

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

TWENTY-EIGHTH 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, May 14, 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	

Dove
Total - 1

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

Prayer

Prayer was offered by Rev. Ray Swift.

Pledge of Allegiance

Ms. Mazel Lesseigne led the House in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

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

On motion of Rep. Billiot, the Journal of May 13, 2008, was adopted.

**Petitions, Memorials and
Communications**

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

Message from the Senate

**ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

May 14, 2008

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

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

Senate Concurrent Resolution No. 73

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

SENATE BILLS

May 14, 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. 229, 333, 429, and 777

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. 229—
BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 40:2009.11(B)(2)(b), (B)(3), and (F)(2), R.S. 40:2199(B)(2)(b) and (B)(3), and (F), relative to health care facilities violations and penalties; to provide for violations; to provide for penalties; to provide for the Health Care Facility Fund and for its uses; and to provide for related matters.

Read by title.

SENATE BILL NO. 333—
BY SENATOR QUINN

AN ACT

To amend and reenact R.S. 18:503, relative to the Louisiana Election Code; to provide relative to withdrawal and disqualification of candidates; to provide for notice of withdrawal and disqualification; to require posting of notice of such withdrawal and disqualification; to provide for an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 429—
BY SENATOR SHEPHERD

AN ACT

To amend and reenact R.S. 13:477(24) and 621.24, relative to judges; to provide relative to certain election procedures; to provide relative to certain elections and judicial vacancies in the Twenty-Fourth Judicial District Court; to provide certain terms, conditions, procedures and requirements; and to provide for related matters.

Read by title.

SENATE BILL NO. 777—
BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 45:844.55(D)(2), relative to telecommunications; to provide for enforcement; to provide for cost allocation and affiliate transaction rules; 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. 126—
BY REPRESENTATIVE LABRUZZO

A CONCURRENT RESOLUTION

To urge and request the legislative auditor to conduct an audit of the Greater New Orleans Expressway Commission.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 128—
BY REPRESENTATIVE GREENE

A CONCURRENT RESOLUTION

To direct the Department of Transportation and Development to remove all barricades and reactivate all traffic lights at the intersection of Florida Boulevard and Cora Drive, including service roads to the north and south, in East Baton Rouge Parish.

Read by title.

Under the rules, the above resolution was referred to the Committee on Transportation, Highways and Public Works.

HOUSE CONCURRENT RESOLUTION NO. 129—
BY REPRESENTATIVES LAFONTA AND GIROD JACKSON

A CONCURRENT RESOLUTION

To direct the attorney general to investigate the design and construction defects in the foundations of homes built adjacent to canals in the Woodmere subdivision in Marrero, Louisiana.

Read by title.

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

Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 51—
BY SENATOR CROWE

A CONCURRENT RESOLUTION

To memorialize the United States Congress to establish grant programs to assist the seafood industry in St. Tammany, St. Bernard, Orleans, and Plaquemines parishes in the State of Louisiana to mitigate the damages caused by the opening of the Bonnet Carre Spillway.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 71—
BY SENATOR MOUNT

A CONCURRENT RESOLUTION

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

Read by title.

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

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. 17—
BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 22:1430.11(A) and (D), relative to Louisiana Citizens Property Insurance Corporation; to provide with respect to eligibility and application for coverage by the corporation; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 43—
BY SENATOR MOUNT

AN ACT

To enact R.S. 40:2199.1, relative to health care facilities; to provide for alternative remedies against health care facilities for violations; to provide for rules and regulations; to provide for enforcement; 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. 252—
BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 6:1088.1(A)(5) and (B), relative to licensure of certain persons engaged in residential mortgage lending; to provide relative to certain fees for such persons to utilize the licensing system; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 253—
BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 6:1091(B)(1), relative to licensed residential mortgage lenders; to provide for examination of books, records and accounts; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 297—
BY SENATOR DUPLESSIS

AN ACT

To amend and reenact R.S. 6:1088(D) and to enact R.S. 6:1088.1(A)(8), relative to residential mortgage licensing; to provide for disclosure of information to certain regulatory agencies; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 332—
BY SENATOR THOMPSON

AN ACT

To enact R.S. 40:1299.96.1, relative to health care information; to provide for the creation of the Health Care Information Technology and Infrastructure Advisory Collaborative; to provide for membership; to provide for powers, duties, and function; 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. 354—
BY SENATOR N. GAUTREAUX

AN ACT

To amend and reenact R.S. 22:215.23(A) and to enact R.S. 22:215.26, relative to health insurance benefits; to require coverage for treatment of infertility by certain health insurance policies, contracts, and plans; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 402—
BY SENATOR CASSIDY

AN ACT

To amend and reenact R.S. 46:2761(A) and to enact R.S. 46:2762, relative to uncompensated care payments; to provide for a methodology for allocation of uncompensated care payments; to provide for implementation; to provide for regions; 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. 414—
BY SENATOR MURRAY

AN ACT

To enact R.S. 40:1149(D), relative to certified operators; to provide for exceptions for municipal and public works contractors; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 432—
BY SENATOR LAFLEUR

AN ACT

To amend and reenact R.S. 22:619, relative to insurance policies; to provide for certain statements by an applicant for life or health and accident insurance; to provide for the effect of certain falsities or misrepresentations; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 479—
BY SENATOR CASSIDY

AN ACT

To enact R.S. 42:1124(I), relative to financial disclosure; to permit exploratory efforts by prospective candidates for office without requiring disclosure reports; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 600—
BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 40:1379.3(C)(10), relative to statewide permits for concealed handguns; to provide for certain qualifications; to provide for an effective date; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 660—

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

AN ACT

To amend and reenact R. S. 36:801 and to enact R.S. 36:478(K) and Chapter 62 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2801 and 2802, relative to preventing child poverty; to create the Child Poverty Prevention Council for Louisiana within the Department of Social Services; to provide for the membership of the council; to provide for the duties and responsibilities of the council; to provide for reporting; to create the Child Poverty Prevention Fund as a special fund in the state treasury; to provide for the deposit into and use of monies in the fund; 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 Health and Welfare.

SENATE BILL NO. 695—

BY SENATOR LAFLEUR

AN ACT

To amend and reenact R.S. 22:1324(A)(1) and 1451(G) and to enact R.S. 22:1324(A)(4), relative to filing of certain financial reports by insurers; to provide with respect to the commissioner's determinations of compliance that would constitute a financial hardship on the insurer; to provide with respect to the requirement of electronic filings with the National Association of Insurance Commissioners; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 721—

BY SENATOR CHAISSON

AN ACT

To enact R.S. 13:3714(C), relative to courts, judicial procedure and evidence; to provide for the admissibility of blood alcohol concentration test results from a source other than the office of state police crime laboratory; to authorize judicial rulings on the admissibility of blood alcohol concentration test results when a challenge as to the authenticity, reliability, or accuracy of such results is raised in a timely manner; 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. 725—

BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 51:943(A)(9), (10), (11), (12) and (13), relative to the Small Business Entrepreneurship Commission; to provide for voting membership; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 756—

BY SENATOR B. GAUTREAUX

AN ACT

To amend and reenact R.S.11:122(3), 242(E)(introductory paragraph) and (1), 271(C)(1) and (2), 768(D)(3), 1191, 1549(B), and 2260(A)(11)(d), the title of Chapter 8 of Title 24 of the Louisiana Revised Statutes of 1950, R.S. 24:38(B)(1), 512, 514(G) and (H), and 554(A)(1), and R.S. 33:1531(C), to enact Part III of Chapter 8 of Title 24 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 24:571 through 575, and to repeal R.S. 24:513(C) and (D)(2), 514(D), and 521, relative to legislative agencies and employees; to provide with respect to the powers, duties, and functions of the legislative actuary; 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 House and Governmental Affairs.

SENATE BILL NO. 758—

BY SENATOR BROOME

AN ACT

To enact Children's Code Article 1248.1, relative to intrafamily adoptions; to provide for notice of rights of natural parents; to provide terms, conditions, and procedures; 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. 762—

BY SENATOR CROWE

AN ACT

To amend and reenact R.S. 40:2116(K), relative to facility need review of nursing home licenses; to provide for the owners of nursing homes destroyed by hurricanes Katrina or Rita to demonstrate a failure to receive notice of surrender of their license; to provide for circumstances under which such facilities may have pre-storm licenses re-issued; to provide for possible extensions of time to rebuild once the license is re-issued; 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. 765—

BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 46:979, relative to Medicaid; to provide for maximizing Medicaid funding; to provide for department responsibility; 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. 808 (Substitute of Senate Bill No. 527 by Senator Marionneaux)—

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 39:101(A)(1), (B)(1)(a), (c), (d) and (2) and (F)(1), 103(A)(1) and (B)(1), 111, 112, 113, and 115, to enact R.S. 39:101(F)(3) and 103(B)(3), and to repeal R.S. 39:105, relative to capital outlay; to provide with respect to capital outlay budget development and enactment; to provide

relative to the submission of capital outlay budget requests; to provide relative to the standards for capital projects and evaluation of such projects; to provide relative to inclusion of certain non-state projects in the capital outlay budget; to provide for inclusion of certain revenue bond projects in the capital outlay budget; to provide for an effective date; and to provide for related matters.

Read by title.

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

House 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. 26—

BY REPRESENTATIVE ST. GERMAIN

A CONCURRENT RESOLUTION

To adopt Joint Rule No. 7 of the Joint Rules of the Senate and House of Representatives, to establish the Atchafalaya Basin Program Oversight Committee to monitor, review, and make recommendations relative to all aspects of the Atchafalaya Basin Program in the Department of Natural Resources.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

HOUSE CONCURRENT RESOLUTION NO. 34—

BY REPRESENTATIVE SAM JONES

A CONCURRENT RESOLUTION

To memorialize the United States Congress to call a convention for the sole purpose of proposing an amendment to the Constitution of the United States relating to the statehood of Puerto Rico and the statehood of the District of Columbia.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Concurrent Resolution No. 34 by Representative Sam Jones

AMENDMENT NO. 1

On page 1, line 4, after "Rico" delete the period "." and insert "and the statehood of the District of Columbia."

AMENDMENT NO. 2

On page 1, after line 20, insert the following:

"WHEREAS, all three branches of the government of the United States as well as many other national institutions and monuments are centered or located in the District of Columbia; and

WHEREAS, the citizens of the District of Columbia are fully taxed and subject to all of the laws of the United States and yet the citizens of the District of Columbia have no voting representation in Congress; and

WHEREAS, the proposed District of Columbia Voting Rights Amendment to the United States Constitution to accord the citizens of the district voting representation in Congress has to date been unsuccessful; and"

AMENDMENT NO. 3

On page 2, line 9, after "Rico" delete the period "." and insert "and the statehood of the District of Columbia."

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

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

HOUSE CONCURRENT RESOLUTION NO. 68—

BY REPRESENTATIVE WILLIAMS

A CONCURRENT RESOLUTION

To urge and request the House Committee on Health and Welfare and the Senate Committee on Health and Welfare to function as a joint committee to study possible initiatives, policies, programs, and other actions to decrease childhood obesity in the state.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

HOUSE CONCURRENT RESOLUTION NO. 69—

BY REPRESENTATIVE WILLIAMS

A CONCURRENT RESOLUTION

To urge and request the House Committee on Health and Welfare and the Senate Committee on Health and Welfare to meet and to function as a joint committee to study and make recommendations with respect to autism spectrum disorders.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed House Concurrent Resolution No. 69 by Representative Williams

AMENDMENT NO. 1

On page 2, at the end of line 17, delete "the"

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

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

HOUSE CONCURRENT RESOLUTION NO. 76—

BY REPRESENTATIVE MICKEY GULLORY

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study the effectiveness of the Dolly Parton Imagination Library in improving literacy among Louisiana's preschool children and to submit a written report of its findings to the House Committee on Education and the Senate Committee on Education prior to the beginning of the 2009 Regular Session.

Read by title.

Reported favorably by the Committee on Education.

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

HOUSE CONCURRENT RESOLUTION NO. 77—
BY REPRESENTATIVE MORRIS
A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study all aspects of the national board certification processes for teachers and school counselors, including but not limited to all requirements and costs involved for the teachers and school counselors who pursue such national board certification, and to submit a written report of study findings and recommendations to the House Committee on Education and the Senate Committee on Education prior to the beginning of the 2009 Regular Session.

Read by title.

Reported favorably by the Committee on Education.

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

HOUSE CONCURRENT RESOLUTION NO. 85—
BY REPRESENTATIVE WILLIAMS
A CONCURRENT RESOLUTION

To urge and request the House Committee on Health and Welfare and the Senate Committee on Health and Welfare to meet and function as a joint committee to study possible strategies, methods, and policies to prevent physicians and other health care practitioners from prescribing an alternative brand of medication because of financial incentives.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Concurrent Resolution No. 85 by Representative Williams

AMENDMENT NO. 1

On page 2, line 13, after "authority" and before the colon ":" insert a comma "," and "as well as entities in the state possessing knowledge of prescribing practices in the state"

AMENDMENT NO. 2

On page 2, between lines 23 and 24, insert the following:

- "(6) The Louisiana Board of Pharmacy.
- (7) Xavier University of Louisiana, College of Pharmacy.
- (8) University of Louisiana at Monroe, College of Pharmacy."

AMENDMENT NO. 3

On page 2, at the beginning of line 29, delete "and" and after "Psychologists" and before the period "." insert a comma "," and "the Louisiana Board of Pharmacy, the College of Pharmacy at Xavier University of Louisiana, and the College of Pharmacy at the University of Louisiana at Monroe"

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

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

HOUSE CONCURRENT RESOLUTION NO. 100—
BY REPRESENTATIVE LAFONTA
A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study the negative and positive effects of high-stakes testing, including the Louisiana Educational Assessment Program (LEAP) and the Graduation Exit Examination (GEE), on Louisiana's students, including but not limited to negative impacts on student dropout, retention, and attendance rates, and to submit a written report of study findings to the House Committee on Education and the Senate Committee on Education prior to the beginning of the 2009 Regular Session.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Concurrent Resolution No. 100 by Representative LaFonta

AMENDMENT NO. 1

On page 1, line 3, between "negative" and "effects" insert "and positive"

AMENDMENT NO. 2

On page 2, line 7, between "negative" and "effects" insert "and positive"

AMENDMENT NO. 3

On page 2, line 11, between "negative" and "effects" insert "and positive"

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

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

HOUSE CONCURRENT RESOLUTION NO. 101—
BY REPRESENTATIVE HOFFMANN
A CONCURRENT RESOLUTION

To urge and request each city, parish, and other local public school board to adopt a policy recommending that classroom doors in certain schools be equipped with single action deadbolt locks that can be bolted from the inside.

Read by title.

Reported favorably by the Committee on Education.

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

HOUSE CONCURRENT RESOLUTION NO. 112—
BY REPRESENTATIVE HENRY AND SENATOR SHAW
A CONCURRENT RESOLUTION

To adopt Joint Rule No. 9 of the Joint Rules of the Senate and House of Representatives, to require conference committee reports to be confined.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

HOUSE CONCURRENT RESOLUTION NO. 114—
BY REPRESENTATIVE TRAHAN

A CONCURRENT RESOLUTION

To urge and request the Board of Regents, in fulfilling the board's constitutional duties to formulate and make timely revision of a master plan for postsecondary education, which shall include a formula for the equitable distribution of funds to the institutions of postsecondary education, to require, effective with Fiscal Year 2009-2010 and thereafter, that at least fifteen percent of an institution's funding pursuant to the formula be allocated based on performance standards, including but not limited to improvements in student retention and graduation rates and increases in the amounts of external funding generated for the institution compared to institutional peers.

Read by title.

Reported favorably by the Committee on Education.

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

HOUSE CONCURRENT RESOLUTION NO. 115—
BY REPRESENTATIVES TRAHAN, HARDY, AND HOFFMANN

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education, in consultation with the Louisiana High School Athletic Association, to study all issues relative to minimum academic eligibility requirements for participation by students in interscholastic athletics and other extracurricular activities, including but not limited to a review of other states' policies and laws relative to such issue, and to submit a written report of study findings and recommendations to the House Committee on Education and the Senate Committee on Education by not later than January 1, 2009.

Read by title.

Reported favorably by the Committee on Education.

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

**Senate Concurrent Resolutions
Reported by Committee**

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

SENATE CONCURRENT RESOLUTION NO. 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.

Reported favorably by the Committee on Health and Welfare.

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

SENATE CONCURRENT RESOLUTION NO. 24—

BY SENATORS DUPRE AND MORRISH AND REPRESENTATIVES DOVE, ST. GERMAIN AND HUTTER

A CONCURRENT RESOLUTION

To approve the annual Coastal Protection Plan for Fiscal Year 2008-2009, as adopted by the Coastal Protection and Restoration Authority.

Read by title.

Reported favorably by the Committee on Natural Resources and Environment.

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

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.

Reported favorably by the Committee on Natural Resources and Environment.

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

SENATE CONCURRENT RESOLUTION NO. 50—

BY SENATOR MCPHERSON

A CONCURRENT RESOLUTION

To approve the consideration of those portions of Bayou Kisatchie within the Louisiana Natural and Scenic Rivers System for inclusion in the National Wild and Scenic Rivers System.

Read by title.

Reported favorably by the Committee on Natural Resources and Environment.

On motion of Rep. St. Germain, the resolution was ordered 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. 385—

BY REPRESENTATIVE KLECKLEY

AN ACT

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

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed House Bill No. 385 by Representative Kleckley

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AMENDMENT NO. 1

On page 1, at the beginning of line 3, insert "the"

AMENDMENT NO. 2

On page 1, line 4, between "to provide for" and "effective date" insert "the"

AMENDMENT NO. 3

On page 2, line 4, between "executive officer" and "all members" delete "and" and insert a comma ",."

AMENDMENT NO. 4

On page 2, line 4, after "his staff" delete the remainder of the line and on line 5, delete "of Title 51 of the Louisiana Revised Statutes of 1950." and insert a comma "," and insert the following:

"and all members of the board of the corporation. Such information shall be exempt from the public records law (R.S. 44:1 et seq.). However, all such information shall be subject to the legislative auditor's authority pursuant to R.S. 24:513 et seq."

AMENDMENT NO. 5

On page 2, at the end of line 9, delete the period "." and insert "and to the legislative auditor as provided in this Paragraph."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 462—

BY REPRESENTATIVE WOOTON
AN ACT

To enact R.S. 27:311.10 and to repeal R.S. 27:311.9, relative to the Video Draw Poker Devices Control Law; to provide for a reduction in processing fees for video draw poker licenses issued to qualified truck stop facilities under certain circumstances; to provide for restrictions; to authorize the promulgation of rules; to repeal the exemption from the video poker processing fee when the Louisiana Gaming Control Board determines certain facts are applicable; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

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

HOUSE BILL NO. 583—

BY REPRESENTATIVE RICHARDSON
AN ACT

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

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 583 by Representative Richardson

AMENDMENT NO. 1

On page 2, line 16, between "law" and "This" change the period "." to a comma "," and insert "including but not limited to the provisions of R.S. 41:640."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 720—

BY REPRESENTATIVES JANE SMITH AND MILLS
AN ACT

To enact R.S. 17:7(6)(f), relative to requirements for the granting of certification to certain teachers; to exempt certain foreign associate teachers from certain prerequisites for certification; to provide conditions for such exemption; to provide for legislative findings; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 720 by Representative Jane Smith

AMENDMENT NO. 1

On page 1, line 3, between "certain" and "teachers" change "French immersion" to "foreign associate"

AMENDMENT NO. 2

On page 1, line 3, after "from" delete the remainder of the line and at the beginning of line 4, before "for certification;" delete "portion of the prerequisite examination" and insert "certain prerequisites"

AMENDMENT NO. 3

On page 1, line 5, between "exemption;" and "and" insert "to provide for legislative findings;"

AMENDMENT NO. 4

On page 1, between lines 13 and 14, insert the following:

"(f)(i) The legislature finds that:

(aa) There is a critical shortage of foreign language teachers in the state.

