO. 23—
BY SENATOR CROWE

AN ACT

To amend and reenact R.S. 24:55(F)(1), relative to the Board of Ethics; to require the lobbyist expenditure report forms, which are provided by the board, to contain certain information; and to provide for related matters.

Read by title.

SENATE BILL NO. 39—
BY SENATOR DUPLESSIS

AN ACT

To enact R. S. 49:191(4) and to repeal R.S. 49:191(2)(g), relative to the Department of Culture, Recreation and Tourism, including provisions to provide for the re-creation of the Department of Culture, Recreation and Tourism and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Read by title.

SENATE BILL NO. 56—
BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 42:1112(C) and 1120, and to repeal R.S. 42:1112(D), relative to conflicts of interest; to permit an appointed member of a board or commission to recuse himself from voting in certain matters involving the board or commission; and to provide for related matters.

Read by title.

SENATE BILL NO. 149—
BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 22:1402.2(B)(1), relative to insurance rating and regulation; to provide a prohibition against the inclusion of fines and penalties in rate filings; and to provide for related matters.

Read by title.

SENATE BILL NO. 152—
BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 22:175(B)(7), relative to group life insurance; to provide for eligibility of coverage; and to provide for related matters.

Read by title.

SENATE BILL NO. 153—
BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 22:15(A), (C)(7), (13) and (20), (E)(6),(14) and (17), (F)(5) and (12), and (G)(5), (12) and (13), and to enact R.S. 22:15(C)(23) through (30), (E)(19) through (22), (F)(13) through (21), and (G)(14) through (17), relative to the Louisiana Property and Casualty Insurance Commission; to provide for the membership of the commission; to provide for the membership of ad hoc committees; and to provide for related matters.

Read by title.

SENATE BILL NO. 167—
BY SENATORS MURRAY AND WALSWORTH

AN ACT

To enact R.S. 24:7, relative to the legislature; to provide relative to committee meetings; to allow certain committee meetings to be conducted by video conference; to allow each house of the legislature to adopt rules to facilitate meetings by video conference; and to provide for related matters.

Read by title.

SENATE BILL NO. 172—
BY SENATOR DUPLESSIS

AN ACT

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

Read by title.

SENATE BILL NO. 180—
BY SENATOR MICHOT

AN ACT

To enact R.S. 36:209(R) and to repeal R.S. 36:651(D)(5), relative to executive reorganization; to provide for the Council for the Development of French in Louisiana in the Department of Culture, Recreation and Tourism; and to provide for related matters.

Read by title.

SENATE BILL NO. 285—
BY SENATOR DUPLESSIS

AN ACT

To amend and reenact R.S. 35:1, 191(A)(1) and (2), (C) and (E), 199(A)(2)(b), and 201(A)(1) and (B) and to enact R.S. 35:2(C), 191.3(A) and (B), and 201(C), and to repeal R.S. 44:184.2, relative to notaries public and issuance of notary public

commissions; to provide relative to qualifications, administration and procedures; to provide terms and conditions; to provide for recordation of acts affecting immovable property in the parish of Orleans; to provide for an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 339—

BY SENATORS THOMPSON, RISER AND WALSWORTH
AN ACT

To enact R.S. 8:69.2, relative to cemeteries placed into receivership; to provide for the qualifications of a receiver; to provide for establishment of a receivership; to provide for the administration and duties of a receivership; to provide for the termination of a receivership; and to provide for related matters.

Read by title.

SENATE BILL NO. 343—

BY SENATOR DUPLESSIS
AN ACT

To amend and reenact R.S. 44:22(F), relative to economic development negotiations; to extend certain provisions; and to provide for related matters.

Read by title.

SENATE BILL NO. 353—

BY SENATORS N. GAUTREUX AND BROOME
AN ACT

To enact R.S. 37:1732.1, relative to liability; to provide with respect to limitation of liability for physicians; to limit the liability of a physician who volunteers at certain nonprofit centers; to provide terms and conditions; to provide for an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 359—

BY SENATOR N. GAUTREUX
AN ACT

To amend and reenact R.S. 51:3062(5)(b) and to enact R.S. 51:3063(C), relative to the definition of "net energy metering facility"; to provide relative to generating capacity for commercial or agricultural purposes; to provide relative to commission authority; and to provide for related matters.

Read by title.

SENATE BILL NO. 488—

BY SENATORS THOMPSON AND WALSWORTH
AN ACT

To enact R.S. 29:725(J), relative to homeland security; to include the legislature in the emergency operations plan; to provide for a working space in the state emergency operations center; and to provide for related matters.

Read by title.

SENATE BILL NO. 510—

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

AN ACT

To amend and reenact R.S. 14:81.3(A) and (B)(1), relative to offenses affecting sexual immorality; to provide for the crime of computer-aided solicitation of a minor; to provide for the increase of penalties for such crime; and to provide for related matters.

Read by title.

SENATE BILL NO. 512—

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

AN ACT

To amend and reenact R.S. 14:81.3(A), relative to computer-aided solicitation of a minor; to provide with respect to the elements of the crime; and to provide for related matters.

Read by title.

SENATE BILL NO. 514—

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

AN ACT

To amend and reenact R.S. 14:81.2(B) and (C), relative to molestation of a juvenile; to provide relative to the elements of the crime; to provide relative to penalties; and to provide for related matters.

Read by title.

SENATE BILL NO. 543—

BY SENATOR QUINN
AN ACT

To amend and reenact R.S. 13:4163, relative to legislators and legislative employees; to provide for continuances and extensions during performance of legislative duties; to provide with respect to filing of the motion for legislative continuance or extension; to clarify certain provisions; 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. 18—

BY REPRESENTATIVE HOFFMANN
A RESOLUTION

To commend James McKay, executive director of the East Ouachita Recreation District, upon his retirement and to recognize him for sixty-five years of service to the youth of Ouachita Parish.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 47—

BY REPRESENTATIVE BOBBY BADON AND SENATOR CRAVINS
A CONCURRENT RESOLUTION

To commend Carroll Guilbeau upon his retirement after sixty years of work in public service and public safety in Lafayette Parish.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 48—
BY REPRESENTATIVES MARCHAND, PATRICIA SMITH, BURRELL,
AND ROSALIND JONES AND SENATORS CRAVINS AND JACKSON
A CONCURRENT RESOLUTION

