

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

**THIRD DAY'S PROCEEDINGS**

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

House of Representatives  
State Capitol  
Baton Rouge, Louisiana

Wednesday, April 29, 2009

The House of Representatives was called to order at 5:00 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	Franklin	Mills
Abramson	Gallot	Monica
Anders	Geymann	Montoucet
Armes	Gisclair	Morris
Arnold	Greene	Norton
Aubert	Guillory, E.	Nowlin
Badon, A.	Guillory, M.	Pearson
Badon, B.	Guinn	Perry
Baldone	Hardy	Peterson
Barras	Harrison	Ponti
Barrow	Hazel	Pope
Billiot	Henderson	Pugh
Burford	Henry	Richard
Burns, H.	Hill	Richardson
Burrell	Hines	Richmond
Carmody	Hoffmann	Ritchie
Carter	Honey	Robideaux
Champagne	Howard	Roy
Chandler	Hutter	Schroder
Chaney	Jackson G.	Simon
Connick	Jackson M.	Smiley
Cortez	Johnson	Smith, G.
Cromer	Jones, S.	Smith, J.
Danahay	Katz	Smith, P.
Dixon	Kleckley	St. Germain
Doerge	LaFonta	Talbot
Dove	Lambert	Temple
Downs	Landry	Thibaut
Edwards	LeBas	Waddell
Ellington	Leger	White
Ernst	Ligi	Williams

Fannin	Little	Willmott
Foil	McVea	Wooton
Total - 99		

ABSENT

Burns, T.	LaBruzzo	Stiaes
Jones, R.	Lopinto	
Total - 5		

The Speaker announced that there were 99 members present and a quorum.

**Prayer**

Prayer was offered by Rep. Katz.

**Pledge of Allegiance**

Rep. Leger 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 April 28, 2009, was adopted.

**Petitions, Memorials and  
Communications**

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

**Message from the Senate**

**HOUSE CONCURRENT RESOLUTIONS**

April 29, 2009

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. 24  
Returned without amendments

House Concurrent Resolution No. 25  
Returned without amendments

House Concurrent Resolution No. 26  
Returned without amendments

House Concurrent Resolution No. 27  
Returned without amendments

House Concurrent Resolution No. 28  
Returned without amendments

House Concurrent Resolution No. 29  
Returned without amendments

House Concurrent Resolution No. 30  
Returned without amendments

House Concurrent Resolution No. 31  
Returned without amendments

House Concurrent Resolution No. 32  
Returned without amendments

House Concurrent Resolution No. 34  
Returned without amendments

House Concurrent Resolution No. 35  
Returned without amendments

House Concurrent Resolution No. 36  
Returned without amendments

House Concurrent Resolution No. 39  
Returned without amendments

House Concurrent Resolution No. 40  
Returned without amendments

House Concurrent Resolution No. 42  
Returned without amendments

House Concurrent Resolution No. 44  
Returned without amendments

House Concurrent Resolution No. 47  
Returned without amendments

House Concurrent Resolution No. 48  
Returned without amendments

House Concurrent Resolution No. 55  
Returned without amendments

House Concurrent Resolution No. 56  
Returned without amendments

House Concurrent Resolution No. 57  
Returned without amendments

House Concurrent Resolution No. 58  
Returned without amendments

House Concurrent Resolution No. 59  
Returned without amendments

House Concurrent Resolution No. 61  
Returned without amendments

House Concurrent Resolution No. 62  
Returned without amendments

House Concurrent Resolution No. 63  
Returned without amendments

House Concurrent Resolution No. 64  
Returned without amendments

House Concurrent Resolution No. 65  
Returned without amendments

House Concurrent Resolution No. 67  
Returned without amendments

House Concurrent Resolution No. 69  
Returned without amendments

House Concurrent Resolution No. 70  
Returned without amendments

House Concurrent Resolution No. 71  
Returned without amendments

House Concurrent Resolution No. 73  
Returned without amendments

Respectfully submitted,  
  
GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**SENATE BILLS**

April 29, 2009

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 No. 283

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. 283—**

BY SENATORS WALSWORTH AND THOMPSON  
AN ACT

To amend and reenact R.S. 51:2365(F), relative to the Louisiana Mega-Project Development Fund; to provide for the definition of a mega-project; and to provide for related matters.

Read by title.