(bb) Postsecondary education institutions are not graduating a sufficient number of foreign language teachers in this critical teacher shortage area to address existing needs.

(cc) Extensive research links foreign language education to improved academic and cognitive abilities, expanded career opportunities, and increased earning power."

AMENDMENT NO. 5

On page 1, at the beginning of line 14, before "A" change "(f)" to "(ii)"

AMENDMENT NO. 6

On page 1, line 14, between "A" and "teacher" change "French immersion" to "foreign associate"

AMENDMENT NO. 7

On page 1, line 15, between "least" and "years" change "three" to "six"

AMENDMENT NO. 8

On page 1, line 17, after "take the" delete the remainder of the line and at the beginning of line 18, delete "examination" and insert "reading and writing portions of the Pre-Professional Skills Test series"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 923—

BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact R.S. 18:1303(I) and 1307(G) and to enact R.S. 18:1303(K), relative to absentee voting by mail; to provide that certain persons involuntarily confined for mental treatment shall vote only absentee by mail; to provide for evidence of disability to be submitted in order to vote absentee by mail; to provide for indefinite applicability of applications to vote absentee by mail for disabled voters and senior citizen voters, including exceptions and procedures; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 923 by Representative Gallot

AMENDMENT NO. 1

On page 1, line 2, after "1307(G)" and before "to enact" delete the comma "," and insert "and"

AMENDMENT NO. 2

On page 1, line 2, after "18:1303(K)," delete the remainder of the line and at the beginning of line 3, delete "R.S. 18:1303(B)(6),"

AMENDMENT NO. 3

On page 2, line 1, between "(2)" and "proof" delete "Current" and insert "A copy of current"

AMENDMENT NO. 4

On page 2, line 2, after "veteran's disability benefits," delete the remainder of the line

AMENDMENT NO. 5

On page 2, line 3, after "paratransit services," insert "benefits from"

AMENDMENT NO. 6

On page 2, at the beginning of line 4, insert "benefits from"

AMENDMENT NO. 7

On page 2, line 7, after "for mental treatment" delete the period "." and insert "in connection with a criminal trial."

AMENDMENT NO. 8

On page 2, delete line 10 and insert the following:

"declared incompetent, and who was committed to the institution after being found not guilty by reason of insanity in a criminal trial or after a court determined that he lacked mental capacity to proceed with a criminal trial may only vote absentee by mail and only upon meeting the"

AMENDMENT NO. 9

On page 2, line 23, after "registrar shall" delete "inform" and insert "send notice by forwardable mail to"

AMENDMENT NO. 10

On page 2, delete lines 27 and 28

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 937—

BY REPRESENTATIVES ST. GERMAIN AND AUBERT
AN ACT

To amend and reenact R.S. 4:211(5) and R.S. 27:353(4) and to enact R.S. 18:1300.24, relative to conducting live horse racing and pari-mutuel wagering in Iberville Parish; to provide for the calling and conducting of certain referendum elections in Iberville Parish relative to authorizing the conducting of horse racing and pari-mutuel wagering in the parish, authorizing the operation of an offtrack wagering facility in Iberville Parish, and authorizing an eligible horse racing facility in Iberville Parish to conduct slot machine gaming; to provide for the submission of propositions by the governing authority of Iberville Parish; to provide relative to the approval of the propositions by the voters; to provide for applicability; to amend the definition of eligible facility for the purposes of conducting slot machine gaming; to amend the definition of pari-mutuel facility for the purpose of offtrack wagering; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 987—

BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact R.S. 18:564(D), relative to assistance in voting; to provide relative to evidence of disability to be presented by a voter in order to be entitled to vote with assistance; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 987 by Representative Gallot

AMENDMENT NO. 1

On page 1, line 19, after "veteran's disability benefits," delete "long-term disability benefits through" and on page 2, at the beginning of line 1, delete "a private insurer."

AMENDMENT NO. 2

On page 2, line 1, after "paratransit services," insert "benefits from"

AMENDMENT NO. 3

On page 2, line 2, after "disabilities, or" insert "benefits from"

AMENDMENT NO. 4

On page 2, line 20, between "(iii)" and "proof" change "Current" to "A copy of current"

AMENDMENT NO. 5

On page 2, line 21, after "veteran's disability benefits," delete "long-term disability benefits through a private" and at the beginning of line 22, delete "insurer."

AMENDMENT NO. 6

On page 2, line 22, after "paratransit services," insert "benefits from"

AMENDMENT NO. 7

On page 2, at the beginning of line 23, insert "benefits from"

AMENDMENT NO. 8

On page 2, delete line 28

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1016—

BY REPRESENTATIVE SMILEY

AN ACT

To amend and reenact R.S. 25:380.75, 380.76, 380.104(A)(2), 380.105(A), and 380.106, R.S. 34:3101(B)(7), 3106, 3107, 3109(C)(9), 3112(G), 3112.1(A)(8) and (C), 3113(B), (F), and (J)(4), and 3115(A), R.S. 46:2352(10)(a)(iii), and R.S. 51:971, 3054(C), and 3055(introductory paragraph) and (1), to enact R.S. 36:259(N) and (S), and to repeal Chapter 8A of Title 15 of the Louisiana Revised Statutes of 1950, comprised of R.S. 15:1231 through 1237, R.S. 17:185.3 and 185.4, R.S. 25:380.72, 380.73, 380.102, 380.103, 1226.2, 1226.4(B)(1), and 1226.1(7), R.S. 34:3102(2), 3105, and 3116(B), (C), and (D), R.S. 36:109(B), 209(M)(3), 259(D), (E)(18) and (22), and (P), 478(G), 744(U), and 801.14, R.S. 37:1270.1 and 1360.23, R.S. 40:2198 through 2198.6, R.S. 46:2352(7)(c), 2355, and

2356(A)(1) and (9) and (B)(introductory paragraph), R.S. 48:1832 through 1836 and 2002 through 2006, and R.S. 51:973, 974, 976, 3053(5)(d), and 3054(B)(1) through (4)(a), relative to boards, commissions, authorities, districts, and like entities; to abolish certain inactive boards, commissions, authorities, and like entities; to remove references to certain abolished entities; to remove references to, provisions for, and the powers, functions, and duties of Committee on Law Enforcement Services for the Elderly, the Agricultural Education Advisory Committee, the governing board of the Jean Lafitte Marine Fisheries Museum, the board of commissioners of the Offshore Terminal Authority, the governing board of the Shreveport Water Works Museum, the Atchafalaya Trace Heritage Area Development Zone Review Board, the Physician Assistants Advisory Committee, the Rural Health Care Authority, the Telephone Access Program Board, the Interpreter Certification Board, the board of commissioners of the Jean Lafitte Scenic Byway District, the board of commissioners of the Real French Destination Scenic Byway District, the advisory committee and the board of the Applied Polymer Technology Extension Consortium, and the board of Directors of the Major Projects Development Authority; to provide for the placement of the Respiratory Care Advisory Committee and the Nursing Supply and Demand Commission within the Department of Health and Hospitals; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on House and Governmental Affairs.

The substitute was read by title as follows:

HOUSE BILL NO. 1372 (Substitute for House Bill No. 1016 by Representative Smiley)—

BY REPRESENTATIVES SMILEY, LIGI, PUGH, AND JANE SMITH

AN ACT

To amend and reenact R.S. 3:1311(11), 1312(B), 1313(A), (B)(2), (7), and (8), and (C), 1314(5), and 1317(1)(a) and (b), R.S. 17:185.3, R.S. 36:4(B)(1)(e), R.S. 40:5.11 and 1299.40(E), and R.S. 46:2352(10)(a)(iii) and to repeal R.S. 3:1312(A), R.S. 17:3397.3(C), Chapter 27 of Title 25, comprised of R.S. 25:1231 through 1237, R.S. 36:4.1(D)(7), 109(B)(1) and (2), 209(Q), 259(BB)(3), (JJ), and (KK), 509(D), (U), and (V), 629(C)(4), 919.8, and 919.10, Chapter 27 of Title 37 of the Louisiana Revised Statutes of 1950, comprised of R.S. 37:2301 through 2319, Part XXXI of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, comprised of R.S. 38:3087.281 through 3087.295, and Part XXXIII of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, comprised of R.S. 38:3087.321 through 3087.335, R.S. 39:301, R.S. 40:31.2, and Subpart E of Part VII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1236.15 through 1236.29, R.S. 46:2355, 2525.1, Chapter 46-A of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:2616 through 2618, Chapter 23 of Title 48 of the Louisiana Revised Statutes of 1950, comprised of R.S. 48:1831 through 1836, Chapter 25 of Title 48 of the Louisiana Revised Statutes of 1950, comprised of R.S. 48:2001 through 2006, and Chapter 29 of Title 48 of the Louisiana Revised Statutes of 1950, comprised of R.S. 48:2061 through 2067, and Part VI of Chapter 3 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:971 through 978, Chapter 12-A of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:1371 through 1377, and Chapter 49 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:3051 through 3056; relative to boards, commissions, districts, authorities, and like entities; to abolish certain boards, commissions, districts, authorities, and like entities; to remove references to, provisions for, and the powers, functions, and duties of the Fertilizer Commission, the Louisiana Purchase

Bicentennial Commission, the Advisory Council for Technology Access by Individuals with Disabilities, the Fluoridation Advisory Board, the Medical Disclosure Panel, the Bio-recovery Technician Certification Commission, the Interagency Task Force on Health Literacy, the Diabetes Initiative Council, the Task Force on Violent Crime Against Women, the Telephone Access Program Board, the Agriculture Education Advisory Committee, the Research and Development Council, the Lincoln Parish Reservoir Authority, the Jackson Parish Dugdemona Watershed Authority, the Jean Lafitte Scenic Byway District, the Real French Destination Scenic Byway District, the Investment in Infrastructure for Economic Development Commission, the Waterways Infrastructure and Development Bank and its board of directors, the Applied Polymer Technology Extension Consortium Board of Directors and Advisory Committee, the Major Projects Development Authority; and the Louisiana State Radio and Television Technicians Board; to transfer powers and responsibilities of certain abolished entities; and to provide for related matters.

Read by title.

On motion of Rep. Gallot, the substitute was adopted and became House Bill No. 1372 by Rep. Smiley, on behalf of the Committee on House and Governmental Affairs, as a substitute for House Bill No. 1016 by Rep. Smiley.

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

HOUSE BILL NO. 1037—
BY REPRESENTATIVE TRAHAN
AN ACT

To enact R.S. 17:81(Q), relative to teacher compensation; to provide relative to salary differential amounts; to require an increase in such amounts for teachers holding certain advanced academic degrees; to provide relative to implementation; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education with recommendation that the bill be recommitted to the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 1037 by Representative Trahan

AMENDMENT NO. 1

On page 1, line 3, after "differential amounts;" delete the remainder of the line and at the beginning of line 4 delete "amounts; to provide effectiveness;" and insert in lieu thereof "to require an increase in such amounts for teachers holding certain advanced academic degrees; to provide relative to implementation;"

AMENDMENT NO. 2

On page 1, at the beginning of line 10, change "Q." to "Q.(1)"

AMENDMENT NO. 3

On page 1, line 11, after "by" and before "the" change "five thousand dollars" to "two thousand four hundred dollars"

AMENDMENT NO. 4

On page 1, at the end of line 14, change "five thousand" to "two thousand four hundred"

AMENDMENT NO. 5

On page 1, between line 17 and 18, insert the following:

"(2) Implementation of the provisions of this Subsection shall be subject to the appropriation of state funds for this purpose."

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

On motion of Rep. Trahan, the above bill, as amended, was ordered engrossed and recommitted to the Committee on Appropriations.

HOUSE BILL NO. 1052—
BY REPRESENTATIVES CAZAYOUX AND BALDONE
AN ACT

To amend and reenact R.S. 15:541(14.1) and (14.2)(k), 542.1(A)(2)(a), 542.1.1(A)(1), 542.1.3(A) and (F), 543(B)(6), 543.1(6), and 544(C), relative to sex offender and child predator registration and notification provisions; to provide with respect to the requirements of registration and notification provisions; to provide for definitions; to provide for the time period in which an offender must comply with registration and notification requirements; to provide for the duties of the Department of Public Safety and Corrections; to provide relative to the duration of registration and notification requirements; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Administration of Criminal Justice.

The substitute was read by title as follows:

HOUSE BILL NO. 1373 (Substitute for House Bill No. 1052 by Representative Baldone)—
BY REPRESENTATIVES BALDONE AND NORTON
AN ACT

To amend and reenact R.S. 15:241, 541(1)(d), (e), (f), (g), (h), (i), (j), and (k), and (14.1), 542(C)(2), 542.1(A)(1)(e) and (2)(a), 542.1.1(A)(1) and (4), and (B), 542.1.3(A), (B) and (F), 542.1.5(A)(1), (2)(a), and (F), 542.1.6, 543(B)(6), 543.1, and 544(A), (B), (C), and (D)(3), to enact R.S. 15:541(1)(l) and (m), 542.1.3(H), and 544(D)(4) and (E), and to repeal R.S. 15:541(14.2)(k), relative to sex offenses and offenses involving child victims; to provide with respect to victims of sex offenses; to provide with respect to the requirements of sex offender and child predator registration and notification provisions; to provide for definitions; to provide for the time period in which an offender must comply with registration and notification requirements; to provide for the duties of the Department of Public Safety and Corrections and the office of youth development; to provide relative to the duration of registration and notification requirements; to provide for written notification by the courts; and to provide for related matters.

Read by title.

On motion of Rep. Wooton, the substitute was adopted and became House Bill No. 1373 by Rep. Baldone, on behalf of the Committee on Administration of Criminal Justice, as a substitute for House Bill No. 1052 by Rep. Baldone.

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

HOUSE BILL NO. 1060—
BY REPRESENTATIVE HILL
AN ACT

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

Read by title.

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Reported favorably by the Committee on Education.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1100— BY REPRESENTATIVE WADDELL AN ACT

To amend and reenact R.S. 44:5, relative to records of the office of the governor and of certain agencies in the office of the governor; to provide for the application of the laws relative to public records to the office of the governor and agencies and officials within the office of the governor; to provide with respect to exemptions to the public records laws; to provide for definitions; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 1100 by Representative Waddell

AMENDMENT NO. 1

On page 1, delete lines 10 through 21 and on page 2, delete lines 1 through 21, and insert the following:

"A. This Chapter shall not apply to any ~~of the books, records, writings, accounts, letters, letter books, photographs or copies thereof, ordinarily kept in the custody or control of the governor in the usual course of the duties and business of his office. However, the provisions of this Subsection shall not apply to any agency transferred or placed within the office of the governor or transferred or placed within any agency within the office of the governor by R.S. 36:4(V) and 4-I, having been used, being in use, or prepared, possessed, or retained for use by the governor, the governor's chief of staff, or the governor's executive counsel when such records relate to the duties of the governor in his capacity as governor or to the duties of the chief of staff or executive counsel in their capacities as advisors to the governor.~~

B. The provisions of Subsection A of this Section shall be narrowly interpreted to apply only to records of the governor, his chief of staff, or his executive counsel as such records relate to the operations of the governor's office. The provisions of Subsection A of this Section shall not apply to any other agencies or individuals performing governmental or quasi-governmental functions.

C. The provisions of this Section shall not prevent any person otherwise herein authorized so to do from inspecting, examining, and copying, or obtaining a reproduction of any books, records, papers, accounts, or other documents record pertaining to any money or monies or any financial transactions in the control of or handled by or through the governor in accordance with the provisions of this Chapter.

D. For purposes of this Section, "record" shall mean any of the materials defined as "public records" by

AMENDMENT NO. 2

On page 2, delete line 24 and insert the following:

"Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1108— BY REPRESENTATIVE BARROW AN ACT

To amend and reenact R.S. 33:4720.151(B)(6), (D), (E), (G)(5), (9), and (12), (H)(4)(b), (I)(2), (J)(1), (K), (L)(1), (3), and (4), and (O)(introductory paragraph), (1), and (4) and R.S. 44:4.1(B)(18), to enact R.S. 33:4720.151(H)(23) and (S), and to repeal R.S. 33:4720.151(G)(13), relative to the East Baton Rouge Redevelopment Authority; to provide relative to the purposes and objects and powers and duties of the authority; to provide relative to the members of the governing board of the authority; to authorize the authority to initiate an expedited quiet title and foreclosure action; to provide relative to the procedures for any such action; to provide relative to the rights of property owners; to provide relative to due process; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed House Bill No. 1108 by Representative Barrow

AMENDMENT NO. 1

On page 1, line 3, change "(O)(introductory paragraph) and (1)," to "(O)(introductory paragraph), (1), and (4) and R.S. 44:4.1(B)(18),"

AMENDMENT NO. 2

On page 1, line 16, change "(O)(introductory paragraph) and (1)," to "(O)(introductory paragraph), (1), and (4)"

AMENDMENT NO. 3

On page 2, line 19, after "may" and before "within" insert a comma
,"

AMENDMENT NO. 4

On page 2, line 28, after "nonprofit" and before "and" insert "organizations"

AMENDMENT NO. 5

On page 4, line 8, after "R.S. 42:7." delete the remainder of the line and delete lines 9 through 12

AMENDMENT NO. 6

On page 5, delete line 3

AMENDMENT NO. 7

On page 5, line 13, after "of" and before "authority" delete "an" and insert "the"

AMENDMENT NO. 8

On page 5, line 16, after "between" and before "authority" delete "an" and insert "the"

AMENDMENT NO. 9

On page 5, line 21, after "by" and before "board" delete "a" and insert "the"

AMENDMENT NO. 10

On page 6, line 6, after "Service" delete "Authority." and insert "Commission."

AMENDMENT NO. 11

On page 6, at the end of line 8, delete "their" and insert "its"

AMENDMENT NO. 12

On page 6, line 9, delete "respective"

AMENDMENT NO. 13

On page 6, line 9, delete "jurisdictions" and insert "jurisdiction"

AMENDMENT NO. 14

On page 6, line 15, after "1950" and before "or" delete the comma " , "

AMENDMENT NO. 15

On page 7, line 13, between "Chapter 5" and "of Title 47" insert "of Subtitle III"

AMENDMENT NO. 16

On page 7, at the end of line 22, delete "respective"

AMENDMENT NO. 17

On page 7, line 23, delete "jurisdictions." and insert "jurisdiction."

AMENDMENT NO. 18

On page 8, at the end of line 5, delete "real" and insert "immovable"

AMENDMENT NO. 19

On page 8, line 13, between "such" and "property" delete "real" and insert "immovable"

AMENDMENT NO. 20

On page 8, at the beginning of line 17, delete "real" and insert "immovable"

AMENDMENT NO. 21

On page 8, line 17, after "Such" delete "real" and insert "immovable"

AMENDMENT NO. 22

On page 8, line 18, between "leased," and "or otherwise" insert "exchanged."

