

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

TENTH 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

Tuesday, May 12, 2009

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

Morning Hour

ROLL CALL

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

PRESENT

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

Fannin	Lopinto	Wooton
Foil	McVea	
Franklin	Mills	
Total - 103		

ABSENT

Henry
Total - 1

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

Prayer

Prayer was offered by Rev. Bland.

Ms. Rebecca Langlois Roth sang *The Lord's Prayer*.

Pledge of Allegiance

Rep. Ligi 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 11, 2009, was adopted.

Petitions, Memorials and Communications

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

Message from the Secretary of State

The following message from the Secretary of State was received and read:

State of Louisiana

SECRETARY OF STATE

May 12, 2009

To the Clerk of the House of Representatives
State of Louisiana

Sir:

I have the honor to submit to you the name of Jared Brossett, who has been duly elected to fill the vacancy occurring in your Honorable Body caused by the resignation of J. P. Morrell.

Jared Brossett has been officially proclaimed duly and legally elected as State Representative from the 97th Representative District of the State of Louisiana.

With best wishes,

JAY DARDENNE
Secretary of State

United States of America
STATE OF LOUISIANA
Jay Dardenne
Secretary of State

As Secretary of State of the State of Louisiana, I do hereby certify that the following candidate, is declared elected by the people to the office set opposite his name:

State Representative Jared Brossett, Representative of District 97

In testimony whereof, I have hereunto set my hand and caused the seal of my office to be affixed at the city of Baton Rouge on May 12, 2009.

JAY DARDENNE
Secretary of State

Oath of Office

Jared Brossett, presented himself before the bar of the House and took the following oath administered by The Honorable Dennis Bagneris:

"I, Jared Brossett, do solemnly swear that I will support the constitution and laws of the United States and the constitution and laws of this state and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as a member of the House of Representatives according to the best of my ability and understanding, so help me God".

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

May 12, 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. 104
Returned without amendments

House Concurrent Resolution No. 106
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

**ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

May 12, 2009

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. 2, 8, 10, 11, 41, and 42

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Suspension of the Rules

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

Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 41—

BY SENATOR MURRAY

A CONCURRENT RESOLUTION

To highly and sincerely commend Sandra Bullock for her significant, substantial, and ongoing support of Warren Easton Senior High School in New Orleans, Louisiana.

Read by title.

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

Message from the Senate

SENATE BILLS

May 12, 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 Nos. 4, 24, 38, 143, 151, 154, 166, 184, 188, 230, 301, and 302

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. 4—

BY SENATOR AMEDEE

AN ACT

To enact R.S. 15:255(M), relative to the special witness fee funds in each of the parishes in the Twenty-Third Judicial District; to provide for the transfer of surplus monies in those funds to the criminal court fund of that district court; and to provide for related matters.

Read by title.

SENATE BILL NO. 24—

BY SENATOR AMEDEE

AN ACT

To amend and reenact R.S. 37:1432(A) and (B), relative to the Louisiana Real Estate Commission; to add two at-large members to the commission; and to provide for related matters.

Read by title.

SENATE BILL NO. 38—

BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 51:2101(D), relative to the Louisiana Immersive Technologies Enterprise Commission; to provide for the membership of the commission; and to provide for related matters.

Read by title.

SENATE BILL NO. 143—BY SENATORS AMEDEE AND MARIONNEAUX
AN ACT

To amend and reenact R.S. 9:2603(B)(4)(b) and to enact R.S. 9:2603.1 and 2603.2, relative to electronic transactions; to provide for the authorization and utilization of electronic applications for warrants and for electronic signatures; to provide for the electronic approval of such applications; to provide for processing of warrant applications, approvals of applications and documented returns of completed warrants for the judicial branch of state government; to provide for the authorization and utilization of electronic applications for testimony transcripts and electronic signatures; to provide for certification of testimony transcripts with electronic signatures; and to provide for related matters.

Read by title.

SENATE BILL NO. 151—BY SENATOR DUPLESSIS
AN ACT

To enact R.S. 35:191.4, relative to notaries public and registration of notary instructors; to require the secretary of state to develop and administer a program for the registration and reporting of notary instructors; to provide relative to administration and procedures for registration and reporting; to provide for the duties of the secretary of state; to provide for penalties; and to provide for related matters.

Read by title.

SENATE BILL NO. 154—BY SENATORS THOMPSON, LONG, NEVERS, RISER AND
WALSWORTH
AN ACT

To amend and reenact R.S. 3:2(A), 80, 131, 302, 303, 415, 556.2(10), 556.7(A), 641, 642, 643, 644, 652, 666(9), 734(B)(1) and (6), 741, 825, 832, 851, 1024, 1025, 1311(3) and (12), 1312(A) and (C), 1313(C)(2)(b) and (E), 1362(9) and (24), 1432(A), 1651, 1652, 1732, 1772, 1891(28), 1892(A)(1) and (F), 1900(A) and (B), 2351, 2352, 2353, 2354, 2358.2(A), 2358.4(C), 3113(A), 3202(11) and (13), 3211(B)(3), 3225(A), 3402(1), (2), (7), (9) and (16), 3403(A)(7) and (H), 3404(B), 3405(B)(5) and (6), 3407(A)(2) and (3) and (E), 3408(A)(9)(c) and (10), 3409 (B), (C), (D) and (F), 3410 (E) and (F), 3410.1(A) and (B), 3410.2(J), 3411(B), (C) and (D), 3411.1(B)(2) and (D), 3412, 3413(A), (B), (C), (E) and (F), 3414(B), 3415(A) and (C), 3416(A), (B) and (C), 3417(D) and (F), 3418(A), 3419(A), (C) and (D), 3424(B), 3802(A), 4224, 4603(B)(7), R.S. 29:726(E)(20)(a)(v) and 729(E)(13)(a)(vi), R.S. 36:4(A)(13), 621(C), 622, 623, the introductory paragraph of 624(B), 625, 626(A) and (B), 628(C), (D) and (E), 629(B), the introductory paragraph of (C), the introductory paragraph of (D), the introductory paragraph of (E), (F), (G), (I), (J), (K) and (L), R.S. 37:2202, R.S. 51:2, the introductory paragraph of 6, 472 and R.S. 54:112; to enact R.S. 3:2(F), 283.1 and 751(E); and to repeal R.S. 3:14, 401 through 409, 414, Part I-A of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, comprised of R.S. 3:421 through 426, Part I-D of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, comprised of R.S. 3:446.1 through 446.7, Part IV of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, comprised of R.S. 3:521 through 538, Part V of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, comprised of R.S. 3:541 through 550, 824, 1312(H) and 1906(A) and R.S. 36:627(E), 628(B) and 629(C)(2), and R.S. 39:455, relative to the Department of Agriculture and Forestry; to abolish the State Market Commission; to abolish the Farm Youth Loan Program; to abolish other programs administered by the State Market Commission; to authorize the transfer of duties and obligations to the Louisiana Agricultural Finance Authority; to provide relative to the Fertilizer Commission and submission of tonnage

reports; to provide for restrictions on the sale of fertilizer; to provide for the powers and duties of the commissioner of agriculture and forestry; to provide relative to the composition of certain boards and commissions; to provide relative to the Louisiana Agricultural Commodities Commission; to provide relative to the functions of the office of agricultural and environmental sciences; to provide for recovery in receiverships; to change the name of the office of animal health services to the office of animal health and food safety; to provide relative to the assessment levied on grain sorghum; to provide for definitions; to direct the Louisiana Law Institute to re-designate certain provisions in current law; to provide for technical changes; and to provide for related matters.

Read by title.

SENATE BILL NO. 166—BY SENATORS DUPRE, APPEL, CHEEK, CROWE, DUPLESSIS,
KOSTELKA, LONG, MICHOT, QUINN, SHAW, SMITH AND
WALSWORTH AND REPRESENTATIVES HENRY BURNS, TIM BURNS,
CHAMPAGNE, DOWNS, FOIL, GISCLAIR, MICKEY GUILLORY, LITTLE,
MILLS, PEARSON, PERRY, PUGH, RICHARD, ROBIDEAUX,
SCHRÖDER, SIMON, SMILEY AND JANE SMITH
AN ACT

To enact R.S. 14:98.3, relative to public safety; to create the crime of operating a vehicle while under suspension for certain prior offenses; to provide for elements of the crime; to provide for penalties; to provide for a prior offense involving operation under the influence of an intoxicant; to provide for certain criteria; and to provide for related matters.

Read by title.

SENATE BILL NO. 184—BY SENATOR MURRAY
AN ACT

To amend and reenact Code of Civil Procedure Articles 3421, 3431, 3432, and 3434, and to repeal Code of Civil Procedure Article 3433, relative to small successions; to define a small succession; to provide relative to small succession procedure and effects; to authorize recognition and conveyance of an ownership interest in certain immovable property through a small succession; to provide certain definitions, procedures, conditions, and requirements; to provide a prescriptive period for certain actions; and to provide for related matters.

Read by title.

SENATE BILL NO. 188—BY SENATORS ALARIO, APPEL, MARTINY AND MORRELL AND
REPRESENTATIVES GIROD JACKSON, LABRUZZO AND TEMPLET
AN ACT

To amend and reenact R.S. 27:93(A)(4)(a), relative to the Louisiana Riverboat Economic Development and Gaming Control Act; to provide for the expenditure of riverboat gaming revenue in the parish of Jefferson; and to provide for related matters.

Read by title.

SENATE BILL NO. 230—BY SENATOR SHAW
AN ACT

To amend and reenact R.S. 46:236.1.11(A) and (C) and to enact R.S. 46:236.11.1 through 236.11.4, relative to the family and child support program; to provide for certain electronic data matching and cooperation between the Department of Social Services and insurance companies; to provide relative to disclosure of certain information and penalties for intentional or willful unauthorized disclosure; to provide definitions; to provide for procedures and requirements for notice of payment to the state disbursement units; to provide for the redirection of income assignment payments; to provide for the amendment and use of certain records as evidence; and to provide for related matters.

Read by title.

SENATE BILL NO. 301—
BY SENATORS DUPRE AND THOMPSON
AN ACT

To enact R.S. 14:126.5, relative to perjury; to create the crime of false statements concerning participation in medical assistance programs; to provide for elements of the crime; to provide for definitions; to provide for penalties; and to provide for related matters.

Read by title.

SENATE BILL NO. 302—
BY SENATOR BROOME
AN ACT

To amend and reenact R.S. 15:902.3(A) and 902.4(A), (B) and (D), relative to the Department of Corrections; to provide relative to juvenile placement; to provide relative to the conversion of Jetson Center for Youth; 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. 35—
BY REPRESENTATIVE CHANEY
A RESOLUTION

To recognize May 13, 2009, as Dental Hygiene Day and to commend the Louisiana Dental Hygienists' Association and dental hygienists around the state for their outstanding contributions to the oral health of citizens of the state of Louisiana.

Read by title.

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

HOUSE RESOLUTION NO. 36—
BY REPRESENTATIVE CARTER
A RESOLUTION

To proclaim Friday, May 8, 2009, as Red Nose Day.

Read by title.

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

HOUSE RESOLUTION NO. 37—
BY REPRESENTATIVES WILLIAMS, CHANDLER, AND PATRICIA SMITH
A RESOLUTION

To commend the Louisiana Assembly on School-Based Health Care youth advocacy program and to recognize May 12, 2009, as Louisiana Assembly on School-Based Health Care Youth Advocacy Day at the Louisiana House of Representatives.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 108—
BY REPRESENTATIVE GISCLAIR
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to reduce the speed limit of vehicles traveling on Louisiana Highway 3235 in Lafourche Parish.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 109—
BY REPRESENTATIVE CHANDLER
A CONCURRENT RESOLUTION

To urge and request support and assistance in providing funding for the Wood to Electricity Program being developed by the Wood Products Development Foundation.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 110—
BY REPRESENTATIVE HUTTER
A CONCURRENT RESOLUTION

To recognize April 6 through the 10 as National Work Zone Safety Awareness Week.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 111—
BY REPRESENTATIVE HUTTER
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to conduct a safety study of the Intracoastal Waterway LA 47 Bridge located in Orleans Parish and to report study findings and recommendations to the House Committee on Transportation, Highways and Public Works prior to the convening of the 2010 Regular Session.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 112—
BY REPRESENTATIVE DOWNS
A CONCURRENT RESOLUTION

To urge and request each city, parish, and other local public school board to convene public meetings at least twice each year with the appropriate local law enforcement authorities and with the appropriate school personnel to discuss and report on issues relative to school attendance and behavioral problems of students.

Read by title.

Lies over under the rules.

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. 34—
BY REPRESENTATIVE HILL
A RESOLUTION

To urge and request the Department of Public Safety and Corrections, office of state fire marshal, to conduct a study to determine the feasibility of rural fire departments using five thousand gallon or larger water tanks of various construction to fight fires and to determine what other major issues are facing rural fire departments.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 107—
BY REPRESENTATIVE TUCKER
A CONCURRENT RESOLUTION

To urge and request the secretary of the Department of Health and Hospitals to study whether Louisiana health care providers should be mandated to adopt the VistA electronic medical record system technology utilized by the United States Department of Veterans Affairs.

Read by title.

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

**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. 3—
BY REPRESENTATIVES PONTI, BARRAS, BURFORD, HENRY BURNS, CARMODY, CARTER, CHAMPAGNE, CHANEY, CONNICK, CORTEZ, DANAHAY, FOIL, HARRISON, HAZEL, HENRY, HOWARD, LANDRY, LEGER, LIGI, LITTLE, LOPINTO, MONICA, MORRIS, NOWLIN, PEARSON, PERRY, POPE, PUGH, RICHARDSON, SCHRODER, SIMON, TALBOT, TEMPLET, WILLMOTT, AND PETERSON
A CONCURRENT RESOLUTION

To direct state agencies to maximize efficiency, minimize waste, and save taxpayer dollars and to be prepared to address their efforts in this regard at sunset review hearings and other legislative proceedings and to direct state agency staff members responsible for monitoring legislation affecting their respective agencies to take immediate notice of this Resolution so that action can begin accordingly.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Original House Concurrent Resolution No. 3 by Representative Ponti

AMENDMENT NO. 1

On page 3, line 10, after "that" delete the comma "," and delete the remainder of the line and at the beginning of line 11, delete "Postal Service,"

AMENDMENT NO. 2

On page 3, line 11, after "transmitted" and before "to" delete "via electronic mail"

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

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

**House Bills and Joint Resolutions on
Second Reading Reported by Committee**

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

HOUSE BILL NO. 55—
BY REPRESENTATIVE LAFONTA
AN ACT

To enact R.S. 32:378.3, relative to motor vehicles; to prohibit installation of sound amplification systems on the exterior of a vehicle; to provide for penalties; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 65—
BY REPRESENTATIVE GIROD JACKSON
AN ACT

To amend and reenact R.S. 9:156(7), relative to the Uniform Unclaimed Property Act; to provide relative to the custody of certain unclaimed bank issued checks; 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. 261—
BY REPRESENTATIVE CONNICK
AN ACT

To amend and reenact R.S. 20:1(A)(2) and to enact R.S. 13:3851.1, relative to the exemption from seizure and sale of a homestead; to provide for an increase in the amount of the homestead exemption; to provide relative to the seizure and sale of a homestead in the execution of a judgment for credit card charges; to provide relative to judicial mortgages; to provide for exceptions; to provide for prescription; to provide for an effective date; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 261 by Representative Connick

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 20:1(A)(2)" and before the comma "," insert "and to enact R.S. 13:3851.1"

AMENDMENT NO. 2

On page 1, at the end of line 3, insert the following:

"to provide relative to the seizure and sale of a homestead in the execution of a judgment for credit card charges; to provide relative to judicial mortgages; to provide for exceptions; to provide for prescription;"

Page 6 HOUSE

10th Day's Proceedings - May 12, 2009

AMENDMENT NO. 3

On page 1, between lines 5 and 6, insert the following:

"Section 1. R.S. 13:3851.1 is hereby enacted to read as follows:

§3851.1. Limitation of seizure of homestead

A. Except as otherwise provided in Subsection C of this Section, a judgment creditor shall not cause the seizure or sale of the homestead of the judgment debtor in the execution of a judgment for consumer credit card charges. For purposes of this Section, a judgment for consumer credit card charges is a judgment for the payment of money consisting solely of amounts due from a consumer for unsecured consumer loans incurred through the use of a lender credit card or seller credit card, as those terms are defined in R.S. 9:3516, and related interest, fees, charges, attorney fees, and court costs.