To commend Alpha Kappa Alpha Sorority, Incorporated, on its centennial anniversary celebration.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 49—
BY REPRESENTATIVES RITCHIE, ANDERS, ARMES, ARNOLD, BOBBY BADON, BALDONE, BARRAS, BURFORD, HENRY BURNS, BURRELL, CAZAYOUX, CHAMPAGNE, CHANDLER, CHANEY, CROMER, DANAHAY, DIXON, DOERGE, DOVE, DOWNS, EDWARDS, ELLINGTON, FANNIN, FRANKLIN, GALLOT, GEYMAN, GISCLAIR, ELBERT GUILLORY, MICKEY GUILLORY, GUINN, HARRISON, HAZEL, HILL, HOFFMANN, HOWARD, HUTTER, JOHNSON, ROSALIND JONES, SAM JONES, KATZ, KLECKLEY, LAMBERT, LEBAS, LITTLE, MCVEA, MILLS, MONICA, MONTOUCET, MORRELL, MORRIS, NOWLIN, PERRY, POPE, PUGH, RICHARD, RICHARDSON, ROBIDEAUX, ROY, SMILEY, GARY SMITH, JANE SMITH, ST. GERMAIN, TRAHAN, WADDELL, WHITE, AND WOOTON AND SENATORS CROWE, ERDEY, HEBERT, LAFLEUR, MORRISH, SMITH, THOMPSON, AND WALSWORTH
A CONCURRENT RESOLUTION

To commend Louisiana 4-H upon the occasion of its centennial anniversary.

Read by title.

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

Ordered to the Senate.

Introduction of House Bills and Joint Resolutions

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

HOUSE BILL NO. 1128—
BY REPRESENTATIVE HENRY BURNS
AN ACT

To amend and reenact R.S. 30:10(A)(2)(b)(i), relative to drilling units; to provide for a landowner's election to participate in a drilling unit; to provide for the risk charge for a nonparticipant or an owner who fails to participate as elected; and to provide for related matters.

Read by title.

HOUSE BILL NO. 1129—
BY REPRESENTATIVE HAZEL
AN ACT

To amend and reenact R.S. 40:2531(B)(4) and to repeal R.S. 40:2531(B)(6), relative to law enforcement officers under investigation; to provide for a right to counsel or representative; to provide for questioning; and to provide for related matters.

Read by title.

House and House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 44—
BY REPRESENTATIVE TUCKER
A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education, beginning with the minimum foundation program formula adopted for the 2009-2010 school year and thereafter,

to include Type 2 charter schools in the minimum foundation program formula for purposes of funding.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 45—
BY REPRESENTATIVE JANE SMITH
A CONCURRENT RESOLUTION

To urge and request the secretary of the Department of Revenue to study the effects and feasibility of changing the sales and use tax definition of "food for home consumption".

Read by title.

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

Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 20—
BY SENATOR MOUNT
A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to lead the collaboration with other departments and agencies to achieve the objectives of Louisiana's Plan for Choice in Long Term Care.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 25—
BY SENATOR DUPRE AND REPRESENTATIVE DOVE
A CONCURRENT RESOLUTION

To urge and request the states of Florida and Texas to implement state regulations identical to the federal regulations for the red snapper season.

Read by title.

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

House Bills and Joint Resolutions on Second Reading to be Referred

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

HOUSE BILL NO. 2—
BY REPRESENTATIVES GREENE AND FANNIN
AN ACT

To provide with respect to the capital outlay budget and the capital outlay program for state government, state institutions, and other public entities; to provide for the designation of projects and improvements; to provide for the financing thereof making appropriations from certain sources; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 3—

BY REPRESENTATIVE GREENE

AN ACT

To enact the Omnibus Bond Authorization Act of 2008, relative to the implementation of a five-year capital improvement program; to provide for the repeal of certain prior bond authorizations; to provide for new bond authorizations; to provide for authorization and sale of such bonds by the State Bond Commission; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 305—

BY REPRESENTATIVE AUSTIN BADON

AN ACT

To amend and reenact R.S. 17:95, to provide relative to requirements that the superintendent of a city, parish, or other local public school board serve as the treasurer of certain school funds and perform specified duties; to remove the exception applicable to Orleans Parish; to provide an effective date; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 306—

BY REPRESENTATIVE AUSTIN BADON

AN ACT

To amend and reenact R.S. 17:91; to provide relative to certain supervisory duties and responsibilities of the superintendent of a city, parish, or other local public school system, including but not limited to duties pertaining to the office of the secretary of the school board; to remove certain exceptions, prohibitions, and requirements applicable to Orleans Parish; to provide an effective date; and to provide for related matters.

Read by title.

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

Motion

On motion of Rep. Girod Jackson, the Committee on Health and Welfare was discharged from further consideration of House Bill No. 641.

HOUSE BILL NO. 641—

BY REPRESENTATIVE GIROD JACKSON

AN ACT

To amend and reenact R.S. 40:1734(B), relative to accessibility to public or governmental facilities; to provide for changes to accessibility standards for new public facilities or governmental entities; and to provide for related matters.

Read by title.

On motion of Rep. Girod Jackson, the bill was recommitted to the Committee on Commerce.

Motion

On motion of Rep. Arnold, the Committee on Civil Law and Procedure was discharged from further consideration of House Bill No. 859.

HOUSE BILL NO. 859—

BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 46:1071 and to enact R.S. 46:1076.1, relative to hospital service districts; to extend immunity from certain suits to hospital service districts; to further extend immunity to any corporations or health facilities owned, operated, or leased by districts; to provide for limitations of such immunity; to provide for cooperative endeavors; to allow for the displacement of competition; and to provide for related matters.

Read by title.

On motion of Rep. Arnold, the bill was recommitted to the Committee on Commerce.

**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. 93—

BY SENATOR QUINN

AN ACT

To amend and reenact R.S. 52:52(C)(1), relative to Uniform Federal Lien Registration; to provide for the notice and place of filing of a federal lien upon certain vessels; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 138—

BY SENATOR QUINN

AN ACT

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

Read by title.

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

SENATE BILL NO. 346—

BY SENATOR N. GAUTREAUX

AN ACT

To amend and reenact R.S. 1:55(E)(1)(e), relative to days of public rest, legal holidays, and half-holidays; to provide for the clerk of court of the Fifteenth Judicial District Court and the clerk of court of the City Court of Abbeville to change the closure date for their offices in observance of the Cattle Festival; and to provide for related matters.

Read by title.

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

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. 53—
BY REPRESENTATIVE MILLS

AN ACT

To amend and reenact R.S. 29:735.2(A), relative to immunity of health care providers providing emergency health care during a declared state of emergency; to extend the immunity of health care providers when rendering such care anywhere in the state; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 53 by Representative Mills

AMENDMENT NO. 1

On page 1, line 9, after "who" insert a comma "," and insert "as a result of the emergency."