AMENDMENT NO. 23

On page 8, line 20, delete "real" and insert "immovable"

AMENDMENT NO. 24

On page 8, line 20, after "redevelopment" and before "plans," insert "or development"

AMENDMENT NO. 25

On page 8, line 26, between "lease," and "or otherwise" insert "exchange."

AMENDMENT NO. 26

On page 8, at the end of line 26, delete "real" and insert "immovable"

AMENDMENT NO. 27

On page 8, line 29, after "thereon." delete "Real" and insert "Immovable"

AMENDMENT NO. 28

On page 9, line 1, after "provisions of the" and before "plan" delete "redevelopment"

AMENDMENT NO. 29

On page 9, line 7, after "lease" delete "real" and insert "immovable"

AMENDMENT NO. 30

On page 9, line 23, delete "real" and insert "immovable"

AMENDMENT NO. 31

On page 9, line 26, change "or otherwise transfer real" to "exchange, or otherwise transfer immovable"

AMENDMENT NO. 32

On page 10, between lines 13 and 14, insert the following:

"(4) Lend, grant, or contribute funds to ~~an~~ the authority in accordance with an appropriate cooperative endeavor agreement and borrow money and apply for and accept advances, loans, grants, contributions, and any other form of financial assistance from the federal government, the state, parish, or other public body, or from any other source.

* * *

AMENDMENT NO. 33

On page 10, line 14, after "In addition to" change "the" to "other"

AMENDMENT NO. 34

On page 10, line 16, change "real" to "immovable"

AMENDMENT NO. 35

On page 10, line 23, change "Section:" to "Subsection:"

AMENDMENT NO. 36

On page 11, line 2, after "If" and before "authority" change "an" to "the"

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AMENDMENT NO. 37

On page 11, at the end of line 14, after "property" insert a period "." and delete the remainder of the line

AMENDMENT NO. 38

On page 11, line 22, change "Section" to "Subsection"

AMENDMENT NO. 39

On page 11, line 27, after "days" and before "on" delete the comma "," and insert "of filing,"

AMENDMENT NO. 40

On page 12, line 3, after "petition" and before "or" delete the comma ","

AMENDMENT NO. 41

On page 12, line 14, change "Paragraph" to "Subsection"

AMENDMENT NO. 42

On page 12, at the beginning of line 26, change "corporation" to "commercial"

AMENDMENT NO. 43

On page 13, line 1, after "of this Subsection" delete "with" and insert "who have"

AMENDMENT NO. 44

On page 13, line 8, delete "conspicuously"

AMENDMENT NO. 45

On page 13, line 8, after "property" and before "notice" insert "conspicuous"

AMENDMENT NO. 46

On page 13, line 14, change "notice" to "notices"

AMENDMENT NO. 47

On page 13, line 19, after "his" change "or her interest, if any," to "interest"

AMENDMENT NO. 48

On page 13, line 20, change "Paragraph (1)" to "Paragraph (11)"

AMENDMENT NO. 49

On page 14, line 7, after "in" and before "newspaper" change "the official" to "a"

AMENDMENT NO. 50

On page 14, line 17, after "his" change "or her interest, if any," to "interest"

AMENDMENT NO. 51

On page 14, delete line 20 and insert "Paragraph (11) of this Subsection."

AMENDMENT NO. 52

On page 15, line 1, change "Section," to "Subsection,"

AMENDMENT NO. 53

On page 15, line 9, change "Paragraph (5)" to "Paragraph (6)"

AMENDMENT NO. 54

On page 15, line 22, after "Subsection" and before "not" delete the comma ","

AMENDMENT NO. 55

On page 15, line 23, between "judgment shall" and "effective" change "be" to "become"

AMENDMENT NO. 56

On page 16, line 14, after "mail," and before "visits" change "for" to "by"

AMENDMENT NO. 57

On page 16, line 15, after "foreclosure, and" and before "publication" change "for" to "by"

AMENDMENT NO. 58

On page 16, line 15, change "Section," to "Subsection,"

AMENDMENT NO. 59

On page 16, line 20, delete "under this Subparagraph"

AMENDMENT NO. 60

On page 16, line 21, change "Subparagraph" to "Subsection"

AMENDMENT NO. 61

On page 17, line 11, after "and" and before "handled" insert "shall be"

AMENDMENT NO. 62

On page 17, line 25, between "court's judgment" and "effective." change "is" to "becomes"

AMENDMENT NO. 63

On page 18, line 6, change "Subsection" to "Paragraph"

AMENDMENT NO. 64

On page 18, at the beginning of line 18, change "constitution of this state" to "Constitution of Louisiana"

AMENDMENT NO. 65

On page 18, at the end of line 24, delete "or" and at the beginning of line 25, delete "she"

AMENDMENT NO. 66

On page 18, line 26, after "owner" and before "but" delete the comma ","

AMENDMENT NO. 67

On page 18, line 28, change "Subsection," to "Paragraph,"

AMENDMENT NO. 68

On page 19, line 20, after "failure of" and before "authority" change "an" to "the"

AMENDMENT NO. 69

On page 19, at the end of line 25, change "Section" to "Subsection"

AMENDMENT NO. 70

On page 20, between lines 17 and 18 insert the following:

"Section 2. R.S. 44:4.1(B)(18) is hereby amended and reenacted to read as follows:

§4.1. Exceptions

* * *

B. The legislature further recognizes that there exist exceptions, exemptions, and limitations to the laws pertaining to public records throughout the revised statutes and codes of this state. Therefore, the following exceptions, exemptions, and limitations are hereby continued in effect by incorporation into this Chapter by citation:

* * *

(18) R.S. 33:1334, 2182, 2428, 4720.151, 9109, 9128

* * *"

AMENDMENT NO. 71

On page 20, at the beginning of line 18, change "Section 2." to "Section 3."

AMENDMENT NO. 72

On page 20, at the beginning of line 19, change "Section 3." to "Section 4."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1181—

BY REPRESENTATIVE LORUSSO
AN ACT

To amend and reenact R.S. 42:1102(18), relative to the Code of Governmental Ethics; to provide an exception to the definition of "public employee" for certain specified members of the National Guard; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1184—

BY REPRESENTATIVE LEGER
AN ACT

To amend and reenact R.S. 17:3390(D)(1) and to enact R.S. 17:3390(D)(3), relative to certain entities that support public institutions of higher education; to provide relative to certain requirements regarding the financial affairs of such entities; to provide relative to audits; to provide for the preparation of

certain certificates and financial statements under certain circumstances; to provide for the content of such certificates and financial statements; to provide for effectiveness; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1203—

BY REPRESENTATIVES HAZEL, HOWARD, AND DOWNS
AN ACT

To amend and reenact R.S. 14:67.12, relative to the theft of timber; to provide for the elements of the offense; to provide for criminal penalties for the theft of timber; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1256—

BY REPRESENTATIVE DOWNS
AN ACT

To amend and reenact R.S. 17:53, relative to city, parish, and other local public school board members; to provide that school board members shall receive training and instruction annually; to require that a certain minimum number of hours focus on certain topics for school board members in certain districts; to provide for effectiveness; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 1256 by Representative Downs

AMENDMENT NO. 1

On page 1, line 11, between "of" and "hours" change "six" to "four"

AMENDMENT NO. 2

On page 2, line 3, after "schools," and before "early" delete "and"

AMENDMENT NO. 3

On page 2, line 3, after "education" and before "Such" change the period "." to a comma "," and insert "school discipline, and harassment, intimidation, and bullying. Training shall also include instruction relative to the provisions of the Open Meetings Law, R.S. 42:4.1 et seq., and the Public Bid Law, Chapter 10 of Title 38 of the Louisiana Revised Statutes of 1950."

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AMENDMENT NO. 4

On page 2, line 9, after "the" and before "Each" change "state Department of Education." to "Louisiana School Boards Association."

AMENDMENT NO. 5

On page 2, at the end of line 10, after "to the" delete "state" and at the beginning of line 11, delete "Department of Education." and insert "Louisiana School Boards Association."

AMENDMENT NO. 6

On page 2, line 20, after "Section." delete the remainder of the line and delete lines 21 and 22 in their entirety

AMENDMENT NO. 7

On page 2, after line 22, insert the following:

"C. The Louisiana School Boards Association shall post on its web site regularly updated information relative to the number and subject matter of training hours completed by each school board member pursuant to the provisions of this Section."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1283—

BY REPRESENTATIVE NORTON

AN ACT

To enact R.S. 14:107.4, relative to offenses affecting the general peace and order; to create the crime of unlawful filming or recording of criminal activity; to provide for penalties; to provide for exceptions; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Administration of Criminal Justice.

The substitute was read by title as follows:

HOUSE BILL NO. 1374 (Substitute for House Bill No. 1283 by Representative Norton)—

BY REPRESENTATIVES NORTON, ARMES, BARRAS, BURRELL, CORTEZ, DIXON, FRANKLIN, ELBERT GUILLORY, HARDY, HAZEL, HOWARD, LOPINTO, MILLS, ROBIDEAUX, AND TEMPLET

AN ACT

To enact R.S. 14:107.4, relative to offenses affecting the general peace and order; to create the crime of unlawful filming or recording of criminal activity; to provide for penalties; to provide for exceptions; and to provide for related matters.

Read by title.

On motion of Rep. Wooton, the substitute was adopted and became House Bill No. 1374 by Rep. Norton, on behalf of the Committee on Administration of Criminal Justice, as a substitute for House Bill No. 1283 by Rep. Norton.

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

HOUSE BILL NO. 1328—

BY REPRESENTATIVES MILLS, BOBBY BADON, GISCLAIR, AND HARRISON

AN ACT

To amend and reenact R.S. 30:83(F)(6), 84(A)(1) and (2), and 86(A) and to enact R.S. 30:83(I), relative to the Oilfield Site

Restoration Law; to provide for the duties and powers of the Oilfield Site Restoration Commission and the secretary of the Department of Natural Resources; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources and Environment.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources and Environment to Original House Bill No. 1328 by Representative Mills

AMENDMENT NO. 1

On page 1, line 2, delete "(5) and" and after "86(A)" and before the comma "," insert "and to enact R.S. 30:83(I)"

AMENDMENT NO. 2

On page 1, line 7, delete "(5) and"

AMENDMENT NO. 3

On page 1, line 8, after "reenacted" insert "and R.S. 30:83(I) is hereby enacted"

AMENDMENT NO. 4

On page 1, delete lines 13 through 20 in their entirety and on page 2, delete lines 1 through 6 in their entirety and insert in lieu thereof the following:

"(6) ~~Administer and manage~~ Provide general administration and management of the Oilfield Site Restoration Fund and all site-specific trust accounts. The commission shall delegate the power to disburse funds to the secretary pursuant to the authority granted to him herein. However, the commission shall have no authority to expend, disburse, or invest monies in the fund.

* * *

I. Nothing in this Part shall be construed to authorize the commission to expend, disburse, or invest monies in the Oilfield Site Restoration Fund."

On motion of Rep. St. Germain, the amendments were adopted.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1348—

BY REPRESENTATIVE GIROD JACKSON

AN ACT

To enact R.S. 22:1425.1, relative to homeowner's insurance; to require certain insurers who write homeowner's insurance to sell homeowner's coverage to certain veterans and military personnel; to provide a definition for active military person; to provide for the commissioner of insurance to adopt rules and regulations in accordance with the Administrative Procedure Act; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Insurance.

The substitute was read by title as follows:

HOUSE BILL NO. 1375 (Substitute for House Bill No. 1348 by Representative Girod)—

BY REPRESENTATIVE GIROD JACKSON
AN ACT

To enact R.S. 22:1425.1, relative to homeowner's insurance; to authorize insurers that write homeowner's insurance to provide a ten percent discount to active military personnel; to require the commissioner of insurance to adopt rules and regulations in accordance with the Administrative Procedure Act; and to provide for related matters.

Read by title.

On motion of Rep. Kleckley, the substitute was adopted and became House Bill No. 1375 by Rep. Girod Jackson, on behalf of the Committee on Insurance, as a substitute for House Bill No. 1348 by Rep. Girod Jackson.

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

HOUSE BILL NO. 1367 (Substitute for House Bill No. 451 by Representative Hardy)—

BY REPRESENTATIVES HARDY AND GISCLAIR
AN ACT

To enact R.S. 32:77.1, relative to passing in school zones; to prohibit passing in school zones; to provide for penalties for operators of motor vehicles who pass other motor vehicles in school zones; and to provide for related matters.

Read by title.

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. 1368 (Substitute for House Bill No. 819 by Representative Abramson)—

BY REPRESENTATIVE ABRAMSON
AN ACT

To amend and reenact R.S. 9:3145, relative to the New Home Warranty Act; to provide for delivery of notice; to provide for rules and regulations for the notice; and to provide for related matters.

Read by title.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1369 (Substitute for House Bill No. 948 by Representative St. Germain)—

BY REPRESENTATIVES ST. GERMAIN AND MORRIS
AN ACT

To enact R.S. 22:1405(D)(11), R.S. 36:408(D)(6) and 409(C)(7), and R.S. 40:1594, 1594.1, and 1594.2, relative to property insurance; to create the Louisiana Addendum Board within the office of the state fire marshal, code enforcement and building safety, of the Department of Public Safety and Corrections; to charge the board with the responsibility of creating and maintaining the Louisiana Addendum to the Insurance Services Office (ISO) Fire Suppression Rating Schedule; to provide for the responsibilities of the office with regard to the addendum; to require the Property Insurance Association of Louisiana to apply the Louisiana Addendum in assigning a public fire protection classification or grading for a public fire protection area; and to provide for related matters.

Read by title.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1370 (Substitute for House Bill No. 1191 by Representative Tucker)—

BY REPRESENTATIVE TUCKER
AN ACT

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

Read by title.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1371 (Substitute for House Bill No. 1321 by Representative Pearson)—

BY REPRESENTATIVE PEARSON
AN ACT

To enact R.S. 9:1451, relative to successions; to authorize access to certain assets; to provide for definitions; to provide for the sale or transfer of securities under certain circumstances; to provide for payment to the surviving spouse pending the appointment of an executor or administrator; to provide for limitations; to provide a limitation of liability for brokers; to provide for the preservation of certain claims; to provide for applicability pending actions for divorce; and to provide for related matters.

Read by title.

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

Under the rules, placed on the regular calendar.

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

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

SENATE BILL NO. 37—

BY SENATOR DUPRE
AN ACT

To amend and reenact R.S. 35:407(A) and (D), relative to ex officio notaries for municipal police departments; to authorize under certain circumstances a mayor to designate persons as ex officio notaries; to provide terms and conditions; 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.

Reported without amendments by the Legislative Bureau.

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

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

SENATE BILL NO. 54—
BY SENATOR MURRAY

A JOINT RESOLUTION

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

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 54 by Senator Murray

AMENDMENT NO. 1

On page 2, line 1, after "Rouge," and before "Lafayette" insert "Jefferson."

AMENDMENT NO. 2

On page 2, line 13, after "Rouge," and before "Lafayette" insert "Jefferson,"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 123—
BY SENATOR DUPRE

AN ACT

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

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Reengrossed Senate Bill No. 123 by Senator Dupre

AMENDMENT NO. 1

On page 1, at the beginning of line 2, delete "To" and insert in lieu thereof the following:

"To amend and reenact R.S. 23:921(H) and to"

AMENDMENT NO. 2

On page 1, line 3, after "compete;" and before "to prohibit" insert "to provide for dissolution of noncompete agreements in certain situations; to allow members of a noncompete agreement to transfer, sale, or purchase stock in certain situations;"

AMENDMENT NO. 3

On page 1, line 6, after "Section 1." and before "R.S." insert the following:

"R.S. 23:921(H) is hereby amended and reenacted and"

AMENDMENT NO. 4

On page 1, between lines 9 and 10, insert the following:

"H. Any agreement covered by ~~Subsections~~ Subsection B, C, E, F, ~~or~~ G, J, K, or L of this Section shall be considered an obligation not to do, and failure to perform may entitle the obligee to recover damages for the loss sustained and the profit of which he has been deprived. In addition, upon proof of the obligor's failure to perform, and without the necessity of proving irreparable injury, a court of competent jurisdiction shall order injunctive relief enforcing the terms of the agreement. Any agreement covered by Subsection J, K, or L of this Section shall be null and void if it is determined that members of the agreement were engaged in ultra vires acts. Nothing in Subsection J, K, or L of this Section shall prohibit the transfer, sale, or purchase of stock or interest in publicly traded entities.

* * *

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 123 by Senator Dupre

AMENDMENT NO. 1

In House Committee Amendment No. 2 proposed by the House Committee on Commerce to Reengrossed Senate Bill 123 by Senator Dupre, delete line 5 and insert "On page 1, line 2, after "business;" insert "to provide for dissolution"

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 130—
BY SENATOR DUPLESSIS

AN ACT

To amend and reenact R.S. 9:3516(26), relative to the Louisiana Consumer Credit Law; to provide for prepaid finance charges; to provide for definitions; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

Reported without amendments by the Legislative Bureau.

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

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

SENATE BILL NO. 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.

Reported favorably by the Committee on Civil Law and Procedure.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 172—
BY SENATOR DUPLESSIS

AN ACT

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

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Engrossed Senate Bill No. 172 by Senator Duplessis

AMENDMENT NO. 1

On page 1, delete line 12 in its entirety and insert in lieu thereof the following:

"A.

* * *

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 182—

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

AN ACT

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

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 182 by Senator Gray

AMENDMENT NO. 1

On page 2, line 4, after "treatment" delete the remainder of the line and on line 5, delete "28 of the Louisiana Revised Statutes of 1950"

AMENDMENT NO. 2

On page 2, line 6, change "subject of the order" to "patient"

AMENDMENT NO. 3

On page 2, line 7, after "order" and before "and" delete "of involuntary outpatient treatment"

AMENDMENT NO. 4

On page 2, line 8, change "due to noncompliance the subject" to "he"

AMENDMENT NO. 5

On page 5, at the end of line 4, change "from" to "for"

AMENDMENT NO. 6

On page 5, line 7, change "from" to "for"

AMENDMENT NO. 7

On page 5, line 8, delete "in a hospital"

AMENDMENT NO. 8

On page 5, line 13, change "at" to "of"

AMENDMENT NO. 9

On page 5, line 17, delete "or her"

AMENDMENT NO. 10

On page 5, line 20, delete "patient's" and after "behavior" insert "of the patient"

AMENDMENT NO. 11

On page 5, line 21, delete "in order"

AMENDMENT NO. 12

On page 5, at the beginning of line 26, change "(8)" to "B."

AMENDMENT NO. 13

On page 5, line 27, delete "that" and change "such" to "the"

AMENDMENT NO. 14

On page 5, at the beginning of line 29, delete "B."