B. The provisions of this Section shall not preclude the filing of a judgment for credit card charges with the recorder of mortgages nor affect the validity or ranking of a judicial mortgage upon the judgment debtor's homestead arising from such filing. Though the judicial mortgage arising from the filing of a judgment for credit card charges may not be enforced by the seizure and sale of the judgment debtor's homestead, the judgment creditor shall nonetheless have the right to be paid, according to the ranking of his judicial mortgage, from any proceeds resulting from the sale of the homestead through other means or initiated by other creditors.

C.(1) The provisions of this Section shall not apply to a creditor who holds a conventional mortgage upon the debtor's homestead.

(2) The provisions of this Section shall not apply if the debtor has executed a valid waiver of the homestead exemption which waiver shall be in authentic form.

D. A judgment debtor may bring an action to annul a sheriff's sale conducted in violation of this Section only if the judgment creditor is the purchaser at the sale and is still in possession of the property. A violation of this Section may not be asserted against a third party who purchases the homestead at the sheriff's sale or who purchases the homestead from the judgment creditor at any time after the sheriff's sale.

E.(1) An action to annul a sheriff's sale shall prescribe one year from the date of the sheriff's sale deed.

(2) An action for damages arising from a violation of this Section shall prescribe one year from the date of service of notice of seizure of the homestead upon the judgment debtor."

AMENDMENT NO. 4

On page 1, at the beginning of line 6, change "Section 1." to "Section 2."

AMENDMENT NO. 5

On page 1, line 13, after "to" and before "thousand" change "one hundred" to "thirty-five"

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. 340—

BY REPRESENTATIVE HENRY

A JOINT RESOLUTION

Proposing to amend Article I, Section 8 of the Constitution of Louisiana, relative to freedom of religion; to prohibit government infringement of the right of every person to freely express his religious belief; to provide that the right shall not be burdened without the showing of a compelling governmental interest; to provide for submission of the proposed amendment to the electors; 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. 340 by Representative Henry

AMENDMENT NO. 1

On page 1, line 13, after "prohibiting" delete the remainder of the line and delete line 14 through 20 in their entirety and insert the following:

"any religious belief. No person acting under color of law shall burden the free exercise of religion, even if the burden results from a rule of general applicability, unless the government proves that it has a compelling governmental interest in infringing upon the specific expression, act, or refusal to act at issue, and that there is no other less burdensome alternative. The free exercise of religion shall include the right of every person to freely express his sincerely held religious belief and to engage in or refrain from activity based on a sincerely held religious belief. A burden shall include, but not be limited to a direct burden as well as an indirect burden such as withholding benefits, assessing penalties, or exclusion from professions, programs, or facilities."

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. 349—

BY REPRESENTATIVE HAZEL

AN ACT

To amend and reenact R.S. 32:663(A), relative to chemical lab analyses; to authorize the use of out-of-state chemical labs; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 349 by Representative Hazel

AMENDMENT NO. 1

On page 2, between lines 3 and 4, insert the following:

"(3) Any chemical lab analyses of a person's blood, urine, breath, or other bodily substance, performed by an out-of-state laboratory shall be considered valid under the provisions of this Part, and admissible and competent evidence of intoxication in any court of law."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 354—

BY REPRESENTATIVE GIROD JACKSON AND SENATOR MURRAY
AN ACT

To amend and reenact R.S. 38:2225.2.1(A)(3), relative to public contracts; to extend the time relative to the utilization of design-build contracts under certain circumstances; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 354 by Representative Girod Jackson

AMENDMENT NO. 1

On page 1, line 3, after "circumstances;" add the following:

"to authorize other public entities to utilize the design-build method under certain circumstances;"

AMENDMENT NO. 2

On page 1, line 13, after "or both" and before "the colon ":" insert the following:

"or any public building or structure to be constructed or repaired to meet a homeland security or criminal justice need pursuant to a hurricane recovery plan"

AMENDMENT NO. 3

On page 1, line 14, after "the city of New Orleans" and before "and" insert "sheriffs, housing authorities,"

AMENDMENT NO. 4

On page 1, line 20, after "and" and before "the" delete "an ordinance adopting" and insert "adopt"

AMENDMENT NO. 5

On page 2, line 6, change "five" to "three"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 363—

BY REPRESENTATIVES AUBERT AND LANDRY
AN ACT

To amend and reenact Civil Code Articles 2358, 2362.1 through 2364, and 2365 through 2367.2 and R.S. 9:374, to enact Civil Code Article 2367.3, and to repeal Civil Code Article 2364.1, relative to the community property regime; to provide for claims for reimbursement between spouses; to provide for a reduction in reimbursement for obligations paid with respect to certain movable property; to provide when a claim for reimbursement may be made; to provide for the use of a residence of the spouses; 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. 403—

BY REPRESENTATIVE FOIL
AN ACT

To amend and reenact R.S. 10:1-201(b)(5), (6), (15), (16), (21), and (42), R.S. 10:4-104(c)(introductory paragraph), 4-210(c)(introductory paragraph), Chapter 7 of Title 10 of the Louisiana Revised Statutes of 1950, formerly comprised of R.S. 10:7-101 through 7-105, 7-201 through 7-210, 7-301 through 7-309, 7-401 through 7-404, 7-501 through 7-509, 7-601 through 7-603, and 7-701, to be comprised of R.S. 10:7-101 through 7-106, 7-201 through 7-210, 7-301 through 7-309, 7-401 through 7-404, 7-501 through 7-509, and 7-601 through 7-604, 9-102(a)(30), (b), and (d)(7), 9-203(b)(introductory paragraph) and (3)(D), 9-207(c), 9-208(b)(5) and (6), 9-301(3), 9-310(b)(5) and (8), 9-312(e), 9-313(a), 9-314(a) and (b), 9-317(b) and (d), 9-338, and 9-601(b) and to enact R.S. 10:8-103(g) and 9-208(b)(7), relative to warehouses and documents of title; to provide for definitions; to provide for documents of title, warehouse receipts, destination bills, and bills of lading; to provide for rules of negotiability of documents of title; to provide for liens of carriers; to provide for a carrier's duty of care; to provide for negotiation of documents of title; to provide for lost or missing documents of title; to provide for conforming amendments to other sections of the Uniform Commercial Code; to provide for applicability and retroactivity; to provide for an effective date; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 403 by Representative Foil

AMENDMENT NO. 1

On page 1, line 17, after "Code;" and before "and" insert "to provide for applicability and retroactivity; to provide for an effective date;"

AMENDMENT NO. 2

On page 44, after line 20, insert the following:

"Section 7. This Act applies to a document of title that is issued or a bailment that arises on or after the effective date of this Act. This Act does not apply to a document of title that is issued or a bailment that arises before the effective date of this Act even if the document of title or bailment would be subject to this Act if the document of title had been issued or bailment had arisen on or after the effective date of this Act. This Act does not apply to a right of action that has accrued before the effective date of this Act.

Section 8. A document of title issued or a bailment that arises before the effective date of this Act and the rights, obligations, and interests flowing from that document or bailment are governed by any statute amended or repealed by this Act as if amendment or repeal had not occurred and may be terminated, completed, consummated, or enforced under that statute.

Section 9. The provisions of this Act shall become effective 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. 425—

BY REPRESENTATIVE DOERGE

AN ACT

To amend and reenact R.S. 47:302.15, 322.47, and 332.53, relative to special treasury funds created for disposition of certain state sales taxes on hotel occupancy in Webster Parish; to provide for the use and deposit of monies into the Webster Parish Convention and Visitors Commission Fund; to change the name of the Webster Parish Convention and Visitors Bureau Fund to the Webster Parish Convention and Visitors Commission Fund; to provide for the use, deposit, and transfers of monies in the Webster Parish Convention and Visitors Bureau Fund; to provide an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Original House Bill No. 425 by Representative Doerge

AMENDMENT NO. 1

On page 1, line 8, after "Fund;" delete the remainder of the line and delete line 9 in its entirety and at the beginning of line 10, delete "date;"

AMENDMENT NO. 2

On page 3, delete lines 8 through 12 in their entirety

AMENDMENT NO. 3

On page 3, at the beginning of line 13, change "Section 4." to "Section 3."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 444—

BY REPRESENTATIVES PERRY, BALDONE, HENRY BURNS, TIM BURNS, CHAMPAGNE, DOWNS, FOIL, GISCLAIR, MICKEY GUILLORY, LITTLE, MILLS, PEARSON, PUGH, RICHARD, ROBIDEAUX, SCHRODER, SIMON, SMILEY, AND JANE SMITH AND SENATORS AMEDEE, CHAISSON, CHEEK, CROWE, DUPLESSIS, DUPRE, KOSTELKA, LONG, MICHOT, QUINN, SHAW, SMITH, AND WALSWORTH

AN ACT

To amend and reenact R.S. 32:668(A)(introductory paragraph), to enact R.S. 32:668.1, and to repeal 32:668(A)(6) relative to drivers licenses; to provide for scope of administrative hearings related to driver's license suspension; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 445—

BY REPRESENTATIVES BALDONE, BILLIOT, HENRY BURNS, TIM BURNS, CHAMPAGNE, DOERGE, DOWNS, FOIL, GISCLAIR, MICKEY GUILLORY, HOWARD, LITTLE, MILLS, PEARSON, PERRY, POPE, PUGH, RICHARD, ROBIDEAUX, SCHRODER, SIMON, SMILEY, AND JANE SMITH AND SENATORS AMEDEE, CHAISSON, CHEEK, CROWE, DUPLESSIS, DUPRE, KOSTELKA, LONG, MICHOT, QUINN, SHAW, SMITH, AND WALSWORTH

AN ACT

To amend and reenact R.S. 32:667(B)(2) and to repeal R.S. 32:667(B)(1)(a) and (4), relative to driving while under the influence; to increase suspension of driving privileges upon refusal to submit to a chemical test; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 454—

BY REPRESENTATIVES SIMON, BURFORD, AND MILLS AND SENATOR HEBERT

AN ACT

To enact R.S. 9:4525, relative to liens; to provide with respect to obligations and rights of lessees; to provide relative to the rights of a lessee to agricultural crop or other plantings made for commercial purposes on the land of another; to create a privilege to secure the rights of a lessee to agricultural crop or other plantings made for commercial purposes on the land of another; to provide for an effective date; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 454 by Representative Simon

AMENDMENT NO. 1

On page 2, line 9, change "ordinary" to "summary"

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. 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.

Reported favorably by the Committee on Civil Law and Procedure.

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

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

HOUSE BILL NO. 509—

BY REPRESENTATIVE LEGER

A JOINT RESOLUTION

Proposing to amend Article VII, Section 25(A)(1) and (E) of the Constitution of Louisiana, relative to tax sales; to provide relative to the procedure for bidding at ad valorem property tax sales; to provide for the payment of penalties by an ad valorem tax sale bidder; to provide for the payment of penalties, interest, and costs by a taxpayer when taxes on movables are delinquent; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported without amendments by the Committee on Civil Law and Procedure.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 516—

BY REPRESENTATIVES WILLIAMS, ELLINGTON, FANNIN, ELBERT GULLORY, HAZEL, LIGI, MCVEA, MORRIS, PEARSON, SMILEY, GARY SMITH, PATRICIA SMITH, AND STIAES

AN ACT

To enact Subpart Q-1, to be comprised of R.S. 39:100.121, and Q-2, to be comprised of R.S. 39:100.125, of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, relative to state funds; to establish the Center of Excellence for Autism Spectrum Disorder Fund as a special treasury fund; to provide for deposit, use, and investment of monies in the fund; to establish the Walking the Walk for Our Kids Fund as a special treasury fund; to provide for deposit, use, and investment of monies in the fund; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 517—

BY REPRESENTATIVE LEBAS

AN ACT

To enact R.S. 40:1299.35.9, relative to health care services; to protect persons who refuse to provide health care services from certain types of punitive measures; to provide for definitions; 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. 517 by Representative LeBas

AMENDMENT NO. 1

On page 1, line 8, after "A." and before "Any" insert "(1)"

AMENDMENT NO. 2

On page 1, line 13, change "because of a refusal" to "for declining"

AMENDMENT NO. 3

On page 1, between lines 14 and 15, insert the following:

"(2) This Section shall not prevent an inquiry by an employer or patient regarding whether a person, employer, or entity declines to participate in any health care service that violates its conscience. When a patient requests health care services, a person, employer, or entity shall identify, in writing, as soon as practicable, its declination to provide a service in accordance with the provisions of this Section.

"(3) The provisions of this Section shall not be construed to relieve any health care provider from providing emergency care as required by state or federal law."

AMENDMENT NO. 4

On page 1, line 16, after "means" delete the remainder of the line and insert "sincerely held religious belief or moral conviction."

AMENDMENT NO. 5

On page 1, line 17, after "service" delete the remainder of the line and insert the following:

"includes, but is not limited to, abortion, dispensation of drugs affecting the reproductive process, artificial insemination, sterilization, artificial reproductive technologies, human embryonic stem cell research, human embryo cloning, fetal experimentation, euthanasia, or physician-assisted suicide."

AMENDMENT NO. 6

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

AMENDMENT NO. 7

On page 2, after line 6, insert the following:

"C. A suit alleging a violation of this Section shall be brought in a district court in accordance with R.S. 23:303."