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

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

**HOUSE RESOLUTION NO. 18—**

BY REPRESENTATIVE ELLINGTON  
A RESOLUTION

To commend Jessie Williams Shivor upon the celebration of her one hundredth birthday.

Read by title.

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

**HOUSE RESOLUTION NO. 19—**

BY REPRESENTATIVE DOWNS  
A RESOLUTION

To recognize the Louisiana Tech University Adult Fitness Program on their thirtieth year anniversary celebration.

Read by title.

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

**HOUSE RESOLUTION NO. 20—**

BY REPRESENTATIVE NOWLIN  
A RESOLUTION

To commend Carolyn Harrington upon her retirement as museum division director with the Louisiana State Museum.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 75—**

BY REPRESENTATIVE HARDY

**A CONCURRENT RESOLUTION**

To urge and request the Federal Emergency Management Agency (FEMA) to develop a plan for the distribution of benefits after the occurrence of a natural disaster.

Read by title.

Lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 76—**

BY REPRESENTATIVE HARRISON

**A CONCURRENT RESOLUTION**

To urge and request the attorney general to study the training requirements for justices of the peace who have attained the age of seventy and consider a reduction or elimination of such training requirements.

Read by title.

Lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 77—**

BY REPRESENTATIVE BALDONE

**A CONCURRENT RESOLUTION**

To urge and request the Judicial Council of the Supreme Court of Louisiana to study and make recommendations regarding uniform standards and licensing procedures for local juvenile detention facilities, and to report its findings and recommendations to the Louisiana Legislature prior to March 1, 2010.

Read by title.

Lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 78—**

BY REPRESENTATIVE JANE SMITH

**A CONCURRENT RESOLUTION**

To commend Anna Loftin of Elm Grove upon her outstanding accomplishments.

Read by title.

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

Ordered to the Senate.

**House and House Concurrent Resolutions**

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

**HOUSE CONCURRENT RESOLUTION NO. 74—**

BY REPRESENTATIVE FRANKLIN

To recognize the Atakapas-Ishak Tribe of Southwest Louisiana as an Indian tribe of Louisiana.

Read by title.

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

**House Bills and Joint Resolutions on Second Reading to be Referred**

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

**HOUSE BILL NO. 502—**

BY REPRESENTATIVE CORTEZ

**AN ACT**

To enact Part III-I of Title 19 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 19:139 through 139.7, relative to expropriation by a declaration of taking; to authorize the city of Youngsville to expropriate property for the Chemin Metairie Phase II Project; to provide procedures for the expropriation by a declaration of taking; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 585—**

BY REPRESENTATIVES GISCLAIR AND RICHARD

**AN ACT**

To amend and reenact R.S. 33:9109(B)(2) and (C)(7)(c) and to enact R.S. 33:9109(B)(10) and (C)(4.1), relative to communications districts; to provide relative to prepaid wireless emergency telecommunications service; to authorize the governing authority of the communications district in Lafourche Parish to levy a service charge on any such prepaid service; to provide for the collection of the service charge; to provide limitations; 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 BILL NO. 635—**

BY REPRESENTATIVE KLECKLEY

**AN ACT**

To amend and reenact R.S. 27:92(B)(2)(b)(i) and to enact R.S. 27:92(B)(2)(b)(v) and (D), relative to the collection and disposition of fees from the conduct of gaming activities on a riverboat; to dedicate a portion of fees collected from certain riverboats within the corporate limits of Lake Charles; to establish the Lake Charles Road Improvement Fund as a special treasury fund; to provide for deposits, uses, and investments of the fund; to provide for local match requirements; 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 Appropriations.

**HOUSE BILL NO. 825—**

BY REPRESENTATIVE TUCKER

**AN ACT**

To enact R.S. 11:1631(F)(3), relative to the District Attorneys' Retirement System; to allow reemployed retirees to regain membership and receive a recalculation of retirement benefits under certain circumstances; to provide an effective date; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 857—**

BY REPRESENTATIVE FANNIN

**AN ACT**

To supplement the General Appropriation Act by appropriating funds from certain sources to be allocated to designated agencies and purposes in specified amounts for the purpose of making appropriations from federal monies received as a result of the American Recovery and Reinvestment Act of 2009 for Fiscal Year 2009-2010; 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 Appropriations.

**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. 66—**

BY REPRESENTATIVE GUINN

AN ACT

To repeal R.S. 37:3112(B)(2) and 3115.1, relative to continuing education of auctioneers; to repeal the requirement that licensed auctioneers take six hours of continuing education annually.

