

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

THIRTEENTH 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

Friday, May 15, 2009

The House of Representatives was called to order at 9:40 A.M., by the Honorable Jim Tucker, Speaker of the House of Representatives.

Morning Hour

ROLL CALL

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

PRESENT

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

Fannin	Little	Willmott
Foil	Lopinto	Wooton
Total - 99	ABSENT	

Chandler	Gallot	Richmond
Doerge	Guillory, E.	St. Germain
Total - 6		

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

Prayer

Prayer was offered by Dr. Ken Ward.

Pledge of Allegiance

Rep. Perry 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. Brossett, the reading of the Journal was dispensed with.

On motion of Rep. Brossett, the Journal of May 14, 2009, was adopted.

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

On motion of Rep. Billiot, the Journal of the Committee of the Whole House of May 14, 2009, was adopted.

House and House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 115—
BY REPRESENTATIVE ROSALIND JONES
A CONCURRENT RESOLUTION

To authorize and direct the Louisiana State Law Institute to study all aspects of the laws regarding discovery in criminal cases, and report its findings and make specific recommendations for legislation to the House of Representatives prior to the convening of the 2011 Regular Session of the Legislature of Louisiana.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 117—
BY REPRESENTATIVE MILLS AND SENATOR HEBERT
A CONCURRENT RESOLUTION

To designate the town of Henderson as the Gateway to the Atchafalaya Basin.

Read by title.

Under the rules, the above resolution was referred to the Committee on Municipal, Parochial and Cultural Affairs.

HOUSE CONCURRENT RESOLUTION NO. 118—
BY REPRESENTATIVE GARY SMITH
A CONCURRENT RESOLUTION

To declare that the Legislature of Louisiana will work to maximize the creation of American jobs and restoring economic growth and opportunity by spending economic recovery plan funds on products and services that both create jobs and help keep Americans employed and will commit to purchasing only products and services that are made or performed in the United States of America whenever and wherever possible with any economic recovery monies provided to Louisiana by the American taxpayers.

Read by title.

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

Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 48—

BY SENATOR BROOME

A CONCURRENT RESOLUTION

To create the Southern University Center for Equitable Development Task Force to study and develop statewide recommendations for local strategies and initiatives to meet the economic, social, health, and human resource development needs of economically depressed communities across the state.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 49—

BY SENATOR LONG

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.

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

SENATE CONCURRENT RESOLUTION NO. 50—

BY SENATOR LONG

A CONCURRENT RESOLUTION

To urge and request the secretary of the Department of Natural Resources and the secretary of the Department of Transportation and Development to study and provide to the Legislature recommendations for infrastructure uses of mineral revenues from north Louisiana.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 51—

BY SENATOR CROWE

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to appropriate funds to be used for storm-proofing interior pump stations in St. Bernard and Plaquemines parishes.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 52—

BY SENATOR DUPRE

A CONCURRENT RESOLUTION

To designate the week of May 16 through May 22, 2009, as "Safe Boating Week" in Louisiana.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 54—

BY SENATOR MURRAY

A CONCURRENT RESOLUTION

To commend the Southern University Jaguars 1959 baseball team on the Fiftieth Anniversary of winning the National Association of Intercollegiate Athletics (NAIA) Baseball Championship.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 55—

BY SENATOR CROWE

A CONCURRENT RESOLUTION

To commend and congratulate the South Plaquemines High School Hurricanes football team for winning the Class 1A State Football Championship.

Read by title.

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

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. Wooton, the Committee on Transportation, Highways and Public Works was discharged from further consideration of House Bill No. 573.

HOUSE BILL NO. 573—

BY REPRESENTATIVE WOOTON

AN ACT

To amend and reenact R.S. 34:1352, relative to the Plaquemines Parish Port, Harbor and Terminal District; to provide that the governing authority of the Plaquemines Parish Port, Harbor and Terminal District shall be the Plaquemines Parish Government; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Wooton, the bill was withdrawn from the files of the House.