Page 10 HOUSE

10th Day's Proceedings - May 12, 2009

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 557—

BY REPRESENTATIVE HOWARD
AN ACT

To amend and reenact R.S. 47:302.37(B), relative to the Sabine Parish Tourism Improvement Fund; to change the name of the recipient of the monies in the fund to the Sabine Parish Tourist and Recreation Commission; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 559—

BY REPRESENTATIVES JANE SMITH, CORTEZ, ELLINGTON, FANNIN, ELBERT GUILLORY, HARRISON, HAZEL, LEBAS, LEGER, LIGI, MCVEA, MORRIS, PEARSON, SCHRODER, SMILEY, GARY SMITH, PATRICIA SMITH, STIAES, WHITE, AND WILLIAMS
AN ACT

To enact Chapter 23 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:2171 through 2179, relative to veterans affairs; to create the Louisiana Initiative for Veteran and Service-Connected Disabled Veteran-Owned Small Entrepreneurships; to provide for state goals for procurements and public contracts for veteran and service-connected disabled veteran-owned small entrepreneurships; to provide for certification; to provide for responsibilities and training of the commissioner of administration; to provide for initiative coordinators and reporting; to provide for responsibilities of the Louisiana Department of Veterans Affairs; to provide for definitions; to provide for application; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

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

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

HOUSE BILL NO. 572—

BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 22:1624(C), relative to insurance-related activities of financial institutions; to require that funds be held by certain banks; 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. 572 by Representative Arnold

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 22:1624(C)" delete "and to repeal R.S. 22:1598(C)"

AMENDMENT NO. 2

On page 1, line 4, after "banks;" delete the remainder of the line in its entirety and on line 5, delete "circumstances;"

AMENDMENT NO. 3

On page 2, delete line 1 in its entirety

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. 690—

BY REPRESENTATIVE BARROW
AN ACT

To amend and reenact R.S. 37:599(A)(1)(introductory paragraph) and (2), relative to licensing fees charged by the Louisiana Board of Cosmetology; to increase licensing fees for the board; 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. 691—

BY REPRESENTATIVE HONEY
AN ACT

To enact R.S. 45:805, relative to local emergency telephone systems; to prohibit a telephone company from charging a fee for publication of a 911 number; 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. 725—

BY REPRESENTATIVES MICHAEL JACKSON, GEYMAN, HINES, AND LEGER
AN ACT

To enact R.S. 32:76.1, relative to bicycles; to provide a method by which drivers of vehicles shall pass bicyclists; to provide for penalties; to provide for publications, signage, and a public awareness campaign; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 725 by Representative Michael Jackson

AMENDMENT NO. 1

On page 1, line 2, after "32:76.1" delete the comma "," and insert "and 201,"

AMENDMENT NO. 2

On page 1, line 4, after "campaign;" insert "to prohibit certain actions against bicyclists; to provide for penalties;"

AMENDMENT NO. 3

On page 1, delete line 6 in its entirety and insert in lieu thereof: "Section 1. R.S. 32:76.1 and 201 are hereby enacted to read as follows:"

AMENDMENT NO. 4

On page 2, after line 5, insert the following:

"* * *

§201. Harassment of bicyclists prohibited; penalties

A. It shall be unlawful to harass, taunt or maliciously throw objects at or in the direction of any person riding a bicycle.

B. Any person who violates this Section shall be fined not less than two hundred dollars or imprisoned for not more than thirty days.

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 779—

BY REPRESENTATIVE TUCKER
AN ACT

To amend and reenact R.S. 34:1(A) through (H) and 21(A), relative to the Board of Commissioners of the Port of New Orleans; to provide relative to the members of the Board of Commissioners; to provide for their appointment and term of office; to provide relative to the territorial jurisdiction of the Port of New Orleans; to provide for financial disclosure; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 782—

BY REPRESENTATIVE ELLINGTON
AN ACT

To enact R.S. 33:9109.1, relative to communications districts; to provide for intent; to provide for definitions; to provide for collection and remittance of prepaid wireless telecommunications service charge; to provide for the administration of the prepaid wireless service charge; to provide for distribution of funds to communications districts; to provide

for issues of liability; to provide for exclusivity of the service charge; to provide 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. 782 by Representative Ellington

AMENDMENT NO. 1

On page 3, line 19, change "fifty" to "sixty"

AMENDMENT NO. 2

On page 5, line 5, change "two" to "one"

AMENDMENT NO. 3

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

"Section 3. In the Fiscal Year 2009-2010, the department may retain up to eight hundred thousand dollars of remitted funds to pay actual start-up costs to implement the system for collection and remittance of prepaid wireless 911 service charges."

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. 820—

BY REPRESENTATIVE MICKY GUILLORY
AN ACT

To amend and reenact R.S. 32:702(4) and (16), 706.1(A) and (B), 707(I) and (J), 718 (B) and (C), 1722(A) and (C), 1728.2(C)(2), (D), (E), (F), and (G), and 1728.3(C), (D)(1), (E), and (F) and to enact R.S. 32:706.2, 707.5, 718(D), 1720(C), 1722(D), 1728.2(H) and R.S. 47:522, relative to dismantled or salvaged motor vehicles; to create the Louisiana Omnibus Auto Theft Prevention and Recovery Act (LOATPRA); to define "certificate of destruction"; to define "water-damaged vehicles"; to require sellers to disclose an assembled title to the purchaser of a motor vehicle; to require dismantlers to notify the office of motor vehicles upon receiving a vehicle for dismantling; to create a procedure for titling a total loss salvage motor vehicle prior to reconstruction and operation; to establish an assembled vehicle title and procedures for issuance; to require a storage or parking facility to notify the office of motor vehicles when an owner recovers a motor vehicle or when a motor vehicle is surrendered to a lien holder; to require contracted storage facilities to obtain verification and provide notification to registered lien holders prior to expiration of a vehicle storage contract; to mandate that appraisers use the latest version of the NADA Guide as a guideline for the appraisal of vehicles to be crushed or dismantled; to require an application for crushing and dismantling upon a form created by the Department of Public Safety and Corrections; to provide for a time limit for approval of the application after electronic submission of application to the Department of Public Safety and Corrections, office of motor vehicles; to require licensed dismantlers and crushers to certify the crushing or dismantling of a vehicle by submitting a form provided by the office of motor vehicles; to require the owner-operator to maintain certain records on file for all vehicles dismantled or crushed; to authorize representatives of the Department of Public Safety and

Page 12 HOUSE

10th Day's Proceedings - May 12, 2009

Corrections to enter a dealer's premises to recover state credentials when the dealer's license has been suspended or revoked; to provide for information maintained by auto hulk buyers; to provide for the reporting of auto hulks; 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. 820 by Representative Mickey Guillory

AMENDMENT NO. 1

On page 1, line 2, and page 2, line 13, after "707(I) and (J)," and before "1722(A)" insert "718(B) and (C),"

AMENDMENT NO. 2

On page 1, line 4, and page 2, line 15, after "707.5," and before "1720(C)," insert "718(D),"

AMENDMENT NO. 3

On page 1, line 8, after "motor vehicle;" delete the remainder of the line

AMENDMENT NO. 4

On page 1, delete lines 9 through 11 in their entirety

AMENDMENT NO. 5

On page 1, at the beginning of line 12, delete "salvage vehicle status;"

AMENDMENT NO. 6

On page 2, line 10, after "revoked;" and before "to provide for" insert "to provide for information maintained by auto hulk buyers; to provide for the reporting of auto hulks;"

AMENDMENT NO. 7

On page 4, delete lines 6 through 17 in their entirety

AMENDMENT NO. 8

On page 4, line 23, after "within" and before "days" delete "sixty" and insert "thirty"

AMENDMENT NO. 9

On page 4, line 24, after "certificate of title" delete the remainder of the line

AMENDMENT NO. 10

On page 4, at the beginning of line 25, delete "appraisal"

AMENDMENT NO. 11

On page 4, line 28, after "days of" delete "transaction" and insert "settlement of the property damage claim and the owner retained salvage value."

AMENDMENT NO. 12

On page 5, line 27, after "restores a" delete the remainder of the line

AMENDMENT NO. 13

On page 5, line 28, after "vehicle" and before "to operating" insert "without salvage title"

AMENDMENT NO. 14

On page 6, delete lines 21 through 29 in their entirety

AMENDMENT NO. 15

On page 7, delete lines 1 through 3

AMENDMENT NO. 16

On page 7, line 4, change "(4)" to "(3)"

AMENDMENT NO. 17

On page 7, line 9, change "(5)" to "(4)"

AMENDMENT NO. 18

On page 7, line 13, change "(6)" to "(5)"

AMENDMENT NO. 19

On page 7, line 19, change "(7)" to "(6)"

AMENDMENT NO. 20

On page 7, line 27, change "(8)" to "(7)"

AMENDMENT NO. 21

On page 8, line 29, after "obtained" and before the period "." insert "or a receipt from a licensed automotive dismantler and parts recycler certifying that the vehicle from which the part was removed was reported to the office of motor vehicles in accordance with R.S. 32:718"

AMENDMENT NO. 22

On page 10, after line 28, insert the following:

"§718. Sale of an auto hulk as scrap to a scrap metal processor or a licensed automotive dismantler and parts recycler

* * *

B. Every secondary metal processor or licensed automotive dismantler and parts recycler shall maintain the signed and dated affidavit, along with the name and address of the person delivering, selling, or transferring the auto hulk, photographic or electronic copy of the seller's valid driver's license or a valid identification card issued by the seller's current state of residence, the tag number and state of issue of the vehicle delivering the auto hulk, and the vehicle identification number of the auto hulk. This information shall be kept in a registry or book or in electronic format for a period of two years at the secondary metal processor's or the licensed automotive dismantler and parts recycler's place of business and shall be made available for inspection by any peace officer, law enforcement official, or office of motor vehicles official at any time during customary business hours.

C. Every secondary metal processor or licensed automotive dismantler and parts recycler shall submit an electronic report to the

office of motor vehicles of the vehicle identification number of each auto hulk received from a seller. The report shall be in a form approved by the office of motor vehicles and shall be submitted ~~on~~ at least a weekly basis within seventy-two hours of the purchase of the auto hulk.

D. The provisions of this Section are applicable to auto hulks in lieu of the provisions of R.S. 32:717 and 807.

* * *

AMENDMENT NO. 23

On page 11, delete line 17 in its entirety and insert "in accordance with R.S. 32:1718."

AMENDMENT NO. 24

On page 12, line 21, after "by using the" and before "value" delete "applicable" and insert "rough trade-in"

AMENDMENT NO. 25

On page 12, line 27, after "expiration of" and before "days" delete "sixty" and insert "thirty"

AMENDMENT NO. 26

On page 13, delete lines 9 through 20 in their entirety and insert in lieu thereof a set of asterisks "* * *"

AMENDMENT NO. 27

On page 13, at the beginning of line 23, delete "standard" and insert "rough trade-in"

AMENDMENT NO. 28

On page 14, delete lines 21 through 29 in their entirety

AMENDMENT NO. 29

On page 15, delete lines 1 through 3 in their entirety

AMENDMENT NO. 30

On page 15, line 4, change "(3)" to "(2)"

AMENDMENT NO. 31

On page 15, line 5, after "based on the" and before "value" delete "standard" and insert "rough trade-in"

AMENDMENT NO. 32

On page 15, line 8, change "(4)" to "(3)"

AMENDMENT NO. 33

On page 15, line 10, change "(5)" to "(4)"

AMENDMENT NO. 34

On page 15, line 12, change "(6)" to "(5)"

AMENDMENT NO. 35

On page 15, line 15, change "(7)" to "(6)"

AMENDMENT NO. 36

On page 16, line 2, after "based on the" and before "value" delete "standard" and insert "rough trade-in"

AMENDMENT NO. 37

On page 16, delete lines 14 through 25 in their entirety

AMENDMENT NO. 38

On page 16, line 26, change "(d)" to "(c)"

AMENDMENT NO. 39

On page 16, at the beginning of line 28, delete "standard" and insert "rough trade-in"

AMENDMENT NO. 40

On page 17, line 1, change "(e)" to "(d)"

AMENDMENT NO. 41

On page 17, line 14, after "photograph of" and before "of the vehicle" delete "each side" and insert "all four sides"

AMENDMENT NO. 42

On page 17, delete lines 21 through 29 in their entirety

AMENDMENT NO. 43

On page 18, delete lines 1 through 3 in their entirety

AMENDMENT NO. 44

On page 18, line 4, change "(c)" to "(b)"

AMENDMENT NO. 45

On page 18, line 5, after "based on the" and before "value" delete "standard" and insert "rough trade-in"

AMENDMENT NO. 46

On page 18, line 8, change "(d)" to "(c)" and after "photograph of" and before "of the vehicle" delete "each side" and insert "all four sides"

AMENDMENT NO. 47

On page 18, line 10, change "(e)" to "(d)"

AMENDMENT NO. 48

On page 18, line 12, change "(f)" to "(e)"

AMENDMENT NO. 49

On page 18, line 14, change "(g)" to "(f)"

AMENDMENT NO. 50

On page 18, line 15, change "(h)" to "(g)"

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.

Withdrawal of Notice of Intention to Call

Rep. Tucker withdrew his intention to call House Bill No. 830 from the calendar for future action.

Suspension of the Rules

On motion of Rep. Baldone, 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. 9—
BY REPRESENTATIVES BALDONE AND LEGER
AN ACT

To enact R.S. 47:301(6)(c), relative to sales and use tax; to exclude from the definition of "hotel" certain temporary lodging services provided by a nonprofit corporation to a homeless person; to authorize rulemaking; to provide an effective date; and to provide for related matters.

Read by title.

Rep. Baldone moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Monica
Abramson	Geymann	Montoucet
Anders	Gisclair	Morris
Armes	Greene	Norton
Arnold	Guillory, E.	Nowlin
Aubert	Guillory, M.	Pearson
Badon, A.	Guinn	Perry
Badon, B.	Hardy	Peterson
Baldone	Harrison	Pope
Barras	Hazel	Pugh
Barrow	Henderson	Richard
Billiot	Hill	Richardson
Brossett	Hines	Richmond
Burford	Hoffmann	Robideaux
Burrell	Honey	Roy
Carmody	Howard	Schroder
Carter	Hutter	Simon
Champagne	Jackson G.	Smiley
Chandler	Johnson	Smith, G.
Chaney	Jones, R.	Smith, J.
Connick	Jones, S.	St. Germain
Cortez	Katz	Stiaes
Danahay	Kleckley	Talbot
Dixon	LaFonta	Templett
Doerge	Lambert	Thibaut
Dove	Landry	Waddell
Downs	LeBas	White
Edwards	Leger	Williams
Ellington	Ligt	Willmott
Fannin	Lopinto	Wooton
Foil	McVea	
Franklin	Mills	
Total - 94		

NAYS

Total - 0

ABSENT

Burns, H.	Henry	Ponti
Burns, T.	Jackson M.	Ritchie
Cromer	LaBruzzo	Smith, P.
Ernst	Little	
Total - 11		

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. 17—
BY REPRESENTATIVE PEARSON
AN ACT

To amend and reenact R.S. 15:572.1(A) and 574.2(B) and R.S. 46:1803(B), relative to the membership of the Board of Pardons, the Board of Parole, and the Crime Victims Reparations Board; to authorize the Crimefighters, LLC organization to nominate a person to each of the boards; 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. 17 by Representative Pearson

AMENDMENT NO. 1

On page 1, line 2, following "574.2" and before "and" change "(B)" to "(A)(1)"

AMENDMENT NO. 2

On page 1, line 7, following "574.2" and before "are" change "(B)" to "(A)(1)"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Gallot	McVea
Anders	Geymann	Mills
Armes	Gisclair	Monica
Arnold	Greene	Montoucet
Aubert	Guillory, E.	Morris
Badon, A.	Guillory, M.	Norton
Badon, B.	Guinn	Nowlin
Baldone	Hardy	Pearson
Barras	Harrison	Perry
Barrow	Hazel	Peterson
Billiot	Henderson	Ponti
Brossett	Hill	Pope
Burrell	Hines	Pugh
Carmody	Hoffmann	Richard
Carter	Honey	Richardson
Champagne	Howard	Richmond
Chandler	Hutter	Ritchie
Chaney	Jackson G.	Robideaux
Connick	Johnson	Schroder
Cortez	Jones, R.	Simon
Cromer	Jones, S.	Smiley
Danahay	Katz	Smith, G.