AMENDMENT NO. 2

On page 1, line 12, delete "as a result of the emergency"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 183—
BY REPRESENTATIVES LORUSSO AND FOIL
A JOINT RESOLUTION

Proposing to add Article III, Section 4(F) of the Constitution of Louisiana, to require the legislature to provide by law for the succession to the powers and duties of a member of the legislature when the incumbent member becomes unavailable for certain reasons; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 190—
BY REPRESENTATIVE MILLS

AN ACT

To enact R.S. 40:6(G), relative to the state Sanitary Code; to authorize the Department of Health and Hospitals to make an order of the secretary and state health officer executory in a state district court; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 190 by Representative Mills

AMENDMENT NO. 1

On page 1, line 3, after "secretary" and before "state" change "or" to "and"

AMENDMENT NO. 2

On page 1, line 9, after "secretary" and before "state" change "or" to "and"

AMENDMENT NO. 3

On page 1, line 9, after "officer" and before "issued" insert "have"

AMENDMENT NO. 4

On page 1, line 10, after "a" and before "penalty" insert "civil"

AMENDMENT NO. 5

On page 1, line 11, after "final" and before "the" delete "but where" and insert "as a result of all appeals being exhausted or delays having lapsed. If"

AMENDMENT NO. 6

On page 1, at the end of line 13, delete "the"

AMENDMENT NO. 7

On page 1, at the beginning of line 14, delete "procedure set forth in"

AMENDMENT NO. 8

On page 1, line 15, after "secretary" and before "state" change "or" to "and"

AMENDMENT NO. 9

On page 1, at the end of line 16, delete "for" and insert a period "." and delete line 17 in its entirety

AMENDMENT NO. 10

On page 2, delete lines 6 through 9 in their entirety

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 373—
BY REPRESENTATIVES HAZEL, ARMES, BILLIOT, HENRY BURNS, DIXON, DOERGE, FRANKLIN, GISCLAIR, GUINN, HILL, HOWARD, HUTTER, LITTLE, LORUSSO, MONTOUCET, NORTON, POPE, AND ST. GERMAIN

AN ACT

To amend and reenact R.S. 47:490.19(A), (B), and (D) and to enact R.S. 47:490.19(E), (F), and (G), 490.20, and 490.21, relative to military honor license plates; to provide for the U.S. Army

Airborne license plate; to provide for the establishment of a military honor license plate for recipients of the Iraq Campaign Medal; to provide for the establishment of a military honor license plate for the recipients of the Afghanistan Campaign Medal; 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. 373 by Representative Hazel

AMENDMENT NO. 1

On page 1, line 2, after "19(A)" and before "and" insert ", (B), and (D)"

AMENDMENT NO. 2

On page 1, line 2, after "to enact R.S. 47:" and before "490.20" insert "490.19(E), (F), and (G),"

AMENDMENT NO. 3

On page 1, line 3, after "plates;" delete the remainder of the line and at the beginning of line 4, delete "license plate applicants;" and insert in lieu thereof "to provide for the U.S. Army Airborne license plate;"

AMENDMENT NO. 4

On page 1, line 9, after "19(A)" and before "hereby" delete "is" and insert ", (B), and (D) are"

AMENDMENT NO. 5

On page 1, line 9, after "and R.S. 47:" and before "490.20" insert "490.19(E), (F), and (G),"

AMENDMENT NO. 6

On page 1, line 18, delete asterisks "* * *" and insert in lieu thereof the following:

"B. The Secretary secretary shall design the plates, which shall bear the parachute symbol as displayed on the U.S. Airborne insignia Parachutist Badge, Senior Parachutist Badge, or Master Parachutist Badge, as appropriate for the applicant, centered on the left side of the plate and the words "U.S. Army Airborne" centered on the bottom of the plate under the license plate number.

* * *

D. A bronze star shall be superimposed on the appropriate Parachutist badge for each combat jump made by the applicant.

E. For any applicant issued orders authorizing him to wear the "Special Forces Tab" pursuant to Army Regulation 600-8-22, the likeness of the "Special Forces Tab" shall be displayed above the appropriate Parachutist badge.

F. For any applicant issued orders authorizing him to wear the "Ranger Tab" pursuant to Army Regulation 600-8-22, the likeness of the "Ranger Tab" shall be displayed above the appropriate Parachutist badge.

Ð G. The secretary shall adopt rules and regulations as are necessary to implement the provisions of this Section."

AMENDMENT NO. 7

On page 2, line 1, after "plates;" delete "Operation Iraqi Freedom" and insert "Iraq Campaign Veteran"

AMENDMENT NO. 8

On page 2, at the end of line 8, delete "Operation" and at the beginning of line 9 delete "Iraqi Freedom" and insert "Iraq Campaign Veteran"

AMENDMENT NO. 9

On page 2, at the beginning of line 10, delete "in the top right corner" and insert "centered on the left side"

AMENDMENT NO. 10

On page 2, line 10 after "words" delete "Operation Iraqi Freedom" and insert "Iraq Campaign Veteran"

AMENDMENT NO. 11

On page 2, line 11, after "number." delete the remainder of the line and line 12 in its entirety.

AMENDMENT NO. 12

On page 3, line 5, after "plates;" delete "Operation Enduring Freedom" and insert "Afghanistan Campaign Veteran"

AMENDMENT NO. 13

On page 3, line 13, after "the" delete "Operation Enduring Freedom" and insert "Afghanistan Campaign Veteran"

AMENDMENT NO. 14

On page 3 line 14, after "Medal" delete "in the top right corner" and insert "centered on the left side"

AMENDMENT NO. 15

On page 3, line 15, after "words" delete "Operation Enduring Freedom" and insert "Afghanistan Campaign Veteran"

AMENDMENT NO. 16

On page 3, line 16, after "number." delete the remainder of the line and line 17 in its entirety.

AMENDMENT NO. 17

On page 4, after line 9, insert the following:

"Section 2. The provisions of this Act shall not become effective until the implementation of the Next Generation Motor Vehicle project of the Department of Public Safety and Corrections, office of motor vehicles, is finalized."

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. 402—

BY REPRESENTATIVE FOIL

AN ACT

To enact R.S. 32:289, relative to driving school buses; to prohibit the use of a cellular radio telecommunication device while driving a school bus; to provide for penalties; and to provide for related matters.

Read by title.

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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. 402 by Representative Foil

AMENDMENT NO. 1

On page 1, line 2, delete "operating" and insert "driving".