Senate Bills and Joint Resolutions on Second Reading to be Referred

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

SENATE BILL NO. 20—

BY SENATORS CHAISSON AND THOMPSON

AN ACT

To repeal R.S. 11:1601(3)(b), relative to district attorneys; to provide for eligibility into the District Attorneys' Retirement System; to remove certain prohibitions; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 55—

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

AN ACT

To amend and reenact R.S. 56:699.1, 699.2 and 699.8(B), relative to issuance of hunting licenses; to require completion of a firearm and hunter education course by certain persons; to provide for a firearm and hunter safety card; to provide with respect to persons authorized to issue hunting licenses; to prohibit certain actions; to provide for temporary firearm hunter education deferral license; to provide for nonresident temporary firearm and hunter education deferral license; to provide an effective date; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 95—

BY SENATORS MARTINY AND MORRELL AND REPRESENTATIVES BILLIOT, GISCLAIR, LABRUZZO, LIGI, LOPINTO, TALBOT AND WILLMOTT

AN ACT

To amend and reenact R.S. 33:2536.2(B) and to enact R.S. 33:2476.4, relative to Jefferson Parish; to provide for a secretary for any municipal fire and police civil service board in Jefferson Parish; to provide for the assignment of secretarial duties for the Jefferson Parish Fire Civil Service Board; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

SENATE BILL NO. 117—

BY SENATOR ERDEY

AN ACT

To enact R.S. 33:3887.3, relative to sewerage districts; to authorize an increase in per diem payable to board members of the Livingston Parish Sewer District No. 2; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

SENATE BILL NO. 118—

BY SENATOR ERDEY

AN ACT

To enact R.S. 33:3887.3, relative to sewerage districts; to authorize an increase in per diem payable to board members of the Livingston Parish Sewer District No. 1; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

SENATE BILL NO. 119—

BY SENATOR ERDEY

AN ACT

To enact R.S. 33:4564.7, relative to the Livingston Parish Recreation District No. 3; to increase the per diem of the board of commissioners; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

SENATE BILL NO. 146—

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

AN ACT

To amend and reenact R.S. 17:3981(4), 3982(A)(1)(a) and (B), 3983(C)(1)(a), and 3991(C)(1)(c)(iii) and (E), relative to charter schools; to provide relative to the review and evaluation of charter school proposals; to provide relative to public school facilities and property made available to charter schools; to provide relative to the vote required to convert an existing public school to a charter school; to provide relative to enrollment preferences; to provide relative to support or affiliation with charter schools by certain religious organizations or institutions; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 179—

BY SENATORS CROWE AND THOMPSON

AN ACT

To amend and reenact R.S. 34:3494(A) and (B)(5) and (9), 3495(A) and (B), and 3504(F), to enact R.S. 34:3494(B)(10) and (11), and 3506(D), relative to the Louisiana International Deep Water Gulf Transfer Terminal Authority; to provide relative to the jurisdiction of the authority; to increase the membership of the board of commissioners; to provide for the terms of office for the board of commissioners; to remove legislative oversight of rules and regulations for maintenance and operation of the authority; to provide for budgets and financial reports of the authority; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 183—

BY SENATOR APPEL

A JOINT RESOLUTION

Proposing to add Article VII, Section 2.1 (C) of the Constitution of Louisiana, relative to the constitutional requirements and procedures for the imposition of or increase in a fee; to provide exceptions to such requirements for the increase in tuition or the imposition of or increase in fees at postsecondary institutions; to specify an election for submission of the proposition to electors and to provide a ballot proposition.

Read by title.