Dixon	Kleckley	Smith, J.
Doerge	LaFonta	St. Germain
Dove	Lambert	Stiaes
Downs	Landry	Templet
Edwards	LeBas	Thibaut
Ellington	Leger	Waddell
Fannin	Ligi	White
Foil	Little	Williams
Franklin	Lopinto	Willmott
Total - 93		

NAYS

Total - 0

ABSENT

Mr. Speaker	Ernst	Roy
Burford	Henry	Smith, P.
Burns, H.	Jackson M.	Talbot
Burns, T.	LaBruzzo	Wooton
Total - 12		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Pearson 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. 60—
BY REPRESENTATIVE PERRY
AN ACT

To amend and reenact R.S. 40:76(C)(introductory paragraph) and (C)(3) and 79(C)(introductory paragraph) and to enact R.S. 40:76(D) and 79(E), relative to records of birth; to clarify that a single adoptive parent who adopts a child in another state or a foreign country may obtain a record of birth listing the adoptive parent's name; to clarify that the registrar of vital records may only issue a new record of birth to an adoptive parent or parents under certain circumstances; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Perry to Engrossed House Bill No. 60 by Representative Perry

AMENDMENT NO. 1

On page 1, line 2, after "(introductory paragraph) and" delete "(C)"

AMENDMENT NO. 2

On page 1, line 10, after "(introductory paragraph) and" delete "(C)"

AMENDMENT NO. 3

On page 1, line 15, after "the" and before "registrar" insert "state"

AMENDMENT NO. 4

On page 2, line 1, after "The" and before "names" insert "name or"

AMENDMENT NO. 5

On page 2, line 6, change "Articles" to "Article"

AMENDMENT NO. 6

On page 2, at the beginning of line 17, delete "(E)" and insert "E."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Richmond to Engrossed House Bill No. 60 by Representative Perry

AMENDMENT NO. 1

On page 2, delete lines 20 through 23 in their entirety

Rep. Richmond moved the adoption of the amendments.

Rep. Perry objected.

By a vote of 25 yeas and 65 nays, the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Foil	Monica
Arnes	Gallot	Montoucet
Aubert	Geymann	Morris
Badon, B.	Gisclair	Nowlin
Baldone	Greene	Pearson
Barras	Guillory, E.	Perry
Barrow	Guillory, M.	Ponti
Billiot	Guinn	Pope
Burford	Harrison	Pugh
Burns, H.	Hazel	Richard
Burns, T.	Hill	Richardson
Burrell	Hoffmann	Ritchie
Carmody	Howard	Robideaux
Carter	Johnson	Roy
Champagne	Jones, S.	Simon
Chandler	Katz	Smiley
Chaney	Kleckley	Smith, G.
Cortez	LaBruzzo	Smith, J.
Cromer	Lambert	St. Germain
Danahay	Landry	Talbot
Dixon	LeBas	Templet
Doerge	Ligi	Thibaut
Dove	Little	Waddell
Downs	Lopinto	White
Ellington	McVea	Willmott
Fannin	Mills	Wooton
Total - 78		

NAYS

Abramson	Hines	Norton
Brossett	Honey	Peterson
Edwards	Jackson M.	Richmond
Ernst	Jones, R.	Smith, P.
Franklin	LaFonta	Stiaes
Hardy	Leger	
Total - 17		

Page 16 HOUSE

10th Day's Proceedings - May 12, 2009

ABSENT

Anders Henderson Schroder
Arnold Henry Williams
Badon, A. Hutter
Connick Jackson G.
Total - 10

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.

Consent to Correct a Vote Record

Rep. Roy requested the House consent to correct his vote on final passage of House Bill No. 60 from nay to yea, which consent was unanimously granted.

HOUSE BILL NO. 87— BY REPRESENTATIVE CARMODY AN ACT

To amend and reenact R.S. 14:81(A)(2), (C), and (E), relative to indecent behavior with juveniles; to amend the elements of the crime with regard to the type and method of delivery of lewd or lascivious communications to include textual, visual, written, or oral communications; to provide for definitions; 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. 87 by Representative Carmody

AMENDMENT NO. 1

On page 2, following line 21 insert " * * * "

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Foil Mills
Abramson Franklin Monica
Anders Gallot Montoucet
Arnold Geymann Morris
Aubert Gisclair Norton
Badon, A. Guillory, E. Nowlin
Badon, B. Guillory, M. Pearson
Baldone Guinn Perry
Barras Hardy Peterson
Barrow Harrison Ponti
Billiot Hazel Pope
Brossett Hill Pugh
Burford Hines Richard
Burns, H. Hoffmann Richardson
Burns, T. Honey Ritchie
Burrell Howard Robideaux
Carmody Hutter

Carter Jackson M. Simon
Champagne Johnson Smiley
Chandler Jones, R. Smith, G.
Chaney Jones, S. Smith, J.
Connick Katz Smith, P.
Cortez Kleckley St. Germain
Cromer LaBruzzo Stiaes
Danahay LaFonta Talbot
Dixon Lambert Templet
Doerge Landry Thibaut
Dove LeBas Waddell
Downs Leger White
Edwards Ligi Williams
Ellington Little Willmott
Ernst Lopinto Wooton
Fannin McVea
Total - 98

NAYS

Total - 0

ABSENT

Armes Henry Schroder
Greene Jackson G.
Henderson Roy
Total - 7

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 88— BY REPRESENTATIVE MCVEA AN ACT

To amend and reenact R.S. 42:63(A)(3), relative to dual officeholding and dual employment; to authorize an employee of the United States government to serve as a part-time elected official; to provide for definitions; to provide exceptions; and to provide for related matters.

Read by title.

Rep. McVea moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Franklin Monica
Anders Gallot Morris
Arnold Geymann Norton
Aubert Gisclair Nowlin
Badon, A. Guillory, E. Pearson
Badon, B. Guillory, M. Perry
Baldone Guinn Peterson
Barras Hardy Ponti
Barrow Harrison Pope
Billiot Hazel Pugh
Burford Hill Richard
Burns, H. Hines Richardson
Burns, T. Hoffmann Ritchie
Burrell Honey Robideaux
Carmody Howard Roy
Carter Hutter Schroder
Champagne Jackson M. Simon

Chandler	Johnson	Smiley
Chaney	Jones, S.	Smith, G.
Connick	Katz	Smith, J.
Cortez	Kleckley	Smith, P.
Cromer	LaBruzzo	Stiaes
Danahay	LaFonta	Talbot
Dixon	Lambert	Templet
Doerge	Landry	Thibaut
Dove	LeBas	White
Downs	Ligi	Williams
Edwards	Little	Willmott
Ernst	Lopinto	Wooton
Fannin	McVea	
Foil	Mills	

Total - 91

NAYS

Abramson	Leger	Richmond
----------	-------	----------

Total - 3

ABSENT

Armes	Henderson	Montoucet
Brossett	Henry	St. Germain
Ellington	Jackson G.	Waddell
Greene	Jones, R.	

Total - 11

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. McVea 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. 97—
BY REPRESENTATIVES GISCLAIR AND BALDONE
AN ACT

To amend and reenact R.S. 34:851.2(3) and 851.19, relative to vessels; to provide for definitions; to provide for operation of certain vessels; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Abramson to Engrossed House Bill No. 97 by Representative Gisclair

AMENDMENT NO. 1

On page 1, line 15, after "thereto" insert a period "." and delete the remainder of the line.

AMENDMENT NO. 2

On page 2, line 6, after "Any owner of a" insert "recreational use vessel or a"

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

Rep. Gisclair moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Franklin	Mills
Abramson	Gallot	Monica
Anders	Geymann	Montoucet
Armes	Gisclair	Morris
Arnold	Greene	Norton
Aubert	Guillory, E.	Nowlin
Badon, A.	Guillory, M.	Perry
Badon, B.	Guinn	Pope
Baldone	Hardy	Pugh
Barras	Harrison	Richard
Barrow	Hazel	Richardson
Billiot	Henderson	Richmond
Burford	Hill	Ritchie
Burns, H.	Hines	Robideaux
Burns, T.	Honey	Roy
Burrell	Howard	Smiley
Carmody	Hutter	Smith, G.
Carter	Jackson G.	Smith, J.
Champagne	Jackson M.	Smith, P.
Chandler	Johnson	St. Germain
Connick	Jones, R.	Stiaes
Cortez	Jones, S.	Talbot
Cromer	Kleckley	Templet
Danahay	LaBruzzo	Thibaut
Dixon	LaFonta	Waddell
Doerge	Lambert	White
Dove	Landry	Williams
Downs	LeBas	Willmott
Edwards	Leger	Wooton
Fannin	Ligi	
Foil	Lopinto	

Total - 91

NAYS

Hoffmann	Little	Simon
----------	--------	-------

Total - 3

ABSENT

Brossett	Henry	Peterson
Chaney	Katz	Ponti
Ellington	McVea	Schroder
Ernst	Pearson	

Total - 11

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Gisclair 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. 104—
BY REPRESENTATIVE PATRICIA SMITH
AN ACT

To enact R.S. 15:574.4(A)(3), relative to parole; to provide for eligibility for parole consideration for certain offenders who are at least sixty years of age and have been incarcerated for at least ten years; to provide for exceptions; and to provide for related matters.

Read by title.

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

Page 18 HOUSE

10th Day's Proceedings - May 12, 2009

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Patricia Smith to Engrossed House Bill No. 104 by Representative Patricia Smith

AMENDMENT NO. 1

On page 1, line 18, after "consideration" delete the period "." and insert "regardless of the date of conviction."

AMENDMENT NO. 2

On page 1, after line 22, insert the following:

"Section 2. The provisions of this Act shall have both prospective and retroactive application."

On motion of Rep. Patricia Smith, the amendments were adopted.

Rep. Patricia Smith moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Armes, Aubert, Badon, A., Badon, B., Baldone, Barrow, Brossett, Burrell, Carmody, Dixon, Downs, Edwards, Ellington, Fannin, Total - 42

NAYS

Mr. Speaker, Anders, Arnold, Barras, Billiot, Burford, Burns, H., Burns, T., Champagne, Chandler, Chaney, Connick, Cortez, Cromer, Danahay, Doerge, Dove, Gisclair, Total - 53

ABSENT

Abramson, Carter, Ernst, Geymann, Total - 10

The chair declared the above bill failed to pass.

Rep. Lopinto moved to reconsider the vote by which the above bill failed to pass, and, on his own motion, the motion to reconsider was laid on the table.

Consent to Correct a Vote Record

Rep. Burrell requested the House consent to correct his vote on final passage of House Bill No. 104 from nay to yea, which consent was unanimously granted.

HOUSE BILL NO. 119— BY REPRESENTATIVE HENRY BURNS AN ACT

To enact R.S. 15:502, relative to testimony by audiovisual transmission; to authorize certain persons to testify through the use of audiovisual equipment in certain proceedings; to provide for written notice to opposing counsel; to provide for limitations; and to provide for related matters.

Read by title.

Rep. Henry Burns moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker, Abramson, Anders, Armes, Arnold, Aubert, Badon, A., Badon, B., Baldone, Barras, Barrow, Billiot, Brossett, Burford, Burns, H., Burns, T., Burrell, Carmody, Carter, Champagne, Chandler, Chaney, Connick, Cortez, Cromer, Danahay, Dixon, Doerge, Dove, Downs, Edwards, Ellington, Fannin, Foil, Total - 100

NAYS

Total - 0

ABSENT

Ernst	Johnson	Willmott
Henry	Smith, P.	
Total - 5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Henry Burns 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. 162—
BY REPRESENTATIVES SAM JONES AND CHAMPAGNE
AN ACT

To enact R.S. 30:2000.13 and R.S. 36:359(B) and 917, relative to the Atchafalaya Basin Program; to create an advisory board in the Department of Natural Resources to advise the secretary regarding the Lake Fausse Point and Grand Avoille Cove area; to provide relative to board composition, meetings, and functions; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Sam Jones to Engrossed House Bill No. 162 by Representative Sam Jones

AMENDMENT NO. 1

On page 2, line 23, after "governor" insert a comma ", " and "the secretary of the Department of Wildlife and Fisheries."

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

Rep. Sam Jones moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

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

Connick	Jones, S.	Smith, P.
Cortez	Katz	St. Germain
Cromer	Kleckley	Stiaes
Danahay	LaBruzzo	Talbot
Dixon	LaFonta	Templet
Doerge	Lambert	Thibaut
Dove	Landry	Waddell
Downs	LeBas	White
Edwards	Leger	Williams
Ellington	Ligi	Willmott
Fannin	Little	Wooton
Foil	Lopinto	

Total - 101

NAYS

Total - 0

ABSENT

Ernst	Richmond
Henry	Schroder
Total - 4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 163—
BY REPRESENTATIVE HENRY
AN ACT

To amend and reenact R.S. 47:305.56, relative to sales and use tax; to provide relative to the state sales and use tax exemption on the purchases of certain off-road vehicles; to delete certain requirements; to provide for an effective date; and to provide for related matters.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Talbot gave notice of Rep. Henry's intention to call House Bill No. 163 from the calendar during the week of May 18, 2009.

HOUSE BILL NO. 176—
BY REPRESENTATIVE POPE
AN ACT

To amend and reenact R.S. 17:270(A) and R.S. 32:402.1(D), relative to the driver education and training program for children operated by the State Board of Elementary and Secondary Education and the state Department of Education; to permit a child who is in at least the ninth grade and is less than fifteen years of age to participate in the classroom instruction component of the program; to provide an effective date; and to provide for related matters.

Read by title.

Rep. Pope moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

Page 20 HOUSE

10th Day's Proceedings - May 12, 2009

YEAS

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

Total - 102

NAYS

Total - 0

ABSENT

Burns, H.	Ernst	Henry
-----------	-------	-------

Total - 3

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Pope 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. 185—
BY REPRESENTATIVE CORTEZ
AN ACT

To enact R.S. 22:1289.1, relative to automobile insurance policies; to prohibit insurers from refusing to issue automobile insurance policies to certain purchasers based solely upon an impending named tropical storm or hurricane; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Cortez to Engrossed House Bill No. 185 by Representative Cortez

AMENDMENT NO. 1

On page 1, line 8, delete "discrimination" and insert in lieu thereof "policy issuance"

AMENDMENT NO. 2

On page 1, line 11, after "vehicle to" insert "one of the insurer's existing automobile policyholder who is"

AMENDMENT NO. 3

On page 1, line 12, delete "who is an existing automobile policyholder"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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.	Hardy	Perry
Baldone	Harrison	Peterson
Barras	Hazel	Ponti
Barrow	Henderson	Pope
Billiot	Hill	Pugh
Brossett	Hines	Richard
Burford	Hoffmann	Richardson
Burns, H.	Honey	Richmond
Burns, T.	Howard	Ritchie
Burrell	Hutter	Robideaux
Carmody	Jackson G.	Roy
Carter	Jackson M.	Schroder
Champagne	Johnson	Simon
Chandler	Jones, R.	Smiley
Chaney	Jones, S.	Smith, G.
Connick	Katz	Smith, J.
Cortez	Kleckley	Smith, P.
Cromer	LaBruzzo	St. Germain
Danahay	LaFonta	Stiaes
Dixon	Lambert	Talbot
Doerge	Landry	Templet
Dove	LeBas	Thibaut
Downs	Leger	Waddell
Edwards	Ligi	White
Ellington	Little	Williams
Fannin	Lopinto	Wooton
Foil	McVea	

Total - 101

NAYS

Total - 0

ABSENT

Ernst	Henry
Guinn	Willmott

Total - 4

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Cortez 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 Pro Tempore Peterson in the Chair

HOUSE BILL NO. 186—

BY REPRESENTATIVE WOOTON
AN ACT

To amend and reenact R.S. 15:587(D), (E), and (F) and to enact R.S. 15:587(G), relative to criminal history information; to provide for the remission of fees charged for providing this information; to provide for the use of some of those fees; to authorize the sheriff to conduct screening functions; and to provide for related matters.