AMENDMENT NO. 2

On page 1, line 3, delete "operating" and insert "driving".

AMENDMENT NO. 3

On page 1, line 9, delete "use" and insert "talk on".

AMENDMENT NO. 4

On page 1, line 10, delete "operating" and insert "driving".

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. 513— BY REPRESENTATIVE FOIL

AN ACT

To amend and reenact Children's Code Article 338, relative to supervisory jurisdiction; to provide for a time period in which supervisory writs may be filed; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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

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

HOUSE BILL NO. 527— BY REPRESENTATIVE TIM BURNS AN ACT

To amend and reenact Chapter 1 of Title II of Book III of the Civil Code, to be comprised of Articles 1467 through 1469, and Chapter 5 of Title II of Book III of the Civil Code, to be comprised of Articles 1523 through 1569.1, relative to donations; to provide relative to methods of acquiring property gratuitously; to provide rules on donations; to provide formal requirements for making donations; to provide for effectiveness of donations; to provide rules for the acceptance of donations; to provide for exceptions to the rule of irrevocability of donations; to provide for revocation for ingratitude; to provide for dissolution of donations; to provide actions for dissolving donations; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 527 by Representative Tim Burns

AMENDMENT NO. 1

On page 4, line 12, change "donee's descendants" to "descendants of the donee"

AMENDMENT NO. 2

On page 6, line 28, after the comma ",", delete the remainder of the line and insert "his successors may not accept for him."

AMENDMENT NO. 3

On page 6, delete line 29 in its entirety

AMENDMENT NO. 4

On page 6, line 35, change "it in his stead" to "for him"

AMENDMENT NO. 5

On page 9, line 18, change "can" to "may"

AMENDMENT NO. 6

On page 13, at the end of line 3, delete "that"

AMENDMENT NO. 7

On page 15, line 1, change "Dissolution for non-execution of condition, donee" to "Donee"

AMENDMENT NO. 8

On page 15, after line 13, insert the following:

"Section 2. This Act shall become effective on January 1, 2009."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 544— BY REPRESENTATIVES HUTTER AND DOWNS AN ACT

To amend and reenact R.S. 48:250.2, relative to design-build contracts; to expand the authority of the Department of Transportation and Development for design-build contracts; to authorize the secretary to select projects or combine a program of projects utilizing the design-build method; to provide for an effective date; 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. 585—BY REPRESENTATIVE ABRAMSON
AN ACT

To amend and reenact Code of Civil Procedure Article 4553, relative to post-judgment proceedings related to the interdiction; to provide that temporary restraining orders and injunctions shall be included as post-judgment proceedings related to the interdiction; to provide relative to the court and division conducting post-judgment proceedings related to an interdiction; to provide for proceedings related to an interdiction; to provide for legislative intent; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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

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

HOUSE BILL NO. 605—BY REPRESENTATIVE TIM BURNS
AN ACT

To amend and reenact R.S. 9:2271 through 2275, 2283, and 2291 and the heading of Chapter 2 of Code Title II of Code Book III, the heading of Part I of Chapter 2 of Code Title II of Code Book III, and the heading of Part II of Chapter 2 of Code Title II of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to enact R.S. 9:2290, and to repeal R.S. 9:2276 through 2280 and 2292 through 2295, relative to trusts for charitable, benevolent, or eleemosynary purposes and to donations for charitable purposes; to provide for trusts for charitable purposes, to provide for trustees of a charitable trust; to provide for the application of the Louisiana Trust Code; to provide for standing to enforce a charitable trust; to provide for the governing instrument of a charitable trust; to provide for the duration of a charitable trust; to provide for the termination of a small charitable trust; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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

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

HOUSE BILL NO. 608—BY REPRESENTATIVE TIM BURNS
AN ACT

To amend and reenact R.S. 47:490.19(A), relative to military honor license plates; to remove the provision requiring a minimum number of applicants; 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. 663—BY REPRESENTATIVE HUTTER
AN ACT

To enact R.S. 37:1738, relative to the Good Samaritan Law; to provide for immunity from liability for religious organizations which provide refuge as natural disaster shelters; to provide for

immunity from liability for an individual acting on behalf of a religious organization or an individual acting on his own behalf who provides transportation to natural disaster shelters; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Civil Law and Procedure.

The substitute was read by title as follows:

HOUSE BILL NO. 1127 (Substitute for House Bill No. 663 by Representative Hutter)—BY REPRESENTATIVE HUTTER
AN ACT

To enact R.S. 9:2793.9, relative to civil liability; to provide a limitation of liability for certain religious organizations; to provide an exception for willful and wanton misconduct; and to provide for related matters.

Read by title.

On motion of Rep. Tim Burns, the substitute was adopted and became House Bill No. 1127 by Rep. Hutter, on behalf of the Committee on Civil Law and Procedure, as a substitute for House Bill No. 663 by Rep. Hutter.

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

HOUSE BILL NO. 845—BY REPRESENTATIVE PERRY
AN ACT

To amend and reenact R.S. 32:402(B)(1)(c)(introductory paragraph) and to enact R.S. 32:402(B)(1)(c)(iii) through (vi), relative to driving without a license; to provide for penalties for driving without a license to be the same as the penalties for driving with a suspended license; 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. 845 by Representative Perry

AMENDMENT NO. 1

On page 1, line 3, change "(vii)" to "(vi)".

AMENDMENT NO. 2

On page 1, line 8, change "(vii)" to "(vi)".

AMENDMENT NO. 3

On page 1, line 18, delete lines 18 through 20 in their entirety.

AMENDMENT NO. 4

On page 2, line 1, change "(iv)" to "(iii)".

AMENDMENT NO. 5

On page 2, line 6, change "(v)" to "(iv)".

AMENDMENT NO. 6

On page 2, line 11, change "(vi)" to "(v)".

AMENDMENT NO. 7

On page 2, line 20, change "(vii)" to "(vi)".

AMENDMENT NO. 8

On page 2, after line 29, add "Section 2. The provisions of this Act shall not become effective until the Next Generation Motor Vehicle project of the Department of Public Safety and Corrections, office of motor vehicles, is finalized."

