

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

THIRTY-SIXTH 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

Thursday, May 29, 2008

The House of Representatives was called to order at 1:00 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	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	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
Dove	LeBas	Templet
Downs	Leger	Trahan

Edwards	Ligi	Waddell
Ellington	Little	White
Fannin	Lopinto	Williams
Foil	Lorusso	Willmott
Franklin	Marchand	Wooton
Gallot	McVea	
Total - 104		

ABSENT

Total - 0

The Speaker announced that there were 104 members present and a quorum.

Prayer

Prayer was offered by Rev. Carl Carrigan.

Pledge of Allegiance

Rep. Dixon 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 28, 2008, was adopted.

**Petitions, Memorials and
Communications**

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

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

May 29, 2008

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

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

House Concurrent Resolution No. 11
Returned without amendments

House Concurrent Resolution No. 21
Returned without amendments

House Concurrent Resolution No. 27
Returned without amendments

House Concurrent Resolution No. 57
Returned without amendments

House Concurrent Resolution No. 63
Returned without amendments

House Concurrent Resolution No. 70
Returned without amendments

House Concurrent Resolution No. 80
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

HOUSE BILLS

May 29, 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. 91
Returned without amendments

House Bill No. 140
Returned without amendments

House Bill No. 141
Returned without amendments

House Bill No. 155
Returned with amendments

House Bill No. 156
Returned without amendments

House Bill No. 180
Returned without amendments

House Bill No. 192
Returned with amendments

House Bill No. 194
Returned without amendments

House Bill No. 196
Returned without amendments

House Bill No. 219
Returned without amendments

House Bill No. 222
Returned with amendments

House Bill No. 223
Returned without amendments

House Bill No. 237
Returned with amendments

House Bill No. 320
Returned without amendments

House Bill No. 363
Returned without amendments

House Bill No. 503
Returned with amendments

House Bill No. 508
Returned without amendments

House Bill No. 606
Returned without amendments

House Bill No. 670
Returned without amendments

House Bill No. 728
Returned without amendments

House Bill No. 790
Returned without amendments

House Bill No. 858
Returned with amendments

House Bill No. 861
Returned without amendments

House Bill No. 930
Returned with amendments

House Bill No. 960
Returned without amendments

House Bill No. 1017
Returned without amendments

House Bill No. 1051
Returned without amendments

House Bill No. 1058
Returned without amendments

House Bill No. 1062
Returned without amendments

House Bill No. 1117
Returned with amendments

House Bill No. 1130
Returned without amendments

House Bill No. 1332
Returned with amendments

House Bill No. 1361
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

**ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

May 29, 2008

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

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

Senate Concurrent Resolution Nos. 42 and 87

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 87—

BY SENATOR QUINN

A CONCURRENT RESOLUTION

To commend and congratulate the players, coach, owner, and staff of the New Orleans Hornets Basketball Team for a terrific season in the 2007-2008 National Basketball Association.

Read by title.

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

Message from the Senate

SENATE BILLS

May 29, 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. 6, 106, 308, 341, 398, 499, 611, 689, 718, 812, and 813

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. 6—

BY SENATOR MURRAY

AN ACT

To enact R.S. 49:170.15, relative to state symbols; to designate the Sazerac as the official cocktail of the city of New Orleans; and to provide for related matters.

Read by title.

SENATE BILL NO. 106—

BY SENATOR MORRISH

AN ACT

To enact R.S. 39:51.1, relative to the General Appropriation Bill and other appropriation bills; to provide a procedure for the submission of certain information by certain nongovernmental entities; to provide for an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 308—

BY SENATOR DONAHUE

AN ACT

To amend and reenact Code of Civil Procedure Article 1425(C) and to enact Code of Civil Procedure Article 1425(F), relative to discovery and experts; to extend the deadline for filing expert witness disclosures; to provide for a pre-trial hearing regarding

the qualifications and admissibility of testimony of an expert witness; to provide procedures for conducting the hearing and appealing the decision of the judge; and to provide for related matters.

Read by title.

SENATE BILL NO. 341—

BY SENATORS ERDEY, MARIONNEAUX, MCPHERSON, MOUNT AND SHAW

AN ACT

To enact R.S. 32:83, relative to traffic regulations; to prohibit certain trucks from using the far left lane on certain highways; to provide for exceptions; to provide for penalties; and to provide for related matters.

Read by title.

SENATE BILL NO. 398—

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 27:391(A) and to enact R.S. 27:391(D) and 392(B)(3)(e), relative to proceeds derived from slot machine gaming conducted at eligible live horse racing facilities; to provide for the distribution of proceeds derived from the taxes levied by the local governing authority of Iberville Parish on taxable net slot machine proceeds operated in Iberville Parish; to create the Iberville Parish Excellence Fund and require certain deposits to the fund; to provide for the operation of the fund; and to provide for related matters.

Read by title.

SENATE BILL NO. 499—

BY SENATORS CROWE, THOMPSON AND WALSWORTH

AN ACT

To amend and reenact R.S. 24:51(2), (3), (4), (5), (6), and (7), 52, and 56(F) and (G) and R.S. 49:72, 73, and 78.1 and to enact R.S. 24:51(8) and (9) and 56(G)(2) and R.S. 49:72(11) and 78.1(2), relative to lobbying; to clarify the definition of lobbyist; to provide exception to the requirement of certain individuals to register as lobbyists; to clarify the definition of lobbyist; and to provide for related matters.

Read by title.

SENATE BILL NO. 611—

BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 33:4720.56(19), 4720.59(A),(B)(1),(C),(D), and (E)(1),(4),(5), and (6), and 4720.60.1 and to enact R.S. 33:4720.56(20) and R.S. 33:4720.59(E)(7), relative to the New Orleans Redevelopment Authority; to provide authorization for the transfer of adjudicated properties from the city of New Orleans to the authority; to provide authorization for the purchase of properties by the authority at tax sales; to provide for the purchase of properties by the authority at code lien enforcement proceedings; to amend relative to the authority of the New Orleans Redevelopment Authority to conduct expedited quiet title and foreclosure proceedings; to provide for the removal of abandoned property; to provide of an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 689—

BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 27:391(A) and 392(C)(3) and (5) and to enact R.S. 27:391(D), relative to proceeds derived from slot machine gaming conducted at eligible live horse racing

facilities; to provide for the distribution of proceeds derived from taxable net slot machine proceeds operating in Orleans Parish; and to provide for related matters.

Read by title.

SENATE BILL NO. 718—
BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 42:1124.2(A), 1124.3(A), and 1124.4(A)(1), (C)(3), and (F), and to enact 42:1124.6, relative to financial disclosure; to require certain disclosures by appointed members of boards and commissions; to provide for penalties; and to provide for related matters.

Read by title.

SENATE BILL NO. 812 (Substitute of Senate Bill No. 438 by Senator Jackson)—
BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 46:2601(A)(1), 2603(A)(3) through (6), 2605(A) and (B)(3), (5), (28), and (39) and (E), and 2607, to enact R.S. 46:2602(B)(13), and to repeal R.S. 46:2602(D), (E), and (F), 2603(A)(7) through (13), 2605(B)(22), and 2605.1 through 2605.3, relative to the Children's Cabinet; to provide with respect to the powers and duties of the cabinet; to provide with respect to the advisory board; to extend the sunset date for the Cabinet; to repeal the Children's Cabinet Research Council and the Louisiana Juvenile Justice Planning and Coordinating Board; and to provide for related matters.

Read by title.

SENATE BILL NO. 813 (Substitute of Senate Bill No. 587 by Senator Broome)—
BY SENATOR BROOME

AN ACT

To amend and reenact R.S. 6:1081, 1082, 1084, 1086(A), 1088(C)(1)(introductory paragraph), (D), (E)(1) and (3), and (F)(1), 1089(A), 1090(B)(1), 1091(A), (B)(1) and (C), and 1092(A)(introductory paragraph), and to enact R.S. 6:1083(13) and (14), relative to residential mortgages; to provide for licensure and certification of residential mortgage servicers; to provide for purposes; to provide for prohibitions; to provide for requirements; to provide for application and issuance of licenses; to provide for changes; to provide for recordkeeping; to provide for suspension and revocation of licenses; to provide for an effective date; 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 RESOLUTION NO. 85—
BY REPRESENTATIVE PETERSON

A RESOLUTION

To adopt House Rule 11.6(D)(3) of the Rules of Order of the House of Representatives to provide for indication that the legislator who is listed as the requestor or sponsor of an amendment for an appropriation for certain entities has agreed to request or sponsor the amendment.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 160—
BY REPRESENTATIVE LEGER

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study the issue of harassment, intimidation, and bullying of students and to submit a written report of its findings, including any recommendations for legislation relative to the issue, to the House Committee on Education and the Senate Committee on Education not later than sixty days prior to the beginning of the 2009 Regular Session.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 162—
BY REPRESENTATIVE GARY SMITH

A CONCURRENT RESOLUTION

To amend and readopt Joint Rule No. 4(B)(1), (4), (5), and (6) of the Joint Rules of the Senate and House of Representatives and to adopt Joint Rule No. 4(B)(7) of the Joint Rules of the Senate and House of Representatives, relative to fiscal notes; to authorize any member of the legislature to request a fiscal note on any measure in the possession of his house of the legislature; and to provide for related matters.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 163—
BY REPRESENTATIVE FOIL

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 evaluate the viability of establishing a new medical school in the central portion of the state.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 164—
BY REPRESENTATIVE LAFONTA

A CONCURRENT RESOLUTION

To urge and request that funding of the Innocence Compensation Fund be made a priority in the state budget and that the governor include sufficient funding for this fund in his budget recommendation.

Read by title.

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

Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 85—
BY SENATOR DUPRE

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Agriculture and Forestry to develop a strategic plan to implement an incentive program for the production of renewable fuels.

Read by title.

Under the rules, the above resolution was referred to the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

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. 742— BY SENATOR CHEEK

AN ACT

To enact R.S. 33:1981(C)(4) and 2201(C)(3), relative to survivor benefits for firefighters and law enforcement officers; to provide relative to financial security of surviving children of such persons; to provide for the designation of trustees for the children of such persons in certain circumstances; 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 Municipal, Parochial and Cultural Affairs.

House and House Concurrent Resolutions Reported by Committee

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

HOUSE 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 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. 85 by Representative Williams

AMENDMENT NO. 1

On page 1, delete line 18, and insert "WHEREAS, the relationship between a patient and his health care practitioner is based upon the"

AMENDMENT NO. 2

On page 2, line 1, between "physicians or" and "health care" insert "other"

AMENDMENT NO. 3

On page 2, line 9, between "physician or" and "health care" insert "other"

AMENDMENT NO. 4

On page 2, at the end of line 11, after "specifically solicit" 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. 116—

BY REPRESENTATIVE TRAHAN

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education, the Board of Supervisors of Community and Technical Colleges, and the Board of Regents jointly to study the feasibility and advisability of transferring the administration of adult education programs from the State Board of Elementary and Secondary Education to the Board of Supervisors of Community and Technical Colleges and to report 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. 131—

BY REPRESENTATIVES ROY, ANDERS, FRANKLIN, KLECKLEY, LAFONTA, MONICA, AND PEARSON

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.

Reported favorably by the Committee on Insurance.

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

HOUSE CONCURRENT RESOLUTION NO. 143—

BY REPRESENTATIVE HARDY

A CONCURRENT RESOLUTION

To request the Department of Public Safety and Corrections to study and make recommendations on the feasibility of sentencing certain offenders who violate the Uniform Controlled Dangerous Substances Law to military service as an alternative to incarceration.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Concurrent Resolution No. 143 by Representative Hardy

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AMENDMENT NO. 1

On page 1, line 2, after "To" and before "to study" delete "create the Second Chance Task Force" and insert "request the Department of Public Safety and Corrections"

AMENDMENT NO. 2

On page 2, delete lines 12 and 13 in their entirety

AMENDMENT NO. 3

On page 2, delete lines 15 and 16 in their entirety

AMENDMENT NO. 4

On page 2, line 17, delete "to be appointed by the president, to" and insert "urge and request that the Department of Public Safety and Corrections"

AMENDMENT NO. 5

On page 2, line 20, after "the" and before "such" delete "chair of the commission requests" and insert "Department of Public Safety and Corrections may request"

AMENDMENT NO. 6

On page 2, line 21, after "as" and before "necessary" delete "he may deem" and insert "deemed"

AMENDMENT NO. 7

On page 2, line 24, change "task force." to "study."

AMENDMENT NO. 8

On page 2, line 25, change "task force" to "Department of Public Safety and Corrections"

AMENDMENT NO. 9

On page 2, after line 26, insert the following:

"BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the secretary of the Department of Public Safety and Corrections."

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

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

HOUSE CONCURRENT RESOLUTION NO. 151—

BY REPRESENTATIVES HOFFMANN, ARMES, AUBERT, AUSTIN, BADON, CARMODY, CARTER, CHANDLER, CHANEY, DIXON, DOWNS, EDWARDS, LEGER, RICHARDSON, RITCHIE, PATRICIA SMITH, AND TRAHAN

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education, in conjunction with the High School Redesign Commission, to develop and implement two separate curricular strands and two related diploma versions for high school students and to submit a written report on the status of such development and implementation to the House Committee on Education and the Senate Committee on Education not later than December 31, 2008.

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. 151 by Representative Hoffmann

AMENDMENT NO. 1

On page 1, delete line 7 in its entirety and insert "than December 31, 2008."

AMENDMENT NO. 2

On page 2, line 12, after "than" delete the remainder of the line and delete line 13 in its entirety and insert "December 31, 2008."

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. 155—

BY REPRESENTATIVE MILLS

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to study the development and implementation of civil commitment procedures for the treatment of sexually violent predators and child sexual predators.

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. 155 by Representative Mills

AMENDMENT NO. 1

On page 3, delete lines 23 through 25 in their entirety and in lieu thereof insert the following:

"BE IT FURTHER RESOLVED that following review of the recommendations of the committee by the secretary of the Department of Health and Hospitals, the secretary shall submit a final report to the House Committee on Health and Welfare and the Senate Committee on Health and Welfare."

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.

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. 6—

BY SENATOR DONAHUE

A CONCURRENT RESOLUTION

To create and provide the Election Code Study Committee to study election offenses and to develop recommendations for changes to the Louisiana Election Code and a plan to implement such changes.

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 Senate Concurrent Resolution No. 6 by Senator Donahue

AMENDMENT NO. 1

On page 1, delete lines 2 through 4 and insert the following:

"To urge and request the House Committee on House and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs to meet and function as a joint committee to study and make recommendations for changes to the Louisiana Election Code relative to election offenses and penalties."

AMENDMENT NO. 2

On page 1, delete lines 13 through 18 and delete pages 2 and 3 and insert the following:

"THEREFORE BE IT RESOLVED that the Legislature of Louisiana does hereby urge and request the House Committee on House and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs to meet and function as a joint committee to study and make recommendations for changes to the Louisiana Election Code relative to election offenses and penalties.

BE IT FURTHER RESOLVED that the joint committee shall specifically solicit input, recommendations, and advice from the following:

- (1) The secretary of state.
- (2) The commissioner of elections.
- (3) The Elections Compliance Unit of the Department of State.
- (4) The attorney general.
- (5) The Louisiana Clerks of Court Association.
- (6) The Louisiana Registrar of Voters Association.
- (7) The Louisiana District Attorneys Association.
- (8) The Louisiana Sheriff's Association.

BE IT FURTHER RESOLVED that the joint committee shall report its findings and recommendations to the legislature by March 1, 2009."