Read by title.

Rep. Wooton moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 102

NAYS

Total - 0

ABSENT

Ernst	Henry	Waddell
-------	-------	---------

Total - 3

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 274—

BY REPRESENTATIVE TEMPLET
AN ACT

To amend and reenact R.S. 14:34.3(B) and 38.2(B), relative to crimes committed against school teachers; to provide for increased penalties for battery of a school teacher under certain circumstances; to provide for increased penalties for assault on a school teacher; 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. 274 by Representative Templet

AMENDMENT NO. 1

On page 1, line 17, following "premises" and before "the principal" change "from" to "by"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Templet to Engrossed House Bill No. 274 by Representative Templet

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 14:34.3(B)" to "R.S. 14:34.3"

AMENDMENT NO. 2

On page 1, line 7, after "Section 1." change "R.S. 14:34.3(B)" to "R.S. 14:34.3"

AMENDMENT NO. 3

On page 1, delete lines 10 through 20 in their entirety

AMENDMENT NO. 4

On page 2, delete lines 1 through 7 in their entirety and insert the following:

"A.(+) Battery of a school teacher is a battery committed without the consent of the victim when the offender has reasonable grounds to believe the victim is a school teacher acting in the performance of employment duties.

(2) B. For purposes of this Section:

(1) "~~school~~ School teacher" shall include any teacher or instructor, administrator, staff person, or employee of any public or private elementary, secondary, vocational-technical training, special, or postsecondary school or institution. For purposes of this Section, "school teacher" shall also include any teacher aide and paraprofessional, school bus driver, food service worker, and other clerical, custodial, or maintenance personnel employed by a city, parish, or other local public school board.

Page 22 HOUSE

10th Day's Proceedings - May 12, 2009

(2) "School" means any public or nonpublic elementary, secondary, high school, vocational-technical school, college, special, or postsecondary school or institution, or university in this state.

(3) "Student" means any person registered or enrolled at the school where the school teacher is employed.

B. C. Whoever commits the crime of battery of a school teacher shall be punished as follows:

(1) If the battery was committed by a student, upon conviction, the offender shall be fined not more than five thousand dollars or imprisoned not less than thirty days nor more than one year. At least seventy-two hours of the sentence imposed shall be imposed without benefit of suspension of sentence.

(2) If the battery was committed by someone who is not a student, the offender shall be fined not more than five thousand dollars or imprisoned with or without hard labor for not less than one year nor more than five years, or both.

(3) If the battery produces an injury that requires medical attention, the offender shall be fined not more than five thousand dollars or imprisoned with or without hard labor for not less than one year nor more than five years, or both."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Rosalind Jones to Engrossed House Bill No. 274 by Representative Templet

AMENDMENT NO. 1

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

AMENDMENT NO. 2

On page 2, at the end of line 5, delete "At" and delete lines 6 and 7 in their entirety

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

Rep. Templet 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 Abramson, Armes, Badon, B., Baldone, Barras, Billiot, Burford, Burns, H., Burns, T., Carmody, Carter, Champagne, Chandler, Chaney, Greene, Guillory, E., Guinn, Harrison, Hazel, Henderson, Hill, Hoffmann, Howard, Hutter, Johnson, Jones, R., Katz, LaBruzzo, Pearson, Perry, Ponti, Pope, Pugh, Richard, Richardson, Ritchie, Robideaux, Schroder, Simon, Smiley, Smith, G., Smith, J.

Table listing names of representatives who were present, including Connick, Cortez, Cromer, Doerge, Dove, Ellington, Fannin, Foil, Geymann, Gisclair, Landry, LeBas, Ligi, Little, Lopinto, McVea, Mills, Monica, Montoucet, Morris, St. Germain, Talbot, Templet, Thibaut, Waddell, White, Willmott, Wooton.

Total - 70

NAYS

Table listing names of representatives who were absent, including Aubert, Badon, A., Barrow, Brossett, Burrell, Dixon, Downs, Edwards, Franklin, Gallot, Hardy, Hines, Honey, Jackson M., LaFonta, Lambert, Leger, Norton, Nowlin, Peterson, Richmond, Roy, Smith, P., Stiaes, Williams.

Total - 25

ABSENT

Table listing names of representatives who were absent, including Mr. Speaker, Anders, Arnold, Danahay, Ernst, Guillory, M., Henry, Jackson G., Jones, S., Kleckley.

Total - 10

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Templet 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. St. Germain requested the House consent to correct her vote on final passage of House Bill No. 274 from nay to yea, which consent was unanimously granted.

HOUSE BILL NO. 309 BY REPRESENTATIVE GALLOT AN ACT

To amend and reenact R.S. 13:312(2) and 312.1(B), relative to the courts of appeal; to provide election sections for the election of judges to the second district of the Court of Appeal for the Second Circuit; to provide for the assignment of judgeships for election purposes; to provide for the election of the judges; and to provide for related matters.

Read by title.

Rep. Gallot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of representatives who voted 'YEAS', including Mr. Speaker, Abramson, Anders, Armes, Arnold, Aubert, Badon, A., Badon, B., Franklin, Gallot, Gisclair, Greene, Guillory, E., Guillory, M., Guinn, Hardy, Morris, Norton, Nowlin, Pearson, Perry, Peterson, Ponti, Pope.

Baldone	Harrison	Pugh
Barras	Hazel	Richard
Barrow	Henderson	Richardson
Billiot	Hill	Richmond
Brossett	Hines	Ritchie
Burford	Hoffmann	Robideaux
Burns, H.	Honey	Roy
Burns, T.	Howard	Schroder
Burrell	Hutter	Simon
Carmody	Jackson M.	Smiley
Carter	Johnson	Smith, G.
Champagne	Jones, R.	Smith, J.
Chandler	Jones, S.	Smith, P.
Chaney	Katz	St. Germain
Connick	LaBruzzo	Stiaes
Cortez	LaFonta	Talbot
Cromer	Lambert	Templet
Dixon	Landry	Thibaut
Doerge	Leger	Waddell
Dove	Ligi	White
Downs	Little	Williams
Edwards	Lopinto	Willmott
Ernst	Mills	Wooton
Fannin	Monica	
Foil	Montoucet	

Total - 97

NAYS

Total - 0

ABSENT

Danahay	Henry	LeBas
Ellington	Jackson G.	McVea
Geymann	Kleckley	

Total - 8

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 346—
BY REPRESENTATIVE POPE

AN ACT

To amend and reenact R.S. 15:609(B)(1) and (C) and 610, relative to the method of collecting DNA samples from persons arrested for or convicted of certain offenses for inclusion in the state DNA database; to authorize DNA samples to be drawn or taken from those persons; and to provide for related matters.

Read by title.

Rep. Pope moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Foil	Mills
Abramson	Franklin	Monica
Anders	Gallot	Montoucet
Armes	Geymann	Morris
Arnold	Gisclair	Norton
Aubert	Greene	Nowlin
Badon, A.	Guillory, E.	Pearson
Badon, B.	Guillory, M.	Perry

Baldone	Guinn	Peterson
Barras	Hardy	Ponti
Barrow	Harrison	Pope
Billiot	Hazel	Pugh
Brossett	Henderson	Richard
Burford	Hill	Richardson
Burns, H.	Hines	Richmond
Burns, T.	Hoffmann	Ritchie
Burrell	Honey	Robideaux
Carmody	Howard	Roy
Carter	Hutter	Simon
Champagne	Jackson M.	Smiley
Chandler	Johnson	Smith, G.
Chaney	Jones, R.	Smith, J.
Connick	Jones, S.	Smith, P.
Cortez	Katz	St. Germain
Cromer	LaBruzzo	Stiaes
Dixon	LaFonta	Thibaut
Doerge	Lambert	Waddell
Dove	Landry	White
Downs	LeBas	Williams
Edwards	Leger	Willmott
Ellington	Ligi	Wooton
Ernst	Little	
Fannin	Lopinto	

Total - 97

NAYS

Total - 0

ABSENT

Danahay	Kleckley	Talbot
Henry	McVea	Templet
Jackson G.	Schroder	

Total - 8

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Pope 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. 366—

BY REPRESENTATIVES WOOTON, HENRY BURNS, CHAMPAGNE, FOIL, LITTLE, MILLS, PERRY, PUGH, ROBIDEAUX, SIMON, SMILEY, JANE SMITH, AND THIBAUT AND SENATORS CROWE, DUPLESSIS, MICHOT, SMITH, AND WALSWORTH

AN ACT

To amend and reenact R.S. 15:560.1, 560.2(B)(introductory paragraph) and (1), (E), and (F), 560.3, 560.4(A), 560.5, 560.6(A), 561.2, and 561.4(A)(1) and (B)(1) and (3) and to enact R.S. 15:560.2(H) and (I) and 560.4(E), relative to sex offenders and child predators; to provide relative to the monitoring of sex offenders and predators; to provide with respect to the determination of which sex offenders are sexually violent predators and child sexual predators; to amend the provisions governing the sex offender assessment panels; to provide for definitions; to provide with respect to the membership of the sex offender assessment panels; to provide for a judicial determination following an assessment by the sex offender assessment panel; to provide for a hearing and notice thereof; to provide with respect to the effects of a determination of status as a sexually violent predator or child sexual predator; to provide with respect to supervision of such persons; to provide for criminal penalties for violations of the conditions of supervision; to provide with respect to supervised release of certain sex offenders; to require that notice be given to the sex offender of supervised release; and to provide for related matters.

Read by title.

Rep. Wooton moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 101

NAYS

Total - 0

ABSENT

Henry	Jackson G.
Hutter	McVea

Total - 4

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 370—
BY REPRESENTATIVE LAFONTA
AN ACT

To amend and reenact R.S. 22:1124(A)(introductory paragraph) and 1138(D), to enact R.S. 22:821(B)(28), and to repeal R.S. 22:1125, relative to fees collected by the commissioner of insurance; to provide relative to fees collected for Medical Necessity Review Organization licenses; to provide for a fee for filing of annual reports of Medical Necessity Review Organizations; to delete the requirement that Medical Necessity Review Organization licenses are subject to biannual renewal and associated fees; and to provide for related matters.

Read by title.

Rep. LaFonta moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 96

NAYS

Total - 0

ABSENT

Doerge	Katz	Pugh
Harrison	Kleckley	Smiley
Henry	Perry	Waddell

Total - 9

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 393—
BY REPRESENTATIVE LAFONTA
AN ACT

To enact R.S. 22:821(B)(28), relative to fees collected by the commissioner of insurance; to provide relative to fees collected for review of preclicensing or continuing education provider applications; to provide relative to fees collected for review of preclicensing course or continuing education program applications; and to provide for related matters.

Read by title.

Rep. LaFonta moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Foil	McVea
Abramson	Franklin	Monica
Anders	Gallot	Montoucet
Armes	Geymann	Morris
Arnold	Gisclair	Norton
Aubert	Greene	Nowlin
Badon, A.	Guillory, E.	Pearson
Badon, B.	Guillory, M.	Perry
Baldone	Guinn	Peterson
Barras	Hardy	Ponti
Barrow	Hazel	Pope
Billiot	Henderson	Pugh
Brossett	Hill	Richard
Burford	Hines	Richardson
Burns, H.	Hoffmann	Richmond
Burns, T.	Honey	Ritchie
Burrell	Hutter	Robideaux
Carmody	Jackson G.	Roy
Carter	Jackson M.	Schroder
Champagne	Johnson	Simon
Chandler	Jones, R.	Smith, G.
Chaney	Jones, S.	Smith, J.
Connick	Katz	Smith, P.
Cortez	Kleckley	St. Germain
Danahay	LaBruzzo	Stiaes
Dixon	LaFonta	Talbot
Doerge	Lambert	Temple
Dove	Landry	Thibaut
Downs	LeBas	Waddell
Edwards	Leger	White
Ellington	Ligi	Williams
Ernst	Little	Willmott
Fannin	Lopinto	Wooton
Total - 99		

NAYS

Total - 0

ABSENT

Cromer	Henry	Mills
Harrison	Howard	Smiley
Total - 6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 407—
BY REPRESENTATIVES SMILEY AND TUCKER
AN ACT

To enact Chapter 19 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:1301 through 1306, relative to boards, commissions, and like entities; to provide for a website to contain certain information concerning certain boards, commissions, and like entities; to provide for the content of the website; to provide relative to the duties and responsibilities of certain boards, commissions, and like entities concerning the website; to provide relative to the powers and duties of the commissioner of administration concerning the website; to

provide relative to notice of meetings of certain boards, commissions, and like entities; to provide relative to minutes of meetings of certain boards, commissions, and like entities; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Smiley to Engrossed House Bill No. 407 by Representative Smiley

AMENDMENT NO. 1

On page 1, line 10, after "and like entities;" insert "to provide for electronic submission;"

AMENDMENT NO. 2

On page 3, between lines 6 and 7 insert the following:

"C. All submissions of information required by this Section shall be made in an electronic format designated by the commissioner of administration."

AMENDMENT NO. 3

On page 3, between lines 15 and 16 insert the following:

"C. All submissions of information required by this Section shall be made in an electronic format designated by the commissioner of administration."

AMENDMENT NO. 4

On page 4, line 10, change "January" to "March"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Smiley and Tucker to Engrossed House Bill No. 407 by Representative Smiley

AMENDMENT NO. 1

On page 3, at the end of line 24, insert "submission format"

AMENDMENT NO. 2

On page 3, line 25, at the beginning of the line, insert the following:

"Each board, commission, or like entity covered by this Chapter shall submit notices, minutes, and other information in an electronic form or format designated by the commissioner of administration."

AMENDMENT NO. 3

On page 4, line 10, change "January" to "March"

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

Total - 100

NAYS

Total - 0

ABSENT

Cromer	Harrison	St. Germain
Guinn	Henry	

Total - 5

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.

Speaker Tucker in the Chair

HOUSE BILL NO. 461—

BY REPRESENTATIVE AUBERT
AN ACT

To amend and reenact R.S. 17:3351.2, relative to the dissemination of information to students at public postsecondary institutions; to prohibit the dissemination on campus of certain information concerning consumer credit cards to undergraduate students; to provide exceptions; to provide an effective date; and to provide for related matters.

Read by title.

Motion

Rep. Arnold moved that the bill be recommitted to the Committee on Commerce.

Rep. Aubert objected.

By a vote of 53 yeas and 46 nays, the House agreed to recommit the bill to the Committee on Commerce.