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. 1031—

BY REPRESENTATIVES GALLOT AND DOWNS AND SENATOR KOSTELKA

AN ACT

To amend and reenact the heading of Part III-F of Title 19 of the Louisiana Revised Statutes of 1950 and R.S. 19:135, 135.1(A), 135.2(3)(a), 135.3, 135.4, and 135.7(1) and to repeal Section 2 of Act No. 1212 of the 2003 Regular Session of the Legislature as amended by Act No. 538 of the 2006 Regular Session of the Legislature, relative to the expropriation of property by the city of Ruston; to authorize the city to expropriate by a declaration of taking; to define terms; to provide for purposes of the expropriation; to repeal termination dates; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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

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

House and House Concurrent Resolutions on Third Reading for Final Consideration

The following House and House Concurrent Resolutions on third reading for final consideration were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 9—

BY REPRESENTATIVE PETERSON

A CONCURRENT RESOLUTION

To urge and request the Department of Economic Development to develop a process to annually review the effectiveness of tax exemptions and tax credits enacted by the Louisiana Legislature in order to evaluate the fiscal impact of such exemptions and credits and to make recommendations regarding whether these tax exemptions and credits are achieving intended goals and to submit a written report of its findings to the Louisiana Legislature prior to the commencement of the 2009 Regular Session.

Read by title.

Rep. Peterson moved the adoption of the resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Mills
Abramson	Geymann	Monica
Anders	Gisclair	Morrell
Arnes	Greene	Morris
Arnold	Guillory, E.	Norton
Aubert	Guillory, M.	Nowlin
Badon, A.	Guinn	Pearson
Badon, B.	Hardy	Perry
Baldone	Hazel	Peterson
Barras	Henderson	Ponti
Billiot	Henry	Pope
Burford	Hill	Pugh
Burns, H.	Hines	Richard
Burns, T.	Hoffmann	Richardson
Burrell	Honey	Richmond
Carmody	Hutter	Ritchie
Carter	Jackson G.	Robideaux
Champagne	Jackson M.	Schroder
Chandler	Johnson	Simon
Chaney	Jones, R.	Smiley
Connick	Jones, S.	Smith, G.
Cortez	Katz	Smith, J.
Cromer	Kleckley	Smith, P.
Danahay	LaBruzzo	St. Germain
Dixon	Lambert	Talbot
Doerge	LeBas	Templet
Downs	Leger	Trahan
Edwards	Ligi	Waddell
Ellington	Little	White
Fannin	Lopinto	Williams
Foil	Lorusso	Willmott
Franklin	McVea	Wooton
Total - 96		

NAYS

Total - 0

ABSENT

Barrow	Harrison	Marchand
Cazayoux	Howard	Montoucet
Dove	LaFonta	Roy
Total - 9		

The resolution was adopted.

Ordered to the Senate.

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

Acting Speaker Robideaux in the Chair

HOUSE BILL NO. 790—

BY REPRESENTATIVES FOIL, GREENE, AND RICHARDSON

AN ACT

To repeal R.S. 18:402(F)(5), relative to election dates; to eliminate the July election date for bond, tax, and other proposition elections; and to provide for related matters.

Read by title.

Rep. Foil moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 93

NAYS

Dixon	Hazel
-------	-------

Total - 2

ABSENT

Barrow	Harrison	Pope
Cazayoux	Jackson M.	Smith, G.
Dove	LaFonta	
Guillory, M.	Marchand	

Total - 10

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Speaker Tucker in the Chair

HOUSE BILL NO. 873—
BY REPRESENTATIVES SIMON AND GALLOT
AN ACT

To amend and reenact R.S. 18:1306(E)(2), relative to voting; to provide relative to procedures for absentee by mail and early voting; to provide relative to materials for absentee by mail and early voting; to provide relative to certificates on absentee by mail and early voting ballot envelopes; and to provide for related matters.

Read by title.

Rep. Simon moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 98

NAYS

Total - 0

ABSENT

Cazayoux	Ellington	Mills
Cortez	Guillory, E.	
Dove	Honey	

Total - 7

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Simon 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. 960—
BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact R.S. 18:1309.2, relative to a program for early voting; to authorize the secretary of state to develop and implement a program for the conduct of early voting in additional locations; to require the secretary of state, clerks of court, and the registrars of voters to work together to develop and implement the program; to require the approval of the program by the House and Senate governmental affairs committees prior to implementation; to require the secretary of

state to provide a report regarding the program to the House and Senate governmental affairs committees; and to provide for related matters.

Read by title.

Rep. Gallot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 100

NAYS

Katz
Total - 1

ABSENT

Cazayoux Waddell
Dove Williams
Total - 4

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1017—
BY REPRESENTATIVE GALLOT

AN ACT

To amend and reenact R.S. 18:18(A)(8)(b), 51(C), 108(B), 110(B)(2)(b), 154(C), 171, 172, 193(E) and (F), 196(D), 425(B)(4), 443.2(7), 503, 532(B)(5), 532.1(B)(2)(b) and (D), 535(B), 563(C)(2), 564(A), 566.2(B) and (G), 571, 1259(A) and

(B)(1), (2)(introductory paragraph), and (5), 1275.14(B), 1284(F)(1), 1299.1(A), 1306(B)(2), 1307(C), 1309(B), 1313(D), 1402(A)(introductory paragraph) and (B)(1)(introductory paragraph), and 1903, to enact R.S. 18:2(12), 1300.7(C), (D), and (E), 1306(B)(3), and 1332(C), and to repeal R.S. 18:532.1(G) and (H), relative to the Louisiana Election Code; to provide relative to the powers and duties of the secretary of state; to provide relative to the duties of clerks of court; to provide relative to the duties of registrars of voters; to provide relative to the duties of the secretary of the Department of Public Safety and Corrections; to provide definitions; to provide relative to filling a vacancy in the office of registrar of voters; to provide relative to transfer and cancellation of duplicate registrations; to provide relative to the effectiveness of certain changes in registration; to provide relative to disclosure of voter information; to provide relative to reporting of felony convictions; to provide relative to procedures for challenge and cancellation of registration; to provide relative to reporting of judgments of interdiction; to provide relative to the qualifications of commissioners; to provide relative to the submission of apportionment plans of the state central committees of certain recognized political parties; to provide relative to notice of withdrawal or disqualification of a candidate; to provide relative to notice of location of precincts and polling places; to provide relative to assistance in voting; to provide relative to procedures for voting; to provide relative to the counting and tabulation of provisional ballots for federal office; to provide relative to procedures for counting and tabulating votes; to provide relative to arrangement of the voting machine ballot; to provide relative to selection of nominees in congressional elections; to provide relative to requirements for statements of propositions or questions to be submitted to the voters; to provide relative to recall elections; to provide relative to election paraphernalia accompanying absentee by mail and early voting ballots; to provide relative to the validity of certain applications to vote absentee by mail by certain persons; to provide relative to information required to be posted at an early voting polling place; to provide relative to persons present during the counting and tabulation of absentee and early voting ballots; to provide relative to registration of persons approved for participation in the special program for handicapped voters; to provide relative to parties to an action objecting to candidacy; to provide relative to precincts; to provide for effectiveness; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Gallot to Engrossed House Bill No. 1017 by Representative Gallot

AMENDMENT NO. 1

On page 1, line 2, after "110(B)(2)(b)," insert "115(A)(3),"

AMENDMENT NO. 2

On page 2, line 19, after "110(B)(2)(b)," insert "115(A)(3),"

AMENDMENT NO. 3

On page 4, after line 29, insert the following:

"§115. Registration by mail

A.