Read by title.

Reported favorably by the Committee on Commerce.

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

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

**HOUSE BILL NO. 120—**

BY REPRESENTATIVE THIBAUT

AN ACT

To amend and reenact R.S. 9:1131.4(A)(2)(introductory paragraph), (a)(introductory paragraph), and (b)(introductory paragraph), relative to timeshare projects; to reduce the number of required completed or proposed units located within a timeshare plan for a timeshare project; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 145—**

BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 6:314(A), 653.1(A), and 766.1(A), to enact R.S. 6:1255(D), and to repeal R.S. 6:314(C), 653.1(C), and 766.1(C), relative to accounts payable on death; to provide for one or more beneficiaries to collect funds upon a depositor's death; to provide for savings banks to offer payment on death accounts; to repeal definitions; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Commerce to Original House Bill No. 145 by Representative Arnold

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 6:314(A)" insert a comma "," and insert "653.1(A),"

AMENDMENT NO. 2

On page 1, line 3, after "R.S. 6:314(C)" insert a comma "," and insert "653.1(C),"

AMENDMENT NO. 3

On page 1, line 8, after "R.S. 6:314(A)" insert a comma "," and insert "653.1(A),"

AMENDMENT NO. 4

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

"§653.1. Trust deposits; death of depositor, payment

A. Upon the death of a member who has deposited a sum in any federal or state credit union account evidencing an intention that upon the death of the member, the funds shall belong to ~~such member's spouse, or to one or more children or grandchildren, parents, or siblings~~ the named beneficiary or beneficiaries of the member, ~~the~~ The federal or state credit union may pay the share account, together with the dividends or interest accruing thereto, to the ~~person~~ named beneficiaries for whom the deposit was made, ~~and the federal or state credit union may rely conclusively thereon. The member shall, at the time such share account is established, give to the federal or state credit union an affidavit stating that all designated beneficiaries of such a share account are within the required degree of kinship as provided herein, and the federal or state credit union may rely conclusively thereon.~~

\* \* \*

AMENDMENT NO. 5

On page 2, line 17, after "R.S. 6:314(C)" insert a comma "," and insert "653.1(C),"

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 182—**

BY REPRESENTATIVE ROBIDEAUX

AN ACT

To enact Part III-I of Title 19 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 19:139 through 139.7, relative to expropriation by a declaration of taking; to authorize the city of Lafayette and parish of Lafayette to expropriate property for the Kaliste Saloom Road Widening Project; to provide procedures for the expropriation by a declaration of taking; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 199—**

BY REPRESENTATIVE ST. GERMAIN

AN ACT

To enact R.S. 40:1601, relative to novelty lighters; to prohibit the sale and distribution of certain novelty lighters; to provide for definitions; to provide for exemptions; to provide authority for the seizure, forfeiture, and destruction of certain novelty lighters; to provide for penalties; to provide for the deposit of proceeds from penalties collected into a certain state trust fund; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Original House Bill No. 199 by Representative St. Germain

##### AMENDMENT NO. 1

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

"(8) Novelty lighters that are in compliance with 16 CFR Part 1210 et seq."

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

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

Under the rules, placed on the regular calendar.

#### HOUSE BILL NO. 228— BY REPRESENTATIVE ST. GERMAIN AN ACT

To amend and reenact R.S. 40:1574.1(B)(4)(c) and to enact R.S. 40:1563(K), 1563.1(E), and 1646(D), relative to the powers and duties of the state fire marshal; to authorize the fire marshal to perform duties required by the state emergency operations plan; to authorize the fire marshal to commission a multi-jurisdictional arson task force; to require the installing contractor to be on-site during the final inspection by the fire marshal; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

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

Under the rules, placed on the regular calendar.

#### HOUSE BILL NO. 332— BY REPRESENTATIVE ROBIDEAUX AN ACT

To amend and reenact R.S. 40:1236.14 and to enact R.S. 9:2793(C), relative to limitations of liability; to provide a limitation of liability for the use of automated external defibrillators at the scene of an emergency; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 332 by Representative Robideaux

##### AMENDMENT NO. 1

On page 2, line 4, after "AED" and before "that" insert a comma "," and insert "except for the failure to properly maintain the AED as required by R.S. 40:1236.13(A)(1)."

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

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

Under the rules, placed on the regular calendar.