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

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

SENATE CONCURRENT RESOLUTION NO. 17—

BY SENATOR GRAY

A CONCURRENT RESOLUTION

To urge and request the secretary of state to study the impact of voting machine malfunctions on voting and to study the feasibility of using backup paper ballots at polls on election day.

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 Senate Concurrent Resolution No. 17 by Senator Gray

AMENDMENT NO. 1

On page 2, delete line 1 and insert "held in the years 2005 through 2008."

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

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

SENATE CONCURRENT RESOLUTION NO. 30—

BY SENATOR DUPLESSIS

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study and determine the feasibility of incorporating school leadership accountability factors into the computation of School Performance Scores.

Read by title.

Reported favorably by the Committee on Education.

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

SENATE CONCURRENT RESOLUTION NO. 35—

BY SENATOR MCPHERSON

A CONCURRENT RESOLUTION

To establish a special study committee to study and make recommendations with respect to creating special designations on EMS vehicles.

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 Senate Concurrent Resolution No. 35 by Senator McPherson

AMENDMENT NO. 1

On page 1, delete lines 2 and 3 and insert the following:

"To urge and request the House Select Committee on Homeland Security and the Senate Select Committee on Homeland Security to meet and function as a joint committee to study and make recommendations concerning creating special designations for emergency vehicles."

AMENDMENT NO. 2

On page 2, line 6, after "unrelated to the" delete "required"

AMENDMENT NO. 3

On page 2, line 7, between "vehicles of" and "weight class," delete "this" and insert "the applicable"

AMENDMENT NO. 4

On page 2, delete lines 18 through 30 and delete pages 3 and 4 and insert the following:

"THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby urge and request the House Select Committee on Homeland Security and the Senate Select Committee on Homeland Security to meet and function as a joint committee to study and make recommendations concerning creating special designations for emergency vehicles.

BE IT FURTHER RESOLVED that the joint committee shall specifically solicit input, recommendations, and advice from the following:

- (1) The Governor's Office of Homeland Security and Emergency Preparedness.
- (2) The Department of Public Safety and Corrections, public safety services.
- (3) The Department of Public Safety and Corrections, office of motor vehicles.
- (4) The Ambulance Standards Committee of the Emergency Medical Services Task Force of the Department of Health and Hospitals.
- (5) The Department of Public Safety and Corrections, office of state police.
- (6) The Louisiana Sheriff's Association.
- (7) The Louisiana Union of Police Associations.
- (8) The Department of Transportation and Development.
- (9) The United States Fire Administration.
- (10) The Department of Environmental Quality.
- (11) The Emergency Management and Response Information Sharing and Analysis Center.
- (12) The Centers for Disease Control and Prevention.
- (13) The United States Army Research, Development and Engineering Command.
- (14) The Louisiana Army National Guard.
- (15) The Louisiana State Firemen's Association.

(16) The Louisiana Ambulance Alliance.

BE IT FURTHER RESOLVED that the joint committee shall report its findings and recommendations to the legislature by March 1, 2009."

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

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

SENATE CONCURRENT RESOLUTION NO. 63—

BY SENATOR ADLEY

A CONCURRENT RESOLUTION

To urge and request the Louisiana Wildlife and Fisheries Commission to follow the recommendations of the board of commissioners of the Cypress-Black Bayou Recreation and Water Conservation District when promulgating rules and regulations pertaining to fishing and boating.

Read by title.

Reported favorably by the Committee on Natural Resources and Environment.

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

SENATE CONCURRENT RESOLUTION NO. 64—

BY SENATOR DUPRE

A CONCURRENT RESOLUTION

To create the Louisiana Recreational Saltwater Fishing Task Force to advise the Department of Wildlife and Fisheries and other entities on various recreational saltwater fishing issues.

Read by title.

Reported favorably by the Committee on Natural Resources and Environment.

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

SENATE CONCURRENT RESOLUTION NO. 73—

BY SENATOR DUPRE

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals, with assistance from the U.S. Food and Drug Administration and the Interstate Shellfish Sanitation Conference, to perform a cost-benefit analysis and economic impact study before promulgation of rules relating to the *Vibrio parahaemolyticus* and *Vibrio vulnificus* management plans.

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. 78—

BY SENATORS GRAY AND CASSIDY AND REPRESENTATIVES ELLINGTON, MICHAEL JACKSON, RICHMOND AND WILLMOTT

A CONCURRENT RESOLUTION

To express legislative support for the creation of a joint legislative Substance Abuse and Mental Health Caucus.

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 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. 726—
BY REPRESENTATIVE HARDY
AN ACT

To enact R.S. 14:40.5, relative to the public display of a noose for the purpose of intimidation; to create the crime of public display of a noose with the intent to intimidate; to provide for penalties; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 726 by Representative Hardy

AMENDMENT NO. 1

On page 1, line 9, change "of intimidating" to "to intimidate"

AMENDMENT NO. 2

On page 1, line 13, after "drawn" delete the remainder of the line and delete line 14 in its entirety and insert "which has been used in execution by hanging, and which symbolizes racism and intimidation."

AMENDMENT NO. 3

On page 1, at the beginning of line 16, change "of intimidating" to "to intimidate"

AMENDMENT NO. 4

On page 1, line 16, change "fifteen" to "five"

AMENDMENT NO. 5

On page 1, line 17, change "fifteen years," to "one year,"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 875—
BY REPRESENTATIVES MICHAEL JACKSON AND ABRAMSON
AN ACT

To enact Part II of Chapter 58 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2745 and 2746, relative to reimbursement methodology for mental health services; to direct the Department of Health and Hospitals to establish a uniform reimbursement methodology for community mental health centers and community mental health clinics; to direct the department to promulgate rules and regulations relative to the uniform reimbursement methodology; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Health and Welfare.

The substitute was read by title as follows:

HOUSE BILL NO. 1385 (Substitute for House Bill No. 875 by Representative Jackson)—
BY REPRESENTATIVES MICHAEL JACKSON AND ABRAMSON
AN ACT

To enact Part II of Chapter 58 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2745 through 2749, relative to reimbursement for mental health services; to create the Mental Health Access Committee; to provide for the membership, functions, and duties of the committee; to provide for the study of a revised reimbursement methodology and standards of participation for community mental health clinics; to provide for the promulgation of rules and regulations; to provide for Medicare-certified community mental health centers and community mental health clinics; and to provide for related matters.

Read by title.

On motion of Rep. Katz, the substitute was adopted and became House Bill No. 1385 by Rep. Michael Jackson, on behalf of the Committee on Health and Welfare, as a substitute for House Bill No. 875 by Rep. Michael Jackson.

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

HOUSE BILL NO. 1011—
BY REPRESENTATIVE LAFONTA
AN ACT

To enact R.S. 18:177.1, relative to registration of voters; to require the Department of Public Safety and Corrections to provide certain information concerning registration and reinstatement to certain persons; to require the Department of Public Safety and Corrections to provide certain persons with voter registration applications; 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. 1011 by Representative LaFonta

AMENDMENT NO. 1

On page 1, line 2, after "to require" delete the remainder of the line and delete lines 3 through 5 and insert the following:

"the Department of Public Safety and Corrections to provide certain information concerning registration and reinstatement to certain persons; to require the Department of Public Safety and Corrections to provide certain persons with voter registration applications; and to provide for related matters."

AMENDMENT NO. 2

On page 1, line 8, between "§177.1." and "of order of" delete "Report; satisfaction" and insert "Satisfaction"

AMENDMENT NO. 3

On page 1, at the end of line 8, delete "notice" and insert "provision of information relative to registration and reinstatement"

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AMENDMENT NO. 4

On page 1, at the beginning of line 9, delete "A. The secretary of the" and insert "The"

AMENDMENT NO. 5

On page 1, delete lines 10 through 20 and delete page 2, and insert the following:

"provide each person who completes all orders of imprisonment applicable to him for felony convictions with the following:

(1) Information apprising the person of the requirements and procedures for registering to vote and for reinstatement of registration.

(2) A state mail voter registration application."

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. 1278—

BY REPRESENTATIVE WADDELL
AN ACT

To enact R.S. 17:3048.1(B)(4), relative to eligible schools for use of a TOPS-Tech Award pursuant to the Tuition Opportunity Program for Students; to include certain schools having a valid and current certificate of registration issued by the State Board of Cosmetology and proprietary schools having a valid and current license issued by the Board of Regents; to provide conditions; to provide relative to award amounts at such schools; to provide limitations; to provide effectiveness; to provide 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 ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1325—

BY REPRESENTATIVES DIXON, ARMES, CHANDLER, CHANEY, EDWARDS, RICHARDSON, AND RITCHIE
AN ACT

To enact R.S. 17:3312(B), relative to the use of sick leave by unclassified employees at public colleges and universities; to provide relative to the use of sick leave for personal purposes by certain employees; to provide guidelines and limitations; to provide applicability; and to provide for related matters.

Read by title.

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 local and consent 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:

Motion

On motion of Rep. Katz, the Legislative Bureau was discharged from further consideration of Senate Bill No. 229.

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.

On motion of Rep. Katz, the bill was recommitted to the Committee on Appropriations.

SENATE BILL NO. 534—

BY SENATOR CASSIDY

AN ACT

To enact R.S. 17:7(2)(f), relative to the duties, functions and responsibilities of the State Board of Elementary and Secondary Education; to provide relative to the use of certain funding by public school boards provided through the minimum foundation program formula; to provide for reporting requirements; to provide for rules and regulations; 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 Reengrossed Senate Bill No. 534 by Senator Cassidy

AMENDMENT NO. 1

On page 1, line 17, after "state" and before "that" change "Department of Education" to "board"

AMENDMENT NO. 2

On page 2, line 8, after "state" and before "shall" change "Department of Education" to "board"

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

Under the rules, the bill, as amended, was recommitted to the Committee on Appropriations.

SENATE BILL NO. 582—

BY SENATOR NEVERS

AN ACT

To enact R.S. 17:10.8, relative to school and district accountability; to require the establishment and implementation of a program of early identification and intervention for low-performing schools that are at risk of failing; to provide for the duties and responsibilities of the state Department of Education and the State Board of Elementary and Secondary Education; to provide for criteria; to provide for technical assistance and compliance; 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 Engrossed Senate Bill No. 582 by Senator Nevers

AMENDMENT NO. 1

On page 1, line 12, after "accountability" and before "established" change "program" to "system"

AMENDMENT NO. 2

On page 1, line 15, after "of" and before "and rules" delete the comma " , "

AMENDMENT NO. 3

On page 1, line 15, after "by" and before "the" delete the comma " , "

AMENDMENT NO. 4

On page 2, at the beginning of line 4, change "B.(1)" to "B."

AMENDMENT NO. 5

On page 2, at the beginning of line 7, change "(2)" to "(1)"

AMENDMENT NO. 6

On page 2, line 7, after "is" delete the remainder of the line and at the beginning of line 8, delete "or less" and insert "not more than ten points"

AMENDMENT NO. 7

On page 2, at the beginning of line 11, change "(3)" to "(2)"

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

Under the rules, the bill, as amended, was recommitted to the Committee on Appropriations.

SENATE BILL NO. 719— BY SENATORS NEVERS, BROOME AND WALSWORTH AN ACT

To amend and reenact R.S. 17:24.11(A), (C)(1) and (3), (D), (E), and (G), relative to the implementation of a pilot program for early screening and intervention services for early elementary school children with characteristics of dyslexia and related disorders; to provide relative to program components; to provide for implementation and reporting dates; to provide relative to funding; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

Under the rules, the bill was recommitted to the Committee on Appropriations.

Reconsideration

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

HOUSE BILL NO. 1021— BY REPRESENTATIVE HINES AN ACT

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

Read by title.

On motion of Rep. Hines, 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. Hines gave notice of his intention to call House Bill No. 1021 from the calendar during the week of June 2, 2008.

Suspension of the Rules

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage

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

Suspension of the Rules

On motion of Rep. Greene, the rules were suspended to make Senate Bill No. 87 Special Order of the Day No. 1 for Wednesday, June 4, 2008.

Suspension of the Rules

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

House Bills and Joint Resolutions on Third Reading and Final Passage

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

Regular Calendar

HOUSE BILL NO. 1214— BY REPRESENTATIVE SCHRODER AN ACT

To enact Children's Code Article 554, relative to child abuse; to provide for interaction between certain parties; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Schroder to Engrossed House Bill No. 1214 by Representative Schroder

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AMENDMENT NO. 1

On page 1, line 2, change "enact" to "amend and reenact"

AMENDMENT NO. 2

On page 1, line 2, change "554" to "551"

AMENDMENT NO. 3

On page 1, line 2, after "abuse;" and before "for" delete "to provide" and insert "to further state legislative intent by providing"

AMENDMENT NO. 4

On page 1, line 5, change "554 is hereby enacted" to "551 is hereby amended and reenacted"

AMENDMENT NO. 5

On page 1, delete lines 6 through 11 in their entirety and add the following:

"Art. 551. Legislative findings

The legislature finds that society has a responsibility to protect children from abuse and neglect. Provision of independent counsel for abused and neglected children is an essential due process right provided by Louisiana law to ensure sound and fair decisionmaking concerning children's safety, permanency, and well-being. Counsel providing representation in child protection proceedings should have specialized knowledge and skills essential for effective representation, and should participate in multidisciplinary interaction together with other professionals involved with the child, including interdisciplinary communication, investigation, discovery, meetings, conferences, proceedings, and administrative hearings. Resources to support the provision of legal representation of children should be used efficiently and equitably to assure qualified representation throughout the state."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of representatives who voted 'YEAS', including Mr. Speaker, Geymann, Mills, Abramson, Gisclair, Monica, Anders, Greene, Montoucet, Armes, Guillory, E., Morrell, Arnold, Guillory, M., Morris, Aubert, Guinn, Norton, Badon, B., Hardy, Nowlin, Barras, Harrison, Pearson, Barrow, Hazel, Perry, Billiot, Henry, Peterson, Burford, Hill, Ponti, Burns, H., Hines, Pope, Burrell, Hoffmann, Pugh, Carmody, Honey, Richardson, Carter, Howard, Ritchie, Champagne, Hutter, Robideaux, Chandler, Jackson M., Roy, Chaney, Johnson, Schroder, Connick, Jones, R., Simon

Table listing names of representatives who voted 'NAYS' and 'ABSENT', including Cortez, Jones, S., Smiley, Cromer, Katz, Smith, G., Danahay, Kleckley, Smith, J., Dixon, LaFonta, Smith, P., Doerge, Lambert, St. Germain, Dove, LeBas, Talbot, Downs, Leger, Templet, Edwards, Ligi, Waddell, Ellington, Little, White, Fannin, Lopinto, Williams, Foil, Lorusso, Willmott, Franklin, Marchand, Wooton, Gallot, McVea

Total - 95

NAYS

Total - 0

ABSENT

Table listing names of representatives who voted 'ABSENT', including Badon, A., Henderson, Richard, Baldone, Jackson G., Richmond, Burns, T., LaBruzzo, Trahan

Total - 9

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Hill gave notice of her intention to call House Bill No. 1060 from the calendar during the week of June 2, 2008.

HOUSE BILL NO. 1215— BY REPRESENTATIVE HILL

AN ACT

To amend and reenact R.S. 11:1006(D) and 1007, relative to the Louisiana School Employees' Retirement System; to provide for the reemployment of certain retirees reemployed as school bus drivers and the benefits payable thereto; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Robideaux to Engrossed House Bill No. 1215 by Representative Hill

AMENDMENT NO. 1

On page 2, line 4, after "not," and before "but" delete "on June 1, 2007,"

AMENDMENT NO. 2

On page 3, delete lines 11 through 23 in their entirety and insert the following in lieu thereof:

"F. Any employer who elects to reemploy a bus driver pursuant to this Section shall pay to the system all of the actuarial costs to the system of reemployment of such bus driver. Such payments shall be made in such manner and at such time as the board of trustees shall require, but such payment shall be made before the bus driver again retires."