* * *

(3) State mail voter registration application forms received by a registrar of voters from voter registration agencies as defined in R.S. ~~18:2(8)~~ 18:2 shall be subject only to the provisions enumerated in R.S. 18:116.

* * *

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Richmond to Engrossed House Bill No. 1017 by Representative Gallot

AMENDMENT NO. 1

On page 1, line 2, between "51(C), and 154(C)," change "108(B), 110(B)(2)(b)," to "101(D)(introductory paragraph), 108(B), 110(B)(2)(b), 115(B)(2) and (E)(1), 135(A),"

AMENDMENT NO. 2

On page 2, line 1, after "candidate;" insert "to provide relative to the close of voter registration;"

AMENDMENT NO. 3

On page 24, between lines 25 and 26 insert the following:

"Section 3. R.S. 18:101(D)(introductory paragraph), 115(B)(2) and (E)(1), and 135(A) are hereby amended and reenacted to read as follows:

§101. Registration to vote; qualifications; more than one residence; presidential elections

* * *

D. A person who is otherwise qualified to vote in this state, who has begun residence in another state or another political subdivision of this state after the ~~thirtieth~~ twenty-fourth day before an election for president and vice president of the United States or for electors for president and vice president and who for that reason does not satisfy the registration requirements set forth in this Chapter, may vote in such an election:

* * *

§115. Registration by mail

* * *

B.

* * *

(2) The registrar shall maintain a list of persons to whom verification mailings have been sent within ~~thirty~~ twenty-four days prior to a particular election.

* * *

E.(1) Mail voter registration applications returned through the United States Postal Service shall be deemed to have been made as of the date of the postmark affixed to such application by the United States Postal Service, or if no such postmark is affixed or if the postmark affixed by the United States Postal Service is illegible or bears no date, such application shall be deemed to have been made

timely if received through the United States mail by the registrar of voters no later than the close of business on the ~~thirtieth~~ twenty-fourth day prior to an election.

* * *

§135. Close of registration

A. Registrars shall close the registration records ~~thirty~~ twenty-four days prior to an election. However, if the deadline falls on a legal holiday, the registrars shall close the registration records on the first day after such holiday which is not a Saturday, Sunday, or other legal holiday.

* * *

AMENDMENT NO. 4

On page 24, at the beginning of line 26, change "Section 3." to "Section 4."

AMENDMENT NO. 5

On page 24, at the beginning of line 27, change "Section 4A." to "Section 5A."

AMENDMENT NO. 6

On page 24, line 27, between "Section" and "of this" change "3" to "4"

AMENDMENT NO. 7

On page 25, line 2, between "Section" and "of this" change "3" to "4"

AMENDMENT NO. 8

On page 25, after line 4, insert the following:

"C. Section 3 of this Act shall become effective January 1, 2010."

Rep. Richmond moved the adoption of the amendments.

Rep. Smiley objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Guillory, E.	Mills
Anders	Guillory, M.	Montoucet
Arnold	Guinn	Morrell
Aubert	Hardy	Norton
Badon, A.	Henderson	Peterson
Baldone	Honey	Richmond
Barrow	Jackson G.	Ritchie
Billiot	Jackson M.	Robideaux
Burrell	Johnson	Roy
Champagne	Jones, R.	Smith, G.
Connick	Jones, S.	Smith, P.
Dixon	LaFonta	St. Germain
Edwards	Leger	Williams
Gallot	Marchand	

Total - 41

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NAYS

Mr. Speaker	Gisclair	McVea
Badon, B.	Greene	Monica
Barras	Harrison	Pearson
Burford	Hazel	Perry
Burns, H.	Henry	Pope
Burns, T.	Hill	Pugh
Carmody	Hines	Richard
Chandler	Hoffmann	Richardson
Chaney	Howard	Simon
Cortez	Hutter	Smiley
Danahay	Katz	Smith, J.
Doerge	Kleckley	Talbot
Downs	Lambert	Templet
Ellington	LeBas	Trahan
Fannin	Ligi	Waddell
Foil	Little	White
Geymann	Lopinto	Willmott
Total - 51		

ABSENT

Armes	Franklin	Ponti
Carter	LaBruzzo	Schroder
Cazayoux	Lorusso	Wooton
Cromer	Morris	
Dove	Nowlin	
Total - 13		

The amendments were rejected.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Peterson to Engrossed House Bill No. 1017 by Representative Gallot

AMENDMENT NO. 1

On page 1, line 7, between "18:2(12)," and "1300.7(C)," insert "552(A)(4),"

AMENDMENT NO. 2

On page 1, line 8, between "1306(B)(3)," and "and 1332(C)," insert "1309(J),"

AMENDMENT NO. 3

On page 2, line 24, after "reenacted and" delete the remainder of the line and insert "R.S. 18:2(12), 552(A)(4), 1300.7(C), (D), and (E), 1306(B)(3), 1309(J), and 1332(C)"

AMENDMENT NO. 4

On page 11, between lines 19 and 20, insert the following:

"§552. Election materials

A. Materials furnished. At least twenty-two days before a primary or first party primary election and as soon as possible for a second party primary and a general election:

* * *

(4) The secretary of state shall furnish to the parish custodian of voting machines for each parish in which voting will be conducted in an election a supply of state mail voter registration application forms. The custodian of voting machines shall distribute the forms

to every location in the parish where voting will be conducted, and the forms shall be made available to the public at the polling place at all times when the polling place is open for voting.

* * *

AMENDMENT NO. 5

On page 22, between lines 19 and 20, insert the following:

"J. During early voting the registrar of voters shall make available to the public at each location where early voting is conducted copies of the state mail voter registration application forms.