#### HOUSE BILL NO. 336— BY REPRESENTATIVE EDWARDS AN ACT

To amend and reenact Code of Civil Procedure Articles 3432(introductory paragraph) and 3434 and to repeal Code of Civil Procedure Article 3433, relative to successions; to provide for the removal of certain references to inheritance taxes and to the inheritance tax collector in succession procedure; to provide for the payment or delivery of money or property of the deceased by certain financial institutions; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 336 by Representative Edwards

##### AMENDMENT NO. 1

On page 2, after line 15, add the following:

"Section 3. The provisions of this Act shall become effective on January 1, 2010."

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

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

Under the rules, placed on the regular calendar.

#### HOUSE BILL NO. 372— BY REPRESENTATIVE MONICA AN ACT

To amend and reenact R.S. 40:1581(A), relative to smoke detectors in one- or two-family dwellings; to provide for a ten-year lithium battery smoke detector in certain dwellings sold or leased on or after January 1, 2010; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Original House Bill No. 372 by Representative Monica

##### AMENDMENT NO. 1

On page 1, at the end of line 2, change "single and two family" to "one- or two-family"

##### AMENDMENT NO. 2

On page 1, delete line 8 in its entirety and insert in lieu thereof the following:

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"§1581. Smoke detectors; ~~single and two family~~ one- or two-family dwellings"

### AMENDMENT NO. 3

On page 1, at the beginning of line 11, change "single and two family" to "one- or two-family"

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

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

Under the rules, placed on the regular calendar.

### HOUSE BILL NO. 374—

BY REPRESENTATIVE GEYMANN  
AN ACT

To amend and reenact R.S. 37:846(A)(2), relative to licensing of funeral directors; to provide for exemption for veterans in certain situations; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

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

Under the rules, placed on the regular calendar.

### HOUSE BILL NO. 384—

BY REPRESENTATIVE LIGI  
AN ACT

To amend and reenact R.S. 37:1474(B) and R.S. 40:600.4(A)(3)(b), relative to boards and commissions; to provide for the membership of the Louisiana Mortgage Lenders Association on the Louisiana State Board of Home Inspectors; to provide for the membership of the Louisiana Mortgage Lenders Association on the board of commissioners of the Louisiana Housing Finance Agency; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

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

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

### HOUSE BILL NO. 541—

BY REPRESENTATIVES MICKEY GUILLORY AND WOOTON  
AN ACT

To amend and reenact R.S. 21:52(A) and (C), relative to guide dogs; to provide for the access of guide dogs in training to public areas; to provide for trainers of guide dogs; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

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

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

### HOUSE BILL NO. 554—

BY REPRESENTATIVES LANDRY AND MILLS  
AN ACT

To enact R.S. 29:735.3.1, relative to homeland security; to provide civil immunity during a declared state of emergency; to provide immunity for gratuitous volunteers providing care in

coordination with the state or political subdivisions; to provide an exception for gross negligence or willful misconduct; to provide an exception for care which requires a license; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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

Under the rules, placed on the regular calendar.

### HOUSE BILL NO. 566—

BY REPRESENTATIVE ELLINGTON  
AN ACT

To amend and reenact R.S. 13:5104(A), relative to the Governmental Claims Act; to provide relative to venue for suits filed against the state, state agency, and officers or employees of the state or state agency under certain circumstances; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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

Under the rules, placed on the regular calendar.

### HOUSE BILL NO. 620—

BY REPRESENTATIVE CORTEZ  
AN ACT

To amend and reenact R.S. 46:438.3(B), 439.1, 439.2(A)(2)(b), 439.3, and 439.4(A)(1) and (3), (C)(1), (D), and (G), relative to the Medical Assistance Program Integrity Law; to provide for false or fraudulent claims; to provide for qui tam actions; to provide for qui tam procedures; to provide for the recovery awarded to a qui tam plaintiff; to comply with the provisions of section 1909 of the federal Social Security Act to increase by ten percent Louisiana's share of any amounts recovered through a false claims action; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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

Under the rules, placed on the regular calendar.