AMENDMENT NO. 15

On page 6, line 4, change "subject of the" to "patient" and at the beginning of line 5, delete "petition"

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AMENDMENT NO. 16

On page 6, line 6, delete "only" and at the beginning of line 7, change "any" to "one"

AMENDMENT NO. 17

On page 6, line 8, change "subject of the petition" to "patient"

AMENDMENT NO. 18

On page 6, at the end of line 10 and at the beginning of line 11, change "subject of the petition" to "patient"

AMENDMENT NO. 19

On page 6, at the beginning of line 13, delete "regional"

AMENDMENT NO. 20

On page 6, line 15, change "subject of the petition" to "patient"

AMENDMENT NO. 21

On page 6, line 18, change "person who is the subject of the petition" to "patient" and at the end of the line, delete "set" and at the beginning of line 19, delete "out"

AMENDMENT NO. 22

On page 6, line 26, change "person who is the subject of the petition" to "patient"

AMENDMENT NO. 23

On page 6, line 28, change "subject of the petition" to "patient"

AMENDMENT NO. 24

On page 7, at the end of line 3 and at the beginning of line 4, change "subject of the petition" to "patient"

AMENDMENT NO. 25

On page 7, line 4, change "the subject" to "him"

AMENDMENT NO. 26

On page 7, line 6, change "subject of the petition" to "patient"

AMENDMENT NO. 27

On page 7, at the end of line 7, delete "that such physician," and at the beginning of line 8, change "psychiatric mental health nurse practitioner or psychologists" to "he"

AMENDMENT NO. 28

On page 7, line 9, change "subject of the petition" to "patient"

AMENDMENT NO. 29

On page 7, line 11, after "time" and before the comma "," insert "and place for a hearing, which may be conducted before any judge in the judicial district, within five days" and delete line 12 in its entirety

AMENDMENT NO. 30

On page 7, at the beginning of line 13, delete "petition,"

AMENDMENT NO. 31

On page 7, line 18, change "at the hearing; that he has" to a comma "," and after "counsel" change the semicolon ";" to a comma "," and at the end of the line delete "that"

AMENDMENT NO. 32

On page 7, at the beginning of line 19, change "he, if" to "which may be appointed, if he is"

AMENDMENT NO. 33

On page 7, line 20, after the semicolon ";" delete the remainder of the line and insert "and a right"

AMENDMENT NO. 34

On page 7, line 21, delete "testifying at any hearing on such application"

AMENDMENT NO. 35

On page 7, line 23, change "On the day appointed, the" to "The"

AMENDMENT NO. 36

On page 7, line 25, after "shall" delete the remainder of the line and on line 26, delete "manner as possible under the circumstances and shall"

AMENDMENT NO. 37

On page 7, line 28, change "person who is the subject of the petition" to "patient"

AMENDMENT NO. 38

On page 7, line 29, change "subject of the petition" to "patient"

AMENDMENT NO. 39

On page 8, line 1, after the comma "," delete the remainder of the line and delete lines 2 through 6 in their entirety and insert the following:

"and service of process was proper and appropriate attempts to elicit attendance failed, the court may conduct the hearing in the absence of the patient, but the court shall state the factual basis for conducting the hearing without the patient."

AMENDMENT NO. 40

On page 8, line 9, change "subject of the petition" to "patient"

AMENDMENT NO. 41

On page 8, at the end of line 10, delete "in" and at the beginning of line 12, delete "person"

AMENDMENT NO. 42

On page 8, line 12, change "subject of the petition" to "patient"

AMENDMENT NO. 43

On page 8, line 16, change "subject of the petition" to "patient"

AMENDMENT NO. 44

On page 8, line 18, delete "acting pursuant to their special duties, or"

AMENDMENT NO. 45

On page 8, line 19, after "officers" delete the remainder of the line and insert "or the"

AMENDMENT NO. 46

On page 8, line 20, change "subject of the petition" to "patient"

AMENDMENT NO. 47

On page 8, at the end of line 21, after "examination" insert a period "." delete "by" and delete line 22 in its entirety

AMENDMENT NO. 48

On page 8, line 23, change "subject of the petition under such" to "patient in accordance with the court"

AMENDMENT NO. 49

On page 8, line 24, change "subject of the petition" to "patient"

AMENDMENT NO. 50

On page 8, line 27, after "if" insert "he" and delete the remainder of the line

AMENDMENT NO. 51

On page 8, line 28, delete "psychologist" and change "by such" to "or otherwise authorized by the"

AMENDMENT NO. 52

On page 8, line 28, after "center" insert a period "." and delete the remainder of the line and line 29 in its entirety

AMENDMENT NO. 53

On page 9, line 2, after "psychologist" insert a comma "," and delete the remainder of the line and delete line 3 in its entirety

AMENDMENT NO. 54

On page 9, line 4, change "practitioner or psychologist" to "he"

AMENDMENT NO. 55

On page 9, line 7, change "subject" to "patient"

AMENDMENT NO. 56

On page 9, line 11, change "subject" to "patient"

AMENDMENT NO. 57

On page 9, line 14, delete "for the recommended involuntary outpatient treatment"

AMENDMENT NO. 58

On page 9, at the end of line 15, change "such" to "the" and delete line 16 in its entirety

AMENDMENT NO. 59

On page 9, line 17, change "psychologist's testimony" to "testimony of the physician, psychiatric mental health nurse practitioner or medical psychologist"

AMENDMENT NO. 60

On page 9, line 18, delete "shall describe"

AMENDMENT NO. 61

On page 9, line 19, change "shall recommend whether such" to "whether the"

AMENDMENT NO. 62

On page 9, line 22, change "subject of the petition" to "patient"

AMENDMENT NO. 63

On page 9, line 23, change "behalf of the subject" to "his behalf"

AMENDMENT NO. 64

On page 10, line 6, after "as the" delete the remainder of the line and delete lines 7 and 8 in their entirety and insert "patient and upon his request, an individual significant to him and"

AMENDMENT NO. 65

On page 10, at the beginning of line 9, delete "otherwise"

AMENDMENT NO. 66

On page 10, at the end of line 13, change "that the" to "the patient" and at the beginning of line 14, delete "subject of the petition"

AMENDMENT NO. 67

On page 10, line 15, change "such medication" to "it"

AMENDMENT NO. 68

On page 10, at the end of line 17, change "subject" to "patient"

AMENDMENT NO. 69

On page 10, line 19, change "such plan" to "it" and delete "relevant"

AMENDMENT NO. 70

On page 10, at the end of line 20, delete "physician's," and at the beginning of line 21, delete "psychiatric mental health nurse practitioner's or psychologist's"

AMENDMENT NO. 71

On page 10, line 24, change "That such person" to "The patient"

AMENDMENT NO. 72

On page 10, line 25, change "That such testing" to "Testing" and after "deterioration" insert a period "."

AMENDMENT NO. 73

On page 10, line 28, change "Such" to "The"

AMENDMENT NO. 74

On page 11, delete line 3 in its entirety and insert "regarding the"

AMENDMENT NO. 75

On page 11, line 14, change "along with" to "and"

AMENDMENT NO. 76

On page 11, delete line 26, and insert "A. If the court determines that the patient"

AMENDMENT NO. 77

On page 11, at the beginning of line 27, delete "of the petition"

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AMENDMENT NO. 78

On page 11, line 29, delete "after hearing all relevant evidence,"

AMENDMENT NO. 79

On page 12, line 1, change "subject of the petition" to "patient"

AMENDMENT NO. 80

On page 12, line 2, change "there is no feasible" to "no"

AMENDMENT NO. 81

On page 12, line 3, before the comma ",", insert "is feasible" and change "subject" to "patient"

AMENDMENT NO. 82

On page 12, delete line 5, and insert "state reasons why the proposed"

AMENDMENT NO. 83

On page 12, at the beginning of line 7, change "subject" to "patient"

AMENDMENT NO. 84

On page 12, line 8, change "subject" to "patient"

AMENDMENT NO. 85

On page 12, line 11, delete "for involuntary" and on line 12, delete "outpatient treatment as required in R.S. 28:71. Said" and insert "The"

AMENDMENT NO. 86

On page 12, line 18, delete "after hearing all relevant evidence"

AMENDMENT NO. 87

On page 12, line 19, change "subject of the petition" to "patient"

AMENDMENT NO. 88

On page 12, line 20, delete "the court has yet to be provided with"

AMENDMENT NO. 89

On page 12, line 21, change "and testimony in connection thereto" to "has not been submitted"

AMENDMENT NO. 90

On page 12, line 24, change "the court with such" to "a" and change "no later than the fifty day, excluding" to "within five days"

AMENDMENT NO. 91

On page 12, delete lines 25 through 27 and insert "of the date of the order."

AMENDMENT NO. 92

On page 12, at the beginning of line 28, change "A" to "The"

AMENDMENT NO. 93

On page 13, line 1, change "Such order may" to "The order shall"

AMENDMENT NO. 94

On page 13, line 2, delete "such" and change "such order" to "it"

AMENDMENT NO. 95

On page 13, line 6, delete "or arrange for"

AMENDMENT NO. 96

On page 13, line 7, change "throughout the period of the order" to "services"

AMENDMENT NO. 97

On page 13, line 8, change "subject of the petition is to be" to "patient is"

AMENDMENT NO. 98

On page 13, line 11, after "petition" insert "and certified services are available" and after "the" and before "order" insert "court"

AMENDMENT NO. 99

On page 13, line 12, delete "for or arrange"

AMENDMENT NO. 100

On page 13, line 13, change "for the duration of the order" to "services." and delete the remainder of the line and delete lines 14 and 15 in their entirety

AMENDMENT NO. 101

On page 13, line 16, after "director" delete the remainder of the line and insert "or regional manager"

AMENDMENT NO. 102

On page 13, line 17, change "to the court for approval before" to "for court approval prior to"

AMENDMENT NO. 103

On page 13, line 19, after the period "." delete the remainder of the line and delete line 20 in its entirety and at the beginning of line 21, insert "For"

AMENDMENT NO. 104

On page 13, line 22, change "from the order of the" to "service" and at the beginning of line 23, delete "court"

AMENDMENT NO. 105

On page 13, line 23, change "patient's consent" to "consent of the patient"

AMENDMENT NO. 106

On page 13, line 25, delete "by the subject of the petition"

AMENDMENT NO. 107

On page 13, line 26, delete "such" and before "approval" insert "court" and change "those" to "all"

AMENDMENT NO. 108

On page 13, delete line 29 and insert "If a motion is not filed within five days from the date the application is"

AMENDMENT NO. 109

On page 14, line 6, after "A." insert "The court order for outpatient treatment shall expire at the end of the specified period unless a petition for an extension has been filed."

AMENDMENT NO. 110

On page 14, line 6, delete "the condition of" and on line 7, delete "under an order of involuntary outpatient commitment"

AMENDMENT NO. 111

On page 14, line 8, change "the director" to "he"

AMENDMENT NO. 112

On page 14, line 9, change "outpatient" to "continued" and change "period of" to "initial"

AMENDMENT NO. 113

On page 14, line 10, after the period "." delete the remainder of the line and delete line 11 in its entirety

AMENDMENT NO. 114

On page 14, line 12, change "an extension. If a person" to "If a patient"

AMENDMENT NO. 115

On page 14, line 15, delete "under Subsection A of this" and at the beginning of line 16, delete "Section"

AMENDMENT NO. 116

On page 14, line 16, delete "the procedures and standards"

AMENDMENT NO. 117

On page 14, line 17, change "order provided that the time period provided for" to "order. However, the time periods provided"

AMENDMENT NO. 118

On page 14, at the end of line 18, insert a period "."

AMENDMENT NO. 119

On page 14, delete lines 19 and 20 and insert "The court order requiring blood or laboratory testing shall be subject to review after six"

AMENDMENT NO. 120

On page 14, line 22, change "another physician" to "who is" and on line 23, delete "psychiatric mental health nurse practitioner or psychologist"

AMENDMENT NO. 121

On page 14, delete lines 24 and 25 in their entirety and insert "director, and the blood or laboratory"

AMENDMENT NO. 122

On page 14, line 26, after "testing" insert "may be terminated"

AMENDMENT NO. 123

On page 14, delete lines 28 and 29 in their entirety and insert "In addition to any right or remedy available by law, the patient"

AMENDMENT NO. 124

On page 15, delete lines 1 and 2 in their entirety and insert "may apply to the court to stay, vacate, or modify the order and he shall notify the director or manager of his application."

AMENDMENT NO. 125

On page 15, line 4, change "Section" to "Part" and delete "had in like" and on line 5, change "manner as specified in" to "in accordance with"

AMENDMENT NO. 126

On page 15, line 7, delete "in the clinical judgment of"

AMENDMENT NO. 127

On page 15, line 8, after the comma ",", insert "determines" and after "failed" delete "or refused"

AMENDMENT NO. 128

On page 15, line 9, after "with the" delete the remainder of the line and delete lines 10 and 11 in their entirety and insert "ordered treatment, efforts were made to solicit compliance"

AMENDMENT NO. 129

On page 15, delete lines 13 through 25 and insert the following:

"provider, and the patient may be in need of involuntary admission to a treatment facility, he may execute an emergency certificate in accordance with R.S. 28:53, request an order for custody in accordance with R.S. 28:53.2, or seek a judicial commitment in accordance with R.S. 28:54.

B. If the patient refuses to take medication or refuses to take or fails blood or other laboratory tests as required by court order, the physician, psychiatric mental health nurse practitioner or psychologist may consider his refusal in determining whether the patient is in need of inpatient treatment services."

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 182 by Senator Gray

AMENDMENT NO. 1

In House Committee Amendment No. 29 proposed by the House Committee on Civil Law to Reengrossed Senate Bill 182 by Senator Gray, on page 3, line 8, change "delete line 12 in its entirety" to "delete the remainder of the line and delete line 12 in its entirety"

AMENDMENT NO. 2

In House Committee Amendment No. 41 proposed by the House Committee on Civil Law to Reengrossed Senate Bill 182 by Senator Gray, on page 4, line 7, following "line" and before "delete" change "12" to "11"

AMENDMENT NO. 3

In House Committee Amendment No. 67 proposed by the House Committee on Civil Law to Reengrossed Senate Bill 182 by Senator Gray, on page 6, line 4, delete the entire line and insert "On page 10, line 15, change "such" to "the"

AMENDMENT NO. 4

In House Committee Amendment No. 72 proposed by the House Committee on Civil Law to Reengrossed Senate Bill 182 by Senator Gray, on page 6, line 15, following "line" and before "change" change "25," to "26," and on page 6, line 16 following "." insert "and delete line 27 in its entirety"

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AMENDMENT NO. 5

In House Committee Amendment No. 127 proposed by the House Committee on Civil Law to Reengrossed Senate Bill 182 by Senator Gray, on page 10, line 22, change "after" to "change" and change "insert" to "to"

AMENDMENT NO. 6

On page 1, line 2, following "28:53.2(B)," and before "(C)" delete "the introductory paragraph of"

AMENDMENT NO. 7

On page 1, line 10, following "28:53.2(B)," and before "(C)" delete "the introductory paragraph of"

AMENDMENT NO. 8

On page 2, delete line 13 in its entirety and insert "(1) The date and hour of issuance and the municipality or parish where issued.

(2) The name of the person to be taken into custody, or if his name is not known a designation of the person by any name or description by which he can be identified with reasonable certainty.

(3) A description of the acts or threats which have led to the belief that the person is mentally ill or suffering from substance abuse and is in need of immediate hospitalization to protect the person or others from physical harm, and

(4) That the person shall be taken to a community mental health center, a public or private general hospital, a public or private mental hospital, coroner's office or a detoxification center.

(5) That law enforcement officers are to use reasonable and necessary precautions when appropriate, in the execution of an order for custody pursuant to Subsection A and Paragraph (G)(1) of this Section, to avoid a violent encounter with the person being taken into custody. For the purposes of this Paragraph, "reasonable and necessary precautions" include crisis management strategies."

AMENDMENT NO. 9

On page 10, line 13, following "Subsection" and before "of this" change "F" to "E"

AMENDMENT NO. 10

On page 14, line 14, following "hundred" and before "eighty" delete "and"

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 188—

BY SENATOR MARIONNEAUX
AN ACT

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

Read by title.

Reported favorably by the Committee on Ways and Means.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 190— BY SENATOR DUPLESSIS

AN ACT

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

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Engrossed Senate Bill No. 190 by Senator Duplessis

AMENDMENT NO. 1

On page 2, delete line 3 and insert in lieu thereof the following:

"in not less than one hundred twenty days from the program period. Additionally, no penalty"

AMENDMENT NO. 2

On page 2, line 4, delete "but not sold" and insert "incorrectly"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 206— BY SENATOR MARIONNEAUX

AN ACT

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

Read by title.

Reported favorably by the Committee on Ways and Means.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 265— BY SENATOR QUINN

AN ACT

To amend and reenact Chapter 2 of Title VIII of Book I of the Civil Code, formerly comprised of Articles 365 through 385, to be comprised of Articles 365 through 371, Civil Code Article 2318, and Title V of Book VII of the Louisiana Code of Civil

Procedure, formerly comprised of Articles 3991 through 3994, to be comprised of Articles 3991 through 3998, all relative to the emancipation of minors; to provide for the kinds of emancipation; to provide for judicial emancipation; to provide for emancipation by marriage; to provide for limited emancipation by authentic act; to provide for the effective date of an emancipation; to provide for the modification or termination of an emancipation; to provide for parental liability of an unemancipated minor; to provide for a petition for a judicial emancipation; to provide for the venue for a judicial emancipation; to provide for the hearing of a petition for a judicial emancipation; to provide for an appeal of a judicial emancipation; to provide for the termination or modification of an emancipation; to provide when an emancipation is effective; to provide for an effective date; and to provide for related matters.

Read by title.

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 Engrossed Senate Bill No. 265 by Senator Quinn

AMENDMENT NO. 1

On page 1, line 2, delete "formerly"

AMENDMENT NO. 2

On page 1, line 3, delete "comprised of Articles 365 through 385,"

AMENDMENT NO. 3

On page 1, line 4, delete "Louisiana"

AMENDMENT NO. 4

On page 1, line 5, delete "formerly comprised of Articles 3991 through 3994,"

AMENDMENT NO. 5

On page 1, line 6, after the comma ", " delete "all"

AMENDMENT NO. 6

On page 1, delete lines 11 through 14 in their entirety and insert "minor;" and at the beginning of line 15 delete "is effective;"

AMENDMENT NO. 7

On page 1, line 17, delete "formerly comprised"

AMENDMENT NO. 8

On page 2, line 1, delete "of Articles 365 through 385, to be"

AMENDMENT NO. 9

On page 4, line 3, change "cannot" to "may not"

AMENDMENT NO. 10

On page 4, line 27, change "minor's parents" to "parents of the minor"

AMENDMENT NO. 11

On page 4, line 28, change "minor's tutor" to "tutor of the minor"

AMENDMENT NO. 12

On page 9, line 39, delete "minor's"

AMENDMENT NO. 13

On page 9, line 40, immediately after "petition" insert "of the minor"

AMENDMENT NO. 14

On page 9, line 41, change "minor's parents" to "parents of the minor"

AMENDMENT NO. 15

On page 10, line 1, change "minor's tutor" to "tutor of the minor"

AMENDMENT NO. 16

On page 10, line 2, change "minor's emancipation" to "emancipation of the minor"

AMENDMENT NO. 17

On page 11, line 16, change "minor's property" to "property of the minor"

AMENDMENT NO. 18

On page 13, delete lines 19 and 20 in their entirety

AMENDMENT NO. 19

On page 13, line 3, after "court" and before "may" insert "for good cause shown"

AMENDMENT NO. 20

On page 13, at the end of line 4, insert a period "." and delete line 5 in its entirety

AMENDMENT NO. 21

On page 13, line 21, change "Section 4." to "Section 3."