* * *

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Geymann	McVea
Abramson	Gisclair	Mills
Anders	Greene	Monica
Armes	Guillory, E.	Montoucet
Arnold	Guillory, M.	Morrell
Aubert	Guinn	Morris
Badon, A.	Hardy	Norton
Badon, B.	Harrison	Pearson
Baldone	Hazel	Perry
Barras	Henderson	Peterson
Barrow	Henry	Pope
Billiot	Hill	Pugh
Burford	Hines	Richard
Burns, T.	Hoffmann	Richardson
Burrell	Honey	Richmond
Carmody	Howard	Ritchie
Carter	Hutter	Robideaux
Champagne	Jackson G.	Schroder
Chandler	Johnson	Simon
Chaney	Jones, R.	Smiley
Connick	Jones, S.	Smith, G.
Cortez	Katz	Smith, J.
Danahay	Kleckley	Smith, P.
Dixon	LaFonta	St. Germain
Doerge	Lambert	Talbot
Downs	LeBas	Templet
Edwards	Leger	Trahan
Ellington	Ligi	Waddell
Fannin	Little	White
Foil	Lopinto	Williams
Franklin	Lorusso	Willmott
Gallot	Marchand	Wooton
Total - 96		

NAYS

Total - 0

ABSENT

Burns, H.	Dove	Nowlin
Cazayoux	Jackson M.	Ponti
Cromer	LaBruzzo	Roy
Total - 9		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1058—

BY REPRESENTATIVES GALLOT, TUCKER, AND WADDELL
AN ACT

To amend and reenact R.S. 6:103(B)(14), (E)(1)(e), and (I), R.S. 9:2798.5(A), R.S. 10:9-526(a)(2) as amended by Act No. 319 of the 2007 Regular Session of the Legislature, R.S. 11:315(A)(introductory paragraph) and (B)(2)(introductory paragraph), 316(A)(introductory paragraph), 542.1(B), 1942.1(A), 2178(D), (E)(5), and (J)(1) and (2), and 2260(A)(9)(b)(iv), R.S. 13:961(B), (C), (D)(2), (E), and (I), R.S. 15:141, 142(F), 143(introductory paragraph), 147(B)(2), 148(A), 149, 160(E), 161(J), 162(C), 165(B)(1)(b), 170(D)(5)(introductory paragraph), 173(A), 181, 182, 185.3(D), 571.11(B), 572.8(G) and (H), and 574.9(A), R.S. 17:416(B)(2) and (3)(d)(iv), (C)(1) and (2)(a)(i), and (E), 525(A)(1) and (C), 1518.1(I)(3) and (J), 1990(B)(1)(c) and (d), 3048.1(A)(1)(a)(iii)(dd)(I) and (V)(3)(a), 3394.1, 3394.2(6) and 3394.3(B)(introductory paragraph) and (1)(b), R.S. 23:101, 107(C) and (D), 111(A), (B)(3)(e), and (F), 897(K) and (M), 1191, 1195(A)(1) and (5)(a), (B)(introductory paragraph), (1)(a), (2)(b), and (3)(a), and (C)(5)(a) and (b)(vi), 1196(A)(2)(c)(i), (3)(b), and (5), 1209(A), (B), and (D), 1211, 1378(A)(6)(b), (B), (C), (D), and (F)(1) through (29) and (30)(a)(iii), 1392(introductory paragraph), (5), and (8)(a), 1532.1(B)(1)(a) and (b) and (2), (C)(1)(a) and (b), (2), and (3), and (E), 1541, 1552, 1553(A), (B)(3), (4), (5) and (10)(a) and (b), and (D)(4), and 1775(D)(2), R.S. 28:854(B)(1) and (C) and 894(A)(2) and (4), (B)(1), and (C), R.S. 32:784(B), R.S. 38:330.8(B)(4), 334.3, and 2212(C)(1), R.S. 56:320(A)(3) and 327(D) and to repeal R.S. 14:50.1, 54, 85.1, and 91.14, relative to the Louisiana Revised Statutes of 1950; to provide for technical corrections to certain Revised Statutes; to provide for the Louisiana State Law Institute to redesignate certain provisions of Title 40 of the Louisiana Revised Statutes of 1950; to remove certain unconstitutional provisions of Title 14 of the Louisiana Revised Statutes of 1950.

Read by title.

Rep. Gallot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Geymann	Mills
Abramson	Gisclair	Monica
Anders	Greene	Montoucet
Armes	Guillory, E.	Morris
Arnold	Guillory, M.	Norton
Aubert	Guinn	Nowlin
Badon, A.	Hardy	Pearson
Badon, B.	Harrison	Perry
Baldone	Hazel	Peterson
Barras	Henderson	Ponti
Barrow	Henry	Pope
Billiot	Hill	Pugh
Burford	Hines	Richard
Burns, T.	Hoffmann	Richardson
Burrell	Honey	Richmond
Carmody	Howard	Ritchie
Carter	Hutter	Robideaux
Champagne	Jackson G.	Roy
Chandler	Johnson	Schroder
Chaney	Jones, R.	Smiley

Connick	Jones, S.	Smith, G.
Cortez	Katz	Smith, J.
Danahay	Kleckley	Smith, P.
Dixon	LaFonta	St. Germain
Doerge	Lambert	Talbot
Downs	LeBas	Templet
Edwards	Leger	Trahan
Ellington	Ligi	Waddell
Fannin	Little	White
Foil	Lopinto	Williams
Franklin	Marchand	Willmott
Gallot	McVea	

Total - 95

NAYS

Total - 0

ABSENT

Burns, H.	Jackson M.	Simon
Cazayoux	LaBruzzo	Wooton
Cromer	Lorusso	
Dove	Morrell	

Total - 10

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Suspension of the Rules

On motion of Rep. Gallot, the rules were suspended in order to take up and consider Introduction of Resolutions, House and House Concurrent at this time.

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

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

HOUSE CONCURRENT RESOLUTION NO. 50—

BY REPRESENTATIVE RICHMOND
A CONCURRENT RESOLUTION

To urge and request the Civil District Court for the parish of Orleans and the Criminal District Court for the parish of Orleans to consider establishing mental health divisions by a vote en banc of the judges for each of the two courts.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 51—

BY REPRESENTATIVE HARRISON
A CONCURRENT RESOLUTION

To memorialize the United States Food and Drug Administration to take immediate and focused action to improve the enforcement of food import restrictions of seafood imports prior to sale in Louisiana.

Read by title.