On motion of Rep. Robideaux, the amendments were adopted.
Rep. Hill moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gisclair	Morris
Abramson	Greene	Norton
Anders	Guillory, E.	Nowlin
Armes	Guillory, M.	Pearson
Arnold	Guinn	Perry
Aubert	Hardy	Peterson
Badon, B.	Harrison	Ponti
Baldone	Hazel	Pope
Barras	Henry	Pugh
Barrow	Hill	Richard
Billiot	Hines	Richardson
Burford	Hoffmann	Richmond
Burns, H.	Honey	Robideaux
Burrell	Howard	Roy
Carmody	Hutter	Schroder
Carter	Jackson G.	Simon
Chandler	Jackson M.	Smiley
Chaney	Johnson	Smith, G.
Connick	Jones, S.	Smith, J.
Cortez	Katz	Smith, P.
Danahay	Kleckley	St. Germain
Dixon	LaFonta	Talbot
Doerge	Lambert	Templet
Dove	LeBas	Trahan
Downs	Ligi	Waddell
Edwards	Lorusso	White
Fannin	Marchand	Williams
Foil	McVea	Willmott
Franklin	Mills	Wooton
Gallot	Monica	
Geymann	Montoucet	
Total - 91		

NAYS

Total - 0

ABSENT

Badon, A.	Henderson	Lopinto
Burns, T.	Jones, R.	Morrell
Champagne	LaBruzzo	Ritchie
Cromer	Leger	
Ellington	Little	
Total - 13		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Hill 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. 1221—
BY REPRESENTATIVE GEYMAN
AN ACT

To enact R.S. 33:4546.18(F), relative to the Louisiana Natural Gas Purchasing and Distribution Authority; to authorize a political subdivision to withdraw from the authority under certain circumstances; to provide for effectiveness; 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. 1221 by Representative Geymann

AMENDMENT NO. 1

On page 1, line 14, following "provide" and before "in" change "such" to "it"

AMENDMENT NO. 2

On page 1, line 16, following "participant in" and before "financing" change "such" to "the"

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	Franklin	Lopinto
Abramson	Geymann	Lorusso
Armes	Greene	Marchand
Arnold	Guillory, E.	Mills
Aubert	Guillory, M.	Montoucet
Barras	Guinn	Morrell
Barrow	Hardy	Norton
Billiot	Hazel	Nowlin
Burns, T.	Henry	Pearson
Carter	Hines	Pugh
Champagne	Hoffmann	Robideaux
Chaney	Jackson G.	Roy
Cortez	Jackson M.	Smith, P.
Cromer	Kleckley	St. Germain
Danahay	LaFonta	Talbot
Dixon	LeBas	Templet
Dove	Leger	Trahan
Edwards	Ligi	
Total - 53		

NAYS

Anders	Hill	Peterson
Badon, B.	Honey	Ponti
Baldone	Howard	Richard
Burford	Hutter	Ritchie
Burns, H.	Johnson	Schroder
Burrell	Jones, R.	Simon
Carmody	Jones, S.	Smiley
Chandler	Katz	Smith, G.
Connick	LaBruzzo	Smith, J.
Doerge	Lambert	Waddell
Ellington	Little	White
Fannin	McVea	Williams
Gallot	Monica	Willmott
Gisclair	Morris	Wooton
Harrison	Perry	
Total - 44		

ABSENT

Badon, A.	Henderson	Richmond
Downs	Pope	
Foil	Richardson	
Total - 7		

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. Anders requested the House consent to correct his vote on final passage of House Bill No. 1221 from yea to nay, which consent was unanimously granted.

Speaker Pro Tempore Peterson in the Chair

**HOUSE BILL NO. 1253—
BY REPRESENTATIVE SIMON**

AN ACT

To amend and reenact R.S. 3:496, 544(D), 556.3(B)(introductory paragraph), 557.4(A), (C), and (D), 561(3), 562, 563, 565, 567(E) and (F), 663(1) and (2), 665(A) and (B), 666(5), 671, 732(A), 742, 1311(2), 1312(A), 1432(A), 1891(5) and (13), 1892(A)(1), 1961, 1962, 1963, 1965, 1967, 1968, 1969, 1970, 2005, 2091(A), (B)(1), (7), and (9), and (L), 2093(introductory paragraph) and (8), 2094, 2095, 2096, 2097(A)(3), 2099, 2100(A), 2131, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2180, 2181, 2182, 2183, 2184, 2186, 2187, 2221(A) and (C), 2223, 2224, 2226, 2228, 2232, 2261, 2262, 2263, 2264, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2358.1, 2358.3(8), 2358.4, 2358.5(introductory paragraph) and (1), 2358.6, 2358.7(A) and (B), 2358.8(A), 2358.9, 2358.10, 2358.11, 2358.12(B), (C), and (D), 2358.13(1), (2), (3), (4), and (8), 2358.14(B), 2391, 2433, 2435, 2436, 2437, 2438, 2452(A), 2453(A), 2651, 2802(1), 2859(A), 3002(1), 3106(A), 3112, 3202(8), 3362(3), 3363(A) and (B)(3), 3801(A)(1), (B), and (C)(4), (6), and (8), and 3807(B)(4) and R.S. 36:621(C)(1), 627(E), and 628(A) and (B), to enact R.S. 3:1(4), 558.14, 559.4(K), 2091(B)(16) and (M), and to repeal Part XV of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, comprised of R.S. 3:558.1 through 558.13 and 2856, relative to the Department of Agriculture and Forestry; to provide for technical changes; to provide for definitions; to provide for Louisiana Crawfish Promotion and Research Board; to provide for a name change of the Louisiana State Livestock Sanitary Board; to provide for commission members; to provide for a name change of the assistant commissioner of the office of marketing; to provide for the Dairy Industry Promotion Board; to provide for Louisiana Aquaculture Development Act; to provide for the Livestock Brand Commission; to provide for the authority of the commissioner; to provide for the power to deal with contagious diseases of animals; to provide for a name change of the United States Bureau of Animal Industry; to provide for the name change for pet turtles; to repeal the Catfish Promotion and Research Program; 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. 1253 by Representative Simon

AMENDMENT NO. 1

On page 33, line 1, before "Board" insert "Louisiana"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Simon to Engrossed House Bill No. 1253 by Representative Simon

AMENDMENT NO. 1

On page 1, line 2, after "reenact" and before "544(D)," delete "R.S. 3:496," and insert "R.S. 3:304, 496,"

AMENDMENT NO. 2

On page 1, at the beginning of line 3, after "and (D)," insert "558.3(B),"

AMENDMENT NO. 3

On page 1, line 4, after "742," and before "1311(2)," insert "1204(A)(1)(a)(introductory paragraph) and (b), (2), and (3), (B), (C), (D)(5), (7), (8), (9), (10), and (12), 1205(A)(4), (B), (C), (D), (E), (F)(1), and (5), (G), (H), (I)(1), (2), (3), (4), (5), and (7), (J), (K), and (L), 1206, 1207(B) and (G),"

AMENDMENT NO. 4

On page 1, line 14, after "3807(B)(4)" and before "and R.S." insert ", R.S. 30:2011(D)(20),"

AMENDMENT NO. 5

On page 1, at the beginning of line 15, after "36:621(C)(1)," and before "to enact" delete "627(E), and 628(A) and (B)," and insert "627(A) and (E), 628(A) and (B), 629(O), and 802.12 and"

AMENDMENT NO. 6

On page 1, line 16, after "and (M)," delete the remainder of the line and delete line 17 in its entirety

AMENDMENT NO. 7

On page 1, at the beginning of line 20, after "Research Board;" insert "to provide for the Catfish Promotion and Research Program;"

AMENDMENT NO. 8

On page 2, line 5, after "pet turtles;" delete the remainder of the line and at the beginning of line 6, delete "Research Program;"

AMENDMENT NO. 9

On page 2, line 8, after "Section 1." and before "544(D)" delete "R.S. 3:496," and insert "R.S. 3:304, 496,"

AMENDMENT NO. 10

On page 2, at the beginning of line 9, after "(D)," and before "561(3)," insert "558.3(B),"

AMENDMENT NO. 11

On page 2, line 10, after "742," and before "1311(2)," insert "1204(A)(1)(a)(introductory paragraph) and (b), (2), and (3), (B), (C), and (D)(5), (7), (8), (9), (10), and (12), 1205(A)(4), (B), (C), (D), (E), (F)(1), and (5), (G), (H), (I)(1), (2), (3), (4), (5), and (7), (J), (K), and (L), 1206, 1207(B) and (G)."

AMENDMENT NO. 12

On page 2, line 20, after "R.S. 3:1(4)," and before "559.4(K)," delete "558.14."

AMENDMENT NO. 13

On page 3, between lines 5 and 6, insert the following:

"§304. Master farmer certification

* * *

B. The commissioner may adopt rules and regulations setting out the requirements for obtaining a certification. The curriculum shall be established by the Louisiana State University AgCenter. The Louisiana State University AgCenter may consult with other agencies and organizations as needed, including but not limited to the Louisiana Department of Environmental Quality, Louisiana Department of Natural Resources, Louisiana Farm Bureau, the United States Department of Agriculture, Natural Resources and Conservation Service, and the state soil and water conservation ~~committee~~ commission. The curriculum shall include but is not limited to the instruction on environmental issues in agriculture, ~~nonpoint~~ nonpoint source pollution, best management and conservation practices, soil and water quality monitoring demonstrations, and development and implementation of an individual comprehensive soil and water conservation plan.

* * *"

AMENDMENT NO. 14

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

"§558.3. Louisiana Catfish Promotion and Research Board

* * *

B. The board shall consist of the following ~~seven~~ nine members, ~~eight~~ nine members are appointed by the commissioner in accordance with the following provisions:

(1) Five members who are engaged in catfish farming appointed from a list of eight persons nominated by the Louisiana Catfish Farmers Association.

(2) Two members who are engaged in catfish farming appointed from a list of four persons nominated by the Louisiana Farm Bureau Federation.

(3) One member who has knowledge of the catfish farming industry, appointed from the state at large.

(4) The commissioner of agriculture and forestry or his designee shall serve as an ex officio member with the same rights and privileges, including voting rights, as other members.

* * *"

AMENDMENT NO. 15

On page 4, delete lines 24 through 29 in their entirety and on page 5, delete lines 1 through 9 in their entirety

AMENDMENT NO. 16

On page 11, between lines 20 and 21, insert the following:

"§1204. State soil and water conservation ~~committee~~ commission

A.(1)(a) There is hereby established, to serve as an agency of the state and to perform the functions conferred upon it in this Part, a state soil and water conservation ~~committee~~ commission. The ~~committee~~ commission shall consist of eight members. The chancellor of the Louisiana State University Agricultural Center, the commissioner of agriculture and forestry of Louisiana, and the president of the Louisiana Association of Conservation Districts shall automatically be members of this ~~committee~~ commission. Each shall designate a person to represent him at meetings at which he cannot be present, and the person so designated by each shall serve, in the absence of the officer who selects him, with the same power and authority as that officer, including the right to vote. In the case of the Louisiana Association of Conservation Districts president, his alternate shall be the vice president of the association. The other five members shall be elected, one from each of the following areas of the state:

* * *

(b) At the same time, in the same manner, and for the same term as hereinafter provided for the election of the five members, there shall be elected one alternate for each such member, who shall be elected from the same area and shall possess the same qualifications as the member for whom he is elected as an alternate. Whenever for any reason the member elected from any area is unable to be present at any meeting of the ~~committee~~ commission, the alternate elected from his area shall serve in his place, and in such case, the alternate shall exercise all of the powers vested by law in the member, including the right to vote. For each day of such service the alternate shall be paid the same per diem and expenses as a member. A vacancy in the position of alternate shall be filled as provided by law for members.

(2)(a) The members of the state soil and water conservation ~~committee~~ commission created by law prior to August 1, 1956, shall continue to serve as a state soil and water conservation ~~committee~~ commission until the new members of the state soil and water conservation ~~committee~~ commission are elected and qualify as hereinafter provided.

(b) Within forty-five days after August 1, 1956, the chairman of the old state soil and water conservation ~~committee~~ commission shall notify the soil and water conservation district supervisors within the state of the time and the place that an election is to be held as hereinafter provided.

(c) A meeting of each board of soil and water conservation district supervisors shall be held within thirty days after receiving notice of the state convention. The majority of the members of the board of district supervisors shall constitute a quorum and at such meeting, the board of district supervisors shall elect one of its members as a delegate to attend a state convention, at the time and place specified in the notice given by the chairman of the old state soil and water conservation ~~committee~~ commission. Each such elected delegate shall have one vote at the state convention. Each state area at the state convention shall elect one of its members as a member of the state soil and water conservation ~~committee~~ commission to represent that area. Each member elected as a member of the state soil and water conservation ~~committee~~ commission shall be a landowner or operator actively engaged in farming or animal husbandry within the district and area he represents and shall be a qualified voter in that district. He shall be elected as a member of the state soil and water conservation ~~committee~~ commission by a majority of the votes cast at the state convention. The chairman of the convention shall within ten days

certify to the old state soil and water conservation committee commission and to the secretary of state the name and address of the person so elected as a member of the new state soil and water conservation committee commission. Each member of the committee commission shall take the state constitutional oath of office and qualify within thirty days after this election. Within thirty days after the election and qualification of the five members, the commissioner of agriculture and forestry of the state of Louisiana shall call a meeting of the entire committee commission, at which time one of the said members provided for herein shall be elected chairman of the state soil and water conservation committee commission, another member shall be elected vice chairman, and a third member secretary-treasurer. The terms of the five members of the state soil and water conservation committee commission elected under this Section shall be as follows:

The members from State Area Nos. 1 and 2 shall serve for one year;

The members from State Area Nos. 3 and 4 shall serve for two years;

The members from State Area No. 5 shall serve for three years.

Thereafter, each member shall serve for a period of three years after his election and shall be removed only for cause. In the event of a vacancy, the vacancy shall be filled by the state committee commission until the next convention, and then by election in the same manner, as outlined, for the unexpired term. An elected member of the committee commission shall not qualify for reelection unless he shall have attended at least sixty-six and two-thirds percent of the scheduled committee commission meetings during his tenure; however, upon a showing of good cause this condition may be waived by resolution duly adopted by the state soil and water conservation committee commission.

(3) The committee commission shall keep a record of its official actions and may perform such acts, hold such public hearings, and promulgate such rules and regulations as may be necessary for the execution of its functions under this Part.

B. The State Soil and Water Conservation Committee Commission shall employ a director and an assistant director who shall be appointed by the committee commission subject to the approval of the commissioner of agriculture and forestry. The director and the assistant director shall be in the unclassified service. The commissioner may employ such other personnel of the committee commission as he deems appropriate. All employees of the committee commission shall be under the direction and supervision of the commissioner. The committee commission may call upon the attorney general of the state for such legal services as it may require or may employ its own counsel and legal staff. It shall have authority to delegate to its chairman, to one or more of its members, or to one or more agents or employees, such powers and duties as it may deem proper. It shall be furnished the necessary supplies and equipment for the committee's commission's work. It shall have the authority to locate its office at a place to be selected by the committee commission. Upon request of the committee commission, for the purpose of carrying out any of its functions, the supervising officer of any state agency, or of any state institution of learning, shall insofar as may be possible under available appropriations, and having due regard to the needs of the agency to which the request is directed, assign or detail to the committee commission members of the staff or personnel of such agency or institution of learning, and make such special report, surveys, or studies as the committee commission may request.