Acting Speaker Chandler in the Chair

Speaker Tucker in the Chair

HOUSE BILL NO. 476—

BY REPRESENTATIVES CONNICK, HENRY BURNS, CARTER, CHAMPAGNE, FOIL, LEGER, LIGI, LITTLE, MILLS, PERRY, POPE, PUGH, ROBIDEAUX, SIMON, SMILEY, JANE SMITH, TALBOT, TEMPLET, THIBAUT, AND WILLMOTT AND SENATORS CROWE, DUPLESSIS, MICHOT, SMITH, AND WALSWORTH

AN ACT

To amend and reenact R.S. 14:81.4(A), (B)(2) and (4), and (E)(1), 91.1(A)(2), 91.2(A)(3) and (4), and R.S. 15:538(A), (D)(1)(b) and (c), and (6)(b) and (c), and to enact R.S. 14:91.3 and 91.4, relative to the protection of children; to amend the crime of prohibited sexual conduct between educator and student; to amend the crime of unlawful presence of a sexually violent predator to apply to child care facilities and family child day care homes; to amend the crime of unlawful presence of a sex offender to apply to certain locations; to create the crime of unlawful participation in a child-related business and to provide for criminal penalties; to create the crime of contributing to the endangerment of a minor and to provide for criminal penalties; to provide relative to conditions of probation, parole, or suspension of sentence for convicted sex offenders with respect to volunteer work activities; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Baldone to Engrossed House Bill No. 476 by Representative Connick

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line and insert in lieu thereof "R.S. 14:91.1(A)(2), 91.2(A)(3)"

AMENDMENT NO. 2

On page 1, delete line 5 in its entirety

AMENDMENT NO. 3

On page 1, line 15, after "Section 1." delete the remainder of the line and insert in lieu thereof "R.S. 14:91.1(A)(2), 91.2(A)(3) and"

AMENDMENT NO. 4

Delete page 2 in its entirety

AMENDMENT NO. 5

On page 3, delete lines 1 through 8 in their entirety

Rep. Baldone moved the adoption of the amendments.

Rep. Connick objected.

By a vote of 30 yeas and 59 nays, the amendments were rejected.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Baldone to Engrossed House Bill No. 476 by Representative Connick

AMENDMENT NO. 1

On page 2, delete lines 3 through 23 in their entirety and insert the following in lieu thereof:

"committed when an educator with direct control or supervision over a student enrolled at the school where the educator is assigned, employed or working has sexual intercourse with the student, commits a lewd or lascivious act upon or in the presence of the student, or intentionally engages in the touching of the anus or genitals of the student when all of the following apply:

- (1) The student is seventeen years of age or older, but less than twenty-one years of age.
- (2) There is an age difference of greater than four years between the educator and the student.
- (3) The student is not the spouse of the educator."

Rep. Baldone moved the adoption of the amendments.

Rep. Connick objected.

By a vote of 7 yeas and 83 nays, the amendments were rejected.

Rep. Connick moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Ernst	Little	Williams
Fannin	Lopinto	Willmott
Foil	McVea	Wooton

Total - 102

NAYS

Total - 0

ABSENT

Baldone	Geymann	Henry
Total - 3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Connick 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.

Motion

On motion of Rep. Smiley, the motion to reconsider the vote by which House Bill No. 407 finally passed was called from the table.

Suspension of the Rules

On motion of Rep. Smiley, the rules were suspended to reconsider the vote by which House Bill No. 407 finally passed on the same legislative day.

Reconsideration

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

HOUSE BILL NO. 407—
BY REPRESENTATIVES SMILEY AND TUCKER
AN ACT

To enact Chapter 19 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:1301 through 1306, relative to boards, commissions, and like entities; to provide for a website to contain certain information concerning certain boards, commissions, and like entities; to provide for the content of the website; to provide relative to the duties and responsibilities of certain boards, commissions, and like entities concerning the website; to provide relative to the powers and duties of the commissioner of administration concerning the website; to provide relative to notice of meetings of certain boards, commissions, and like entities; to provide relative to minutes of meetings of certain boards, commissions, and like entities; and to provide for related matters.

Read by title.

On motion of Rep. Smiley, the vote by which the above House Bill finally passed was reconsidered.

Motion

On motion of Rep. Smiley, the vote by which the set of three House floor amendments by Reps. Smiley and Tucker were adopted was reconsidered.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Smiley and Tucker to Engrossed House Bill No. 407 by Representative Smiley

Page 28 HOUSE

10th Day's Proceedings - May 12, 2009

AMENDMENT NO. 1

On page 3, at the end of line 24, insert "; submission format"

AMENDMENT NO. 2

On page 3, line 25, at the beginning of the line, insert the following:

"Each board, commission, or like entity covered by this Chapter shall submit notices, minutes, and other information in an electronic form or format designated by the commissioner of administration."

AMENDMENT NO. 3

On page 4, line 10, change "January" to "March"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Richmond to Engrossed House Bill No. 407 by Representative Smiley

AMENDMENT NO. 1

On page 3, between lines 23 and 24, insert the following:

"§1305.1. Disclosure by elected officials.

Any person elected to an office in this state who appoints a person to a board or commission shall disclose any contribution received from that appointee."

Point of Order

Rep. Ligi asked for a ruling from the Chair as to whether the above amendments were germane to the subject matter contained in the bill as introduced.

Ruling of the Chair

The Chair ruled that the above amendments were not germane to the subject matter contained in the bill as introduced.

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

Rep. Smiley 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, Franklin, Monica, Abramson, Gallot, Montoucet, Anders, Gisclair, Morris, Arnold, Greene, Norton, Aubert, Guillory, E., Nowlin, Badon, A., Guinn, Perry, Badon, B., Hardy, Peterson, Baldone, Harrison, Ponti, Barras, Hazel, Pope, Barrow, Henderson, Pugh, Billiot, Hill, Richard, Brossett, Hines, Richardson, Burford, Hoffmann, Richmond, Burns, H., Honey, Ritchie, Burns, T., Howard, Robideaux.

Table listing names of representatives who voted 'NAYS' and 'ABSENT'. NAYS: Burrell, Carmody, Carter, Champagne, Chandler, Chaney, Connick, Cortez, Cromer, Danahay, Dixon, Doerge, Dove, Downs, Edwards, Ellington, Ernst, Fannin, Foil. ABSENT: Armes, Geymann. Total - 100 NAYS, Total - 0 ABSENT.

Table listing names of representatives who voted 'ABSENT'. ABSENT: Armes, Geymann, Total - 5. Also lists Guillory, M., Henry, Pearson.

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

HOUSE BILL NO. 478—

BY REPRESENTATIVE HARRISON AN ACT

To amend and reenact R.S. 10:9-309(1), 311(b), 501(a)(3), 515(i), and 516(3), and R.S. 34:851.20(M)(1) and (3), 852.1, 852.2(2), (3), and (7) through (17), 852.3(A), 852.4(A) and (B)(2), (3), and (6), 852.5, 852.6, 852.7(A)(4) and (B), 852.8, 852.10, 852.11(B) and (C), 852.12, 852.14(A) and (C), 852.15, 852.16(A), (D) through (H), and (I)(1) and (3), 852.17, and 852.20 and to enact R.S. 10:9-504(5) and R.S. 34:851.20(M)(4) and (5), 852.2(18), 852.3(A)(1) and (2), and 852.23, relative to titling; to provide for titling and registering of certain vessels and outboard motors; and to provide for perfection of security interests in certain motors; to provide for effectiveness of certain financing statements; to provide for definitions; to provide for certificates of title; to provide for form and content of application for title and certificate of title; to provide for duplicate titles; to provide for exemptions; to provide for manufacturers and dealers; to provide for transfer of and interest in outboard motors; to provide for liens; to provide for rules and regulations; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Harrison to Engrossed House Bill No. 478 by Representative Harrison

AMENDMENT NO. 1

On page 1, line 2, change "516(3)" to "516(a)(3)"

AMENDMENT NO. 2

On page 1, line 7, delete "852.3(A)(1) and (2)"

AMENDMENT NO. 3

On page 1, line 17, change "516(3)" to "516(a)(3)"

AMENDMENT NO. 4

On page 4, line 9, delete "852.3(A)(1) and (2)"

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

Point of Order

Rep. Cortez asked for a ruling from the Chair as to whether House Bill No. 478 levies a new fee or increases an existing fee, and therefore would require the favorable vote of two-thirds of the elected members to finally pass the House.

Ruling of the Chair

The Chair ruled the bill does levy a new fee or increases an existing fee, and therefore would require the favorable vote of two-thirds of the elected members to finally pass the House.

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

ROLL CALL

The roll was called with the following result:

YEAS

Anders	Ellington	Lambert
Aubert	Foil	Leger
Badon, B.	Franklin	Little
Baldone	Guillory, M.	Monica
Barrow	Hardy	Montoucet
Billiot	Harrison	Norton
Brossett	Henderson	Peterson
Burford	Hines	Pugh
Burns, H.	Honey	Richardson
Burrell	Jackson G.	Ritchie
Carter	Jackson M.	Roy
Dixon	Johnson	Smith, P.
Doerge	Jones, R.	St. Germain
Dove	Katz	Stiaes
Edwards	LaFonta	Thibaut
Total - 45		

NAYS

Mr. Speaker	Greene	Nowlin
Abramson	Guinn	Pearson
Burns, T.	Hazel	Perry
Carmody	Hill	Pope
Champagne	Hoffmann	Richmond
Chandler	Howard	Schroder
Chaney	Hutter	Simon
Cortez	Jones, S.	Smiley
Cromer	Kleckley	Smith, G.
Danahay	LaBruzzo	Talbot
Ernst	Landry	Templet
Fannin	LeBas	Waddell
Gallot	Ligi	Williams
Gisclair	Lopinto	Willmott
Total - 42		

ABSENT

Armes	Geymann	Ponti
Arnold	Guillory, E.	Richard
Badon, A.	Henry	Robideaux
Barras	McVea	Smith, J.

Connick	Mills	White
Downs	Morris	Wooton
Total - 18		

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

Motion to reconsider pending.

HOUSE BILL NO. 564—

BY REPRESENTATIVES ABRAMSON AND MICKEY GUILLORY AND SENATOR BROOME

AN ACT

To enact R.S. 14:46.3, relative to trafficking of children for sexual purposes; to create the crime of trafficking of children for sexual purposes; to provide for definitions; to prohibit the use of certain defenses; to provide for criminal penalties; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Abramson to Engrossed House Bill No. 564 by Representative Abramson

AMENDMENT NO. 1

On page 1, line 10, after "solicit" insert a comma and "sell, purchase,"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Foil	Monica
Abramson	Franklin	Montoucet
Anders	Gallot	Morris
Arnold	Gisclair	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
Brossett	Hill	Richard
Burford	Hines	Richardson
Burns, H.	Hoffmann	Richmond
Burns, T.	Honey	Ritchie
Burrell	Howard	Roy
Carmody	Hutter	Schroder
Carter	Jackson G.	Simon
Champagne	Johnson	Smiley
Chandler	Jones, R.	Smith, G.
Chaney	Jones, S.	Smith, J.
Connick	Katz	Smith, P.
Cortez	Kleckley	St. Germain
Cromer	LaBruzzo	Stiaes
Danahay	LaFonta	Talbot
Dixon	Lambert	Templet
Doerge	Landry	Thibaut

Dove	LeBas	Waddell
Downs	Leger	White
Edwards	Ligi	Williams
Ellington	Little	Willmott
Ernst	Lopinto	
Fannin	Mills	
Total - 97		

NAYS

Total - 0

ABSENT

Armes	Henry	Robideaux
Geymann	Jackson M.	Wooton
Greene	McVea	
Total - 8		

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.

Acting Speaker White in the Chair

HOUSE BILL NO. 588—
BY REPRESENTATIVE LANDRY
AN ACT

To amend and reenact R.S. 15:588, relative to individual access to criminal history information; to authorize an individual or his authorized representative to obtain a certified copy of his criminal history information record; 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. 588 by Representative Landry

AMENDMENT NO. 1

On page 2, line 1, following "of" and before "criminal history" change "their" to "his"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Franklin	Mills
Anders	Gallot	Monica
Arnold	Gisclair	Morris
Aubert	Greene	Norton
Badon, A.	Guillory, E.	Nowlin
Badon, B.	Guillory, M.	Pearson
Baldone	Guinn	Perry
Barras	Hardy	Peterson
Barrow	Harrison	Ponti

Billiot	Hazel	Pope
Brossett	Henderson	Pugh
Burford	Hill	Richard
Burns, H.	Hines	Richardson
Burns, T.	Hoffmann	Richmond
Burrell	Honey	Ritchie
Carmody	Howard	Robideaux
Carter	Hutter	Roy
Champagne	Jackson M.	Schroder
Chandler	Johnson	Simon
Chaney	Jones, R.	Smiley
Connick	Jones, S.	Smith, G.
Cortez	Katz	Smith, J.
Cromer	Kleckley	Smith, P.
Danahay	LaBruzzo	St. Germain
Dixon	LaFonta	Stiaes
Doerge	Lambert	Talbot
Dove	Landry	Templet
Downs	LeBas	Thibaut
Edwards	Leger	Waddell
Ellington	Ligi	White
Ernst	Little	Williams
Fannin	Lopinto	Willmott
Foil	McVea	Wooton
Total - 99		

NAYS

Total - 0

ABSENT

Mr. Speaker	Geymann	Jackson G.
Armes	Henry	Montoucet
Total - 6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Landry 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.

Speaker Tucker in the Chair

HOUSE BILL NO. 591—
BY REPRESENTATIVE ELLINGTON
AN ACT

To amend and reenact R.S. 24:55(E)(2), R.S. 42:1115.1(F), and R.S. 49:76(E)(2), relative to laws within the jurisdiction of the Board of Ethics; to provide relative to the meaning of certain terms and phrases within such laws; to provide for application and effectiveness; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Ellington to Engrossed House Bill No. 591 by Representative Ellington

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 24:55" and before "(E)(2)," insert "(D)(2) and"

AMENDMENT NO. 2

On page 1, line 2, after "R.S. 49:76" and before "(E)(2)," insert "(D)(2) and"

AMENDMENT NO. 3

On page 1, line 4, after "laws;" insert "to provide relative to the reporting of certain expenditures;"

AMENDMENT NO. 4

On page 1, line 7, after "R.S. 24:55" delete "(E)(2) is" insert "(D)(2) and (E)(2) are"

AMENDMENT NO. 5

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

"D.

* * *

(2) For the purposes of this Section, the aggregate amount or any per occasion amount attributable to a legislator or spouse or minor child of a legislator or public servant, other than a legislator, in the legislative branch of state government shall not include any expenditure which is required to be reported in Paragraph (E)(1) or (2) of this Section or which is exempt under Paragraph (E)(2) or (3) of this Section."

AMENDMENT NO. 6

On page 1, line 15, after "shall be" delete the remainder of the line and delete line 16 and insert "reported by including the name of the national or regional organization, the date and location of the reception or social gathering, a general description of persons associated with the organization invited to attend the reception or social gathering, and the amount of the expenditure."

AMENDMENT NO. 7

On page 2, line 23, after "R.S. 49:76" delete "(E)(2) is" and insert "(D)(2) and (E)(2) are"

AMENDMENT NO. 8

On page 2, between lines 25 and 26, insert the following:

"D.

* * *

(2) For the purposes of this Section, the aggregate amount or any per occasion amount attributable to an executive branch official or spouse or minor child of an executive branch official shall not include any expenditure which is otherwise required to be reported in Paragraph (E)(1) or (2) of this Section or which is exempt as provided in Paragraph (E)(2) or (3) of this Section."