On motion of Rep. Harrison, 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 Administration of Criminal Justice

April 9, 2008

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Administration of Criminal Justice to submit the following report:

House Bill No. 45, by Leger
Reported favorably. (13-0) (Local & Consent)

House Bill No. 84, by Jones, Rosalind
Reported with amendments. (13-0) (Regular)

House Bill No. 124, by Wooton
Reported favorably. (13-0) (Regular)

House Bill No. 146, by Richmond
Reported favorably. (13-0) (Local & Consent)

House Bill No. 167, by Perry
Reported favorably. (12-0) (Local & Consent)

House Bill No. 218, by Guillory, Elbert
Reported with amendments. (11-1-1) (Regular)

House Bill No. 241, by Wooton
Reported with amendments. (12-0) (Regular)

House Bill No. 268, by Guillory, Elbert
Reported favorably. (12-0) (Local & Consent)

House Bill No. 331, by Perry
Reported favorably. (12-0) (Local & Consent)

House Bill No. 332, by Perry
Reported with amendments. (10-0) (Regular)

House Bill No. 400, by Wooton
Reported with amendments. (13-0) (Regular)

House Bill No. 413, by Wooton
Reported with amendments. (13-0) (Regular)

House Bill No. 492, by Richmond
Reported with amendments. (13-0) (Regular)

House Bill No. 654, by Wooton
Reported favorably. (9-0) (Local & Consent)

House Bill No. 757, by Trahan
Reported favorably. (11-0) (Regular)

ERNEST D. WOOTON
Chairman

Report of the Committee on Education

April 9, 2008

To the Speaker and Members of the House of Representatives:

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

House Bill No. 178, by Gisclair
Reported with amendments. (16-0) (Regular)

House Bill No. 184, by Katz
Reported favorably. (13-0) (Local & Consent)

House Bill No. 187, by Katz
Reported favorably. (13-0) (Local & Consent)

House Bill No. 200, by Hazel
Reported with amendments. (15-0) (Regular)

House Bill No. 386, by Armes
Reported favorably, with recommendation that it be recommitted to the Committee on Appropriations. (14-0)

DONALD MARK "DON" TRAHAN
Chairman

Report of the Committee on Health and Welfare

April 9, 2008

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Health and Welfare to submit the following report:

House Concurrent Resolution No. 4, by Guillory, Mickey
Reported with amendments. (15-0)

House Bill No. 205, by Mills
Reported favorably. (12-0) (Local & Consent)

House Bill No. 255, by Katz
Reported favorably. (12-0) (Local & Consent)

House Bill No. 370, by Henry
Reported favorably. (16-0) (Regular)

House Bill No. 858, by Katz
Reported with amendments. (13-0) (Regular)

House Bill No. 861, by Hines
Reported with amendments. (16-0) (Regular)

House Bill No. 877, by Mills
Reported with amendments. (12-0) (Regular)

House Bill No. 967, by Simon
Reported favorably. (12-0) (Local & Consent)

KAY KELLOGG KATZ
Chairman

Report of the Committee on House and Governmental Affairs

April 9, 2008

To the Speaker and Members of the House of Representatives:

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

House Concurrent Resolution No. 14, by Gallot
Reported favorably. (15-0)

House Concurrent Resolution No. 33, by Barrow
Reported favorably. (12-0)

House Bill No. 106, by Morrell
Reported favorably. (11-0) (Regular)

House Bill No. 216, by Gallot
Reported favorably. (15-0) (Regular)

House Bill No. 281, by Jones, Rosalind
Reported with amendments. (17-0) (Regular)

House Bill No. 854, by Lambert
Reported with amendments. (11-1) (Regular)

House Bill No. 876, by Richmond
Reported with amendments. (15-0) (Regular)

House Bill No. 990, by Barrow
Reported favorably. (13-0) (Local & Consent)

House Bill No. 1044, by Abramson
Reported with amendments. (11-0) (Regular)

RICHARD "RICK" GALLOT, JR.
Chairman

**Report of the Committee on
Insurance**

April 9, 2008

To the Speaker and Members of the House of Representatives:

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

House Bill No. 318, by Kleckley
Reported with amendments. (6-3) (Regular)

House Bill No. 481, by Abramson
Reported favorably. (10-0) (Regular)

House Bill No. 516, by Cortez
Reported favorably. (10-0) (Local & Consent)

House Bill No. 691, by Talbot
Reported favorably. (9-0) (Local & Consent)

House Bill No. 953, by Kleckley
Reported favorably. (10-0) (Local & Consent)

House Bill No. 1095, by Robideaux
Reported by substitute. (10-0) (Regular)

CHARLES E. "CHUCK" KLECKLEY
Chairman

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

April 9, 2008

To the Speaker and Members of the House of Representatives:

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

House Bill No. 171, by Hutter
Reported with amendments. (14-0) (Regular)

House Bill No. 343, by Perry
Reported favorably. (14-0) (Local & Consent)

House Bill No. 475, by St. Germain
Reported favorably. (14-0) (Local & Consent)

House Bill No. 488, by Gisclair
Reported with amendments. (13-0) (Regular)

House Bill No. 701, by St. Germain
Reported with amendments. (14-0) (Regular)

House Bill No. 702, by St. Germain
Reported with amendments. (14-0) (Regular)

House Bill No. 848, by Hutter
Reported with amendments. (15-0) (Regular)

KAREN ST. GERMAIN
Vice-Chair

Privileged Report of the Committee on Enrollment

April 9, 2008

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

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

The following House Concurrent Resolutions have been properly enrolled:

HOUSE CONCURRENT RESOLUTION NO. 19—
BY REPRESENTATIVE MILLS AND SENATOR HEBERT
A CONCURRENT RESOLUTION

To commend Burton Dupuis upon his retirement as chief executive officer of St. Martin Hospital in Breaux Bridge.

HOUSE CONCURRENT RESOLUTION NO. 23—
BY REPRESENTATIVE MILLS AND SENATORS HEBERT AND SCALISE
A CONCURRENT RESOLUTION

To urge and request the United States Congress to ensure adequate funding for veterans' health care and to express gratitude to veterans for sacrifices made while serving in the United States Armed Forces.

Respectfully submitted,
WAYNE WADDELL
Chairman

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. Trahan, the rules were suspended to permit the Committee on Education to consider the following legislative instruments without giving the notice required by House Rule 14.24(A):

House Concurrent Resolution No. 41

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 without giving the notice required by House Rule 14.24(A):

House Bill Nos. 1122 and 1125

Adjournment

On motion of Rep. Trahan, at 3:50 P.M., the House agreed to adjourn until Thursday, April 10, 2008, at 2:00 P.M.

The Speaker of the House declared the House adjourned until 2:00 P.M., Thursday, April 10, 2008.

ALFRED W. SPEER
Clerk of the House