C.(1) The committee commission annually shall elect a chairman, vice chairman, and secretary-treasurer, each of whom shall

serve for a period of one year from the date of his appointment or until his successor is elected and qualified. A member of the committee commission may serve concurrently as a soil and water conservation district supervisor, but he shall not be required to continue in office as a soil and water conservation district supervisor in order to be entitled to serve his full term as a member of the committee commission. A majority of the committee commission shall constitute a quorum, and the concurrence of a majority in any matter within their duties shall be required for its determination.

(2) The chairman and members of the committee commission shall receive a per diem of thirty-five dollars for each day or fraction thereof actually engaged in official work of the committee commission, provided such per diem allowance as to each member shall not exceed twenty days in any year. The chairman and members of the committee commission shall also be entitled to receive reimbursement for actual traveling expenses necessarily incurred in the performance of their duties of the committee commission, and only such members not otherwise compensated or paid from public funds shall be entitled to the per diem allowance.

(3) The committee commission shall provide for the execution of surety bonds for all employees and officers who shall be entrusted with funds or property; shall provide for the keeping of a full and accurate record of all proceedings and all resolutions, regulations, and orders issued or adopted; shall provide for an annual examination of the accounts of receipts and disbursements and an annual examination of all districts; and shall provide for a complete audit at least once every four years of the accounts of receipts and disbursements and all districts, all of which shall be performed by the audit and evaluation section of the Department of Agriculture and Forestry and filed with the legislative auditor.

D. In addition to the duties and powers hereinafter conferred upon the State Soil and Water Conservation Committee Commission, it shall have the following duties and powers:

* * *

(5) To recommend the inclusion in annual and longer term budgets and appropriation legislation of the state of Louisiana of funds necessary for appropriation by the legislature to finance the activities of the committee commission and soil and water conservation districts; to administer the provisions of any act hereafter enacted by the legislature appropriating funds for expenditure in connection with the activities of soil and water conservation districts; to distribute to soil and water conservation district funds, equipment, supplies, and services received by the committee commission for that purpose from any source, subject to such conditions as shall be made applicable thereto in any state or federal statute or local ordinance making available such funds, property, or services; to issue regulations establishing guidelines and suitable controls to govern the use by soil and water conservation districts of such funds, property, and services; and to review all budgets, administrative procedures, and operations of such districts and advise the districts concerning their conformance with applicable laws and regulations.

* * *

(7) To disseminate information throughout the state concerning the activities and programs of the soil and water conservation districts in areas where their organization is desirable; to make available information concerning the needs and the work of the soil and water conservation districts and the committee commission to the governor, the legislature, executive agencies of the government of this state, political subdivisions of this state, cooperating federal agencies, and the general public.

(8) Pursuant to procedures developed mutually by the committee commission and other state and local agencies that are authorized to plan or administer activities significantly affecting the conservation of soil, water, and other related resources, to receive from such agencies for review and comment suitable descriptions of their plans, programs, and activities for purposes of coordination with district conservation programs; to arrange for and participate in conferences necessary to avoid conflict among such plans and programs, to call attention to omissions, and to avoid duplication of effort.

(9) To compile information and make studies, summaries, and analyses of district programs in relation to each other and to other resource conservation programs on a statewide basis.

(10) To require annual reports from soil and water conservation districts, the form and content of which shall be developed by the committee commission in consultation with the district supervisors.

* * *

(12) The state soil and water conservation committee commission and the soil and water conservation districts that may be created under this Part shall be the official state agencies for cooperating with the Soil Conservation Service of the United States Department of Agriculture.

* * *

§1205. Creation; division or combination

A. Any twenty-five owners of land lying within the limits of the territory proposed to be organized into a district may file a petition with the state soil and water conservation committee commission asking that a soil and water conservation district be organized to function in the territory described in the petition. Such petition shall set forth:

* * *

(4) A request that the state soil and water conservation committee commission duly define the boundaries for such district; that a referendum be held within the territory so defined on the question of the creation of a soil and water conservation district in such territory; and that the committee commission determine that such a district be created.

Where more than one petition is filed covering parts of the same territory, the state soil and water conservation committee commission may consolidate all or any such petitions.

B. Within thirty days after such petition has been filed with the state soil and water conservation committee commission, it shall cause due notice to be given of a proposed hearing upon the question of the desirability and necessity, in the interest of the public health, safety, and welfare, of the creation of such district, upon the question of the appropriate boundaries to be assigned to such district, upon the propriety of the petition and other proceedings taken under this Part, and upon all questions relevant to such inquiries. All land owners landowners within the limits of the territory described in the petition, and of lands within any territory considered for addition to such described territory, and all other interested parties, shall have the right to attend such hearings and to be heard. If it shall appear upon the hearing that it may be desirable to include within the proposed district territory outside of the area within which due notice of the hearing has been given, the hearing shall be adjourned and due notice of further hearing shall be given throughout the entire area considered for inclusion in the district, and such further hearing held. After such hearing, if the committee commission shall determine, upon the facts presented at such hearing and upon such other relevant facts and information as may be available, that there is need, in the

interest of the public health, safety, and welfare, for a soil and water conservation district to function in the territory considered at the hearing, it shall make and record such determination, and shall define, by metes and bounds or by legal subdivisions, the boundaries of such district. In making such determinations and in defining such boundaries, the committee commission shall give due weight and consideration to the topography of the area considered and of the state, the composition of soils therein, the distribution of erosion, the prevailing land-use practice, the desirability and necessity of including within the boundaries the particular lands under consideration and the benefits such lands may receive from being included within such boundaries, the relation of the proposed area to existing watersheds and agricultural regions, and to other soil and water conservation districts already organized or proposed for organization under the provisions of this Part, and such other physical, geographical, and economic factors as are relevant, having due regard to the legislative determinations set forth in R.S. 3:1201. The territory to be included within such boundaries need not be contiguous. If the committee commission shall determine after such hearing and after due consideration of the said relevant facts, that there is no need for a soil and water conservation district to function in the territory considered at the hearing, it shall make and record such determination and shall deny the petition. After six months shall have expired from the date of the denial of any such petition, subsequent petitions covering the same or substantially the same territory may be filed as aforesaid and new hearings held and determinations made thereon.

C. After the committee commission has made and recorded a determination that there is need, in the interest of public health, safety, and welfare, for the organization of a district in a particular territory and has defined the boundaries thereof, it shall consider the question whether the operation of a district within such boundaries, with the powers conferred upon soil and water conservation districts in this Part, is administratively practicable and feasible. To assist the committee commission in the determination of such administrative practicability and feasibility, it shall be the duty of the committee commission, within reasonable time after entry of the finding that there is need for the organization of the proposed district and the determination of the boundaries thereof, to hold a referendum within the proposed district upon the proposition of the creation of the district, and to cause due notice of such referendum to be given. The question shall be submitted by ballots upon which there shall appear the words: "For creation of a soil and water conservation district of the lands below described and lying in the parish (or parishes) of _____, and _____ and _____" and "Against the creation of a soil and water conservation district of the lands below described and lying in the parish(es) of _____ and _____", with a square before each proposition and a direction to insert an X mark in the square before one or the other of said propositions as the voter may favor or oppose creation of such district. The ballot shall set forth the boundaries of such proposed district as determined by the committee commission. All owners of land within such boundaries shall be eligible to vote in such referendum. Only such land owners landowners shall be eligible to vote.

D. The committee commission shall pay all expenses for the issuance of such notices and the conduct of such hearings and referenda, and shall supervise the conduct of such hearings and referenda. It shall issue appropriate regulations governing the conduct of such hearings and referenda, and providing for the registration prior to the date of the referendum of all eligible voters, or prescribing some other appropriate procedure for the determination of those eligible as voters in such referendum. No informalities in the conduct of such referendum or in any matters relating thereto shall invalidate said referendum or the result thereof if notice thereof shall have been given substantially as herein provided and said referendum shall have been fairly conducted.

E. The committee commission shall publish the result of such referendum and shall thereafter consider and determine whether the operation of the district within the defined boundaries is administratively practicable and feasible. If the committee commission shall determine that the operation of such district is not administratively practicable and feasible, it shall record such determination and deny the petition. If the committee commission shall determine that the operation of such district is administratively practicable and feasible, it shall record such determination and shall proceed with the organization of the district in the manner hereinafter provided. In making such determination the committee commission shall give due regard and weight to the attitudes of the eligible voters within the defined boundaries, the number eligible to vote in such referendum who shall have voted, the proportion of the votes cast in such referendum in favor of the creation of the district to the total number of votes cast, the approximate wealth and income of land occupants of the proposed district, the probable expense of carrying on erosion-control operations within such district, and such other economic and social factors as may be relevant to such determination, having due regard to the legislative determinations set forth in R.S. 3:1201, provided, however, that the committee commission shall not have authority to determine that the operation of the proposed district within the defined boundaries is administratively practicable and feasible unless at least a majority of the votes cast in the referendum upon the proposition of the creation of the district shall have been cast in favor of the creation of such district.

F. If the committee commission shall determine that the operation of the proposed district within the defined boundaries is administratively practicable and feasible, it shall appoint two supervisors to act, with the three supervisors elected as provided in R.S. 3:1207, as the governing body of the district. Such district shall be a governmental subdivision of this state and a public body corporate and politic, upon the taking of the following proceedings:

The two appointed supervisors shall present to the secretary of state an application signed by them, which shall set forth (and such application need contain no detail other than the mere recitals):

(1) that a petition for the creation of the district was filed with the state soil and water conservation committee commission pursuant to the provisions of this Part, and that the proceedings specified in this Part were taken pursuant to such petition; that the application is being filed in order to complete the organization of the district as a governmental subdivision and a public body, corporate and politic, under this Part; and that the committee commission has appointed them as supervisors;

* * *

(5) the location of the principal office of the supervisors of the district.

The application shall be subscribed and sworn to by each of the said supervisors before an officer authorized by the laws of this state to take and certify oaths, who shall certify upon the application that he personally knows the supervisors and knows them to be the officers as affirmed in the application, and that each has subscribed thereto in the officer's presence. The application shall be accompanied by a statement by the state soil and water conservation committee commission, which shall certify and such statement need contain no detail other than the mere recitals, that a petition was filed, notice issued, and hearings held as aforesaid; that the committee commission did duly determine that there is need, in the interest of the public health, safety, and welfare, for a soil and water conservation district to function in the proposed territory and did define the boundaries thereof; that notice was given and a referendum held on the question of the creation of such district, and that the result of such referendum showed a majority of the votes cast in such

referendum to be in favor of the creation of the district; that thereafter the committee commission did duly determine that the operation of the proposed district is administratively practicable and feasible. The said statement shall set forth the boundaries of the district as they have been defined by the committee commission.

The secretary of state shall examine the application and statement, and if he finds that the name proposed for the district is not identical with that of any other soil and water conservation district of this state or so nearly similar as to lead to confusion or uncertainty, he shall receive and file them and shall record them in an appropriate book of record in his office. If the secretary of state shall find that the name proposed for the district is identical with that of any other soil and water conservation district of this state, or so nearly similar as to lead to confusion and uncertainty, he shall certify such fact to the state soil and water conservation committee commission, which shall thereupon submit to the secretary of state a new name for the said district, which shall not be subject to such defects. Upon receipt of such new name, free of such defects, the secretary of state shall record the application and statement, with the name so modified, in an appropriate book of record in his office. When the application and statement have been made, filed, and recorded, as herein provided, the district shall constitute a governmental subdivision of this state and a public body corporate and politic. The secretary of state shall make and issue to the said supervisors a certificate, under the seal of the state, of the due organization of said district, and shall record such certificate with the application and statement. The boundaries of such district shall include the territory as determined by the state soil and water conservation committee commission as aforesaid, but in no event shall they include any area included within the boundaries of another soil and water conservation district organized under the provisions of this Part.

G. After six months shall have expired from the date of entry of a determination by the state soil and water conservation committee commission that operation of a proposed district is not administratively practicable and feasible, and denial of a petition pursuant to such determination, subsequent petitions may be filed as aforesaid, and action taken thereon in accordance with the provisions of this Part.

H. Petitions for including additional territory within an existing district may be filed with the state soil and water conservation committee commission, and the proceedings herein provided for in the case of petitions to organize a district shall be observed in the case of petitions for such inclusion. The committee commission shall prescribe the form of such petitions, which shall be as nearly as may be in the form prescribed in this Part for petitions to organize a district. Where the total number of eligible voters in the area proposed for inclusion shall be less than ~~25~~ twenty-five, the petition may be filed when signed by a majority of the eligible voters of such area. In referenda upon petitions for such inclusion, all owners of land within such area shall be eligible to vote. Only such ~~land~~ owners landowners shall be eligible to vote.

I. Any district or districts organized under the provisions of this Part may be divided, or combined with any other district or districts, or divided and combined with any other district or districts in the following manner:

(1) Twenty-five or more landowners of each district affected by the proposed division or combination shall sign and file with the committee commission a petition requesting that the district or districts, as the case may be, and the operations thereof, be divided or combined, or divided and combined, in the manner requested. The committee commission shall prescribe the form for such petitions, which shall be as nearly as may be in the form described in this Part for petitions to organize a district. The committee commission may

conduct such public meetings and public hearings upon such petition as may be necessary to assist it in the consideration thereof. The committee commission may define in more detail the boundaries outlined in the petitions for the districts proposed to result from the division or combination.

(2) Within sixty days after such petition has been filed with the committee commission, it shall give due notice of the holding of a referendum, and shall supervise and conduct such referendum, and issue appropriate regulations governing the conduct thereof. Each owner of land lying within the district or districts to be affected shall be entitled to vote; and only such landowners shall be entitled to vote. The committee commission shall make provisions on the referendum for each landowner to vote (a) on whether or not he approves of the proposed division, if any, of the district in which his land is located, and (b) on whether or not he approves of the proposed new district in which his land will be located under the proposed combination, if any. No informalities in the conduct of such referendum or in any matters relating thereto shall invalidate said referendum or the result thereof if notice shall have been given substantially as herein provided and said referendum shall have been fairly conducted.

(3) The committee commission shall publish the results of such referendum and shall thereafter consider and determine whether the division or combination requested in the petition is administratively practicable and feasible. If the committee commission shall determine that the division or combination of such district or districts is not administratively practicable and feasible, it shall record such determinations and deny the petition. If the committee commission shall determine that the division or combination is administratively feasible and practicable, it shall record such determinations and proceed with the division or combination of the district or districts in the manner hereafter provided. In making such determinations the committee commission shall give due regard and weight to the attitudes of the owners of lands lying within the defined boundaries of the districts to be affected, the number of land owners landowners eligible to vote in such referendum who shall have voted, the proportion of the votes cast in such referendum in favor of the division or combination of the district or districts to the total number of votes cast, the approximate wealth and income of the land owners of the proposed new district, or districts, the probable expense of carrying on erosion control operations within such district or districts, and such other economic and social factors as may be relevant to such determination, having due regard to the legislative determinations set forth in R.S. 3:1201 provided, however, that no district or districts may be divided or combined if a majority of land owners landowners voting vote against either the particular division or combination which is submitted to their vote as hereinabove provided.