### HOUSE BILL NO. 637—

BY REPRESENTATIVES PONTI AND ARNOLD  
AN ACT

To amend and reenact R.S. 40:1730.53(2), (5)(a) and (d), and (6), 1730.60, 1730.62(B) and (C)(introductory paragraph), and 1730.65(C)(1) and to enact R.S. 40:1730.53(5)(e), (7), (8), and (9), 1730.63(C), 1730.67, and 1730.68, relative to the Industrialized Building Act; to provide for changes to definitions; to provide for new definitions; to provide for inspections by the fire marshal; to provide for exemptions for decals or insignia; to provide for fees; to provide for the Industrialized Building Program Fund; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Commerce to Original House Bill No. 637 by Representative Ponti

AMENDMENT NO. 1

On page 4, delete line 14 in its entirety and insert in lieu thereof the following:

"(3) Plan review:

(a) Shall not exceed five hundred dollars for buildings of two thousand square feet or less.

(b) Shall not exceed thirty cents per square foot for buildings over two thousand square feet."

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

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

**HOUSE BILL NO. 729—**  
BY REPRESENTATIVES BILLIOT AND ST. GERMAIN  
AN ACT

To amend and reenact R.S. 22:347(A)(1) and R.S. 23:1036(A), (C)(1) and (3), (E), and (H), to enact R.S. 23:1036(C)(4) and (L), and to repeal R.S. 23:1036(D)(3), (F), (G), and (J), relative to workers' compensation for firefighters; to provide for the disposition of tax money for the state fire marshal; to require workers' compensation coverage for volunteer firefighters; to provide relative to medical benefits payable; to provide for burial expenses; to require fire companies to furnish certain documents to the fire marshal; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Commerce to Original House Bill No. 729 by Representative Billiot

AMENDMENT NO. 1

On page 1, at the end of line 2, after "(H)" insert a comma "," and insert "to enact R.S. 23:1036(C)(4) and (L)."

AMENDMENT NO. 2

On page 1, line 6, after "expenses;" and before "and to" insert "to require fire companies to furnish certain documents to the fire marshal;"

AMENDMENT NO. 3

On page 2, line 6, after "reenacted" and before "to read" insert "and R.S. 23:1036(C)(4) and (L) are hereby enacted"

AMENDMENT NO. 4

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

"(4) The fire chief shall by written affidavit attest to the fact that the injury to the volunteer member occurred while the volunteer member was in the line of duty."

AMENDMENT NO. 5

On page 4, between lines 22 and 23, insert the following:

"L. A fire company shall provide upon request and within a reasonable time period documents, materials, or other information to the state fire marshal in order to effectuate the provisions of this Section."

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

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

Under the rules, placed on the regular calendar.

**Acting Speaker Arnold in the Chair**

**House and House Concurrent Resolutions on Third Reading for Final Consideration**

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

**Speaker Tucker in the Chair**

**HOUSE CONCURRENT RESOLUTION NO. 43—**  
BY REPRESENTATIVE ELLINGTON  
A CONCURRENT RESOLUTION

To approve a proposed amendment, Action Plan Amendment Number 1, to the State of Louisiana Action Plan for the Utilization of Community Development Block Grant Funds in Response to Hurricanes Gustav and Ike proposed by the Louisiana Recovery Authority and approved by the governor and the Joint Legislative Committee on the Budget for the Louisiana Farm Recovery Loan and Grant Program and the Louisiana Critical Farm Infrastructure Grant Program; and to provide for other matters pertaining thereto.

Read by title.

Rep. Ellington moved the adoption of the resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Foil	McVea
Anders	Franklin	Monica
Armes	Gallot	Montoucet
Arnold	Geymann	Morris
Aubert	Gisclair	Norton
Badon, A.	Greene	Nowlin
Badon, B.	Guillory, M.	Pearson
Barras	Guinn	Perry
Barrow	Hardy	Ponti
Billiot	Harrison	Pope
Burford	Hazel	Pugh
Burns, H.	Henderson	Richardson
Burrell	Henry	Richmond
Carmody	Hill	Ritchie
Carter	Hoffmann	Robideaux
Champagne	Honey	Roy

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Chandler	Howard	Schroder
Chaney	Hutter	Simon
Cornick	Jackson G.	Smiley
Cortez	Johnson	Smith, G.
Cromer	Jones, S.	Smith, J.
Danahay	Katz	St. Germain
Dixon	Kleckley	Talbot
Doerge	LaFonta	Templet
Downs	Landry	Waddell
Edwards	LeBas	White
Ellington	Leger	Williams
Fannin	Little	Willmott

Total - 84

NAYS

Total - 0

ABSENT

Abramson	Jackson M.	Peterson
Baldone	Jones, R.	Richard
Burns, T.	LaBruzzo	Smith, P.
Dove	Lambert	Stiaes
Ernst	Ligi	Thibaut
Guillory, E.	Lopinto	Wooton
Hines	Mills	

Total - 20

The resolution was adopted.