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 265 by Senator Quinn

AMENDMENT NO. 1

On page 10, line 6, following "the" and before "if" change "minor's parents" to "parents of the minor"

AMENDMENT NO. 2

On page 10, line 7, change "minor's tutor" to "tutor of the minor"

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 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.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 285 by Senator Duplessis

AMENDMENT NO. 1

On page 2, line 17, after "resident" delete the remainder of the line and insert "or citizen of this state."

AMENDMENT NO. 2

On page 2, at the end of line 29, change "must" to "shall"

AMENDMENT NO. 3

On page 4, at the beginning of line 11, change "not" to "no"

AMENDMENT NO. 4

On page 4, line 26, after "however," and before "be" change "must" to "shall"

AMENDMENT NO. 5

On page 5, line 28, after "he" and before "meet" change "must" to "shall"

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 285 by Senator Duplessis

AMENDMENT NO. 1

On page 8, line 4, before "Notwithstanding" change "(i)" to "(a)"

AMENDMENT NO. 2

On page 8, line 16, before "Notwithstanding" change "(ii)" to "(b)"

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 327—
BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 6:969.18(A), relative to the Motor Vehicle Sales Finance Act; to provide for documentation and compliance fees; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

Reported without amendments by the Legislative Bureau.

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

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

SENATE BILL NO. 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.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 353 by Senator N. Gautreaux

AMENDMENT NO. 1

On page 1, line 9, delete "Louisiana"

AMENDMENT NO. 2

On page 1, line 14, change "such" to "the"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 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.

Reported favorably by the Committee on Commerce.

Reported without amendments by the Legislative Bureau.

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

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

SENATE BILL NO. 426—

BY SENATOR DUPLESSIS

AN ACT

To enact R.S. 6:969.20(D), relative to the Motor Vehicle Sales Finance Act; to provide certain duties for the lender or holder of a retail installment contract; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Engrossed Senate Bill No. 426 by Senator Duplessis

AMENDMENT NO. 1

On page 1, at the end of line 2, after "provide" insert "for"

AMENDMENT NO. 2

On page 1, delete lines 10 through 17 in their entirety and on page 2, delete lines 1 through 4 in their entirety

AMENDMENT NO. 3

On page 2, at the beginning of line 5, change "(2)" to "D.(1)"

AMENDMENT NO. 4

On page 2, at the beginning of line 20, change "(3)" to "(2)"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 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.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 543 by Senator Quinn

AMENDMENT NO. 1

On page 4, between lines 26 and 27, insert the following:

"E.(1) A motion for legislative continuance or extension filed in accordance with this Section shall be timely if filed no later than five calendar days prior to the hearing or proceeding to be continued or no later than four calendar days prior to the committee notice or call for an extraordinary session of the legislature."

AMENDMENT NO. 2

On page 4, at the beginning of line 27, change "E." to "(2)"

AMENDMENT NO. 3

On page 5, at the beginning of line 1, change "(1)" to "(a)"

AMENDMENT NO. 4

On page 5, at the beginning of line 5, change "(2)" to "(b)"

AMENDMENT NO. 5

On page 5, line 6, after "than" and before "days" change "sixty" to "three"

AMENDMENT NO. 6

On page 5, line 18, after "court" and before "or" insert "or agency"

AMENDMENT NO. 7

On page 5, line 19, after "court" and before "upon" insert "or agency"

AMENDMENT NO. 8

On page 5, line 24, after "court" and before "where" insert "or agency"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

**Senate 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. 287—

BY SENATORS MOUNT, ALARIO, BROOME, CASSIDY, CHEEK, DONAHUE, ERDEY, N. GAUTREAUX, GRAY, JACKSON, LAFLEUR, MICHOT, NEVERS, SMITH AND THOMPSON

AN ACT

To amend and reenact Part L of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.111 through 1300.114, relative to health care data reporting; to provide for Louisiana health care consumers right to know; to provide for the collection and publication of provider specific health care quality and outcome data; to provide for the membership of the Health Data Panel; and to provide for related matters.

Read by title.

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Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Re-Reengrossed Senate Bill No. 287 by Senator Mount

AMENDMENT NO. 1

On page 1, line 4, change "consumers" to "consumers' "

AMENDMENT NO. 2

On page 1, line 6, after "data" and before the semicolon ";" insert "by the Department of Health and Hospitals" and after "Panel;" insert "to provide for penalties;"

AMENDMENT NO. 3

On page 1, line 13, change "CONSUMERS" to "CONSUMERS' "

AMENDMENT NO. 4

On page 2, line 2, after "treatment" insert a comma " , "

AMENDMENT NO. 5

On page 2, line 4, after "quality" insert a comma " , "

AMENDMENT NO. 6

On page 2, line 5, after "providers" insert a comma " , "

AMENDMENT NO. 7

On page 2, line 10, after "Hospitals" insert a comma " , "

AMENDMENT NO. 8

On page 2, line 12, after "quality" insert a comma " , "

AMENDMENT NO. 9

On page 2, line 15, change "consumers" to "consumers' "

AMENDMENT NO. 10

On page 2, line 17, after "facilities" change "and" to a comma " , " and after "providers" insert a comma " , "

AMENDMENT NO. 11

On page 3, line 1, after "quality" insert a comma " , "

AMENDMENT NO. 12

On page 3, line 6, after "quality" insert a comma " , "

AMENDMENT NO. 13

On page 3, line 7, after "location" insert a comma " , "

AMENDMENT NO. 14

On page 3, at the end of line 10, insert a comma " , "

AMENDMENT NO. 15

On page 7, line 12, delete "La."

AMENDMENT NO. 16

On page 7, line 15, after "quality" insert a comma " , "

AMENDMENT NO. 17

On page 7, line 27, after "maintain" insert a comma " , "

AMENDMENT NO. 18

On page 8, line 2, between "All" and "providers" insert "health care"

AMENDMENT NO. 19

On page 8, line 25, after "certification" insert a comma " , "

AMENDMENT NO. 20

On page 8, at the beginning of line 26, after "plan" insert a comma " , "

AMENDMENT NO. 21

On page 8, after line 27, insert the following:

"Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

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

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

SENATE BILL NO. 541—

BY SENATOR SMITH

AN ACT

To enact R.S. 39:562(O), relative to the limit of indebtedness of school districts; to authorize an increase in bonded indebtedness in certain parishes, with voter approval; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

SENATE BILL NO. 588—

BY SENATORS CRAVINS, DUPRE, HEBERT, LONG AND MORRISH AND REPRESENTATIVE KLECKLEY AND SENATORS ADLEY, ALARIO, AMEDEE, CHAISSON, CHEEK, DORSEY, ERDEY, N. GAUTREAU, GRAY, HEITMEIER, JACKSON, KOSTELKA, MARIONNEAUX, MARTINY, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, RISER, SCALISE, SHAW, SHEPHERD, SMITH, THOMPSON AND WALSWORTH

AN ACT

To amend and reenact R.S. 22:3304(D) and (F) and R.S. 36:696(B) and to enact R.S. 22:3312, relative to the Insure Louisiana Incentive Program; to provide for use of unused monies in the program to assist individuals with homeowners insurance premiums; to create and provide for implementation of a homeowner policy premium assistance program; to provide for participation in the premium program; to provide for coordination of the program by the office of consumer advocacy in the Department of Insurance; to authorize the department to promulgate rules and regulations to implement the program; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Reengrossed Senate Bill No. 588 by Senator Cravins

AMENDMENT NO. 1

On page 1, at the beginning of line 5, delete "premiums;" and insert "premiums or to accelerate payoff of the Unfunded Accrued Liability of the state retirement systems;"

AMENDMENT NO. 2

On page 2, at the end of line 2, insert the following:

"However, if less than thirty-five million dollars remains in the Insure Louisiana Incentive Fund after responses have been finalized to the three separate invitations for grant applications, then the remaining monies in the fund shall instead be used to accelerate payoff of the Unfunded Accrued Liability of the state retirement systems."

AMENDMENT NO. 3

On page 2, line 7, after "of" delete "R.S. 22:3312" and insert "Subsection D of this Section"

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

On motion of Rep. Kleckley, 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. 864—
BY REPRESENTATIVE SMILEY
AN ACT

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

Read by title.

On motion of Rep. Smiley, 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. Smiley gave notice of his intention to call House Bill No. 864 from the calendar during the week of May 19, 2008.

Special Order of the Day

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

HOUSE BILL NO. 1347—

BY REPRESENTATIVES AUSTIN BADON, TIM BURNS, CARTER, CONNICK, CROMER, GREENE, HAZEL, HENRY, LIGI, LORUSSO, MONICA, PEARSON, PERRY, PUGH, ROBIDEAUX, SCHRODER, SMILEY, TALBOT, AND TUCKER

AN ACT

To enact Chapter 43 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:4011 through 4025, relative to educational options for parents and other legal guardians; to establish and provide for the implementation of the Student Scholarships for Educational Excellence Program; to provide for legislative findings; to provide for definitions; to provide relative to the duties and responsibilities of the State Board of Elementary and Secondary Education and the state Department of Education; to provide relative to eligibility and participation requirements for students and schools; to provide relative to selection and enrollment of eligible students; to provide relative to funding and scholarship payments to eligible schools; to provide relative to testing; to provide for reports; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Waddell on behalf of the Legislative Bureau to Engrossed House Bill No. 1347 by Representative Austin Badon

AMENDMENT NO. 1

On page 2, line 19, following "by" and before "schools" change "such" to "nonpublic"

AMENDMENT NO. 2

On page 4, line 10, following "and" and before "such" change "qualifying" to "qualify"

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

Rep. Peterson moved that the bill be recommitted to the Committee on Appropriations.

Rep. Austin Badon objected.

ROLL CALL

The roll was called with the following result:

YEAS

Anders	Gisclair	Morrell
Armes	Greene	Norton
Aubert	Hardy	Peterson
Badon, B.	Harrison	Pope
Baldone	Henderson	Richard
Barrow	Hill	Richardson
Burns, H.	Hines	Ritchie
Burrell	Honey	Roy
Danahay	Jackson G.	Smith, G.
Dixon	Johnson	Smith, J.
Doerge	Jones, R.	Smith, P.
Edwards	Jones, S.	St. Germain
Ellington	LeBas	Waddell
Fannin	Leger	Willmott
Foil	Marchand	Wooton
Franklin	Mills	
Gallot	Montoucet	
Total - 49		

NAYS

Mr. Speaker	Geymann	Monica
Abramson	Guillory, E.	Morris
Arnold	Guinn	Nowlin
Badon, A.	Hazel	Perry
Barras	Herry	Ponti
Billiot	Hoffmann	Pugh
Burford	Howard	Richardson
Burns, T.	Jackson M.	Robideaux
Carmody	Katz	Schroder
Carter	Kleckley	Simon
Champagne	LaBruzzo	Smiley
Chandler	Lambert	Talbot
Chaney	Ligi	Templet
Connick	Little	Trahan
Cortez	Lopinto	White
Cromer	Lorusso	Williams
Downs	McVea	
Total - 50		

ABSENT

Dove	Hutter	Pearson
Guillory, M.	LaFonta	
Total - 5		

The House refused to recommit the bill to the Committee on Appropriations.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Austin Badon to Engrossed House Bill No. 1347 by Representative Austin Badon

AMENDMENT NO. 1

On page 1, line 10, after "and" and before "payments" delete "scholarship"

AMENDMENT NO. 2

On page 1, at the end of line 10, delete the semicolon ";" and add "including eligible nonpublic schools;"

AMENDMENT NO. 3

On page 2, line 21, after "schools" delete the remainder of the line and delete line 22 and at the beginning of line 23, delete "academically in crisis"

AMENDMENT NO. 4

On page 3, line 20, after "school" and before "a covered" change "in a school system that is physically contiguous to" to "located within the geographic boundaries of"

AMENDMENT NO. 5

On page 5, at the end of line 2, add the following:

"However, the amount of the scholarship provided on behalf of an eligible student enrolled in a participating nonpublic school shall not exceed the maximum amount of tuition charged to a non-scholarship student enrolled in such school."

AMENDMENT NO. 6

On page 7, at the beginning of line 13, after "(2)" and before "In" insert "Use an open admissions process in enrolling eligible students

in the program and shall not require any additional eligibility criteria other than those specified in R.S. 17:4013(3)."

AMENDMENT NO. 7

On page 8, line 2, after "accountant" delete the comma "," and delete the remainder of the line and delete lines 3 through 6 in their entirety and insert the following:

"who has been approved by the legislative auditor. Such audit shall be accompanied by the legislative auditor's statement that the report is free of material misstatements and fairly presents the participating school's actual cost of educating a student. The audit shall be limited in scope to those records necessary for the department to make scholarship payments to the participating school and shall be submitted to the legislative auditor for review and investigation of any irregularities or audit findings. The participating school shall return to the state any funds that the legislative auditor determines were expended in a manner inconsistent with state law or program regulations."

AMENDMENT NO. 8

On page 8, line 13, after "program" and before "However," delete the period "." and insert "provided that continued funding is appropriated by the legislature for the program."

AMENDMENT NO. 9

On page 8, at the end of line 23, add the following:

"The participating nonpublic school shall ensure that eligible students are administered all examinations required pursuant to the Louisiana School and District Accountability System at the prescribed grade levels including the Louisiana Educational Assessment Program and graduation exit examinations."

Rep. Austin Badon moved the adoption of the amendments.

Rep. Peterson objected.

By a vote of 71 yeas and 30 nays, 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. 1347 by Representative Austin Badon

AMENDMENT NO. 1

On page 3, at the end of line 15, delete the period "." and add the following:

"and such school has been identified as a failing school as defined by the State Board of Elementary and Secondary Education pursuant to policies developed and adopted by the board for implementation of the school and district accountability system."

Motion

Rep. Tim Burns moved to end consideration of amendments.

As a substitute motion, Rep. Richmond moved that the previous question be ordered on the amendments.

Rep. Tim Burns objected.

By a vote of 48 yeas and 52 nays, the House refused to order the previous question on the amendments.

Rep. Tim Burns insisted on his motion to end consideration of amendments.

By a vote of 52 yeas and 47 nays, the motion was agreed to.

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

Suspension of the Rules

On motion of Rep. Jane Smith, the rules were suspended to limit the author or proponent handling the legislative instrument to ten minutes for opening remarks and all subsequent speakers on the instrument to five minutes.

Acting Speaker Smiley in the Chair

Motion

On motion of Rep. Harrison, the motion to reconsider the vote by which the motion to end consideration of amendments was adopted was ordered.

Speaker Tucker in the Chair

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Morrell to Engrossed House Bill No. 1347 by Representative Austin Badon

AMENDMENT NO. 1

On page 6, at the beginning of line 24, change "both" to "all"

AMENDMENT NO. 2

On page 6, after line 28, add the following:

"(3) Shall have been in existence for at least three years prior to the first year of implementation of the program."

Rep. Morrell moved the adoption of the amendments.

Rep. Austin Badon objected.

By a vote of 96 yeas and 2 nays, 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. 1347 by Representative Austin Badon

AMENDMENT NO. 1

On page 3, delete lines 4 and 5 in their entirety

Rep. Richmond moved the adoption of the amendments.

Rep. Austin Badon objected.

By a vote of 37 yeas and 63 nays, the amendments were rejected.

Consent to Correct a Vote Record

Rep. Willmott requested the House consent to correct his vote on the above House Floor Amendment by Rep. Richmond from yeas to nays, which consent was unanimously granted.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hardy to Engrossed House Bill No. 1347 by Representative Austin Badon

AMENDMENT NO. 1

On page 8, at the beginning of line 22, insert "A."

AMENDMENT NO. 2

On page 8, between lines 23 and 24, insert the following:

"B. Each participating nonpublic school shall require all eligible students attending the school to take all of the tests required for public school students as part of the Louisiana Educational Assessment Program and as required pursuant to policies developed and adopted by the State Board of Elementary and Secondary Education, as applicable, and the results of such tests shall be used solely for purposes of program evaluation and shall not be used to determine whether or not a student shall be promoted to the next grade level."

Rep. Hardy moved the adoption of the amendments.

Rep. Austin Badon objected.

By a vote of 32 yeas and 61 nays, the amendments were rejected.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hardy to Engrossed House Bill No. 1347 by Representative Austin Badon

AMENDMENT NO. 1

On page 8, between lines 20 and 21, insert the following:

"(8) In enrolling eligible students pursuant to this Chapter, require that twenty-five percent of such students have a cumulative grade point average of at least 1.5 and not greater than 2.0 as of the end of the school year preceding the school year in which the student initially enrolls in the participating school and that twenty-five percent of such students have a cumulative grade point average of below 1.5 as of the end of the school year preceding the school year in which the student initially enrolls in the participating school."

Rep. Hardy moved the adoption of the amendments.

Rep. Austin Badon objected.

By a vote of 25 yeas and 68 nays, the amendments were rejected.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Richmond to Engrossed House Bill No. 1347 by Representative Austin Badon

AMENDMENT NO. 1

On page 7, between lines 12 and 13, insert the following:

"(a) The school shall notify parents of the number of slots that are available and the number of eligible students that have applied at the time of application.

(b) Notwithstanding any provision of this Chapter to the contrary, schools shall accept eligible students in the order that the applications are received."

Rep. Richmond moved the adoption of the amendments.

Rep. Austin Badon objected.

By a vote of 41 yeas and 56 nays, the amendments were rejected.

Acting Speaker Trahan in the Chair

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hines to Engrossed House Bill No. 1347 by Representative Austin Badon

AMENDMENT NO. 1

On page 4, line 7, after "to" and before "parents" insert: "no more than five hundred"

AMENDMENT NO. 2

On page 6, at the beginning of line 24, change "both" to "all"

AMENDMENT NO. 3

On page 6, after line 28, insert the following:

"(3) Be a Catholic school."

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

Speaker Tucker in the Chair

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Richmond to Engrossed House Bill No. 1347 by Representative Austin Badon

AMENDMENT NO. 1

On page 5, line 2, after "student" insert "including incidental or supplementary fees that are charged to all enrolled students"

AMENDMENT NO. 2

On page 8, line 8, delete "with the exception of" and insert in lieu thereof "including"

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

Acting Speaker Trahan in the Chair

Speaker Tucker in the Chair

Rep. Austin Badon 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	McVea
Arnold	Greene	Monica
Badon, A.	Guillory, E.	Morris
Barras	Guillory, M.	Nowlin
Billiot	Guinn	Pearson
Burford	Hazel	Perry
Burns, H.	Henderson	Ponti
Burns, T.	Henry	Pugh
Carmody	Hoffmann	Richardson
Carter	Howard	Robideaux
Champagne	Hutter	Schroder
Chandler	Jackson M.	Simon
Chaney	Katz	Smiley
Connick	Kleckley	Smith, J.
Cortez	LaBruzzo	Talbot
Cromer	Lambert	Templet
Downs	Ligi	Trahan
Ellington	Little	White
Fannin	Lopinto	Williams

Total - 60

NAYS

Anders	Hardy	Morrell
Armes	Harrison	Norton
Aubert	Hill	Peterson
Badon, B.	Hines	Pope
Baldone	Honey	Richard
Barrow	Jackson G.	Richmond
Burrell	Johnson	Ritchie
Danahay	Jones, R.	Roy
Dixon	Jones, S.	Smith, G.
Doerge	LeBas	Smith, P.
Edwards	Leger	St. Germain
Franklin	Marchand	Waddell
Gallot	Mills	Willmott
Gisclair	Montoucet	Wooton

Total - 42

ABSENT

Dove	LaFonta
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Total - 2

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Austin Badon 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. Ponti, 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:

Local and Consent Calendar

HOUSE BILL NO. 177—

BY REPRESENTATIVES PONTI AND SCHRODER
AN ACT

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

Read by title.