(4) If the committee commission shall determine that the proposed division or combination is practicable and feasible in its entirety, it shall appoint for each district to result from the proposed division or combination two supervisors to act with three supervisors to be elected in accordance with, and subject to, the terms and conditions set forth in R.S. 3:1206 (except that the nominating petitions shall be filed within thirty days of the determination of the committee commission and notice thereof to the eligible voters), as the governing body of each such district. Any existing supervisor shall be eligible to be appointed or elected as a new supervisor. The committee commission shall then certify to the new supervisors, and to the supervisors of such existing district which is to be divided or combined (hereinafter sometimes called old supervisors), the determination of the committee commission as to the administrative practicability and feasibility of the division or combination, the boundaries of the proposed districts, the names, addresses, and positions of the supervisors appointed or elected for each new district, and such other data as it deems appropriate. Thereupon, the

old supervisors of each district to be divided, if any, shall decide the proportion and manner of division of its property, assets, and rights, exclusive, however, of any executory contracts, among the new districts into which the old district is to be divided, taking into consideration the nature and source of such property, assets, and rights, the comparative sizes of the new divisions, the number of land owners landowners of each such division, and general considerations of fairness in making the allocation. The supervisors shall notify the committee commission and the new supervisors who are to receive any of said property, rights, and assets, of their decision; and the said property, assets, and rights shall then be divided and transferred accordingly. If no division of a district is to be made, the supervisors shall simply transfer the said assets, property, and rights of such district to the new supervisors of the combined district of which it will comprise a part.

If the supervisors of a district to be divided are unable to agree on the division of the said property, assets, and rights to be made, within sixty days after the certification of determination from the committee commission, they shall notify the committee commission, and the committee commission shall, after a hearing of the said supervisors and any other persons within the district who may be, in the committee's commission's judgment, reasonably entitled to be heard, decide and determine finally the proportions and manner of the division, and shall certify its decision to said supervisors, who shall proceed forthwith to divide the said property, assets, and rights accordingly.

(5) Upon receiving the said property, assets, and rights to which they shall be entitled under the division or combination decided upon in the above manner, the supervisors of each resulting district shall file an application, duly verified, with the secretary of state, for the completion of the division or combination, which application shall set forth (and such application need contain no detail other than the mere recitals) that a petition for the division or combination of the district was filed with the committee commission pursuant to the provisions of this Part, and that the proceedings specified in this Part were taken pursuant to such petition; that the application is being filed in order to complete the division or combination of the old district or districts as governmental subdivisions and public bodies, corporate and politic, under this Part; and that they have been appointed and elected, respectively, as supervisors; and the application shall also set forth with respect to the resulting district or districts the matters required in this Section. Said application shall be executed and sworn to as provided in this Section; and shall be accompanied by a statement by the committee commission, which shall certify (and such statement need contain no detail other than the mere recitals) that a petition was filed, notice given, and a referendum held on the question of dividing or combining the named districts; that the committee commission did duly determine that such division or combination was administratively practicable and feasible; and that the division or combination of the property, assets, and rights was decided upon and carried out in accordance with the provisions of this Part. The said statement shall set forth the boundaries of the district as they have been described in the petition, or further defined by the committee commission.

* * *

(7) Upon the issuance of the certificate of due constitution of each such district under the provisions of this Part, all ordinances and regulations theretofore adopted and in force within the former districts shall be of no further force and effect. All contracts, agreements, and easements entered into, to which an old district or the old supervisors thereof are parties, shall remain in force and effect for the period provided in such contracts. The committee commission shall be substituted for the district or supervisors as a party to such contracts. The committee commission shall be entitled to all benefits and subject to all liabilities under such contracts and

shall have the same right and liability to perform, to require performance, to sue and be sued, and to modify or terminate such contracts by mutual consent or otherwise, as the supervisors of the former district would have had. The committee commission may designate and direct any of the new districts to act as its agent to carry out any contract or duty, or enforce any right, or perform any other work which accrues to it under this section Section on account of the division or combination of an old district.

* * *

J. When a petition signed by at least a majority of land owners landowners in a territory is submitted to the committee commission requesting that the territory be transferred from the district wherein the territory is located to an adjoining district, the committee commission shall proceed as follows.

The committee commission may conduct public meetings and hearings upon such petition as may be necessary to assist it in the consideration thereof. In making such determination, the committee commission shall give due weight and consideration to the legislative determinations set forth in R.S. 3:1201 and to the standards provided herein for the guidance of the committee commission in making its determinations in connection with the organization of districts. The committee commission may define in more detail the boundaries of the territory proposed to be transferred. If the committee commission determines that the proposed transfer is not administratively practicable and feasible, it shall record such determination and deny the petition. If the committee commission shall determine that the transfer is administratively feasible and practicable, it shall record such determination, and provided that the proposed change is agreed to by a majority of the board of supervisors of each district affected by the transfer, the committee commission shall proceed with and complete the proposed transfer. In such case, no referendum shall be necessary.

K. In any suit, action, or proceeding involving the validity or enforcement of, or relating to, any contract, proceeding, or action of the district, the district shall be deemed to have been established in accordance with the provisions of this Part upon proof of the issuance of the aforesaid certificate by the secretary of state. A copy of such certificate duly certified by the secretary of state shall be admissible in evidence in any such suit, action, or proceeding and shall be prima facie proof of the filing and contents thereof.

It shall be the duty of the assessor for the parish or parishes in which real property included within the boundaries of an established or a proposed soil and water conservation district is situated to furnish, within thirty days after receipt of a written request, the state soil and water conservation committee commission a list of the persons paying taxes on real property located within the boundaries of an established or a proposed soil and water conservation district as shown by the assessment roll last made and filed; likewise, it shall be the duty of the registrar of voters to furnish a list of qualified voters.

The registration and assessment rolls, in the absence of fraud, shall be the sole and final tests of the qualifications of voters for participation in referenda or elections held under the provisions of this Part.

L. A third method by which the boundaries of soil and water conservation districts may be changed is as follows: The board of supervisors of any one or more districts organized under the provisions of this law may submit to the state committee commission a petition signed by eighty percent of the members of the board of supervisors of each district affected requesting a division of a district, a combination of two or more districts, or a transfer of land from one district to another. The state committee commission shall make a determination as to the practicability and feasibility of the proposed

change, giving due regard to the same considerations as provided in this Section for changes in district boundaries by other methods. If the committee commission determines that the proposed change of district boundaries is not administratively practicable and feasible, it shall record such determination and deny the petition. If the committee commission determines that the proposed change is administratively practicable and feasible, it shall record such determination and proceed with the reorganization of the district or districts affected in the same manner as provided in this Section for changes in district boundaries by other methods.

§1206. Election of three supervisors for each district

A. Within thirty days after the date of issuance by the secretary of state of a certificate of organization of a soil and water conservation district, nomination petitions may be filed with the state soil and water conservation committee commission to nominate candidates for supervisors of the district. The committee commission shall have authority to extend the time within which nominating petitions may be filed. No nominating petition shall be accepted by the board, unless it shall be subscribed by twenty-five or more qualified voters within the district who are qualified to vote under the constitution and law of this state. Qualified voters may sign more than one such nominating petition to nominate more than one candidate for supervisor. The committee commission shall give due notice of an election to be held for the election of three supervisors for the district. The names of all nominees on behalf of whom nominating petitions have been filed within the time herein designated shall be printed, arranged in the alphabetical order of the surnames, upon ballots, with a square before each name and a direction to insert an X mark in the square before any three names to indicate the voter's preference. All qualified voters within the district who are qualified to vote under the constitution and laws of this state shall be eligible to vote in the election. Only qualified voters shall be eligible to vote. The three candidates who shall receive the largest number, respectively, of the votes cast in such election shall be the elected supervisors for such district. The state committee commission shall pay all the expenses of such election, shall supervise the conduct thereof, shall prescribe regulations governing the conduct of such election, and shall publish the results thereof.

B. If the total number of candidates duly presented in nominating petitions does not exceed the number of supervisor places to be filled by election, then and in that event, the state committee commission is authorized and empowered to dispense with the election procedure outlined above and to declare each of said candidates duly qualified as a supervisor without the requirement of an election the same as if his name had been presented to the qualified voters in an election. Candidates so qualified shall be considered for all purposes "elected supervisors" wherever such term appears in this Part.

§1207. Appointment, qualifications, tenure of supervisors

* * *

B. The supervisors shall designate a chairman and may from time to time change such designation. The term of office of each supervisor shall be three years, except that the supervisors who are first appointed shall be designated to serve terms of one and two years, respectively, from the date of their appointment. A supervisor shall hold office until his successor has been elected or appointed and has qualified. Vacancies shall be filled for the unexpired term. The selection of a successor to fill an unexpired term shall be by appointment by the committee commission; such supervisor's successor, however, shall be selected in the same manner as the supervisor whose unexpired term he was appointed by the committee commission to fill. The selection of a successor for a full term shall be made in the same manner in which the retiring supervisor was

selected. A majority of the supervisors shall constitute a quorum, and the concurrence of a majority in any matter within their duties shall be required for its determination. A supervisor may receive compensation for his services not to exceed thirty-five dollars per day for not more than twenty days annually, and he may be paid expenses, including traveling expenses, necessarily incurred in the discharge of his duties. These costs may be paid from either appropriated funds or from local district funds.

* * *

G. Any supervisor may be removed by the ~~committee~~ commission upon notice and hearing, for neglect of duty or malfeasance in office, but for no other reason. A supervisor shall not qualify for reappointment or reelection unless he shall have attended at least sixty-six and two-thirds percent of the scheduled district meetings, provided, however, upon a showing of good cause, this condition may be waived by resolution duly adopted by the state soil and water conservation ~~committee~~ commission.

* * *

AMENDMENT NO. 17

On page 15, at the beginning of line 5, insert "C."

AMENDMENT NO. 18

On page 23, at the beginning of line 3, insert "A." and at the beginning of line 6, insert "B."

AMENDMENT NO. 19

On page 49, after line 28, insert the following:

"Section 2. R.S. 30:2011(D)(20) is hereby amended and reenacted to read as follows:

§2011. Department of Environmental Quality created; duties; powers; structure

* * *

D. The secretary shall have the following powers and duties:

* * *

(20) To develop and implement a ~~non-point~~ nonpoint source management and ~~ground-water~~ groundwater quality protection program and a conservation and management plan for estuaries, to receive federal funds for this purpose and provide matching state funds when required, and to comply with terms and conditions necessary to receive federal grants. The nonpoint source conservation and management plan, the groundwater protection plan, and the plan for estuaries shall be developed in coordination with, and with the concurrence of the appropriate state agencies, including but not limited to the Department of Natural Resources, the Department of Wildlife and Fisheries, the Department of Agriculture and Forestry, and the State Soil and Water Conservation ~~Committee~~ Commission in those areas pertaining to their respective jurisdictions.

* * *

AMENDMENT NO. 20

On page 50, line 1, change "Section 2." to "Section 3." and after "R.S. 36:621(C)(1)," delete "627(E), and" and insert "627(A) and (E)," and after "628(A) and (B)" insert ", 629(O), and 802.12"

AMENDMENT NO. 21

On page 50, between lines 13 and 14, insert the following:

"A. In addition to the office of management and finance, each other office within the Department of Agriculture and Forestry shall be under the immediate supervision and direction of an assistant commissioner. The assistant commissioner of each such office, except the office of forestry and the office of soil and water conservation, shall be appointed by the commissioner with the consent of the Senate. The state forester shall serve as the assistant commissioner for the office of forestry. The director of the State Soil and Water Conservation ~~Committee~~ Commission shall serve as the assistant commissioner for the office of soil and water conservation. Each assistant commissioner, except the assistant commissioner for the office of forestry and the assistant commissioner for the office of soil and water conservation, shall serve at the pleasure of the commissioner. Each assistant commissioner shall be paid a salary which shall be fixed by the commissioner and which shall not exceed the amount approved for such position by the legislature while in session. The state forester shall be selected as provided by law and with the consent of the Senate. The director of the State Soil and Water Conservation ~~Committee~~ Commission shall be selected as provided by law."

AMENDMENT NO. 22

On page 50, delete lines 26 and 27 in their entirety and insert in lieu thereof the following:

"§629. Transfer of boards, commissions, departments, and agencies to the Department of Agriculture and Forestry

* * *

O. The State Soil and Water Conservation ~~Committee~~ Commission (R.S. 3:1204) hereafter shall be within the Department of Agriculture and Forestry as provided in R.S. 36:802.12.

* * *

§802.12. Transfer; State Soil and Water Conservation ~~Committee~~ Commission

The State Soil and Water Conservation ~~Committee~~ Commission, which was transferred to the Department of Agriculture and Forestry by R.S. 36:629(O), shall be transferred in accordance with the provisions of R.S. 36:802 except that the director and assistant director of the commission shall be employed as provided by law.

* * *

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gisclair	Montoucet
Anders	Greene	Morrell
Armes	Guillory, E.	Morris
Arnold	Guillory, M.	Norton
Aubert	Hardy	Nowlin
Badon, B.	Hazel	Pearson
Baldone	Henderson	Perry

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

Total - 95

NAYS

Total - 0

ABSENT

Abramson	Geymann	Hines
Badon, A.	Guinn	Lopinto
Connick	Harrison	Richmond

Total - 9

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1258—
BY REPRESENTATIVE EDWARDS
AN ACT

To amend and reenact R.S. 13:4366(A)(1) and (2), relative to fees for appraisals conducted prior to a sheriff's sale; to increase the fees for appraisals conducted prior to a sheriff's sale on movables; and to provide for related matters.

Read by title.

Rep. Edwards moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Geymann	Lorusso
Anders	Gisclair	Marchand
Arnes	Greene	McVea
Arnold	Guillory, E.	Mills
Badon, B.	Guillory, M.	Monica
Baldone	Hardy	Montoucet
Barras	Hazel	Morrell

Barrow	Henderson	Norton
Billiot	Henry	Nowlin
Burford	Hill	Perry
Burns, H.	Hines	Peterson
Burns, T.	Hoffmann	Pugh
Burrell	Honey	Richard
Carmody	Howard	Richardson
Carter	Hutter	Richmond
Champagne	Jackson G.	Ritchie
Chandler	Jackson M.	Roy
Chaney	Johnson	Smith, G.
Connick	Jones, R.	Smith, J.
Danahay	Jones, S.	Smith, P.
Dixon	Kleckley	St. Germain
Doerge	LaBruzzo	Templet
Edwards	LaFonta	Trahan
Ellington	Lambert	White
Fannin	LeBas	Williams
Foil	Leger	Willmott
Franklin	Little	Wooton
Gallot	Lopinto	

Total - 83

NAYS

Aubert	Pope	Smiley
Cromer	Schroder	
Ponti	Simon	

Total - 7

ABSENT

Mr. Speaker	Guinn	Pearson
Badon, A.	Harrison	Robideaux
Cortez	Katz	Talbot
Dove	Ligi	Waddell
Downs	Morris	

Total - 14

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Edwards 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. 1267—
BY REPRESENTATIVE MONTUCET
AN ACT

To amend and reenact R.S. 13:1883(J), relative to the marshal of the city of Rayne; to authorize an increase in salary; and to provide for related matters.

Read by title.