AMENDMENT NO. 9

On page 3, line 2, after "shall be" delete the remainder of the line and delete line 3 and insert "reported by including the name of the national or regional organization, the date and location of the reception or social gathering, a general description of persons associated with the organization invited to attend the reception or social gathering, and the amount of the expenditure."

AMENDMENT NO. 10

On page 3, line 13, after "Section 4." delete the remainder of the line and insert "The provisions of R.S. 24:55(E)(2)(b) as provided in Section 1 of this Act, the provisions of Section 2 of this Act, and the provisions of R.S. 49:76(E)(2)(b) as provided in Section 3 of this Act are hereby declared to be remedial,"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Dove	Little
Anders	Edwards	Lopinto
Arnold	Ellington	McVea
Aubert	Ernst	Mills
Badon, A.	Fannin	Monica
Badon, B.	Franklin	Montoucet
Baldone	Gallot	Norton
Barras	Guillory, E.	Ponti
Barrow	Guillory, M.	Pope
Billiot	Guinn	Pugh
Brossett	Hardy	Richard
Burns, H.	Harrison	Richardson
Burrell	Henderson	Smith, G.
Carmody	Howard	Smith, J.
Chandler	Jackson M.	St. Germain
Chaney	Jones, R.	White
Cromer	LaFonta	Williams
Danahay	Lambert	Willmott
Dixon	LeBas	Wooton
Doerge	Ligi	
Total - 59		

NAYS

Abramson	Hines	Pearson
Burford	Hoffmann	Perry
Burns, T.	Honey	Richmond
Carter	Hutter	Ritchie
Champagne	Johnson	Roy
Cortez	Jones, S.	Schroder
Foil	Kleckley	Simon
Gisclair	LaBruzzo	Stiaes
Greene	Landry	Talbot
Hazel	Morris	Thibaut
Hill	Nowlin	Waddell
Total - 33		

ABSENT

Armes	Jackson G.	Smiley
Connick	Katz	Smith, P.
Downs	Leger	Templet
Geymann	Peterson	
Henry	Robideaux	
Total - 13		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Ellington 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. 619—
BY REPRESENTATIVES TIM BURNS AND ANDERS
AN ACT

To authorize and provide for the transfer or lease of certain state and other public properties; to provide for the property descriptions; to amend and reenact Section 7 of Act No. 264 of the 2007 Regular Session of 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. 619 by Representative Tim Burns

AMENDMENT NO. 1

On page 1, line 3, following "reenact" and after "Section 7" insert "(introductory paragraph)"

AMENDMENT NO. 2

On page 2, line 3, following "Section 3." and after "Section" insert "(introductory paragraph)"

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

Rep. Tim Burns moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 95

NAYS

Total - 0

ABSENT

Armes	Geymann	Robideaux
Aubert	Henry	Smith, J.
Barras	Jones, R.	
Cromer	McVea	

Total - 10

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Tim Burns 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. 636—

BY REPRESENTATIVE MONICA

AN ACT

To amend and reenact R.S. 34:851.24(F)(2) and 851.36(A) and to enact R.S. 32:667(B)(5) and R.S. 34:851.8 and 851.31(B), relative to boat safety; to provide for suspension of the privilege and prohibition to operate a watercraft upon certain waterways; to provide for boating safety equipment; to provide for boating safety education; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Monica to Engrossed House Bill No. 636 by Representative Monica

AMENDMENT NO. 1

On page 1, line 2, after "reenact" insert "R.S. 32:415.1(A)(1)(a) and (B) and"

AMENDMENT NO. 2

On page 1, at the end of line 2, change "32:667(B)(5)" to "32:414(V) and 667(B)(5)"

AMENDMENT NO. 3

On page 1, line 4, after "waterways;" insert "to provide for suspension of driver's license; to provide for hardship appeal;"

AMENDMENT NO. 4

On page 1, line 8, delete "32:667(B)(5) is" and insert "32:415.1(A)(1)(a) and (B) are hereby amended and reenacted and R.S. 32:414(V) and 667(B)(5) are"

AMENDMENT NO. 5

On page 1, between lines 8 and 9 insert the following:

"§414. Suspension, revocation, renewal, and cancellation of licenses; judicial review

* * *

V. (1) The department shall suspend the license of a person for the same period of time as provided in Subparagraphs (A)(1)(a), (B)(2)(a), and (D)(1)(a) of this Section for the conviction or the entry of a plea of guilty and sentence thereupon, or the forfeiture of bail of any such person charged with vehicular negligent injuring committed while operating a watercraft or for operating a watercraft while under the influence of beverages of high alcoholic content, of low alcoholic content, of narcotic drugs, or of central nervous system stimulants.

(2) Any suspension or revocation of license due to the conviction or the entry of a plea of guilty or nolo contendere and sentence thereupon or the forfeiture of bail on the charge of vehicular negligent injuring or for operating a motor vehicle while under the

influence of beverages of high alcoholic content, of low alcoholic content, of narcotic drugs, or of central nervous system stimulants as provided for in this Section shall also prohibit the operation or physical control of a watercraft upon the waterways of this state during the time period of such suspension or revocation.

* * *

§415.1. Economic and medical hardship appeal of driver's license suspension

A.(1) Except as provided in R.S. 32:378.2(A) and 415(B)(2), upon suspension, revocation, or cancellation of a person's driver's license for the first time only as provided for under R.S. 32:414 and 415, said person, after initial notice from the department, shall have the right to file a petition in the district court of the parish in which the applicant is domiciled alleging that revocation of his driving privileges will deprive him or his family of the necessities of life, will prevent him from earning a livelihood, or prevent him from obtaining proper medical treatment if disabled. The district court is vested with jurisdiction to set the matter for contradictory hearing in open court upon ten days written notice to the department, and thereupon to determine whether the allegations of hardship have merit. Upon determination by the court that the lack of a license would deprive the person or his family of the necessities of life or prevent the licensee from obtaining proper medical treatment if disabled, the court may order that the person be granted, by the department, a restricted license to enable the person to continue to support his family or to obtain such medical treatment as provided for in this Section. The restrictions of said license shall be determined by the court and shall include the following:

(a) Licensee shall be permitted to operate a motor vehicle only on such streets or watercraft on the waterways of the state as would enable him to earn his livelihood or for treatment of his debilitating condition as provided for in Subparagraph (e) of this Paragraph.

* * *

B. A copy of the order shall be sent to the department along with a copy of the conviction notice. A copy of the order containing the restrictions shall be attached to the license of the person convicted and must be in possession of the person whenever he is operating a motor vehicle or watercraft. A restricted license shall be issued by the department and designated by a large red R printed on the face of the license. The term of the restrictions shall be the same as the term of the original suspension, cancellation, or revocation.

C. A violation of the restrictions or a subsequent conviction of any offense involving the operation of a motor vehicle or watercraft during the term of the restricted license shall result in the extension of the period of suspension, revocation, or cancellation for one year from the date upon which the licensee would otherwise have been able to apply for new license and shall also constitute contempt of court. Suspension, revocation, or cancellation that results from such a violation shall not be subject to appeal as set forth in this Section. Except as provided in R.S. 32:378.2(A)(2), restricted driving privileges for this Section may be allowed to a person only once.

* * *

AMENDMENT NO. 6

On page 2, at the end of line 6, change "32:667." to "32:414 or 667."

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

Motion

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

HOUSE BILL NO. 713—

BY REPRESENTATIVES MILLS, HENRY BURNS, CHAMPAGNE, CORTEZ, FOIL, LITTLE, PERRY, PUGH, ROBIDEAUX, SIMON, SMILEY, JANE SMITH, AND THIBAUT AND SENATORS CROWE, DUPLESSIS, MICHOT, SMITH, AND WALSWORTH
AN ACT

To enact Part IX-A of Chapter 1 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:214 through 220, relative to treatment of sexually dangerous persons; to provide for a court-mandated program for the treatment of sexually dangerous persons; to provide for definitions; to establish a procedure by which persons are determined to be sexually dangerous persons; to provide for the duties of the Department of Public Safety and Corrections; to provide for the duties of the Department of Health and Hospitals; to create a Treatment Review Committee and to provide for its membership; to provide for a hearing; to provide relative to the payment of costs of treatment; to provide for judicial review; to provide for the creation of a crime for failure to participate in treatment; to provide for penalties; 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. 713 by Representative Mills

AMENDMENT NO. 1

On page 3, line 7, following "include" delete "the remainder of the line and on line 8, delete "to."

AMENDMENT NO. 2

On page 7, line 8, following "If" and before "financially" insert "the person is"

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. 713 by Representative Mills

AMENDMENT NO. 1

On page 2, line 12, after "percent" insert "with treatment"

AMENDMENT NO. 2

On page 7, line 19, after "to" insert "participate in"

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

Motion

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

HOUSE BILL NO. 752—

BY REPRESENTATIVE AUSTIN BADON
AN ACT

To enact R.S. 17:1990(F)(5), relative to the Recovery School District; to authorize the Recovery School District to enroll certain students in a virtual or cyber school or educational program operated under the jurisdiction of the district under certain circumstances; and to provide for related matters.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Austin Badon gave notice of his intention to call House Bill No. 752 from the calendar during the week of May 18, 2009.

HOUSE BILL NO. 777—
BY REPRESENTATIVE CHAMPAGNE
AN ACT

To amend and reenact R.S. 42:1113(A)(1), relative to public servants and prohibited contractual arrangements; to authorize a municipal or parish governing authority to appoint one of its members to fill certain vacancies and to certain boards or commissions; to provide relative to the eligibility as a candidate in the next election of any governing authority member appointed to fill a vacancy; and to provide for related matters.

Read by title.

Rep. Champagne moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 95

NAYS

Total - 0

ABSENT

Abramson	Dove	Nowlin
Armes	Geymann	Smith, J.
Barras	Henry	
Danahay	McVea	
Total - 10		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 636—
BY REPRESENTATIVE MONICA
AN ACT

To amend and reenact R.S. 34:851.24(F)(2) and 851.36(A) and to enact R.S. 32:667(B)(5) and R.S. 34:851.8 and 851.31(B), relative to boat safety; to provide for suspension of the privilege and prohibition to operate a watercraft upon certain waterways; to provide for boating safety equipment; to provide for boating safety education; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Billiot to Engrossed House Bill No. 636 by Representative Monica

AMENDMENT NO. 1

On page 2, at the end of line 14, insert "However, the provisions of this Paragraph shall not apply to commercial fishing vessels."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Lopinto to Engrossed House Bill No. 636 by Representative Monica

AMENDMENT NO. 1

On page 1, line 2, delete "851.24(F)(2) and"

AMENDMENT NO. 2

On page 2, line 1, delete "R.S. 34:851.24(F)(2) is hereby amended and reenacted and"

AMENDMENT NO. 3

On page 2, delete lines 8 through 15 in their entirety

Rep. Lopinto moved the adoption of the amendments.

Rep. Monica objected.

By a vote of 14 yeas and 71 nays, the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 93

NAYS

Hines
Total - 1

ABSENT

Armes	Geymann	Robideaux
Barras	Henry	Smith, J.
Danahay	Katz	Waddell
Dove	McVea	

Total - 11

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Monica 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. 822—
BY REPRESENTATIVE PATRICIA SMITH
AN ACT

To amend and reenact R.S. 15:574.22(G), relative to the Louisiana Risk Review Panel; to provide with respect to those persons who are eligible for a review by the Louisiana Risk Review Panel; to provide with respect to eligibility of persons sentenced for certain violations of the Uniform Controlled Dangerous Substances Law; and to provide for related matters.

Read by title.

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

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Gallot	Monica
Anders	Gisclair	Montoucet
Arnold	Greene	Morris
Aubert	Guillory, E.	Norton
Badon, B.	Guillory, M.	Nowlin
Baldone	Hardy	Pearson
Barrow	Harrison	Perry
Billiot	Hill	Peterson
Brossett	Hines	Ponti
Burford	Hoffmann	Pope
Burns, H.	Honey	Pugh
Burrell	Hutter	Richardson
Carmody	Jackson G.	Richmond
Carter	Jackson M.	Roy
Champagne	Johnson	Smiley
Chandler	Jones, R.	Smith, G.
Chaney	Jones, S.	Smith, P.
Connick	Katz	St. Germain
Cortez	Kleckley	Stiaes
Cromer	LaBruzzo	Talbot
Dixon	LaFonta	Templet
Doerge	Lambert	Thibaut
Downs	Landry	Waddell
Ellington	LeBas	White
Ernst	Leger	Williams
Fannin	Ligi	Willmott
Foil	Lopinto	Wooton
Franklin	Mills	

Total - 83

NAYS

Burns, T.	Little	Simon
-----------	--------	-------

Total - 3

ABSENT

Mr. Speaker	Geymann	Richard
Armes	Guinn	Ritchie
Badon, A.	Hazel	Robideaux
Barras	Henderson	Schroder
Danahay	Henry	Smith, J.
Dove	Howard	
Edwards	McVea	

Total - 19

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Consent to Correct a Vote Record

Reps. Little and Simon requested the House consent to correct their vote on final passage of House Bill No. 822 from yea to nay, which consent was unanimously granted.

Consent to Correct a Vote Record

Rep. Tim Burns requested the House consent to record his vote on final passage of House Bill No. 822 as nay, which consent was unanimously granted.

HOUSE BILL NO. 832—
BY REPRESENTATIVE GUINN

AN ACT

To amend and reenact the first undesignated paragraph of Section 1 and Section 2 of Act No. 177 of the 2008 Regular Session of the Louisiana Legislature, relative to the transfer of certain state property located in Plaquemines Parish; to specify what shall be used to determine the appraised value of such property.

Read by title.

Motion

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

HOUSE BILL NO. 842—
BY REPRESENTATIVE BALDONE

AN ACT

To amend and reenact R.S. 25:1312(A), 1313(B)(3), and 1314 through 1316 and R.S. 36:801.21, to enact R.S. 36:4(B)(1)(r), and to repeal R.S. 36:744(M), relative to the South Louisiana Wetlands Discovery Center; to transfer the South Louisiana Wetlands Discovery Center and the South Louisiana Wetlands Discovery Center Commission from the Department of State to the Governor's Office of Coastal Activities; to provide for the powers, duties, and functions of the commission and the office; and to provide for related matters.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Baldone gave notice of his intention to call House Bill No. 842 from the calendar during the week of May 18, 2009.

HOUSE BILL NO. 688—
BY REPRESENTATIVE MONTOUCKET

AN ACT

To enact R.S. 14:40.6, relative to the unlawful disruption of the operation of a school; to create the crime of the unlawful disruption of the operation of a school; to provide for definitions; to provide for penalties; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Montoucet to Engrossed House Bill No. 688 by Representative Montoucet

AMENDMENT NO. 1

Delete the set of amendments proposed by Representative Montoucet and adopted by the House of Representatives on May 6, 2009.

AMENDMENT NO. 2

Delete the set of amendments proposed by the Legislative Bureau and adopted by the House of Representatives on May 6, 2009.

AMENDMENT NO. 3

On page 1, delete lines 8 through 20 in their entirety

AMENDMENT NO. 4

On page 2, delete lines 1 through 8 in their entirety and insert in lieu thereof the following:

"A. Unlawful disruption of the operation of a school is the commission of any of the following acts by a person, who is not authorized to be on school premises, which would foreseeably cause any of the following:

(1) Intimidation or harassment of any student or teacher by threat of force or force.