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

SENATE BILL NO. 189—

BY SENATOR ALARIO

AN ACT

To enact R.S. 32:127, relative to highway right of way crossings; to authorize golf carts and all-terrain vehicles to cross Louisiana Highway 1 within the town of Grand Isle; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 259—

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

AN ACT

To amend and reenact R.S. 17:183.1, 183.2, and 183.3, and to repeal R.S. 17:183.4, 183.6, 183.7, 183.8, and 183.9, relative to curricula; to provide relative to high school career option programs; to provide relative to career major programs; to provide relative to a career diploma; to provide relative to program, course, and curriculum approval; to provide for waivers; to provide relative to program participation eligibility criteria; to provide relative to individual graduation plans; to provide for an effective date; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 264—

BY SENATORS KOSTELKA, MORRELL, B. GAUTREAUX, ADLEY, ALARIO, AMEDEE, APPEL, BROOME, CHEEK, DORSEY, DUPLESSIS, DUPRE, ERDEY, GRAY EVANS, HEBERT, HEITMEIER, LONG, MARIONNEAUX, MARTINY, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, RISER, SMITH, THOMPSON AND WALSWORTH

AN ACT

To enact R.S. 11:2175.1, relative to the authority of the board of trustees of the Sheriffs' Pension and Relief Fund; relative to employer contributions; to establish a funding deposit account; to provide for an effective date; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 281—

BY SENATOR APPEL AND REPRESENTATIVE ELLINGTON

AN ACT

To enact Chapter 5-S of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:380.161 through 167, and R.S. 36:744(CC) and 801.23, relative to state museums; to create the Schepis Museum advisory board in the Department of State; to provide for powers and duties of the board; to provide for funding; to provide for the disposition of property; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

SENATE BILL NO. 303—

BY SENATORS RISER, THOMPSON AND WALSWORTH AND REPRESENTATIVE PONTI

AN ACT

To enact R.S. 23:1203.1, relative to medical treatment in workers' compensation matters; to provide for definitions; to provide a process for adoption of a medical treatment schedule for use in making medical treatment decisions in workers' compensation matters; to provide for the promulgation of rules; to provide that the schedule shall be based on certain guidelines; to provide for appointment of a medical advisory council to be chosen by the director of the office of workers' compensation administration; to provide regarding the membership of such a council; to provide with respect to time frame for authorization of medical services; to provide relative to disputes as to recommended care that varies from the medical treatment schedule; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Labor and Industrial Relations.

SENATE BILL NO. 333—

BY SENATORS BROOME, DORSEY AND ERDEY AND REPRESENTATIVES BARROW, CARTER, FOIL, HONEY, MICHAEL JACKSON, PONTI, POPE, PATRICIA SMITH AND WHITE

AN ACT

To enact R.S. 33:9038.63, relative to cooperative development in East Baton Rouge Parish; to create the Bluebonnet Convention Hotel Taxing District as a special taxing and tax increment financing district in East Baton Rouge Parish; to provide for the boundaries of the district; to provide for the governance of the district; to provide for the authority, powers, duties, and function of the governing body; to levy and collect a tax upon hotel occupancy and food and beverage not intended for home consumption within the district and to engage in tax increment financing; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

House 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. 891 (Substitute for House Bill No. 799 by Representative Michael Jackson)—

BY REPRESENTATIVE MICHAEL JACKSON

AN ACT

To amend and reenact R.S. 23:1538(A), relative to unemployment compensation; to provide for penalties to an employer for failure to file a payroll report; and to provide for related matters.

Read by title.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 892 (Substitute for House Bill No. 800 by Representative Michael Jackson)—

BY REPRESENTATIVE MICHAEL JACKSON

AN ACT

To enact R.S. 23:1625.1, relative to unemployment compensation; to provide for the prompt determination of claims; to provide with respect to the abandonment of an employer's right to appeal a determination of claim; to provide for the employer's right to appeal in the event the failure to provide information is due to compelling circumstances; and to provide for related matters.

Read by title.

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

Under the rules, placed on the regular calendar.