Rep. Montucet moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Geymann	Monica
Anders	Gisclair	Montoucet
Arnes	Greene	Morrell
Arnold	Guillory, E.	Morris
Aubert	Guillory, M.	Norton
Badon, B.	Guinn	Nowlin
Baldone	Hardy	Pearson

Barras	Hazel	Perry
Barrow	Henderson	Peterson
Billiot	Hill	Ponti
Burford	Hoffmann	Pope
Burns, H.	Honey	Pugh
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
Dove	Leger	Templet
Downs	Ligi	Trahan
Edwards	Little	Waddell
Ellington	Lopinto	White
Fannin	Lorusso	Williams
Foil	Marchand	Willmott
Franklin	McVea	Wooton
Gallot	Mills	

Total - 98

NAYS

Total - 0

ABSENT

Abramson	Harrison	Hines
Badon, A.	Henry	Richard

Total - 6

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Montoucet 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. 1270—

BY REPRESENTATIVES PERRY, BOBBY BADON, BALDONE, BILLIOT, HENRY BURNS, CHAMPAGNE, CHANEY, ELLINGTON, GISCLAIR, ELBERT GUILLORY, HARDY, HAZEL, HOFFMANN, HOWARD, JOHNSON, LEBAS, LITTLE, RICHARD, RICHMOND, GARY SMITH, JANE SMITH, AND ST. GERMAIN

AN ACT

To amend and reenact R.S. 39:364(A)(1) and to enact R.S. 39:364(A)(4) and Chapter 23-B of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:3761 through 3763, relative to the development of a biofuel industry development initiative; to provide for pilot programs; to provide for state incentives; to provide for the purchase or lease of fleet vehicles; to provide for the purchase of biofuels; 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. 1270 by Representative Perry

AMENDMENT NO. 1

On page 5, line 10, following "applicable" delete "(NTEP)"

AMENDMENT NO. 2

On page 5, line 11, following "Technology" delete "(NIST)"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Perry to Engrossed House Bill No. 1270 by Representative Perry

AMENDMENT NO. 1

On page 4, at the beginning of line 7, delete "(LDAF)"

AMENDMENT NO. 2

On page 4, line 11, change "LDAF" to "Department of Agriculture and Forestry"

AMENDMENT NO. 3

On page 4, line 15, change "LDAF" to "Department of Agriculture and Forestry"

AMENDMENT NO. 4

On page 4, line 21, change "LDAF" to "Department of Agriculture and Forestry"

AMENDMENT NO. 5

On page 5, at the beginning of line 27, delete "After September 1, 1991, the "and insert "The"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Geymann	McVea
Abramson	GISCLAIR	Mills
Anders	Greene	Monica
Arnold	Guillory, E.	Montoucet
Aubert	Guillory, M.	Morrell
Badon, B.	Guinn	Morris
Baldone	Hardy	Norton
Barras	Harrison	Pearson
Barrow	Hazel	Perry
Billiot	Henderson	Peterson
Burford	Hill	Ponti
Burns, H.	Hines	Pope
Burns, T.	Hoffmann	Pugh
Burrell	Honey	Richard
Carmody	Howard	Richardson
Carter	Hutter	Richmond
Champagne	Jackson G.	Ritchie

Chandler	Jackson M.	Robideaux
Chaney	Johnson	Schroder
Connick	Jones, R.	Simon
Cortez	Jones, S.	Smiley
Cromer	Katz	Smith, G.
Danahay	Kleckley	Smith, J.
Dixon	LaBruzzo	Smith, P.
Doerge	LaFonta	St. Germain
Dove	Lambert	Talbot
Downs	LeBas	Templet
Edwards	Leger	Trahan
Ellington	Ligi	Waddell
Fannin	Little	White
Foil	Lopinto	Williams
Franklin	Lorusso	Willmott
Gallot	Marchand	Wooton

Total - 99

NAYS

Nowlin
Total - 1

ABSENT

Armes	Henry
Badon, A.	Roy

Total - 4

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Perry 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. 1335—
BY REPRESENTATIVE DOERGE
AN ACT

To enact Chapter 5-R of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:380.151 through 380.156, and R.S. 36:744(BB) and 801.21, to create the Germantown Colony Museum in the Department of State; to provide relative to the governing authority of the museum including its composition, powers, duties, responsibilities, meetings, and officers; to provide for the adoption of rules and regulations including fees; to provide for receipt and use of funds and property; to provide relative to the authority of the secretary of state and the Department of State with respect to the museum; to provide relative to personnel and budgets of the museum; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Doerge to Engrossed House Bill No. 1335 by Representative Doerge

AMENDMENT NO. 1

On page 5, line 26, after "museum," delete the remainder of the line and delete line 27 and insert "subject to compliance with the provisions of this Subsection."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Marchand
Abramson	Geymann	Mills
Anders	Gisclair	Monica
Armes	Greene	Montoucet
Arnold	Guillory, E.	Morrell
Aubert	Guillory, M.	Morris
Badon, A.	Guinn	Norton
Badon, B.	Hardy	Nowlin
Baldone	Harrison	Pearson
Barras	Hazel	Perry
Barrow	Henderson	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.	Schroder
Chaney	Johnson	Simon
Connick	Jones, R.	Smiley
Cortez	Jones, S.	Smith, G.
Cromer	Katz	Smith, J.
Danahay	Kleckley	Smith, P.
Dixon	LaBruzzo	St. Germain
Doerge	LaFonta	Talbot
Dove	Lambert	Templet
Downs	LeBas	Trahan
Edwards	Leger	Waddell
Ellington	Ligi	White
Fannin	Little	Williams
Foil	Lopinto	Willmott
Franklin	Lorusso	Wooton

Total - 102

NAYS

Total - 0

ABSENT

McVea	Roy
-------	-----

Total - 2

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Doerge 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. 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 of the Louisiana Revised Statutes of 1950, 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, Chapter 29 of Title 48 of the Louisiana Revised Statutes of 1950, comprised of R.S. 48:2061 through 2067, 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 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.

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. 1372 by Representative Smiley

AMENDMENT NO. 1

On page 8, line 23, following "Subsection" change "F" to "B"

AMENDMENT NO. 2

On page 9, following line 8, and before line 9, insert "***"

AMENDMENT NO. 3

On page 9, line 14, following "(R.S. 39:15.1-15.6)" and before "the" change ", " to "and"

AMENDMENT NO. 4

On page 11, line 9, following "exception," delete remainder of the line

AMENDMENT NO. 5

On page 11, line 10, before "availability" delete "Panel;"

AMENDMENT NO. 6

On page 14, line 7, following "Subparagraph" and before "together" change "# (4)(b) of this Subsection" to "# (b) of this Paragraph"

AMENDMENT NO. 7

On page 14, line 28, following "Subparagraph" change "# (4)(c) of this" to "# (c) of this"

AMENDMENT NO. 8

On page 14, line 29, before "." change "Subsection" to "Paragraph"

AMENDMENT NO. 9

On page 17, line 21, following "Title 25" and before ", comprised" insert "of the Louisiana Revised Statutes of 1950"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Smiley to Engrossed House Bill No. 1372 by Representative Smiley

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line and delete line 3 and insert "R.S. 17:185.3, R.S. 36:4(B)(1)(e), R.S. 40:"

AMENDMENT NO. 2

On page 1, line 4, after "repeal" delete "R.S. 3:1312(A),"

AMENDMENT NO. 3

On page 1, line 7, change "259(BB)(3), (JJ)," to "259(JJ)"

AMENDMENT NO. 4

On page 1, line 7, delete ", (U),"

AMENDMENT NO. 5

On page 1, line 7, delete "629(C)(4),"

AMENDMENT NO. 6

On page 1, line 9, after "2319," delete the remainder of the line and delete line 10 and insert "Part"

AMENDMENT NO. 7

On page 2, line 6, delete "the Fertilizer Commission,"

AMENDMENT NO. 8

On page 2, line 8, delete "the Fluoridation Advisory Board,"

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AMENDMENT NO. 9

On page 2, line 12, after "Council," delete "the Lincoln Parish" and at the beginning of line 13, delete "Reservoir Authority,"

AMENDMENT NO. 10

On page 2, delete line 22 and delete the remainder of the page and delete pages 3 and 4 and on page 5, delete lines 1 through 25 and at the beginning of line 26 change "Section 2." to "Section 1."

AMENDMENT NO. 11

On page 9, at the beginning of line 7, change "Section 3." to "Section 2."

AMENDMENT NO. 12

On page 9, line 20, change "Section 4. R.S. 40:5.11 and 1299.40(E) are" to "Section 3. R.S. 40:1299.40(E) is"

AMENDMENT NO. 13

On page 9, delete line 22 and delete the remainder of the page and delete page 10 and on page 11 delete lines 1 through 8

AMENDMENT NO. 14

On page 17 at the beginning of line 1, change "Section 5." to "Section 4."

AMENDMENT NO. 15

On page 17, at the beginning of line 21, delete "Section 6. R.S. 3:1312(A)," and insert "Section 5."

AMENDMENT NO. 16

On page 17, line 22, after "209(Q)," delete the remainder of the line and insert "259(JJ)"

AMENDMENT NO. 17

On page 17, line 23, delete ", (U),"

AMENDMENT NO. 18

On page 17, line 23, delete "629(C)(4),"

AMENDMENT NO. 19

On page 17, line 24, after "2319," delete the remainder of the line and delete line 25, and at the beginning of line 26, delete "38:3087.281 through 3087.295, and"

AMENDMENT NO. 20

On page 18, at the beginning of line 10, change "Section 7." to "Section 6."

AMENDMENT NO. 21

On page 18, line 11, delete "the Fertilizer Commission or"

AMENDMENT NO. 22

On page 18, line 13, after "regulation of" change "either agency" to "the panel"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Montoucet
Abramson	Gisclair	Morrell
Anders	Greene	Norton
Armes	Guillory, M.	Nowlin
Arnold	Hardy	Pearson
Aubert	Harrison	Perry
Badon, A.	Hazel	Peterson
Badon, B.	Henderson	Ponti
Baldone	Hill	Pope
Barras	Hines	Pugh
Billiot	Hoffmann	Richard
Burford	Honey	Richardson
Burns, H.	Howard	Richmond
Burns, T.	Hutter	Ritchie
Burrell	Jackson M.	Robideaux
Carmody	Johnson	Roy
Carter	Jones, R.	Schroder
Chandler	Jones, S.	Simon
Chaney	Katz	Smiley
Connick	LaBruzzo	Smith, J.
Cortez	LaFonta	Smith, P.
Cromer	Lambert	St. Germain
Danahay	LeBas	Talbot
Dixon	Leger	Templet
Doerge	Ligi	Trahan
Dove	Little	Waddell
Downs	Lopinto	White
Edwards	Lorusso	Williams
Ellington	Marchand	Willmott
Fannin	McVea	Wooton
Foil	Mills	
Franklin	Monica	
Total - 94		

NAYS

Geymann
Total - 1

ABSENT

Barrow	Guinn	Kleckley
Champagne	Henry	Morris
Guillory, E.	Jackson G.	Smith, G.
Total - 9		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Smiley 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. 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 (B), 542.1.3(A), (B), and (F), 542.1.5(A)(1), (2)(a), and (F), 542.1.6, 543(B)(introductory paragraph) and (6), 543.1, and 544(A), (B), (C), and (D)(3) and (4)(d), 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) and 15:542.1.1(A)(4), 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.

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. 1373 by Representative Baldone

AMENDMENT NO. 1

On page 1, line 5, following "(D)(3)" and before "," delete "and (4)(d)"

AMENDMENT NO. 2

On page 1, line 20, following "(D)(3)" and before "," delete "and (4)(d)"

AMENDMENT NO. 3

On page 5, line 12, delete "****"

AMENDMENT NO. 4

On page 5, line 20, delete "****"

AMENDMENT NO. 5

On page 6, line 24, following "in the" change "state" to "State"

AMENDMENT NO. 6

On page 16, line 2, following "Paragraph" and before "of" change "(4)" to "(b)"

AMENDMENT NO. 7

On page 21, line 11, delete "****" and insert "(a) Not being convicted of any offense for which imprisonment for more than one year may be imposed;

(b) Not being convicted of any sex offense;

(c) Successfully completing any periods of supervised release, probation, or parole; and"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Baldone to Engrossed House Bill No. 1373 by Representative Baldone

AMENDMENT NO. 1

On page 1, line 2, change "and (14.1)," to "(14.1), and (14.2)(a) and (f),"

AMENDMENT NO. 2

On page 1, line 5, after "(D)(3)" and before the comma "," change "and (4)(d)" to "(d)"

AMENDMENT NO. 3

On page 1, line 17, change "and (14.1)," to "(14.1), and (14.2)(a) and (f),"

AMENDMENT NO. 4

On page 1, line 20, change "and (4)(d)" to "(d)"

AMENDMENT NO. 5

On page 4, between lines 11 and 12, insert the following:

"(14.2) "Sexual offense against a victim who is a minor" means a conviction for the perpetration or attempted perpetration of, or conspiracy to commit, any of the following:

(a) Sexual battery (R.S. 14:43.1) when the victim is under the age of eighteen, except when prosecuted under the provisions of R.S. 14:43.1(C)(2).

* * *

(f) Molestation of a juvenile (R.S. 14:81.2), except when prosecuted under the provisions of R.S. 14:81.2(E)(1)."

AMENDMENT NO. 6

On page 12, at the beginning of line 27, change "15:541(9.1)" to "15:541(14.2)"

AMENDMENT NO. 7

On page 13, delete lines 6 through 12 in their entirety and insert in lieu thereof:

"(1) The offender, within three (3) business days of establishing residence in Louisiana or if a current resident, within ~~ten~~ three (3) business days after conviction or adjudication if not immediately incarcerated or taken into custody, or within ~~ten (10)~~ three (3) business days prior to after release from confinement, shall obtain and provide the following information to each sheriff or police department in accordance with R.S. 15:542(B) (except in Orleans Parish where registration shall take place with the New Orleans Police Department):

* * *

THUS DONE AND SIGNED this ____ day of _____, 20__ in open court, in _____, Louisiana.

Judge, ____ Judicial District Court

I hereby certify that I have received a copy of the above notice of sex offender registration and notification requirements and a copy of the statutes providing for such requirements.

(Name of Sex Offender)

(Defense Counsel Signature)"

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AMENDMENT NO. 8

On page 20, line 14, change "pardoned" to "granted a first offender pardon"

AMENDMENT NO. 9

On page 21, delete lines 6 through 8 in their entirety

AMENDMENT NO. 10

On page 21, at the beginning of line 9, delete "(4)"

AMENDMENT NO. 11

On page 21, delete lines 27 through 29 in their entirety and on page 22, delete lines 1 through 8 in their entirety and insert in lieu thereof:

"(2) Whenever the registration and notification period of a sex offender has been increased to lifetime pursuant to the provisions of Paragraph (1) of this Subsection, upon maintenance of a clean record for the minimum time period applicable to the offense of conviction as provided by the provisions of Subsection A or Paragraph (B)(1) of this Section, the offender may petition the court in the jurisdiction of conviction, or if convicted out of state, in the jurisdiction of the offender's residence, to be relieved of the registration and notification requirements of this Chapter. The district attorney shall be served with the petition, and the matter shall be set for contradictory hearing. Upon a finding by clear and convincing evidence that the offender has maintained a "clean record" as defined in this Section and that the offender does not pose a substantial risk of committing another offense requiring registration pursuant to this Chapter, the court may order that the offender be relieved of the obligation to register and notify pursuant to this Chapter."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Table listing names of representatives who voted 'NAYS' or 'ABSENT', including Edwards, Fannin, Foil, Franklin, Gallot, Geymann, Little, Lopinto, Lorusso, Marchand, McVea, Mills, White, Williams, Willmott, and Wooton.

Total - 97 NAYS

Total - 0 ABSENT

Table listing names of representatives who were present, including Barrow, Chandler, Ellington, Hines, Jones, S., Perry, and Smith, P.

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

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.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Norton to Engrossed House Bill No. 1374 by Representative Norton

AMENDMENT NO. 1

On page 1, line 16, after "Whoever" delete the remainder of the line and insert "violates the provisions of this Section"

AMENDMENT NO. 2

On page 2, line 2, after "The" and before "use," insert "obtaining."