Rep. Ponti moved the final passage of the bill.

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.	Morris
Aubert	Guinn	Norton
Badon, B.	Hardy	Nowlin
Baldone	Harrison	Pearson
Barras	Hazel	Perry
Barrow	Henderson	Peterson
Billiot	Henry	Ponti
Burford	Hill	Pope
Burns, H.	Hines	Pugh
Burns, T.	Hoffmann	Richard
Burrell	Honey	Richardson
Carmody	Howard	Richmond
Carter	Hutter	Ritchie
Champagne	Jackson G.	Robideaux
Chandler	Jackson M.	Roy
Chaney	Johnson	Schroder
Connick	Jones, R.	Simon
Cortez	Jones, S.	Smiley
Cromer	Katz	Smith, G.
Danahay	Kleckley	Smith, J.
Dixon	LaFonta	Smith, P.
Doerge	Lambert	St. Germain
Downs	LeBas	Talbot
Edwards	Leger	Templet
Ellington	Ligi	Waddell
Fannin	Little	White
Foil	Lopinto	Williams
Franklin	Lorusso	Willmott
Gallot	Marchand	Wooton
Total - 99		

NAYS

Total - 0

ABSENT

Badon, A.	LaBruzzo	Trahan
Dove	Morrell	
Total - 5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Ponti 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. 600—

BY REPRESENTATIVE SAM JONES
AN ACT

To amend and reenact R.S. 34:328(A) and (B), relative to the Morgan City Harbor and Terminal District; to provide relative to procurement of materials and supplies by the Morgan City Harbor and Terminal District; and to provide for related matters.

Read by title.

Rep. Sam Jones moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gisclair	Monica
Abramson	Greene	Montoucet
Anders	Guillory, E.	Morrell
Armes	Guillory, M.	Morris
Arnold	Guinn	Norton
Aubert	Hardy	Nowlin
Badon, B.	Harrison	Pearson
Baldone	Hazel	Perry
Barras	Henderson	Peterson
Barrow	Henry	Ponti
Billiot	Hill	Pope
Burford	Hines	Pugh
Burns, H.	Honey	Richard
Burns, T.	Howard	Richardson
Burrell	Hutter	Richmond
Carmody	Jackson G.	Ritchie
Carter	Jackson M.	Robideaux
Champagne	Johnson	Roy
Chandler	Jones, R.	Schroder
Chaney	Jones, S.	Simon
Connick	Katz	Smiley
Cortez	Kleckley	Smith, G.
Cromer	LaBruzzo	Smith, J.
Danahay	LaFonta	Smith, P.
Dixon	Lambert	St. Germain
Doerge	LeBas	Talbot
Edwards	Leger	Templet
Ellington	Ligi	Trahan
Fannin	Little	Waddell
Foil	Lopinto	White
Franklin	Lorusso	Williams
Gallot	Marchand	Willmott
Geymann	McVea	Wooton
Mills		
Total - 101		

NAYS

Total - 0

ABSENT

Badon, A.	Dove	Hoffmann
Total - 3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Sam Jones 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. 841—
BY REPRESENTATIVES CHAMPAGNE AND BARRAS
AN ACT

To enact R.S. 34:242.1, relative to the Port of Iberia District; to provide for ordinances adopted by the Port of Iberia District; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Champagne to Engrossed House Bill No. 841 by Representative Champagne

AMENDMENT NO. 1

On page 1, line 10, change "commission" to "board"

AMENDMENT NO. 2

On page 1, line 14, change "commission" to "board"

AMENDMENT NO. 3

On page 1, line 18, change "commission" to "board"

AMENDMENT NO. 4

On page 2, line 1, change "commission" to "board"

AMENDMENT NO. 5

On page 2, line 15, change "commission" to "board"

AMENDMENT NO. 6

On page 2, line 16, change "commission" to "board"

AMENDMENT NO. 7

On page 2, line 19, change "commission" to "board"

AMENDMENT NO. 8

On page 2, line 20, change "commission" to "board"

AMENDMENT NO. 9

On page 2, line 27, change "commission" to "board"

AMENDMENT NO. 10

On page 3, line 10, change "commission" to "board"

AMENDMENT NO. 11

On page 3, line 12, change "commission" to "board"

AMENDMENT NO. 12

On page 3, line 14, change "commission" to "board"

AMENDMENT NO. 13

On page 3, line 17, change "commission" to "board"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Badon, A. Dove
Total - 2

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Champagne 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. 1216—
BY REPRESENTATIVE ARNOLD
AN ACT

To enact R.S. 47:820.5.5, relative to state tolls; to require the interoperability of public toll facilities for toll collection and toll violation enforcement; to provide authorization for the secretary of the Department of Transportation and Development to set policies and procedures; and to provide for related matters.

Read by title.

Rep. Arnold moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Greene	Mills
Abramson	Guillory, E.	Monica
Anders	Guillory, M.	Montoucet
Armes	Guinn	Morrell
Arnold	Hardy	Norton
Aubert	Harrison	Nowlin
Badon, B.	Hazel	Pearson
Baldone	Henderson	Perry
Barras	Henry	Peterson
Barrow	Hines	Ponti
Burford	Hoffmann	Pope
Burns, H.	Honey	Pugh
Burrell	Howard	Richard
Carmody	Hutter	Ritchie
Carter	Jackson G.	Robideaux
Champagne	Johnson	Roy
Chaney	Jones, R.	Schroder
Cortez	Jones, S.	Simon
Cromer	Katz	Smiley
Danahay	Kleckley	Smith, G.
Dixon	LaBruzzo	Smith, J.
Doerge	LaFonta	St. Germain
Downs	Lambert	Talbot
Edwards	LeBas	Templet
Ellington	Leger	Trahan
Fannin	Ligi	Waddell
Foil	Little	White
Franklin	Lopinto	Williams
Gallot	Lorusso	Willmott
Geymann	Marchand	Wooton
Gisclair	McVea	
Total - 92		

NAYS

Connick
Total - 1

ABSENT

Badon, A.	Dove	Richardson
Billiot	Hill	Richmond
Burns, T.	Jackson M.	Smith, P.
Chandler	Morris	
Total - 11		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 715—
BY REPRESENTATIVE GEYMANN
AN ACT

To direct the Department of Public Safety and Corrections to not implement the provisions of the Federal Real ID Act of 2005; and to provide for related matters.

Read by title.

Rep. Geymann moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Edwards	Little
Anders	Fannin	Lorusso
Armes	Foil	Mills
Aubert	Franklin	Montoucet
Badon, B.	Geymann	Morris
Baldone	Gisclair	Norton
Barras	Greene	Nowlin
Barrow	Guillory, E.	Perry
Billiot	Guillory, M.	Pugh
Burns, H.	Hardy	Richard
Burns, T.	Harrison	Robideaux
Burrell	Hazel	Roy
Carmody	Henderson	Simon
Carter	Henry	Smiley
Champagne	Hill	Smith, G.
Chandler	Hines	Smith, J.
Chaney	Hoffmann	Smith, P.
Connick	Howard	St. Germain
Cortez	Hutter	Talbot
Cromer	Johnson	Templet
Danahay	Jones, S.	Waddell
Dixon	Kleckley	White
Doerge	LeBas	Williams
Downs	Ligi	Wooton
Total - 72		

NAYS

Mr. Speaker	LaFonta	Richardson
Arnold	Lambert	Richmond
Burford	Leger	Ritchie
Honey	Marchand	Schroder
Jackson G.	McVea	Trahan
Jones, R.	Pearson	Willmott
Katz	Peterson	
LaBruzzo	Pope	
Total - 22		

ABSENT

Badon, A.	Guinn	Morrell
Dove	Jackson M.	Ponti
Ellington	Lopinto	
Gallot	Monica	
Total - 10		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Geymann 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. Tim Burns requested the House consent to correct his vote on final passage of House Bill No. 715 from nay to yea.

Rep. Richmond objected.

By a vote of 91 yeas and 0 nays, the request was granted.

HOUSE BILL NO. 1034—
BY REPRESENTATIVES MCVEA AND WOOTON
AN ACT

To amend and reenact R.S. 32:414.2(A)(9)(b), relative to operators of commercial motor vehicles; to require certain violations be included on the operating record of commercial motor vehicle

drivers; to require law enforcement officers to issue "hard copy" tickets for moving violations committed by operators of commercial motor vehicles; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Waddell on behalf of the Legislative Bureau to Engrossed House Bill No. 1034 by Representative McVea

AMENDMENT NO. 1

On page 2, line 7, following "time" and before "the" change "for" to "of"

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

Motion

On motion of Rep. McVea, the bill, as amended, was returned to the calendar.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. McVea gave notice of his intention to call House Bill No. 1034 from the calendar during the week of May 19, 2008.

HOUSE BILL NO. 1296—
BY REPRESENTATIVE WILLMOTT
AN ACT

To enact R.S. 32:284(D), relative to riding in the bed of a pickup truck; to prohibit persons from riding in the bed of pickup trucks on certain roadways; and to provide for related matters.

Read by title.

Rep. Willmott moved the final passage of the bill.

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.	Morris
Aubert	Guinn	Norton
Badon, A.	Hardy	Nowlin
Badon, B.	Harrison	Pearson
Baldone	Hazel	Perry
Barras	Henderson	Peterson
Barrow	Henry	Pope
Billiot	Hill	Pugh
Burford	Hines	Richard
Burns, H.	Hoffmann	Richardson
Burns, T.	Honey	Richmond
Burrell	Howard	Ritchie
Carmody	Hutter	Robideaux
Carter	Jackson G.	Roy
Champagne	Jackson M.	Schroder
Chandler	Johnson	Simon
Chaney	Jones, R.	Smiley

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

Total - 101

NAYS

Total - 0

ABSENT

Dove	Morrell	Ponti
Total - 3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Willmott 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. 586—
BY REPRESENTATIVE HARDY
AN ACT

To amend and reenact R.S. 15:262(C), relative to the protection of witnesses; to provide that witness protection may include the establishment of a new identity and relocation and twenty-four-hour security; to provide for legislative appropriation of funds; and to provide for related matters.

Read by title.

Rep. Hardy moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Cortez	LaFonta	St. Germain
Cromer	Lambert	Talbot
Danahay	LeBas	Templet
Dixon	Leger	Trahan
Doerge	Ligi	Waddell
Edwards	Little	White
Ellington	Lopinto	Williams
Fannin	Lorusso	Willmott
Franklin	Marchand	Wooton
Gallot	McVea	
Geymann	Mills	
Total - 97		

NAYS

Total - 0

ABSENT

Dove	Greene	Perry
Downs	Guinn	
Foil	Morrell	
Total - 7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Hardy 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. 598—

BY REPRESENTATIVE LIGI

AN ACT

To repeal R.S. 17:60.1(K), relative to the Jefferson Parish School Board; to repeal the provision that if a member of the board qualifies for elective office, his school board office is thereby vacated.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Ligi to Engrossed House Bill No. 598 by Representative Ligi

AMENDMENT NO. 1

On page 1, after line 9, insert the following:

"Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

On motion of Rep. Ligi, 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	Gallot	Montoucet
Anders	Geymann	Norton
Armes	Gisclair	Nowlin
Arnold	Guinn	Perry
Aubert	Harrison	Ponti
Badon, B.	Hazel	Pope

Baldone	Henry	Pugh
Barras	Hill	Richard
Barrow	Hines	Richardson
Billiot	Hoffmann	Richmond
Burford	Howard	Ritchie
Burns, H.	Hutter	Robideaux
Burns, T.	Jackson G.	Schroder
Burrell	Jackson M.	Simon
Carmody	Johnson	Smiley
Carter	Jones, R.	Smith, G.
Champagne	Jones, S.	Smith, J.
Chaney	Katz	Smith, P.
Connick	Kleckley	St. Germain
Cortez	Lambert	Talbot
Cromer	LeBas	Templet
Dixon	Leger	Waddell
Doerge	Ligi	White
Downs	Lopinto	Williams
Edwards	Lorusso	Wooton
Ellington	Mills	
Foil	Monica	
Total - 79		

NAYS

Mr. Speaker	Greene	Morris
Chandler	LaBruzzo	Roy
Fannin	Little	Willmott
Franklin	Marchand	
Total - 11		

ABSENT

Badon, A.	Hardy	Morrell
Danahay	Henderson	Pearson
Dove	Honey	Peterson
Guillory, E.	LaFonta	Trahan
Guillory, M.	McVea	
Total - 14		

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. 765—

BY REPRESENTATIVE HUTTER

AN ACT

To enact R.S. 38:84(C), relative to federal flood insurance; to require a parish or municipality to comply with all applicable federal flood plain management and flood insurance programs under certain circumstances; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Waddell on behalf of the Legislative Bureau to Engrossed House Bill No. 765 by Representative Hutter

AMENDMENT NO. 1

On page 1, line 12, following "required by" delete remainder of the line and insert "33 USC 701b-12"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Geymann	Marchand
Abramson	Gisclair	Mills
Anders	Greene	Monica
Armes	Guillory, E.	Montoucet
Arnold	Guillory, M.	Morris
Aubert	Guinn	Norton
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	Jones, R.	Simon
Connick	Jones, S.	Smiley
Cortez	Katz	Smith, G.
Cromer	Kleckley	Smith, J.
Danahay	LaBruzzo	Smith, P.
Dixon	LaFonta	St. Germain
Doerge	Lambert	Talbot
Downs	LeBas	Templet
Edwards	Leger	Trahan
Ellington	Ligi	Waddell
Foil	Little	Williams
Franklin	Lopinto	Willmott
Gallot	Lorusso	Wooton

Total - 96

NAYS

Total - 0

ABSENT

Badon, A.	Hardy	Nowlin
Dove	McVea	White
Fannin	Morrell	

Total - 8

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Hutter 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. 1240—

BY REPRESENTATIVE HONEY

AN ACT

To amend and reenact R.S. 47:463.31(C) and (E), relative to special college and university license plates; to provide for an annual royalty fee; to provide for the amount of fees forwarded to the specific institution; and to provide for related matters.

Read by title.

Rep. Honey moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Geymann	McVea
Abramson	Gisclair	Mills
Anders	Guillory, M.	Monica
Armes	Guinn	Montoucet
Arnold	Hardy	Morrell
Aubert	Harrison	Norton
Badon, B.	Hazel	Pearson
Baldone	Henderson	Perry
Barras	Henry	Ponti
Barrow	Hill	Pope
Billiot	Hines	Pugh
Burford	Hoffmann	Richard
Burns, H.	Honey	Richardson
Burns, T.	Howard	Richmond
Burrell	Hutter	Ritchie
Carter	Jackson G.	Robideaux
Champagne	Jackson M.	Roy
Chandler	Johnson	Schroder
Chaney	Jones, R.	Simon
Connick	Jones, S.	Smith, G.
Cortez	Kleckley	Smith, J.
Danahay	LaBruzzo	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 - 93

NAYS

Carmody	Greene	Smiley
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Total - 3

ABSENT

Badon, A.	Guillory, E.	Nowlin
Cromer	Katz	Peterson
Dove	Morris	

Total - 8

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Honey 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. 1293—

BY REPRESENTATIVE ROY

AN ACT

To amend and reenact R.S. 38:291(M)(2) and to enact R.S. 38:291(M)(3), relative to the board of commissioners for the Red River, Atchafalaya, and Bayou Beouf Levee District; to provide for the termination of the current board of commissioners for the district; to provide for the appointment of commissioners for the district; to provide for the officers of the board of commissioners and their terms of office; and to provide for related matters.

Read by title.

Rep. Roy moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Badon, A.	Guillory, M.	St. Germain
Dove	Morrell	White
Guillory, E.	Smiley	
Total - 8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Roy 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. 1305—
BY REPRESENTATIVE DOWNS

AN ACT

To amend and reenact R.S. 40:1472.2(6), (14), (19), (25), and (26), 1472.3(A), (B), (C), (D), and (E), 1472.5(B), (C), and (E), 1472.6(A), and 1472.7(A) and to enact R.S. 40:1472.2(28), relative to the issuance of explosive licenses; to increase fees for the issuance of explosives licenses; to create an additional class of explosives license; to provide for more stringent requirements for explosives licenses; and to provide for related matters.

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. 1305 by Representative Downs

AMENDMENT NO. 1

On page 7, delete lines 1 through 17 in their entirety and insert the following:

"(4)(a) Anyone who handles, moves, uses, manipulates or otherwise detonates explosives and does so with a blood alcohol concentration of .02 percent or greater by weight of alcohol in the blood, or when a blood or urine test confirms the presence of any abused or controlled substance that has been prescribed by a licensed medical practitioner shall constitute a violation of Careless Use of Explosives as found in R.S. 40:1472.18 and shall be cause for the immediate suspension of the person's explosive license issued pursuant to this Chapter.

(b) Anyone who handles, moves, uses, manipulates or otherwise detonates explosives and does so with a blood alcohol concentration of .08 percent or greater by weight of alcohol in the blood, or when a blood or urine test confirms the presence of any abused or controlled dangerous substance that was not prescribed by a licensed medical practitioner shall constitute a violation of Reckless Use of Explosives as found in R.S. 40:1472.19 and shall be cause for the person's explosives license issued pursuant to this Chapter to be revoked for life."

AMENDMENT NO. 2

On page 8, delete line 24 in its entirety and insert the following:

"manufacturer, dealer-distributor, user, blaster, or handler who knows that explosives in his"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Foil	Little
Anders	Franklin	Lopinto
Armes	Gallot	Lorusso
Arnold	Geymann	Mills
Aubert	Gisclair	Morris
Baldone	Guinn	Norton
Barras	Hardy	Pearson
Billiot	Harrison	Ponti
Burford	Henderson	Pope
Burns, H.	Hill	Pugh
Burrell	Hines	Richardson
Carter	Hoffmann	Ritchie
Chandler	Howard	Schroder
Chaney	Hutter	Smith, G.
Connick	Jackson M.	Smith, J.
Cortez	Johnson	Smith, P.
Danahay	Jones, S.	St. Germain
Doerge	Katz	Templet
Downs	Kleckley	Trahan
Edwards	Lambert	Williams
Ellington	LeBas	Willmott
Fannin	Ligi	Wooton
Total - 66		

NAYS

Abramson	Honey	Richard
Badon, B.	Jones, R.	Richmond
Barrow	LaFonta	Robideaux
Carmody	Leger	Roy
Champagne	Marchand	Simon
Cromer	Monica	Smiley
Dixon	Montoucet	Talbot
Greene	Morrell	Waddell
Hazel	Perry	
Henry	Peterson	
Total - 28		

ABSENT

Badon, A.	Guillory, M.	Nowlin
Burns, T.	Jackson G.	White
Dove	LaBruzzo	
Guillory, E.	McVea	
Total - 10		

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

Motion to reconsider pending.