(2) Placing teachers or students in sustained fear for their health, safety, or welfare.

(3) Disrupting, obstructing, or interfering with the operation of the school.

B. For the purposes of this Section:

(1) "Authorized to be present on school premises" means all of the following:

(a) Any student enrolled at the school.

(b) Any teacher employed at the school.

(c) Any person attending a school sponsored function.

(d) Any other person who has authorization to be present on the school premises from the principal of the school in the case of a public school, or the principal or headmaster in the case of a nonpublic school.

(2) "School" means any public or nonpublic elementary, secondary, high school, vocational-technical school, college, special, or postsecondary school or institution, or university in this state.

(3) "School premises" means any property used for school purposes, including but not limited to school buildings, playgrounds, and parking lots.

(4) "School-sponsored function" means the specific designated area of the function, including but not limited to athletic competitions, dances, parties, or any extracurricular activity.

(5) "Student" means any person registered or enrolled at a school as defined in this Section.

(6) "Teacher" shall include any teacher or instructor, administrator, staff person, teacher aide, paraprofessional, school bus driver, food service worker, and other clerical, custodial, or maintenance personnel employed by any public or nonpublic elementary, secondary, high school, vocational-technical school, college, special, or postsecondary school or institution, or university in this state.

C. Whoever commits the offense of unlawful disruption of the operation of a school shall be fined not more than one thousand dollars or imprisoned with or without hard labor for not less than one year nor more than five years, or both.

D. Nothing herein shall be construed to prevent lawful assembly and orderly petition for the redress of grievances, including any labor dispute between any school or institution of higher learning and its employees, or contractor or subcontractor or any employees thereof. Nothing herein shall apply to a bona fide labor organization or its legal activities such as picketing, assembly, or concerted activities in the interest of its members for the purpose of securing better wages, hours, or working conditions."

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Greene	Montoucet
Anders	Guillory, E.	Morris
Badon, B.	Guinn	Norton
Baldone	Hardy	Nowlin
Barrow	Harrison	Pearson
Billiot	Hazel	Perry
Burford	Henderson	Ponti
Burns, H.	Hill	Pope
Burrell	Hines	Pugh
Carmody	Hoffmann	Richard
Carter	Hutter	Richardson
Champagne	Jackson G.	Richmond
Chandler	Jackson M.	Ritchie
Chaney	Johnson	Roy
Connick	Jones, S.	Simon
Cortez	Kleckley	Smiley
Cromer	LaBruzzo	Smith, G.
Dixon	LaFonta	Smith, P.
Doerge	Lambert	St. Germain
Downs	Landry	Templet
Edwards	LeBas	Thibaut
Ellington	Ligi	Waddell
Ernst	Little	Williams
Fannin	Lopinto	Willmott
Foil	McVea	Wooton
Franklin	Mills	
Gisclair	Monica	
Total - 79		

NAYS

Brossett	Leger	Stiaes
Jones, R.	Peterson	
Total - 5		

ABSENT

Abramson	Danahay	Howard
Arnes	Dove	Katz
Arnold	Gallot	Robideaux
Aubert	Geymann	Schroder
Badon, A.	Guillory, M.	Smith, J.
Barras	Henry	Talbot
Burns, T.	Honey	White
Total - 21		

The Chair declared the above bill was finally passed.

The title of the above bill wa read and adopted.

Withdrawal of Notice of Intention to Call

Rep. Templet withdrew his intention to call House Bill No. 361 from the calendar for future action.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Landry gave notice of her intention to call House Bill No. 554 from the calendar during the week of May 18, 2009.

Declaration of Conflict

Rep. Brossett disclosed a possible conflict of interest on House Bill Nos. 1 and 2.

Suspension of the Rules

On motion of Rep. Fannin, the rules were suspended in order to take up and consider Petitions, Memorials and Communications at this time.

Petitions, Memorials and Communications

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

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

May 12, 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. 110
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS

May 12, 2009

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. 9, 39, 43, 44, 45, and 46

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

SENATE BILLS

May 12, 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 Nos. 61, 110, 191, 211, 212, 290, and 299

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. 61—
BY SENATOR HEITMEIER

AN ACT

To enact Children's Code Article 837(I), relative to certain delinquency proceedings; to provide that the court, upon a showing of good cause, may authorize the Department of Health and Hospitals to use restraints on the person of a child during transport; and to provide for related matters.

Read by title.

SENATE BILL NO. 110—
BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 9:3573.3(5), 3573.4(F), 3573.6(B), and 3573.11(B), and to repeal R.S. 9:3573.11(C), relative to the Credit Repair Services Organizations Act; to provide for the filing of a registration statement with the attorney general; to provide for certain terms, notifications, procedures, conditions, and requirements; to provide for orders, injunctions, publication, and availability of records to the general public; and to provide for related matters.

Read by title.

SENATE BILL NO. 191—
BY SENATOR ALARIO

AN ACT

To amend and reenact R.S. 44:4.1(B)(24) and to enact R.S. 40:2020, relative to the authority of the Department of Health and Hospitals to conduct certain mortality reviews; to provide for legislative intent; to provide for definitions and duties; to provide for records; to provide for confidentiality; to provide for a public records exception; and to provide for related matters.

Read by title.

SENATE BILL NO. 211—
BY SENATOR CLAITOR

AN ACT

To amend and reenact R.S. 36:801(introductory paragraph), and to enact R.S. 36:109(U) and Chapter 40 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:2401, relative to economic development; to create the Louisiana Innovation Council within the Department of Economic Development; to provide for the membership; to provide for the duties and responsibilities; to provide for reporting; and to provide for related matters.

Read by title.

SENATE BILL NO. 212—
BY SENATOR CLAITOR

AN ACT

To amend and reenact R.S. 18:134(A), relative to registrars of voters; to provide for office hours of registrars of voters; and to provide for related matters.

Read by title.

SENATE BILL NO. 290—
BY SENATORS QUINN AND HEBERT
AN ACT

To amend and reenact R.S. 22:1317, relative to surplus lines insurers; to exempt surplus lines insurers from provisions regarding co-insurance clauses in policies of fire and extended coverage insurance; and to provide for related matters.

Read by title.

SENATE BILL NO. 299—
BY SENATORS DUPLESSIS AND MICHOT AND REPRESENTATIVE ROSALIND JONES

AN ACT

To enact Chapter 3-D of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:296, relative to the Healthy Food Retail Act; to provide for a financing program to stimulate investment in healthy food retail outlets in underserved areas of Louisiana; to provide for administration of the program; to provide for eligible projects and uses for funding; and to provide for related matters.

Read by title.

Message from the Senate

SIGNED SENATE CONCURRENT RESOLUTIONS

May 12, 2009

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

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

Senate Concurrent Resolution Nos. 32, 34, 36, and 38

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

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

The Senate Concurrent Resolutions contained herein were signed by the Speaker of the House.

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

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

HOUSE CONCURRENT RESOLUTION NO. 113—
BY REPRESENTATIVE LOPINTO AND SENATOR CROWE
A CONCURRENT RESOLUTION

To recognize May 10 through May 16, 2009, as Police Week and May 15, 2009, as Peace Officers Memorial Day, to commend law enforcement officers, and to encourage all citizens to join in the week's special commemorative tributes.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 114—

BY REPRESENTATIVE PONTI

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 and make recommendations with respect to issues relating to the Louisiana State Plumbing Code and the adoption of the International Plumbing Code.

Read by title.

Lies over under the rules.

Reports of Committees

The following reports of committees were received and read:

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

May 12, 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 Concurrent Resolution No. 10, by Anders
Reported favorably. (9-0)

House Bill No. 27, by Wooton
Reported favorably. (9-6) (Regular)

House Bill No. 44, by LaFonta
Reported with amendments. (15-0) (Regular)

House Bill No. 82, by Billiot
Reported favorably. (12-0) (Regular)

House Bill No. 177, by Mills
Reported by substitute. (14-0) (Regular)

House Bill No. 312, by Abramson
Reported favorably. (11-0) (Regular)

House Bill No. 523, by Ernst
Reported with amendments. (14-0) (Regular)

House Bill No. 703, by Katz
Reported with amendments. (13-0) (Regular)

ERNEST D. WOOTON
Chairman

**Report of the Committee on
Health and Welfare**

May 12, 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 Resolution No. 1, by Katz
Reported favorably. (16-0)

House Bill No. 449, by Anders
Reported with amendments. (13-0) (Regular)

House Bill No. 687, by Pearson
Reported with amendments. (12-2) (Regular)

House Bill No. 717, by Greene
Reported with amendments. (11-5) (Regular)

House Bill No. 784, by Katz
Reported favorably. (12-0) (Regular)

House Bill No. 797, by Simon
Reported with amendments. (15-0) (Regular)

House Bill No. 806, by Katz
Reported with amendments. (12-0) (Regular)

House Bill No. 837, by Mills
Reported with amendments. (12-3) (Regular)

Senate Concurrent Resolution No. 19, by Heitmeier
Reported favorably. (15-0)

KAY KELLOGG KATZ
Chairman

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

May 12, 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 Concurrent Resolution No. 6, by Danahay
Reported favorably. (17-0)

House Concurrent Resolution No. 89, by Barrow
Reported favorably. (12-0)

House Concurrent Resolution No. 90, by Billiot
Reported with amendments. (12-0)

House Concurrent Resolution No. 98, by Danahay
Reported favorably. (15-0)

House Concurrent Resolution No. 100, by Dixon
Reported favorably. (14-0)

House Bill No. 347, by Downs
Reported with amendments. (10-0) (Local & Consent)

House Bill No. 380, by Cromer
Reported with amendments. (11-0) (Regular)

House Bill No. 504, by Ligi
Reported with amendments. (14-0) (Regular)

House Bill No. 511, by Harrison (Joint Resolution)
Reported favorably. (12-4) (Regular)

House Bill No. 595, by Danahay
Reported with amendments. (15-0) (Regular)

House Bill No. 852, by Smiley
Reported with amendments. (12-0) (Regular)

RICHARD "RICK" GALLOT, JR.
Chairman

Report of the Committee on Insurance

May 12, 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. 175, by Hutter
Reported with amendments. (7-0) (Regular)

House Bill No. 201, by Thibaut
Reported with amendments. (7-0) (Regular)

House Bill No. 208, by Monica
Reported favorably. (6-0) (Regular)

House Bill No. 580, by Roy
Reported with amendments. (8-0) (Regular)

House Bill No. 669, by Talbot
Reported with amendments. (8-0) (Regular)

CHARLES E. "CHUCK" KLECKLEY
Chairman

Report of the Committee on Natural Resources and Environment

May 12, 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 Concurrent Resolution No. 52, by St. Germain
Reported with amendments. (11-0-1)

House Concurrent Resolution No. 93, by Peterson
Reported with amendments. (12-0-1)

House Concurrent Resolution No. 105, by Dove
Reported favorably. (12-0-1)

House Bill No. 159, by Burns, Henry
Reported with amendments. (13-0-1) (Regular)

House Bill No. 234, by Dove
Reported with amendments. (12-0-1) (Regular)

House Bill No. 492, by Burford
Reported with amendments. (11-0-1) (Regular)

House Bill No. 624, by Jackson, G.
Reported with amendments. (12-0-1) (Regular)

House Bill No. 829, by Cortez
Reported with amendments. (13-0-1) (Regular)

House Bill No. 833, by Dove
Reported with amendments. (10-0-1) (Regular)

GORDON E. DOVE, SR.
Chairman

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:

Motion

On motion of Rep. Connick, the Committee on Transportation, Highways and Public Works was discharged from further consideration of House Bill No. 813.

HOUSE BILL NO. 813—
BY REPRESENTATIVE CONNICK
AN ACT

To enact R.S. 32:861(F), relative to motor vehicle liability policies; to provide for increased minimum liability limits for taxi cabs; and to provide for related matters.

Read by title.

On motion of Rep. Connick, the bill was recommitted to the Committee on Insurance.

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:

Motion

On motion of Rep. Fannin, the Committee on Ways and Means was discharged from further consideration of Senate Bill No. 18.

SENATE BILL NO. 18—
BY SENATOR ALARIO
AN ACT

To enact R.S. 49:191(5) and to repeal R.S. 49:191(2)(e), relative to the Department of the Treasury, including provisions to provide for the re-creation of the Department of the Treasury and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Read by title.

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

Privileged Report of the Committee on Enrollment

May 12, 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 Resolutions have been properly enrolled:

HOUSE RESOLUTION NO. 29—

BY REPRESENTATIVE ROY

A RESOLUTION

To express the sincere and heartfelt condolences of the House of Representatives upon the death of Dr. Aubrey Murray Alexander, Jr.

HOUSE RESOLUTION NO. 30—

BY REPRESENTATIVE PATRICIA SMITH

A RESOLUTION

To commend the members of Alpha Kappa Alpha Sorority, Incorporated, and to recognize Tuesday, June 2, 2009, as AKA Day at the Capitol.

HOUSE RESOLUTION NO. 31—

BY REPRESENTATIVES WILLIAMS AND BARROW

A RESOLUTION

To recognize Monday, May 18, 2009, as Legislative Wellness Day at the Louisiana House of Representatives and to commend the efforts of the American Heart Association, the Louisiana Association for Health, Physical Education, Recreation and Dance, the Louisiana Council on Obesity Prevention and Management, the Louisiana Dietetic Association, and the Governor's Council on Physical Fitness and Sports.

HOUSE RESOLUTION NO. 32—

BY REPRESENTATIVE GEYMANN

A RESOLUTION

To commend Randi Layne Adams upon being named a 2009 Louisiana Student of the Year.

HOUSE RESOLUTION NO. 33—

BY REPRESENTATIVE ROY

A RESOLUTION

To commend the Oak Hill High School Lady Rams softball team in Rapides Parish upon winning the Class B state softball championship and to congratulate the Lady Rams on an outstanding 2008-2009 season.

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 12, 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. 104—

BY REPRESENTATIVE TIM BURNS

A CONCURRENT RESOLUTION

To urge and request the Louisiana Tax Commission to accept the property tax assessments contained in the 2008 tax roll for St. Tammany Parish with regard to compliance with the requirements for uniform assessments.

HOUSE CONCURRENT RESOLUTION NO. 106—

BY REPRESENTATIVES BARROW, AUBERT, AUSTIN BADON, BURRELL, DIXON, FRANKLIN, GALLOT, ELBERT GUILLORY, HARDY, HONEY, GIROD JACKSON, MICHAEL JACKSON, ROSALIND JONES, LAFONTA, NORTON, PETERSON, RICHMOND, PATRICIA SMITH, STIAES, AND WILLIAMS AND SENATORS BROOME, DORSEY, DUPLESSIS, GRAY EVANS, JACKSON, MORRELL, AND MURRAY

A CONCURRENT RESOLUTION

To recognize Tuesday, May 12, 2009, as Children's Defense Fund Day and to commend the Children's Defense Fund.

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. Richmond, the rules were suspended to permit the Committee on Judiciary 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. 712

Senate Bill No. 27

Suspension of the Rules

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

House Bill No. 785

Leave of Absence

Rep. Henry - 1/2 day

Adjournment

On motion of Rep. Billiot, at 7:15 P.M., the House agreed to adjourn until Wednesday, May 13, 2009, at 2:00 P.M.

The Speaker of the House declared the House adjourned until 2:00 P.M., Wednesday, May 13, 2009.

ALFRED W. SPEER
Clerk of the House