AMENDMENT NO. 3

On page 2, line 8, after "The" and before "transference" insert "obtaining, use, or"

AMENDMENT NO. 4

On page 2, line 10, after "The" and before "transference" insert "obtaining, use, or"

AMENDMENT NO. 5

On page 2, line 13, after "The" and before "transference" insert "obtaining, use, or"

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

Speaker Tucker in the Chair

Rep. Norton 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, E.	Morris
Aubert	Guinn	Norton
Badon, A.	Hardy	Nowlin
Badon, B.	Harrison	Pearson
Baldone	Hazel	Perry
Barrow	Henderson	Ponti
Billiot	Henry	Pope
Burns, H.	Hill	Pugh
Burns, T.	Hines	Richard
Burrell	Honey	Richardson
Carmody	Howard	Richmond
Carter	Hutter	Ritchie
Champagne	Jackson G.	Robideaux
Chandler	Johnson	Schroder
Chaney	Jones, R.	Simon
Connick	Katz	Smiley
Cortez	Kleckley	Smith, G.
Cromer	LaBruzzo	Smith, J.
Danahay	LaFonta	Smith, P.
Dixon	Lambert	St. Germain
Doerge	LeBas	Talbot
Dove	Leger	Templet
Downs	Ligi	Trahan
Edwards	Little	Waddell
Ellington	Lopinto	White
Fannin	Lorusso	Williams
Foil	Marchand	Willmott
Franklin	McVea	Wooton
Total - 96		

NAYS

Total - 0

ABSENT

Barras	Hoffmann	Peterson
Burford	Jackson M.	Roy
Guillory, M.	Jones, S.	
Total - 8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Norton 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. 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.

Rep. Girod Jackson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Guillory, E.	Montoucet
Abramson	Guillory, M.	Morrell
Anders	Guinn	Morris
Armes	Hardy	Norton
Aubert	Harrison	Nowlin
Badon, A.	Hazel	Pearson
Badon, B.	Henderson	Perry
Baldone	Henry	Peterson
Barrow	Hill	Ponti
Billiot	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
Danahay	Kleckley	Smith, G.
Dixon	LaBruzzo	Smith, J.
Doerge	LaFonta	Smith, P.
Dove	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
Gisclair	Mills	
Greene	Monica	
Total - 100		

NAYS

Total - 0

ABSENT

Arnold	Burford
Barras	Cromer
Total - 4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Girod Jackson 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. 1376 (Substitute for House Bill No. 501 by Representative Mills)—
BY REPRESENTATIVE MILLS AND SENATOR HEBERT
AN ACT**

To amend and reenact R.S. 3:556.1 and 556.3(B)(introductory paragraph) and (4) and R.S. 56:578.2(A)(2)(c), relative to promotion and marketing of crawfish; to provide for representation on the Louisiana Crawfish Promotion and Research Board; to provide for representation of the crawfish industry on the Louisiana Seafood Promotion and Marketing Board; 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. 1376 by Representative Mills

AMENDMENT NO. 1

On page 1, line 8, following "(4)" delete "and R.S." and on line 9, delete "56:578.2(A)(2)(c)"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Mills to Engrossed House Bill No. 1376 by Representative Mills

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 3:556.1" delete the remainder of the line and on line 3, delete "56:578.2(A)(2)(c)"

AMENDMENT NO. 2

On page 1, at the end of line 3, after "crawfish;" delete the remainder of the line and delete lines 4 and 5 in their entirety and on line 6, delete "Marketing Board;" and insert in lieu thereof the following:

"to require cooperative effort by the Commissioner of Agriculture and the secretary of the Department of Wildlife and Fisheries to promote Louisiana wild-caught and farm-raised crawfish;"

AMENDMENT NO. 3

On page 1, delete lines 8 and 9 in their entirety and insert in lieu thereof the following:

"Section 1. R.S. 3:556.1 is hereby amended and reenacted to read as follows:"

AMENDMENT NO. 4

On page 2, delete lines 15 through 29 in their entirety and on page 3, delete lines 1 through 9 in their entirety

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	Hardy	Norton
Badon, B.	Harrison	Nowlin

Baldone	Hazel	Pearson
Barrow	Henry	Perry
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
Dove	LeBas	Talbot
Downs	Leger	Templet
Edwards	Ligi	Trahan
Ellington	Little	Waddell
Fannin	Lopinto	White
Foil	Lorusso	Williams
Franklin	Marchand	Willmott
Gallot	McVea	Wooton

Total - 99

NAYS

Total - 0

ABSENT

Badon, A.	Guinn	Peterson
Barras	Henderson	
Total - 5		

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. 1377 (Substitute for House Bill No. 561 by Representative Abramson)—

BY REPRESENTATIVE ABRAMSON

AN ACT

To amend and reenact R.S. 33:441(A)(1), relative to mayor's courts; to authorize that a certain amount of court costs assessed may be allocated to the Louisiana Association of Chiefs of Police for certain purposes; to provide for deposit of funds; to provide for transmittal to the association; and to provide for related matters.

Read by title.

Rep. Abramson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Geymann	Mills
Abramson	Gisclair	Monica
Anders	Greene	Montoucet
Armes	Guillory, E.	Morris
Arnold	Guillory, M.	Nowlin

Aubert	Hardy	Pearson
Badon, A.	Harrison	Perry
Badon, B.	Hazel	Peterson
Baldone	Henderson	Ponti
Barras	Henry	Pope
Barrow	Hill	Pugh
Billiot	Hines	Richard
Burford	Hoffmann	Richardson
Burns, H.	Honey	Richmond
Burns, T.	Howard	Ritchie
Burrell	Jackson G.	Robideaux
Carter	Jackson M.	Roy
Champagne	Johnson	Schroder
Chandler	Jones, R.	Simon
Chaney	Jones, S.	Smith, G.
Connick	Katz	Smith, J.
Cortez	Kleckley	Smith, P.
Danahay	LaBruzzo	St. Germain
Dixon	LaFonta	Talbot
Doerge	Lambert	Templet
Dove	LeBas	Trahan
Downs	Leger	Waddell
Edwards	Ligi	White
Ellington	Little	Williams
Fannin	Lopinto	Willmott
Foil	Lorusso	Wooton
Franklin	Marchand	
Gallot	McVea	
Total - 97		

NAYS

Total - 0

ABSENT

Carmody	Hutter	Smiley
Cromer	Morrell	
Guinn	Norton	
Total - 7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Abramson 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. 1378 (Substitute for House Bill No. 611 by Representative Simon)—
BY REPRESENTATIVE SIMON

AN ACT

To enact Chapter 24-D of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2529, relative to a Silver Alert Network for reporting and locating missing senior citizens; to provide for a Silver Alert Steering Committee; to provide for authority and duties of the committee; to provide for recommendations to the legislature; 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. 1378 by Representative Simon

AMENDMENT NO. 1

On page 2, line 10, following "the" and before "office" change "state" to "Governor's"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Simon to Engrossed House Bill No. 1378 by Representative Simon

AMENDMENT NO. 1

On page 1, line 4, change "senior citizens" to "persons with a mental impairment"

AMENDMENT NO. 2

On page 1, line 13, change "senior citizen" to "person"

AMENDMENT NO. 3

On page 1, line 15, change "senior citizen's" to "person's"

AMENDMENT NO. 4

On page 2, line 1, after "the" and before "Department" insert "Louisiana"

AMENDMENT NO. 5

On page 2, line 6, immediately after "representative" delete the comma ","

AMENDMENT NO. 6

On page 2, at the end of line 9, after "Louisiana" add "Chapter of the"

AMENDMENT NO. 7

On page 2, line 19, change "senior citizen" to "person with a mental impairment"

AMENDMENT NO. 8

On page 2, at the end of line 19, delete "senior"

AMENDMENT NO. 9

On page 2, line 20, change "citizen or person with mental impairment" to "person"

AMENDMENT NO. 10

On page 2, line 21, change "senior citizen's" to "person's"

AMENDMENT NO. 11

On page 2, line 22, change "senior citizen's" to "his"

AMENDMENT NO. 12

On page 2, line 24, change "senior citizen" to "person with a mental impairment"

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AMENDMENT NO. 13

On page 2, line 26, change "senior citizens" to "persons with a mental impairment"

AMENDMENT NO. 14

On page 3, line 1, change "senior citizen" to "person with a mental impairment"

AMENDMENT NO. 15

On page 3, line 5, change "web site" to "website"

AMENDMENT NO. 16

On page 3, line 11, after "means" delete the remainder of the line and add "any psychological, cognitive, or mental impairment, decline, disorder, or condition, including but not limited to Alzheimer's disease or dementia but excluding chronic alcoholism or any other form of active drug addiction."

AMENDMENT NO. 17

On page 3, delete line 12 in its entirety

AMENDMENT NO. 18

On page 3, delete lines 13 and 14 in their entirety, and insert the following:

"(3) "Person" means a person eighteen years of age or older who is domiciled in Louisiana."

AMENDMENT NO. 19

On page 3, line 16, change "senior citizen" to "person" and change "diagnosed" to "verified"

AMENDMENT NO. 20

On page 3, line 18, immediately after "whereabouts" insert "are" and change "senior citizen's" to "person's"

On motion of Rep. Simon, the amendments were adopted. Rep. Simon moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of representatives who voted 'YEAS', including Mr. Speaker, Abramson, Anders, Arnes, Arnold, Aubert, Badon, A., Badon, B., Baldone, Barras, Barrow, Billiot, Burford, Burns, H., Burns, T., Gisclair, Guillory, E., Guillory, M., Hardy, Harrison, Hazel, Henderson, Henry, Hill, Hines, Hoffmann, Honey, Howard, Hutter, Jackson G., Monica, Montoucet, Morrell, Morris, Norton, Nowlin, Pearson, Perry, Peterson, Ponti, Pope, Pugh, Richard, Richardson, and Richmond.

Table listing names of representatives who voted 'NAYS' and 'ABSENT'. NAYS: Burrell, Carmody, Carter, Chandler, Chaney, Connick, Cortez, Danahay, Dixon, Doerge, Downs, Edwards, Ellington, Fannin, Foil, Franklin, Gallot, Geymann, Jackson M., Johnson, Jones, R., Jones, S., Katz, Kleckley, LaBruzzo, LaFonta, Lambert, LeBas, Leger, Ligi, Little, Lopinto, Lorusso, Marchand, McVea, Mills, Ritchie, Robideaux, Roy, Schroder, Simon, Smiley, Smith, G., Smith, J., Smith, P., St. Germain, Talbot, Templet, Trahan, Waddell, White, Williams, Willmott, Wooton. ABSENT: Champagne, Cromer, Dove, Greene, Guinn.

Total - 99

NAYS

Total - 0

ABSENT

Champagne Cromer Total - 5

Dove Greene Guinn

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Acting Speaker Honey in the Chair

HOUSE BILL NO. 1379 (Substitute for House Bill No. 838 by Representative Tucker)—

BY REPRESENTATIVES TUCKER AND HINES AN ACT

To enact R.S. 29:735.3 and R.S. 40:1299.39.3, relative to health care services rendered during an emergency; to provide for legislative findings and intent; to provide for a review of health care services rendered during a state of emergency prior to criminal prosecution; to provide for an Emergency/Disaster Medicine Review Panel; to provide for membership of the review panel; to provide for a procedure for the review of health care services rendered during the state of emergency; to provide for definitions; to provide with respect to confidentiality; 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. 1379 by Representative Tucker

AMENDMENT NO. 1

On page 6, line 13, following "Subsection" and before "of this" change "E" to "E"

AMENDMENT NO. 2

On page 7, line 13, following "The" and before "for" change "statute of limitations" to "prescriptive period"

AMENDMENT NO. 3

On page 7, line 16, following "Subparagraph" and before "(8)(d) of this" change "(C)" to "D"

AMENDMENT NO. 4

On page 7, line 23, following "orders of" insert "the"

AMENDMENT NO. 5

On page 7, line 29, at the beginning of the line, insert "during the period of time set forth in"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Tucker to Engrossed House Bill No. 1379 by Representative Tucker

AMENDMENT NO. 1

On page 2, at the end of line 2, after "infrastructure" add a "comma" ", "

AMENDMENT NO. 2

On page 2, line 24, after "Section" and before "be" delete "to"

AMENDMENT NO. 3

On page 2, line 25, after "opinion" and before "advisory" change "is" to "be"

AMENDMENT NO. 4

On page 4, line 12, after "the" and before "services" change "medical" to "health care"

AMENDMENT NO. 5

On page 4, line 27, after "render" and before "services" change "medical" to "health care"

AMENDMENT NO. 6

On page 5, line 14, after "records" and before "shall" delete "and"

AMENDMENT NO. 7

On page 6, line 13, after "Subsection" and before "of" change "E." to "F."

AMENDMENT NO. 8

On page 6, line 21, after "as" delete the remainder of the line in its entirety and insert "R.S. 40:1299.39.1(D)(1)."

AMENDMENT NO. 9

On page 7, line 16, after "Subparagraph" delete the remainder of the line in its entirety and insert "(8)(d) of this Subsection."

AMENDMENT NO. 10

On page 7, line 29, after "R.S. 29:724" and before "766" change "and" to "or"

AMENDMENT NO. 11

On page 8, line 6, after "means" and before "individual" insert "any"

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

Rep. Tucker 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, A.	Harrison	Nowlin
Badon, B.	Hazel	Pearson
Baldone	Henderson	Perry
Barras	Henry	Peterson
Barrow	Hill	Ponti
Billiot	Hines	Pope
Burford	Hoffmann	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.
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

Danahay
Total - 2
Dove

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Speaker Tucker in the Chair

HOUSE BILL NO. 1380 (Substitute for House Bill No. 1097 by Representative Harrison)—
BY REPRESENTATIVE HARRISON

AN ACT

To amend and reenact R.S. 23:991 and 992, relative to any person who is not a United States citizen; to provide for legislative findings; to provide for an exception for employment within the state; to provide for the issuance of biometric identification cards; to require the Department of Labor to promulgate rules; and to provide for related matters.

Read by title.

On motion of Rep. Harrison, the bill was recommitted to the Committee on Labor and Industrial Relations.

HOUSE BILL NO. 1381 (Substitute for House Bill No. 1194 by Representative Ritchie)—
BY REPRESENTATIVE RITCHIE

AN ACT

To amend and reenact R.S. 44:4.1(B)(29) and to enact R.S. 47:1515.3, relative to cooperative agreements; to provide for a cooperative agreement between the Department of Agriculture and Forestry and the Department of Revenue; to provide for collection of delinquent timber severance taxes; and to provide for related matters.

Read by title.