HOUSE BILL NO. 1332—
BY REPRESENTATIVE PETERSON
AN ACT

To enact R.S. 22:1135(D), relative to life insurance agent examinations; to require the commissioner of insurance to publish a report regarding life insurance agent examinations; to provide for the commissioner of insurance to publish a report regarding life insurance test forms administered; to provide for the commissioner of insurance to supply testing service providers with demographic information of an insurance producer applicant; and to provide for related matters.

Read by title.

Rep. Peterson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Marchand
Abramson	Geymann	Mills
Anders	Gisclair	Montoucet
Armes	Greene	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, H.	Hoffmann	Richardson
Burns, T.	Honey	Ritchie
Burrell	Howard	Robideaux
Carmody	Hutter	Roy
Carter	Jackson M.	Schroder
Champagne	Johnson	Simon
Chandler	Jones, R.	Smiley
Chaney	Jones, S.	Smith, G.
Connick	Katz	Smith, J.
Cortez	Kleckley	Smith, P.

Cromer	LaBruzzo	St. Germain
Danahay	LaFonta	Talbot
Dixon	Lambert	Templet
Doerge	LeBas	Trahan
Downs	Leger	Waddell
Edwards	Ligi	White
Ellington	Little	Williams
Fannin	Lopinto	Willmott
Franklin	Lorusso	Wooton
Total - 96		

NAYS

Total - 0

ABSENT

Dove	Jackson G.	Morrell
Foil	McVea	Richmond
Guillory, E.	Monica	
Total - 8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Peterson 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. 931—
BY REPRESENTATIVES GEYMAN AND KLECKLEY
AN ACT

To amend and reenact R.S. 33:9576(C)(4), relative to Calcasieu Parish; to provide relative to the Calcasieu Parish Gaming Revenue District; to provide relative to funds distributed to Calcasieu Parish by such district; to provide relative to the expenditure of such funds by the parish; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Geymann and Kleckley to Engrossed House Bill No. 931 by Representative Geymann

AMENDMENT NO. 1

On page 1, delete lines 4 and 5 in their entirety and insert the following:

"distributed to Calcasieu Parish and the city of Lake Charles by such district; to provide relative to the expenditure and distribution of such funds by the governing authorities of the parish and the city; to require the governing authorities of the parish and the city to prepare reports regarding such expenditures and distributions; and to provide for related matters."

AMENDMENT NO. 2

On page 1, delete lines 18 and 19 in their entirety and on page 2, delete lines 1 through 5 in their entirety and insert the following:

"(b)(i) The governing authority of the parish of Calcasieu shall annually prepare a report no later than February first which shall include the total amount of gaming revenues collected by the parish during the previous calendar year. The report shall be distributed to the members of the legislative delegation no later than February fifteenth of each year. The report shall also include the following:

(aa) The total amount of gaming revenues distributed by the governing authority of the parish to the governing authorities of the municipalities of Sulphur, Vinton, Iowa, and DeQuincy during the previous calendar year.

(bb) The total amount of gaming revenues expended by the parish in the unincorporated areas of the parish during the previous calendar year for the following purposes: water, drainage, and sewerage. The report shall include the actual dollar amount and actual percentage of total gaming revenues expended in the unincorporated areas of the parish for such purposes.

(ii) The governing authority of the city of Lake Charles shall annually prepare a report no later than February first which shall include the total amount of gaming revenues collected by the city during the previous calendar year. The report shall also include the total amount of gaming revenues expended by the governing authority of the city within the city limits for the following purposes: water, drainage, and sewerage. The report shall include the actual dollar amount and actual percentage of total gaming revenues expended by the governing authority of the city within the city limits for such purposes. The report shall be distributed to the members of the legislative delegation no later than February fifteenth of each year."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 96

NAYS

Total - 0

ABSENT

Burns, T.	Henderson	Richmond
Dove	Jackson M.	Smith, P.
Guillory, E.	Jones, S.	
Total - 8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Geymann 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. 665—
BY REPRESENTATIVE MILLS
AN ACT

To enact R.S. 33:2711(D), relative to sales and use taxes levied by municipalities; to authorize municipal governing authorities to create sales tax districts; to authorize the levy of an additional local sales and use tax in a sales tax district under certain circumstances; to provide for the collection and the disposition of the proceeds of the sales and use tax levied in a sales tax district; to provide for an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Mills to Engrossed House Bill No. 665 by Representative Mills

AMENDMENT NO. 1

On page 1, line 3, after "authorize" and before "municipal" insert "certain"

AMENDMENT NO. 2

On page 1, line 10, after "districts" insert a semi-colon ";" and "certain municipalities"

AMENDMENT NO. 3

On page 1, at the end of line 13, change "a" to "any" and on line 14, after "municipality" and before "may create" insert "with a population of not less than six thousand five hundred and not more than seven thousand five hundred persons based on the latest federal decennial census and located in a parish with a population of not less than forty-eight thousand two hundred fifty and not more than fifty thousand persons based on the latest federal decennial census"

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

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

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

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

NAYS

Total - 0

ABSENT

Burns, T.	Jackson M.	Richmond
Dove	Morrell	
Honey	Nowlin	
Total - 7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 503—

BY REPRESENTATIVE GALLOT

AN ACT

To amend and reenact R.S. 25:2(A) and R.S. 51:1256(B)(2)(introductory paragraph), (3)(introductory paragraph), and (4), (E), (F), and (G), 1257(E), 1284(A)(introductory paragraph) and (B), and 1318(C) and (I), relative to certain boards and commissions; to change the appointing authority for certain boards and commissions; to provide for terms of service; to provide for appointment of chairmen; to provide for implementation; and to provide for related matters.

Called from the calendar.

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	Franklin	Mills
Abramson	Gallot	Montoucet
Anders	Geymann	Morris
Armes	Gisclair	Norton
Arnold	Guillory, M.	Nowlin
Aubert	Guinn	Perry
Badon, A.	Hardy	Peterson
Badon, B.	Harrison	Ponti
Baldone	Hazel	Pope
Barras	Henry	Pugh
Barrow	Hill	Richard
Billiot	Hines	Richardson
Burford	Hoffmann	Richmond
Burns, H.	Honey	Ritchie
Burrell	Hutter	Robideaux
Carter	Jackson G.	Roy
Champagne	Jackson M.	Smith, G.
Chaney	Johnson	Smith, P.
Connick	Jones, R.	St. Germain
Cortez	Jones, S.	Talbot
Cromer	Kleckley	Templet
Danahay	LaFonta	Trahan
Dixon	Lambert	Waddell
Doerge	LeBas	White
Edwards	Leger	Williams
Ellington	Ligi	Willmott
Fannin	Lopinto	Wooton
Foil	Marchand	
Total - 83		

NAYS

Burns, T.	Katz	Simon
Carmody	Little	Smiley
Chandler	Monica	Smith, J.
Greene	Pearson	
Howard	Schroder	
Total - 13		

ABSENT

Dove	Henderson	McVea
Downs	LaBruzzo	Morrell
Guillory, E.	Lorusso	
Total - 8		

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. 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.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Arnold to Engrossed House Bill No. 859 by Representative Arnold

AMENDMENT NO. 1

On page 3, line 20, after "approval" insert "and shall become applicable after a favorable advisory opinion has been requested and received by the Federal Trade Commission"

AMENDMENT NO. 2

On page 1, line 24, after "districts" insert "as defined by the Department of Health and Hospital's administrative regions."

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

Rep. Katz moved that the bill be recommitted to the Committee on Appropriations.

Rep. Arnold objected.

By a vote of 51 yeas and 50 nays, the House agreed to recommit the bill to the Committee on Appropriations.

HOUSE BILL NO. 977—

BY REPRESENTATIVE LOPINTO
AN ACT

To amend and reenact R.S. 9:315.18(B), relative to child support; to provide for state and federal tax dependency deductions; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

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

HOUSE BILL NO. 740—

BY REPRESENTATIVES LIGI, ABRAMSON, BURFORD, TIM BURNS, CHAMPAGNE, CROMER, HENRY, HINES, AND LORUSSO
A JOINT RESOLUTION

Proposing to add Article X, Section 29(F) of the Constitution of Louisiana, to provide relative to public retirement systems and persons in such systems; to provide for the forfeiture of retirement benefits for certain persons who are convicted of certain felonies; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

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

Acting Speaker Greene in the Chair

HOUSE BILL NO. 835—

BY REPRESENTATIVES GEYMAN, ABRAMSON, ANDERS, ARMES, ARNOLD, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BILLIOT, BURFORD, HENRY BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, DANAHAY, FOIL, FRANKLIN, GALLOT, GISCLAIR, GREENE, ELBERT GUILLORY, MICKEY GUILLORY, HARDY, HARRISON, HAZEL, HENRY, HINES, HOWARD, SAM JONES, KLECKLEY, LABRUZZO, LAMBERT, LEBAS, LEGER, LIGI, LITTLE, MILLS, MONICA, MONTUCET, MORRELL, MORRIS, NORTON, NOWLIN, PEARSON, PERRY, PONTI, POPE,

RICHARD, RICHARDSON, RITCHIE, ROBIDEAUX, ROY, SCHRODER, SIMON, SMILEY, JANE SMITH, ST. GERMAIN, TALBOT, TRAHAN, TUCKER, WADDELL, WHITE, WILLIAMS, WILLMOTT, AND WOOTON
A JOINT RESOLUTION

Proposing to add Article VII, Section 10(C)(5) of the Constitution of Louisiana, relative to state funds; to provide with respect to the disposition and use of certain state general fund revenues; to require a two-thirds vote of the legislature relating to certain use of state general fund monies in excess of the expenditure limit; to provide for exceptions; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Geymann to Reengrossed House Bill No. 835 by Representative Geymann

AMENDMENT NO. 1

On page 2, line 8, after "Fund" change the period "." to a comma "," and insert the following:

"or to the deposit or transfer of monies into a dedicated fund for the specific purpose of inducement and development of economic development projects in Louisiana."

Rep. Geymann moved the adoption of the amendments.

Rep. Richmond objected.

By a vote of 6 yeas and 93 nays, the amendments were rejected.

Speaker Tucker in the Chair

Rep. Geymann moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

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Connick	Jones, S.	Smith, J.
Cortez	Katz	Smith, P.
Cromer	Kleckley	St. Germain
Danahay	LaBruzzo	Talbot
Dixon	Lambert	Templet
Doerge	LeBas	Waddell
Downs	Leger	White
Edwards	Ligi	Williams
Ellington	Little	Willmott
Fannin	Lopinto	Wooton
Foil	Lorusso	

Total - 95

NAYS

Total - 0

ABSENT

Dove	LaFonta	Peterson
Henderson	Marchand	Richmond
Honey	McVea	Trahan

Total - 9

The Chair declared the above bill, having received a two-thirds vote of the elected members, was finally passed.

The title of the above bill was read and adopted.

Rep. Geymann 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. 882—

BY REPRESENTATIVES GEYMAN, ELBERT GUILLORY, MORRIS, AND ROBIDEAUX

AN ACT

To enact R.S. 39:24(G) and 33.1(F), relative to state funds; to provide with respect to the disposition and use of certain state general fund revenues; to require a two-thirds vote of the legislature relating to certain use of state general fund monies in excess of the expenditure limit; to provide for exceptions; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Waddell on behalf of the Legislative Bureau to Engrossed House Bill No. 882 by Representative Geymann

AMENDMENT NO. 1

On page 1, line 14, following "of this" and before "shall not" change "Paragraph" to "Subsection"

AMENDMENT NO. 2

On page 2, line 5, following "of this" and before "shall not" change "Paragraph" to "Subsection"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 98

NAYS

Total - 0

ABSENT

Badon, B.	Dove	LaFonta
Burns, H.	Hardy	Peterson

Total - 6

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Geymann 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. 1048—

BY REPRESENTATIVE FOIL

AN ACT

To enact R.S. 45:199, relative to motor carriers and indemnity agreements; to prohibit agreements which require the indemnification of motor carriers for no-fault accidents; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Foil gave notice of his intention to call House Bill No. 1048 from the calendar during the week of May 19, 2008.

HOUSE BILL NO. 798—

BY REPRESENTATIVE HUTTER
AN ACT

To repeal Section 501(B)(1) and (3)(b) of Chapter V of Part VII of Title 76 of the Louisiana Administrative Code, relative to oyster leases and to provide for a process for lifting of the moratorium on new oyster leases.

Called from the calendar.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Hutter gave notice of her intention to call House Bill No. 798 from the calendar during the week of May 19, 2008.

HOUSE BILL NO. 1200—

BY REPRESENTATIVE WOOTON
AN ACT

To amend and reenact R.S. 56:10(B)(1)(b)(ii), 302.3(B)(5)(c), 305(H), and 506.1, relative to shrimp gear fees; to provide for additional fees on shrimp gear licenses; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Wooton moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Arnold	Fannin	Marchand
Aubert	Hardy	Norton
Badon, A.	Harrison	Peterson
Barrow	Hines	Pugh
Billiot	Hoffmann	Richard
Burrell	Honey	Richmond
Chandler	Hutter	St. Germain
Danahay	Jones, R.	Williams
Dixon	LaFonta	Wooton
Edwards	Leger	
Ellington	Lorusso	
Total - 31		

NAYS

Mr. Speaker	Franklin	Morris
Abramson	Gallot	Nowlin
Anders	Gisclair	Pearson
Arnes	Greene	Perry

Badon, B.	Guinn	Ponti
Baldone	Hazel	Pope
Barras	Hill	Richardson
Burns, H.	Howard	Robideaux
Burns, T.	Johnson	Roy
Carmody	Katz	Schroder
Carter	LaBruzzo	Simon
Champagne	LeBas	Smiley
Chaney	Ligi	Smith, G.
Connick	Little	Smith, J.
Cortez	Lopinto	Templet
Cromer	Mills	Trahan
Doerge	Monica	Waddell
Foil	Montoucet	Willmott
Total - 54		

ABSENT

Burford	Henry	Morrell
Dove	Jackson G.	Ritchie
Downs	Jackson M.	Smith, P.
Geymann	Jones, S.	Talbot
Guillory, E.	Kleckley	White
Guillory, M.	Lambert	
Henderson	McVea	
Total - 19		

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

Rep. Baldone 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. Hutter requested the House consent to correct her vote on final passage of House Bill No. 1200 from nay to yea, which consent was unanimously granted.

Consent to Correct a Vote Record

Rep. Williams requested the House consent to correct his vote on final passage of House Bill No. 1200 from nay to yea, which consent was unanimously granted.

HOUSE BILL NO. 376—

BY REPRESENTATIVE DOVE
AN ACT

To enact R.S. 38:3097.3(E), relative to ground water management; to provide for compliance orders; to provide for civil penalties and fines for violations of laws, regulations, and orders relating to ground water management; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Morris to Engrossed House Bill No. 376 by Representative Dove

AMENDMENT NO. 1

On page 2, delete lines 3 through 6 in their entirety and insert in lieu thereof the following:

"(2) The commissioner is hereby authorized to assess civil penalties for each day of violation of the provisions of this Chapter as follows:

(a) For violations of R.S. 38:3097.3(C)(4)(a) - failure to register a well no later than sixty days after completion of the well:

(i) first offense - between zero and fifty dollars.

(ii) second offense - between fifty and one hundred dollars.

(iii) third and subsequent offense - between one hundred and five hundred dollars.

(b) For violations of R.S. 38:3097.3(C)(4)(a) - failure to submit a notice of intent to drill a well at least sixty days prior to drilling:

(i) first offense - between zero and two hundred dollars.

(ii) second offense - between two hundred and four hundred dollars.

(iii) third and subsequent offense - between four hundred and one thousand dollars.

(c) For violations of R.S. 38:3097.3(C)(4)(a) - failure to submit a notice of intent to drill a well prior to drilling:

(i) first offense - five hundred dollars.

(ii) second offense - one thousand dollars.

(iii) third and subsequent offense - two thousand five hundred dollars.

(d) For violations of R.S. 38:3097.3(C)(4)(b) - failure to comply with restrictions, terms, or conditions set forth by order of the commissioner:

(i) first offense - one thousand dollars.

(ii) second offense - two thousand five hundred dollars.

(iii) third and subsequent offense - five thousand dollars.

(e) For violations of R.S. 38:3097.3(C)(9) - failure to comply with an emergency order authorizing the temporary use of drought relief wells:

(i) first offense - two hundred dollars.

(ii) second offense - four hundred dollars.

(iii) third and subsequent offense - one thousand dollars.

(f) For violations of R.S. 38:3097.3(C)(8) - failure to comply with any restrictions, terms, or conditions set forth by the commissioner in response to a ground water emergency:

(i) first offense - one thousand dollars.

(ii) second offense - two thousand five hundred dollars.

(iii) third and subsequent offense - five thousand dollars.

(g) For violations of Chapter 13-A-1 of Title 38 of the Louisiana Revised Statutes of 1950 for any other violations not otherwise specified in this Paragraph:

(i) first offense - between zero and two hundred dollars.

(ii) second offense - between two hundred and four hundred dollars.

(iii) third and subsequent offense - between four hundred and one thousand dollars."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Greene	Montoucet
Abramson	Guillory, E.	Morrell
Anders	Guillory, M.	Morris
Armes	Guinn	Norton
Arnold	Hardy	Nowlin
Badon, A.	Harrison	Pearson
Badon, B.	Hazel	Perry
Baldone	Henderson	Ponti
Barras	Henry	Pope
Billiot	Hines	Pugh
Burford	Hoffmann	Richard
Burns, H.	Howard	Richardson
Burrell	Hutter	Ritchie
Carmody	Jackson G.	Robideaux
Carter	Jackson M.	Roy
Champagne	Johnson	Schroder
Chandler	Jones, R.	Smiley
Chaney	Jones, S.	Smith, G.
Connick	Katz	Smith, J.
Cortez	Kleckley	Smith, P.
Cromer	LaBruzzo	St. Germain
Danahay	Lambert	Templet
Downs	LeBas	Trahan
Edwards	Leger	Waddell
Fannin	Ligi	White
Foil	Little	Williams
Franklin	Lopinto	Willmott
Gallot	Lorusso	Wooton
Geymann	Mills	
Gisclair	Monica	
Total - 88		

NAYS

Barrow	LaFonta	Richmond
Dixon	Marchand	Simon
Ellington	Peterson	
Total - 8		

ABSENT

Aubert	Dove	McVea
Burns, T.	Hill	Talbot
Doerge	Honey	
Total - 8		

The Chair declared the above bill, having received a two-thirds vote of the elected members, was finally passed.

The title of the above bill was read and adopted.