Ordered to the Senate.

## Reports of Committees

The following reports of committees were received and read:

### Report of the Committee on Administration of Criminal Justice

April 29, 2009

To the Speaker and Members of the House of Representatives:

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

House Bill No. 28, by Guillory, Elbert  
Reported with amendments. (14-0) (Regular)

House Bill No. 36, by Ponti  
Reported favorably. (15-0) (Regular)

House Bill No. 58, by Chandler  
Reported favorably. (14-0) (Regular)

House Bill No. 62, by Burrell  
Reported favorably. (14-0) (Regular)

House Bill No. 64, by Norton  
Reported favorably. (14-0) (Regular)

House Bill No. 76, by Willmott  
Reported with amendments. (14-0) (Regular)

House Bill No. 123, by Wooton  
Reported with amendments. (15-0) (Regular)

House Bill No. 157, by Badon, Austin  
Reported with amendments. (15-0) (Regular)

House Bill No. 161, by Smith, Gary  
Reported favorably. (14-0) (Regular)

House Bill No. 235, by Champagne  
Reported with amendments. (13-0) (Regular)

House Bill No. 253, by Guillory, Elbert  
Reported with amendments. (14-0) (Regular)

House Bill No. 266, by Hazel  
Reported favorably. (13-0) (Regular)

House Bill No. 297, by White  
Reported with amendments. (15-0) (Regular)

House Bill No. 361, by Templet  
Reported with amendments. (13-0) (Regular)

House Bill No. 462, by Burrell  
Reported favorably. (15-0) (Regular)

House Bill No. 688, by Montoucet  
Reported favorably. (13-0) (Regular)

House Bill No. 757, by Dixon  
Reported with amendments. (14-0) (Regular)

ERNEST D. WOOTON  
Chairman

### Report of the Committee on Education

April 29, 2009

To the Speaker and Members of the House of Representatives:

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

House Bill No. 183, by Hoffmann  
Reported with amendments. (11-0) (Regular)

House Bill No. 621, by Hoffmann  
Reported with amendments. (12-0) (Regular)

AUSTIN J. BADON, JR.  
Chairman

### Report of the Committee on Health and Welfare

April 29, 2009

To the Speaker and Members of the House of Representatives:

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

House Bill No. 207, by LeBas  
Reported favorably. (12-0) (Regular)

House Bill No. 277, by Ritchie  
Reported with amendments. (15-0) (Regular)

House Bill No. 466, by Billiot  
Reported favorably. (13-0) (Local & Consent)

House Bill No. 551, by Mills  
Reported with amendments. (15-0) (Regular)

House Bill No. 830, by Tucker  
Reported favorably. (17-0) (Regular)

KAY KELLOGG KATZ  
Chairman

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

April 29, 2009

To the Speaker and Members of the House of Representatives:

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

House Bill No. 227, by Greene  
Reported favorably. (15-0) (Regular)

House Bill No. 695, by Greene  
Reported with amendments. (17-0) (Regular)

RICHARD "RICK" GALLOT, JR.  
Chairman

**Report of the Committee on  
Insurance**

April 29, 2009

To the Speaker and Members of the House of Representatives:

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

House Bill No. 333, by Kleckley  
Reported with amendments. (7-0) (Regular)

House Bill No. 369, by Ligi  
Reported favorably. (8-0) (Local & Consent)

House Bill No. 404, by Kleckley  
Reported favorably. (8-0) (Local & Consent)

House Bill No. 406, by Pearson  
Reported favorably. (7-0) (Local & Consent)

House Bill No. 598, by Foil  
Reported favorably. (6-0) (Local & Consent)

House Bill No. 623, by Baldone  
Reported with amendments. (8-0) (Regular)

House Bill No. 704, by Baldone  
Reported with amendments. (8-0) (Regular)

CHARLES E. "CHUCK" KLECKLEY  
Chairman

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

April 29, 2009

To the Speaker and Members of the House of Representatives:

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

House Bill No. 39, by Burns, Henry  
Reported favorably. (13-0-1) (Local & Consent)

House Bill No. 133, by Roy  
Reported with amendments. (13-0-1) (Regular)