Rep. Ritchie moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Foil	Marchand	Wooton
Franklin	McVea	
Gallot	Mills	
Total - 97		

NAYS

Total - 0

ABSENT

Dove	Jackson M.	Simon
Downs	Kleckley	
Guinn	Pugh	
Total - 7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Ritchie 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. 958—
BY REPRESENTATIVES FOIL AND WILLIAMS
AN ACT

To enact R.S. 22:215.26 and to repeal R.S. 22:669(A)(1)(a)(iii) and (viii), relative to health insurance; to require health insurance policies, contracts, and plans, including health maintenance organization contracts or agreements, to provide coverage of the diagnosis and treatment of autism spectrum disorders in individuals less than seventeen years of age; to provide for certain limitations and exceptions; to delete pervasive developmental disorder or autism and Asperger's Disorder from the definition of severe mental illnesses mandated to be covered; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Foil to Engrossed House Bill No. 958 by Representative Foil

AMENDMENT NO. 1

On page 1, line 2, after "repeal" change "R.S. 22:669(A)(1)(a)(iii)" to "R.S. 22:669(A)(1)(b)(iii)"

AMENDMENT NO. 2

On page 4, line 18, after "Section 2." change "R.S. 22:669(A)(1)(a)(iii)" to "R.S. 22:669(A)(1)(b)(iii)"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Geymann	Monica
Abramson	Gisclair	Montoucet
Anders	Greene	Morrell
Armes	Guillory, M.	Morris

Arnold	Guinn	Norton
Aubert	Hardy	Nowlin
Badon, B.	Harrison	Pearson
Baldone	Hazel	Perry
Barras	Henderson	Ponti
Barrow	Henry	Pope
Billiot	Hill	Pugh
Burford	Hines	Richard
Burns, H.	Hoffmann	Richardson
Burns, T.	Honey	Richmond
Burrell	Howard	Ritchie
Carter	Hutter	Robideaux
Champagne	Jackson G.	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
Dove	LeBas	Templet
Downs	Leger	Trahan
Edwards	Ligi	Waddell
Ellington	Little	White
Fannin	Lorusso	Williams
Foil	Marchand	Willmott
Franklin	McVea	Wooton
Gallot	Mills	

Total - 98

NAYS

Total - 0

ABSENT

Badon, A.	Guillory, E.	Lopinto
Carmody	Jackson M.	Peterson

Total - 6

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1288—
BY REPRESENTATIVE FANNIN

AN ACT

To provide with respect to the Revenue Sharing Fund and the allocation and distribution thereof for Fiscal Year 2008-2009; and to provide for related matters.

Read by title.

Rep. Fannin moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Geymann	Mills
Abramson	Gisclair	Monica
Anders	Greene	Montoucet
Armes	Guillory, E.	Morrell
Arnold	Guillory, M.	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	

Total - 101

NAYS

Total - 0

ABSENT

Dove	Guinn	Morris
------	-------	--------

Total - 3

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Suspension of the Rules

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

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

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

HOUSE RESOLUTION NO. 88—
BY REPRESENTATIVE GALLOT
A RESOLUTION

To commend Johnnie Slaton Davis upon the celebration of her one hundredth birthday.

Read by title.

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

HOUSE RESOLUTION NO. 89—

BY REPRESENTATIVE HENRY

A RESOLUTION

To express sincere and heartfelt condolences upon the death of Joseph Anthony Madere.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 165—

BY REPRESENTATIVE SIMON

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to study the financial burdens facing physicians in St. Tammany Parish and to recommend ways to recruit and retain health care professionals in the region.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 166—

BY REPRESENTATIVE BARROW

A CONCURRENT RESOLUTION

To request the House Committee on Commerce and the Senate Committee on Commerce, Consumer Protection, and International Affairs to meet and function as a joint committee to study the use of a minor's identity to establish service with a public utility.

Read by title.

On motion of Rep. Barrow, and under a suspension of the rules, the above resolution was referred to the Committee on Commerce, under the rules.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Appropriations

May 29, 2008

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on May 28, 2008, I am directed by your Committee on Appropriations to submit the following report:

House Bill No. 187, by Katz
Reported with amendments. (18-0) (Regular)

House Bill No. 613, by Tucker
Reported with amendments. (17-0) (Regular)

House Bill No. 914, by Fannin
Reported favorably. (17-0) (Regular)

House Bill No. 918, by Henry
Reported favorably. (16-0) (Regular)

House Bill No. 1182, by Schroder
Reported favorably. (14-0) (Regular)

House Bill No. 1266, by Baldone
Reported with amendments. (17-0) (Regular)

JAMES R. "JIM" FANNIN
Chairman

Report of the Committee on Judiciary

May 29, 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. 129, by LaFonta
Reported favorably. (11-0)

House Concurrent Resolution No. 139, by Harrison
Reported favorably. (13-0-1)

House Concurrent Resolution No. 149, by LaFonta
Reported with amendments. (11-0)

House Bill No. 5, by LaFonta
Reported with amendments. (13-0) (Regular)

House Bill No. 758, by Ponti
Reported by substitute. (11-0-1) (Regular)

Senate Bill No. 107, by Morrish
Reported favorably. (12-0-1) (Regular)

Senate Bill No. 108, by Morrish
Reported with amendments. (11-0-1) (Regular)

Senate Bill No. 117, by Amedee
Reported favorably. (13-0-1) (Regular)

Senate Bill No. 423, by Cravins, Jr.
Reported favorably. (10-0-1) (Regular)

Senate Bill No. 429, by Shepherd
Reported with amendments. (16-0) (Regular)

Senate Bill No. 444, by Hebert
Reported favorably. (10-0-1) (Regular)

Senate Bill No. 593, by Riser
Reported with amendments. (13-0-1) (Regular)

Senate Bill No. 608, by Duplessis
Reported favorably. (13-0-1) (Regular)

Senate Bill No. 644, by Adley
Reported favorably. (13-0-1) (Regular)

Senate Bill No. 682, by Shaw
Reported favorably. (11-0-1) (Regular)

Senate Bill No. 686, by Dupre
Reported with amendments. (9-0-1) (Regular)

Senate Bill No. 749, by Cravins, Jr.
Reported with amendments. (10-0-1) (Regular)

Senate Bill No. 773, by Martiny
Reported favorably. (12-0-1) (Regular)

Senate Bill No. 799, by McPherson
Reported favorably. (13-0-1) (Regular)

CEDRIC L. RICHMOND
Chairman

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

Suspension of the Rules

On motion of Rep. Richmond, the rules were suspended in order to take up House Bills contained in the committee report at this time.

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. 758—

BY REPRESENTATIVE PONTI

AN ACT

To amend and reenact Code of Civil Procedure Articles 151, 154, and 155, relative to the recusal of judges in civil matters; to provide for mandatory grounds for recusal; to provide procedures and filing of a motion for mandatory recusal; to provide for the selection of judicial panels in certain circumstances; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Judiciary.

The substitute was read by title as follows:

HOUSE BILL NO. 1386 (Substitute for House Bill No. 758 by Representative Ponti)—

BY REPRESENTATIVE PONTI

AN ACT

To amend and reenact Code of Civil Procedure Article 151(A) and (B), relative to the recusal of judges in civil matters; to provide for mandatory grounds for recusal; to provide for permissive grounds for recusal; and to provide for related matters.

Read by title.

On motion of Rep. Richmond, the substitute was adopted and became House Bill No. 1386 by Rep. Ponti, on behalf of the Committee on Judiciary, as a substitute for House Bill No. 758 by Rep. Ponti.

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

Report of the Committee on Labor and Industrial Relations

May 29, 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 Bill No. 338, by Henry
Reported with amendments. (9-0) (Regular)

House Bill No. 535, by Ponti
Reported favorably. (9-0) (Regular)

House Bill No. 547, by Ponti
Reported with amendments. (9-0) (Regular)

House Bill No. 554, by Smith, Patricia
Reported with amendments. (9-0) (Regular)

House Bill No. 1083, by Smith, Patricia
Reported by substitute. (9-0) (Regular)

Senate Bill No. 612, by Chaisson
Reported with amendments. (8-0) (Regular)

AVON R. HONEY
Chairman

Suspension of the Rules

On motion of Rep. Honey, the rules were suspended in order to take up House Bills contained in the committee report at this time.

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. 1083—

BY REPRESENTATIVE PATRICIA SMITH

AN ACT

To enact Part II-A of Chapter 9 of Title 23 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 23:931 through 933, relative to the classification of construction employees; to provide for definitions; to provide relative to the duty to classify employees; to provide with respect to penalties for failure to classify; to provide with respect to investigation and prosecution; to provide for suspension of a contractor's license; to provide for stop-work orders; to provide with respect to civil actions; and to provide for related matters.

Read by title.

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

The substitute was read by title as follows:

HOUSE BILL NO. 1387 (Substitute for House Bill No. 1083 by Representative Patricia Smith)—

BY REPRESENTATIVE PATRICIA SMITH

AN ACT

To enact Part II-A of Chapter 9 of Title 23 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 23:931 through 934, relative to the classification of employees; to provide for definitions; to provide relative to the duty to classify employees; to provide with respect to penalties for failure to classify; to provide for restitution; to provide with respect to investigation and prosecution; to provide for suspension of all professional licenses; to provide with respect to civil actions; to provide for penalties for evading detection; to require the Department of Labor to promulgate rules; to provide for subpoena power; to require employers to maintain certain records; and to provide for related matters.

Read by title.

On motion of Rep. Honey, the substitute was adopted and became House Bill No. 1387 by Rep. Patricia Smith, on behalf of the Committee on Labor and Industrial Relations, as a substitute for House Bill No. 1083 by Rep. Patricia Smith.

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

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

May 29, 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. 745, by Franklin
Reported with amendments. (14-0) (Regular)

House Bill No. 1092, by Jones, Sam
Reported with amendments. (15-0) (Regular)

Senate Bill No. 72, by Crowe
Reported favorably. (15-0) (Local & Consent)

Senate Bill No. 147, by Martiny
Reported favorably. (15-0) (Local & Consent)

Senate Bill No. 156, by Cravins, Jr.
Reported favorably. (14-0) (Regular)

Senate Bill No. 164, by Thompson
Reported with amendments. (13-0) (Regular)

Senate Bill No. 319, by Cassidy
Reported favorably. (14-0) (Regular)

Senate Bill No. 564, by Gray
Reported with amendments. (14-0) (Regular)

Senate Bill No. 676, by LaFleur
Reported favorably. (15-0) (Local & Consent)

Senate Bill No. 696, by Erdey
Reported favorably. (14-0) (Local & Consent)

Senate Bill No. 724, by Thompson
Reported with amendments. (16-0) (Regular)

Senate Bill No. 732, by Gray
Reported favorably. (14-0) (Local & Consent)

Senate Bill No. 745, by Gray
Reported favorably. (13-0) (Local & Consent)

Senate Bill No. 760, by Thompson
Reported with amendments. (14-0) (Regular)

Senate Bill No. 802, by Gray
Reported favorably. (14-0) (Regular)

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**

Thursday, May 29, 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. 522, by Robideaux
Reported favorably. (10-0) (Local & Consent)

House Bill No. 1033, by Geymann
Reported favorably. (10-0) (Local & Consent)

Senate Bill No. 42, by Gautreaux, B.
Reported favorably. (9-0) (Local & Consent)

Senate Bill No. 99, by Gautreaux, B.
Reported favorably. (6-0) (Local & Consent)

Senate Bill No. 120, by Gautreaux, B.
Reported favorably. (8-0) (Local & Consent)

Senate Bill No. 177, by Gautreaux, B.
Reported favorably. (6-0) (Local & Consent)

Senate Bill No. 458, by Gautreaux, B.
Reported favorably. (6-0) (Local & Consent)

JOEL C. ROBIDEAUX
Chairman

The above Senate Bills reported favorably or with amendments, except Senate Bill No. 42, were referred to the Legislative Bureau.

Privileged Report of the Legislative Bureau

May 29, 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. 17
Reported with amendments.

Senate Bill No. 43
Reported without amendments.

Senate Bill No. 51
Reported without amendments.

Senate Bill No. 58
Reported without amendments.

Senate Bill No. 63
Reported without amendments.

Senate Bill No. 96
Reported without amendments.

Senate Bill No. 154
Reported with amendments.

Senate Bill No. 155
Reported with amendments.

Senate Bill No. 210
Reported without amendments.

Senate Bill No. 240
Reported without amendments.

Senate Bill No. 241
Reported without amendments.

Senate Bill No. 258
Reported without amendments.

Senate Bill No. 312
Reported with amendments.

Senate Bill No. 332
Reported with amendments.

Senate Bill No. 343
Reported without amendments.

Senate Bill No. 363
Reported without amendments.

Senate Bill No. 366
Reported without amendments.

Senate Bill No. 367
Reported with amendments.

Senate Bill No. 383
Reported without amendments.

Senate Bill No. 411
Reported without amendments.

Senate Bill No. 414
Reported without amendments.

Senate Bill No. 440
Reported without amendments.

Senate Bill No. 473
Reported without amendments.

Senate Bill No. 474
Reported with amendments.

Senate Bill No. 517
Reported without amendments.

Senate Bill No. 537
Reported without amendments.

Senate Bill No. 540
Reported without amendments.

Senate Bill No. 744
Reported without amendments.

Senate Bill No. 775
Reported without amendments.

Senate Bill No. 781
Reported without amendments.

Respectfully submitted,
WAYNE WADDELL
Chairman

**Petitions, Memorials and
Communications**

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

Message from the Senate

SIGNED SENATE BILLS AND JOINT RESOLUTIONS

May 29, 2008

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

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

Senate Bill Nos. 37, 165, 176, and 326

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

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

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

Privileged Report of the Committee on Enrollment

May 29, 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. 82—
BY REPRESENTATIVES MORRELL, LEGER, AND WILLMOTT
A RESOLUTION

To commend Trenton O'Neil of Kenner for his outstanding musical accomplishments.

HOUSE RESOLUTION NO. 83—
BY REPRESENTATIVES MORRELL, LEGER, LITTLE, AND WILLMOTT
A RESOLUTION

To commend Chase Hamilton of Monroe for his outstanding artistic accomplishments.

HOUSE RESOLUTION NO. 84—
BY REPRESENTATIVE KLECKLEY
A RESOLUTION

To commend Barbe High School for winning their fifth baseball state championship by defeating Jesuit High School at the Class 5A state championship game.

HOUSE RESOLUTION NO. 86—
BY REPRESENTATIVES HOFFMANN AND DOWNS
A RESOLUTION

To commend the Reverend Larry Stafford upon his receipt of the 2007 J. Henry Bowden Preaching Award from the Louisiana Moral and Civic Foundation.

HOUSE RESOLUTION NO. 87—
BY REPRESENTATIVE TUCKER
A RESOLUTION

To recognize Thursday, May 29, 2008, as Entrepreneurship Day at the Louisiana House of Representatives.

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 29, 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. 157—
BY REPRESENTATIVES WHITE AND RICHARDSON AND SENATORS ERDEY AND MARIONNEAUX

A CONCURRENT RESOLUTION

To commend the Central Private School baseball team upon winning the Mississippi Private School Association (MPSA) 2008 Class 2A State Championship.

HOUSE CONCURRENT RESOLUTION NO. 158—
BY REPRESENTATIVES WHITE AND MCVEA AND SENATOR BROOME

A CONCURRENT RESOLUTION

To commend the Zachary High School baseball team upon winning the 2008 Class 4A State Championship.

HOUSE CONCURRENT RESOLUTION NO. 161—
BY REPRESENTATIVE ELBERT GUILLORY

A CONCURRENT RESOLUTION

To recognize Tuesday, June 3, 2008, as Louisiana District Attorney Elder Abuse Awareness Day and to encourage Louisiana residents to celebrate the accomplishments of the state's seniors.

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. Arnold, the rules were suspended to permit the Committee on Commerce to consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Concurrent Resolution No. 166

Suspension of the Rules

On motion of Rep. Hutter, the rules were suspended to permit the Committee on Transportation, Highways and Public Works to

consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill No. 1086

House Concurrent Resolution No. 128

Suspension of the Rules

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

Senate Bill Nos. 7, 109, 329, and 520

Adjournment

On motion of Rep. Trahan, at 4:53 P.M., the House agreed to adjourn until Monday, June 2, 2008, at 2:00 P.M.

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

ALFRED W. SPEER
Clerk of the House