HOUSE BILL NO. 1333—
BY REPRESENTATIVE MILLS

AN ACT

To enact Part II-A of Chapter 1 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:31 through 36, relative to forensic supervised transitional residential and aftercare facilities; to provide for definitions; to provide for the

licensure of such facilities; to authorize the Department of Health and Hospitals to promulgate rules and regulations; to authorize inspections; to provide for licensing fees; to provide for the punishment of violators; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Mills to Engrossed House Bill No. 1333 by Representative Mills

AMENDMENT NO. 1

On page 1, line 3, change "36" to "37"

AMENDMENT NO. 2

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

"§31. Findings

The legislature finds that there is a need for a secured residential facility for any person found not guilty of a crime by reason of insanity or found incompetent to stand trial after such person has been released from a state forensic facility. Historically, all secured residential facilities have been overseen by the Department of Social Services under its authority to regulate traditional adult residential care homes. Nevertheless, it is now more appropriate and efficient for the Department of Health and Hospitals to license and regulate secured residential facilities serving forensic clients due to the mental health issues of the residents, the fact that the individuals are discharged from forensic hospitals operated by the Department of Health and Hospitals, and the security issues involved at such facilities. Thus, the licensing of secured residential facilities serving forensic clients shall be transferred from the Department of Social Services to the Department of Health and Hospitals and licensed as forensic supervised transitional residential and aftercare facilities in accordance with this Part. The licensing of all other adult residential care homes shall remain in the Department of Social Services pursuant to R.S. 40:2151 through 2161."

AMENDMENT NO. 3

On page 1, line 10, change "36" to "37"

AMENDMENT NO. 4

On page 1, line 13, change "§31." to "§32."

AMENDMENT NO. 5

On page 2, line 7, change "§32." to "§33."

AMENDMENT NO. 6

On page 2, line 24, change "§33." to "§34."

AMENDMENT NO. 7

On page 3, line 26, between "exceed" and "dollars" change "six hundred" to "two hundred fifty"

AMENDMENT NO. 8

On page 4, line 1, change "§34." to "§35."

AMENDMENT NO. 9

On page 4, line 8, change "28:33." to "28:34."

AMENDMENT NO. 10

On page 4, line 16, change "§35." to "§36."

AMENDMENT NO. 11

On page 4, delete lines 28 and 29 in their entirety

AMENDMENT NO. 12

On page 5, delete lines 1 through 5 in their entirety

AMENDMENT NO. 13

On page 5, line 6 change "C." to "B."

AMENDMENT NO. 14

On page 5, line 9, between "of" and "dollars" change "one hundred" to "two hundred fifty"

AMENDMENT NO. 15

On page 5, line 10, between "be" and "in" insert "assessed for each day of such offense and shall be"

AMENDMENT NO. 16

On page 5, line 14, change "§36." to "§37."

AMENDMENT NO. 17

On page 5, line 18, after "fined" delete the remainder of the line and insert in lieu thereof the following:

"not more than one hundred dollars for each day of operation without a license up to a maximum of one"

AMENDMENT NO. 18

On page 6, line 2, after "immediately." delete the remainder of the line

AMENDMENT NO. 19

On page 6, line 3, delete the line in its entirety

AMENDMENT NO. 20

On page 6, line 4, delete "33, and 34" and insert "32, 34, and 35"

AMENDMENT NO. 21

On page 6, line 10, delete "28:32, 35, and 36" and insert "28:33, 36, and 37"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Geymann	Mills
Abramson	Gisclair	Monica
Anders	Greene	Montoucet

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	Pope
Billiot	Hill	Pugh
Burford	Hines	Richard
Burns, H.	Hoffmann	Richardson
Burns, T.	Honey	Richmond
Burrell	Howard	Ritchie
Carmody	Hutter	Robideaux
Carter	Jackson G.	Roy
Champagne	Jackson M.	Schroder
Chandler	Johnson	Simon
Chaney	Jones, R.	Smiley
Connick	Jones, S.	Smith, G.
Cortez	Katz	Smith, J.
Cromer	Kleckley	Smith, P.
Danahay	LaBruzzo	St. Germain
Dixon	LaFonta	Temple
Doerge	Lambert	Trahan
Downs	LeBas	Waddell
Edwards	Leger	White
Ellington	Ligi	Williams
Fannin	Little	Willmott
Foil	Lopinto	Wooton
Franklin	Lorusso	
Gallot	Marchand	
Total - 100		
	NAYS	
Total - 0		
	ABSENT	
Dove	Ponti	
McVea	Talbot	
Total - 4		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

HOUSE BILL NO. 1013—
BY REPRESENTATIVE CONNICK
AN ACT

To amend and reenact R.S. 13:3881(D)(1) and to enact R.S. 11:293, relative to retirement benefits; to provide relative to public retirement systems which provide for the retirement of teachers and other employees of the public educational system; to provide relative to such persons in those systems; to provide for the forfeiture of retirement benefits for certain persons who are convicted of certain sex crimes involving certain students; to provide relative to the employer and employee contributions on behalf of such persons; to provide for repayment of benefits already received by such persons; to provide for confiscation of employee contributions to satisfy criminal fines and restitution; to require the Department of Public Safety and Corrections to report such crimes; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Connick gave notice of his intention to call House Bill No. 1013 from the calendar during the week of May 19, 2008.

HOUSE BILL NO. 783—
BY REPRESENTATIVE CONNICK
A JOINT RESOLUTION

Proposing to add Article X, Section 29(F) of the Constitution of Louisiana, relative to public retirement systems which provide for the retirement of teachers and other employees of the public educational system; to provide relative to such persons in those systems; to provide for the forfeiture of retirement benefits for certain persons who are convicted of certain sex crimes involving minors; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Connick gave notice of his intention to call House Bill No. 783 from the calendar during the week of May 19, 2008.

HOUSE BILL NO. 271—
BY REPRESENTATIVE KATZ
AN ACT

To enact R.S. 46:443.1, relative to Medicaid eligibility; to allow the Medicaid program to count the market value of annuities as a resource for determining eligibility in the Medicaid Long-Term Care program; to exempt certain qualified retirement plan annuities, accounts, trusts, and pensions from use in determining eligibility; to clarify that the market valuation of the annuity shall be used to determine eligibility in the Medicaid Long-Term Care Partnership program; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

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

Suspension of the Rules

On motion of Rep. Katz, 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

HOUSE BILLS

May 14, 2008

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

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

House Bill No. 280
Returned with amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

SENATE BILLS

May 14, 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. 10, 177, 275, 351, 478, and 482

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. 10—
BY SENATOR LAFLEUR

AN ACT

To enact R.S. 33:381(C)(29), relative to the selection of a municipal officer, to provide for the office of the chief of police of the village of Turkey Creek; to provide that such office shall be an appointive position; to provide for the method of appointment and the term of the position; and to provide for related matters.

Read by title.

SENATE BILL NO. 177—
BY SENATORS B. GAUTREAUX AND MURRAY
AN ACT

To enact R.S. 11:2178(C)(5) and 2178.1(A)(3), relative to the Sheriffs' Pension and Relief fund; to provide for eligibility for and calculation of a reduced retirement benefit; to allow a member with ten years of service credit to retire at age sixty and receive a reduced benefit; to prohibit such a member from participating in the Back-Deferred Retirement Option Plan; to provide for an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 275—
BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 32:407(E) and to enact R.S. 17:221(J) and 233(C), and R.S. 32:407(F), 414(T) and 431.1, relative to driving privileges of students; to authorize the denial or suspension of a driver's license or learner's permit of a minor who is not enrolled in or has not completed school or an adult education program or who is habitually absent or tardy; to authorize school boards and nonpublic schools to adopt policies providing relative to such denial or suspensions; to authorize the Recovery School District to adopt policies providing relative to such denials or suspensions for schools managed by the district; to provide for notification to the Department of Public Safety and Corrections when a minor drops out of school or is considered habitually absent or tardy; to provide for reinstatement of driving privileges; to authorize issuance of a hardship license; to provide for an appeal process; to provide for the responsibilities of the department; to provide definitions; and to provide for related matters.

Read by title.

SENATE BILL NO. 351—
BY SENATOR N. GAUTREAUX

AN ACT

To amend and reenact R.S. 39:364, relative to state purchase of alternate fuel or hybrid vehicles; to provide that the commissioner of administration shall purchase or lease for state use only alternative fuel and hybrid vehicles; to provide exceptions to the use of alternative fuel and hybrid vehicles; and to provide for related matters.

Read by title.

SENATE BILL NO. 478—
BY SENATOR MURRAY

AN ACT

To enact R.S. 11:2175(C)(3)(c), relative to the Sheriffs' Pension and Relief Fund; to provide for purchase of permissive service credit; to provide for eligibility to make such purchase; to provide for calculation of the cost of such purchase; to provide for an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 482—
BY SENATOR CASSIDY

AN ACT

To enact R.S. 17:3137, relative to dual enrollment of students; to provide relative to the participation of certain students in the dual enrollment program established by the Board of Regents; and to provide for related matters.

Read by title.

Message from the Senate

SIGNED SENATE CONCURRENT RESOLUTIONS

May 14, 2008

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

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

Senate Concurrent Resolution Nos. 7, 10, 67, and 68

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.

Acting Speaker Arnold in the Chair

Speaker Tucker in the Chair

**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. 63—
BY REPRESENTATIVE PERRY

A RESOLUTION

To commend the efforts of the organizers of the Louisiana Hugh O'Brian Youth Leadership seminars and to recognize May 23, 2008, as Hugh O'Brian Youth Leadership Day in the state of Louisiana.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 130—
BY REPRESENTATIVE ABRAMSON

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study and make recommendations on the revision of the laws relative to the use and prohibition of counterletters.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 131—
BY REPRESENTATIVES ROY AND KLECKLEY

A CONCURRENT RESOLUTION

To urge and request the Department of Insurance to conduct a study on statutorily mandated health insurance benefits to determine what each such statutory mandate costs in terms of absolute dollars and as a percentage of total health insurance premiums.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 132—
BY REPRESENTATIVE JANE SMITH

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study and review recommended best practices relative to the use of additional safety devices not currently required by law to alert motor vehicle drivers when a school bus is preparing to stop or is stopped on a roadway for the loading or unloading of riders or is stopped for other reasons as required by law; to provide for the board to make certain determinations relative to establishing a pilot program to be implemented during the 2009-2010 school year for the purpose of evaluating benefits to the safety of students, other bus riders, and bus

operators of requiring school buses to be equipped with such additional devices; to provide study guidelines; and to require submission of a report on study findings and recommendations to the House Committee on Education and the Senate Committee on Education prior to the 2009 Regular Session of the Legislature.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 133—

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

A CONCURRENT RESOLUTION

To recognize Tuesday, May 20, 2008, as Girl Scouts of the USA Day at the Louisiana State Capitol.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 134—

BY REPRESENTATIVE ARNOLD AND SENATORS ALARIO AND MARTINY

A CONCURRENT RESOLUTION

To commend the Fore!Kids Foundation for fifty years of service to children in Louisiana.

Read by title.

On motion of Rep. Arnold, 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

**Agriculture, Forestry, Aquaculture,
and Rural Development**

May 14, 2008

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Agriculture, Forestry, Aquaculture, and Rural Development to submit the following report:

House Concurrent Resolution No. 81, by Nowlin
Reported favorably. (15-0)

House Bill No. 501, by Mills
Reported by substitute. (16-0) (Regular)

House Bill No. 1193, by Ritchie
Reported favorably. (12-0) (Local & Consent)

House Bill No. 1194, by Ritchie
Reported by substitute. (15-0) (Regular)

House Bill No. 1253, by Simon
Reported with amendments. (14-0) (Regular)

House Bill No. 1270, by Perry
Reported with amendments. (17-0) (Regular)

Senate Bill No. 11, by Gautreaux, N.
Reported with amendments. (12-0) (Regular)

Senate Bill No. 627, by Thompson
Reported with amendments. (14-0) (Regular)

JOHN F. "ANDY" ANDERS
Chairman

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

**Report of the Committee on
Judiciary**

May 14, 2008

To the Speaker and Members of the House of Representatives:

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

House Concurrent Resolution No. 97, by Richmond
Reported favorably. (11-0-1)

House Concurrent Resolution No. 103, by Howard
Reported favorably. (11-0-1)

House Concurrent Resolution No. 104, by Monica
Reported with amendments. (12-0-1)

House Concurrent Resolution No. 105, by Smith, Jane
Reported favorably. (13-0-1)

House Bill No. 16, by Greene
Reported with amendments. (10-2-1) (Regular)

House Bill No. 561, by Abramson
Reported by substitute. (13-0-1) (Regular)

House Bill No. 611, by Simon
Reported by substitute. (11-0-1) (Regular)

House Bill No. 838, by Tucker
Reported by substitute. (13-0-1) (Regular)

House Bill No. 1152, by Richmond
Reported with amendments. (15-0-1) (Regular)

House Bill No. 1214, by Schroder
Reported with amendments. (13-0-1) (Regular)

House Bill No. 1258, by Edwards
Reported with amendments. (12-0-1) (Regular)

House Bill No. 1267, by Montoucet
Reported favorably. (13-0-1) (Regular)

House Bill No. 1286, by Lambert
Reported favorably. (12-0-1) (Local & Consent)

Senate Bill No. 55, by Morrish
Reported favorably. (12-0-1) (Local & Consent)

Senate Bill No. 91, by Quinn
Reported favorably. (13-0-1) (Regular)

Senate Bill No. 101, by Morrish
Reported favorably. (12-0-1) (Local & Consent)

Senate Bill No. 166, by Murray
Reported with amendments. (9-0-1) (Regular)

Senate Bill No. 406, by Walsworth
Reported favorably. (13-0-1) (Local & Consent)

Senate Bill No. 579, by Murray
Reported with amendments. (11-0-1) (Regular)

Senate Bill No. 613, by Murray
Reported with amendments. (14-0-1) (Regular)

Senate Bill No. 624, by Murray
Reported favorably. (15-0-1) (Regular)

Senate Bill No. 625, by Murray
Reported with amendments. (11-0-1) (Regular)

CEDRIC L. RICHMOND
Chairman

The above Senate Bills reported favorably or with amendments,
except Senate Bill No. 91, were referred to the Legislative Bureau.

**Report of the Committee on
Labor and Industrial Relations**

May 14, 2008

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Labor and Industrial
Relations to submit the following report:

House Concurrent Resolution No. 125, by Barrow
Reported favorably. (6-0)

House Bill No. 968, by Edwards
Reported with amendments. (7-0) (Regular)

House Bill No. 1097, by Harrison
Reported by substitute. (7-0) (Regular)

Senate Bill No. 168, by Murray
Reported with amendments. (7-0) (Regular)

AVON R. HONEY
Chairman

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

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

May 14, 2008

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:

House Bill No. 750, by Lambert
Reported favorably. (13-0) (Regular)

House Bill No. 934, by Templett
Reported favorably. (11-0) (Regular)

House Bill No. 938, by St. Germain
Reported with amendments. (14-0) (Regular)

House Bill No. 970, by Honey
Reported with amendments. (11-0) (Regular)

House Bill No. 980, by Burns, Henry
Reported favorably. (11-0) (Local & Consent)

House Bill No. 1221, by Geymann
Reported with amendments. (12-3) (Regular)

House Bill No. 1335, by Doerge
Reported with amendments. (13-0) (Regular)

Senate Bill No. 39, by Duplessis
Reported favorably. (13-0) (Local & Consent)

JEAN-PAUL "JP" MORRELL
Chairman

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

**Report of the Committee on
Retirement**

Wednesday, May 14, 2008

To the Speaker and Members of the House of Representatives:

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

House Bill No. 232, by Doerge
Reported favorably. (7-0) (Local & Consent)

House Bill No. 356, by Gallot
Reported favorably. (6-0) (Local & Consent)

House Bill No. 525, by Arnold
Reported favorably. (7-0) (Local & Consent)

House Bill No. 526, by Arnold
Reported favorably. (6-2) (Regular)

House Bill No. 534, by Arnold
Reported favorably. (8-0) (Regular)

House Bill No. 723, by Arnold
Reported with amendments. (7-0) (Regular)

House Bill No. 964, by Arnold
Reported favorably. (6-0) (Regular)

House Bill No. 994, by Arnold
Reported with amendments. (6-0) (Regular)

House Bill No. 1215, by Hill
Reported with amendments. (8-0) (Regular)

JOEL C. ROBIDEAUX
Chairman

**Report of the Committee on
Ways and Means**

May 14, 2008

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Ways and Means to submit
the following report:

Senate Bill No. 87, by Shaw
Reported with amendments. (18-0) (Regular)

HUNTER V. GREENE
Chairman

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

Privileged Report of the Legislative Bureau

May 14, 2008

To the Speaker and Members of the House of Representatives:

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

Senate Bill No. 13
Reported without amendments.

Senate Bill No. 22
Reported without amendments.

Senate Bill No. 44
Reported without amendments.

Senate Bill No. 80
Reported without amendments.

Senate Bill No. 143
Reported without amendments.

Senate Bill No. 149
Reported without amendments.

Senate Bill No. 150
Reported without amendments.

Senate Bill No. 160
Reported without amendments.

Senate Bill No. 228
Reported without amendments.

Senate Bill No. 238
Reported without amendments.

Senate Bill No. 261
Reported without amendments.

Senate Bill No. 360
Reported without amendments.

Senate Bill No. 381
Reported without amendments.

Senate Bill No. 382
Reported without amendments.

Senate Bill No. 401
Reported without amendments.

Senate Bill No. 469
Reported with amendments.

Senate Bill No. 546
Reported without amendments.

Senate Bill No. 731
Reported without amendments.

Senate Bill No. 800
Reported with amendments.

Respectfully submitted,

WAYNE WADDELL
Chairman

Privileged Report of the Committee on Enrollment

May 14, 2008

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

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

The following House Resolutions have been properly enrolled:

HOUSE RESOLUTION NO. 60—

BY REPRESENTATIVE HONEY

A RESOLUTION

To recognize Tuesday, May 13, 2008, as Southern University Day at the Louisiana State Capitol.

HOUSE RESOLUTION NO. 61—

BY REPRESENTATIVE AUBERT

A RESOLUTION

To commend Edward A. Schmitt upon his retirement as chairman, president, and chief executive officer of Georgia Gulf Corporation.

HOUSE RESOLUTION NO. 62—

BY REPRESENTATIVE NOWLIN

A RESOLUTION

To recognize Thursday, May 15, 2008, as the Louisiana Society of Professional Surveyors Day at the Louisiana State Capitol.

Respectfully submitted,

WAYNE WADDELL
Chairman

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

Privileged Report of the Committee on Enrollment

May 14, 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. 117—

BY REPRESENTATIVE HONEY

A CONCURRENT RESOLUTION

To recognize Wednesday, May 21, 2008, as Omega Psi Phi/Purple and Gold Day at the Louisiana State Capitol and to commend Omega Psi Phi Fraternity, Incorporated.

HOUSE CONCURRENT RESOLUTION NO. 124—

BY REPRESENTATIVE TUCKER

A CONCURRENT RESOLUTION

To express support for the people of Cuba and to strongly urge the Cuban government to allow its citizens to enjoy the internationally recognized civil, political, and economic rights and freedoms enshrined in the Universal Declaration of Rights and the International Covenant on Civil and Political Rights.

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. Monica, 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:

Motion

Rep. Monica moved to call from the table the motion to reconsider the vote by which House Bill No. 1200 failed to pass.

Rep. Baldone objected.

By a vote of 59 yeas and 16 nays, the motion to reconsider was called from the table.

Motion to reconsider pending.

Leave of Absence

Rep. Dove - 1 day

Adjournment

On motion of Rep. Ponti, at 8:37 P.M., the House agreed to adjourn until Thursday, May 15, 2008, at 9:00 A.M.

The Speaker of the House declared the House adjourned until 9:00 A.M., Thursday, May 15, 2008.

ALFRED W. SPEER
Clerk of the House