House Bill No. 172, by McVea  
Reported with amendments. (11-5-1) (Regular)

House Bill No. 231, by Little  
Reported with amendments. (15-0-1) (Regular)

House Bill No. 232, by Smiley  
Reported favorably. (15-0-1) (Local & Consent)

House Bill No. 236, by St. Germain  
Reported favorably. (12-0-1) (Local & Consent)

House Bill No. 237, by St. Germain  
Reported favorably. (12-0-1) (Local & Consent)

House Bill No. 334, by Cromer  
Reported favorably. (14-0-1) (Local & Consent)

House Bill No. 410, by Badon, Bobby  
Reported with amendments. (14-0-1) (Regular)

House Bill No. 451, by Foil  
Reported with amendments. (13-0-1) (Regular)

GORDON E. DOVE, SR.  
Chairman

**Petitions, Memorials and  
Communications**

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

**Privileged Report of the Committee on Enrollment**

April 29, 2009

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. 12—**

BY REPRESENTATIVES TUCKER, ABRAMSON, ANDERS, ARMES, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BARROW, BILLIOT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, CROMER, DANAHAY, DIXON, DOERGE, DOVE, DOWNS, EDWARDS, ELLINGTON, ERNST, FANNIN, FOIL, FRANKLIN, GALLOT, GEYMAN, GISCLAIR, GREENE, ELBERT GUILLORY, MICKEY GUILLORY, GUINN, HARDY, HARRISON, HAZEL, HENDERSON, HENRY, HILL, HINES, HOFFMANN, HONEY, HOWARD, HUTTER, GIROD JACKSON, MICHAEL JACKSON, JOHNSON, ROSALIND JONES, SAM JONES, KATZ, KLECKLEY, LABRUZZO, LAFONTA, LAMBERT, LANDRY, LEBAS, LEGER, LIGI, LITTLE, LOPINTO, MCVEA, MILLS, MONICA, MONTUCET, MORRIS, NORTON, NOWLIN, PEARSON, PERRY, PETERSON, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RICHMOND, RITCHIE, ROBIDEAUX, ROY, SCHRODER, SIMON, SMILEY, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, STIAES, TALBOT, TEMPLET, THIBAUT, WADDELL, WHITE, WILLIAMS, WILLMOTT, AND WOOTON AND SENATORS ADLEY, ALARIO, AMEDEE, APPEL, BROOME, CHAISSON, CHEEK, CLAITOR, CROWE, DONAHUE, DORSEY, DUPLESSIS, DUPRE, ERDEY, B. GAUTREAUX, N. GAUTREAUX, GRAY EVANS, HEBERT, HEITMEIER, JACKSON, KOSTELKA, LAFLEUR, LONG, MARIONNEAUX, MARTINY, MCPHERSON, MICHOT, MORRELL, MORRISH, MOUNT, MURRAY, NEVERS, QUINN, RISER, SHAW, SMITH, THOMPSON, AND WALSWORTH

**A CONCURRENT RESOLUTION**

To commend the Honorable Chet D. Traylor upon his retirement from the Louisiana Supreme Court.

**HOUSE CONCURRENT RESOLUTION NO. 13—**

BY REPRESENTATIVE HARDY

**A CONCURRENT RESOLUTION**

To commend President Barack Obama and to extend best wishes for continued success during his administration.

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## **HOUSE CONCURRENT RESOLUTION NO. 14—**

BY REPRESENTATIVE PATRICIA SMITH AND SENATOR BROOME  
A CONCURRENT RESOLUTION

To express condolences upon the death of Joanne Dillon LaMotte of Baton Rouge.

## **HOUSE CONCURRENT RESOLUTION NO. 15—**

BY REPRESENTATIVE DANAHAY  
A CONCURRENT RESOLUTION

To commend Anne Soileau upon her retirement as director of state civil service and administrative head of the Louisiana Department of State Civil Service and to recognize her contributions during more than three decades of highly productive state public service.

## **HOUSE CONCURRENT RESOLUTION NO. 16—**

BY REPRESENTATIVES ROY AND HAZEL  
A CONCURRENT RESOLUTION

To commend Louisiana's classroom teachers and to recognize the first full week of October annually as the Week of the Classroom Teacher.

## **HOUSE CONCURRENT RESOLUTION NO. 17—**

BY REPRESENTATIVE MILLS  
A CONCURRENT RESOLUTION

To commend the city of Breaux Bridge upon the celebration of its one hundred fiftieth anniversary.

## **HOUSE CONCURRENT RESOLUTION NO. 18—**

BY REPRESENTATIVES WILLMOTT, TALBOT, LIGI, HENRY, LABRUZZO, AND LOPINTO AND SENATORS APPEL AND MARTINY  
A CONCURRENT RESOLUTION

To commend the Archbishop Chapelle High School girls basketball team upon winning the Class 5A state championship.

## **HOUSE CONCURRENT RESOLUTION NO. 19—**

BY REPRESENTATIVE PATRICIA SMITH  
A CONCURRENT RESOLUTION

To commend Devika Balachandran, an eleventh grade student at McKinley High School in Baton Rouge, upon her receipt of the 2009 Siemens Award for Advanced Placement.

## **HOUSE CONCURRENT RESOLUTION NO. 20—**

BY REPRESENTATIVES KATZ, ABRAMSON, ANDERS, ARMES, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BARROW, BILLIOT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, CROMER, DANAHAY, DIXON, DOERGE, DOVE, DOWNS, EDWARDS, ELLINGTON, ERNST, FANNIN, FOIL, FRANKLIN, GALLOT, GEYMANN, GISCLAIR, GREENE, ELBERT GUILLORY, MICKEY GUILLORY, GUINN, HARDY, HARRISON, HAZEL, HENDERSON, HENRY, HILL, HINES, HOFFMANN, HONEY, HOWARD, HUTTER, GIROD JACKSON, MICHAEL JACKSON, JOHNSON, ROSALIND JONES, SAM JONES, KLECKLEY, LABRUZZO, LAFONTA, LAMBERT, LANDRY, LEBAS, LEGER, LIGI, LITTLE, LOPINTO, MCVEA, MILLS, MONICA, MONTOUCET, MORRIS, NORTON, NOWLIN, PEARSON, PERRY, PETERSON, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RICHMOND, RITCHIE, ROBIDEAUX, ROY, SCHRODER, SIMON, SMILEY, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, STIAES, TALBOT, TEMPLET, THIBAUT, TUCKER, WADDELL, WHITE, WILLIAMS, WILLMOTT, AND WOOTON

A CONCURRENT RESOLUTION

To express the sincere condolences and the heartfelt sorrow of the Legislature of Louisiana upon the death of Mr. Sol Rosenberg.

## **HOUSE CONCURRENT RESOLUTION NO. 21—**

BY REPRESENTATIVES MILLS, AUBERT, BOBBY BADON, BALDONE, BARRAS, BARROW, CHAMPAGNE, CORTEZ, DANAHAY, DOVE, FRANKLIN, GEYMANN, GISCLAIR, ELBERT GUILLORY, MICKEY GUILLORY, GUINN, HARDY, HARRISON, JOHNSON, SAM JONES, KLECKLEY, LAMBERT, LANDRY, LEBAS, MONICA, MONTOUCET, PERRY, RICHARD, ROBIDEAUX, SMILEY, GARY SMITH, ST. GERMAIN, THIBAUT, AND WOOTON AND SENATORS AMEDEE, CHAISSON, DUPRE, N. GAUTREAUX, HEBERT, LAFLEUR, MARIONNEAUX, MICHOT, MORRISH, MOUNT, AND SMITH  
A CONCURRENT RESOLUTION

To recognize Tuesday, May 12, 2009, as Crawfish Day in Louisiana.

## **HOUSE CONCURRENT RESOLUTION NO. 22—**

BY REPRESENTATIVE NOWLIN  
A CONCURRENT RESOLUTION

To commend the women of Les Amies of Natchitoches, Inc., who celebrated the organization's fiftieth anniversary in June of 2008.

## **HOUSE CONCURRENT RESOLUTION NO. 23—**

BY REPRESENTATIVE MILLS  
A CONCURRENT RESOLUTION

To commend William K. Fontenot, Jr., upon his receipt of the 2008 Charles E. Dunbar, Jr. Career Service Award from the Louisiana Civil Service League.

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.

## **Leave of Absence**

Rep. Stiaes - 1 day

## **Adjournment**

On motion of Rep. Billiot, at 5:30 P.M., the House agreed to adjourn until Thursday, April 30, 2009, at 9:00 A.M.

The Speaker of the House declared the House adjourned until 9:00 A.M., Thursday, April 30, 2009.

ALFRED W. SPEER  
Clerk of the House