Senate Instruments on Second Reading Returned from the Legislative Bureau

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

SENATE BILL NO. 27—
BY SENATOR MARTINY

AN ACT

To enact R.S. 9:203(E)(7), relative to marriage officiants, judges, and justices of the peace; to provide for the extension of authority for certain federal judges to preside over a marriage ceremony for a particular period of time; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

Suspension of the Rules

On motion of Rep. Greene, 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. 2—

BY REPRESENTATIVE GREENE

AN ACT

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

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Greene to Reengrossed House Bill No. 2 by Representative Greene

AMENDMENT NO. 1

On page 25, delete lines 40 through 42 in their entirety and insert the following:

"Further provided, however, that notwithstanding any other provision of law to the contrary, including R.S. 48:231, all projects in the FY 2009-2010 Highway Program are deemed to be approved in compliance with the procedures set forth in Article VII, Section 11 of the Constitution of Louisiana, and that the FY 2009-2010 Highway Program may be undertaken and the expenditure of monies for such program is hereby authorized."

AMENDMENT NO. 2

On page 26, delete lines 8 through 12 in their entirety

AMENDMENT NO. 3

On page 26, line 13, after "Pecue" insert "Lane/I-10"

AMENDMENT NO. 4

On page 29, line 3, delete "\$20 million" and insert "\$23,307,534"

AMENDMENT NO. 5

On page 29, delete lines 8 through 10 in their entirety and insert the following:

"Further provided, however, that notwithstanding any other provision of law to the contrary, including R.S. 34:3451 et seq., all projects in the FY 2009-2010 Port Construction and Development Priority Program are deemed to be approved in compliance with the procedures set forth in Article VII, Section 11 of the Constitution of Louisiana, and that the FY 2009-2010 Port Construction and Development Priority Program may be undertaken and the expenditure of monies for such program is hereby authorized."

AMENDMENT NO. 6

On page 29, delete lines 21 through 23 in their entirety and insert the following:

"Further provided, however, that notwithstanding any other provision of law to the contrary, including R.S. 38:90.1 et seq., all projects in the FY 2009-2010 Statewide Flood Control Program are deemed to be approved in compliance with the procedures set forth in Article VII, Section 11 of the Constitution of Louisiana, and that the FY 2009-2010 Statewide Flood Control Program may be undertaken and the expenditure of monies for such program is hereby authorized."

AMENDMENT NO. 7

On page 29, delete lines 36 through 38 in their entirety and insert the following:

"Priority 1	\$ 300,000
Total	<u>\$ 1,000,000</u>

AMENDMENT NO. 8

On page 30, delete line 12 in its entirety and insert the following:

"Payable from Transportation Trust Fund - Regular	\$28,735,564"
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AMENDMENT NO. 9

On page 30, delete line 14 in its entirety and insert the following:

"Total	<u>\$28,985,564"</u>
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AMENDMENT NO. 10

On page 30, delete lines 15 through 17 in their entirety and insert the following:

"Further provided, however, that notwithstanding any other provision of law to the contrary, including R.S. 2:801 et seq., all projects in the FY 2009-2010 State Aviation and Airport Improvement Program are deemed to be approved in compliance with the procedures set forth in Article VII, Section 11 of the Constitution of Louisiana, and that the FY 2009-2010 State Aviation and Airport Improvement Program may be undertaken and the expenditure of monies for such program is hereby authorized."

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AMENDMENT NO. 11

On page 34, delete lines 46 and 47 in their entirety and insert the following:

"Priority 5	\$ 630,000
Total	<u>\$ 3,800,000"</u>

AMENDMENT NO. 12

On page 59, delete lines 7 through 9 in their entirety and insert the following:

"Priority 1	\$ 1,500,000
Priority 2	\$ 100,000
Total	<u>\$ 2,860,000"</u>

AMENDMENT NO. 13

On page 60, delete lines 49 and 50 in their entirety and insert the following:

"Priority 5	\$ 635,000
Total	<u>\$ 1,335,000"</u>

AMENDMENT NO. 14

On page 61, delete lines 17 and 18 in their entirety and insert the following:

"Priority 5	\$ 10,000,000
Total	<u>\$15,000,000"</u>

AMENDMENT NO. 15

On page 63, delete lines 28 through 30 in their entirety and insert the following:

"Priority 1	\$ 85,000
Total	<u>\$ 260,000"</u>

AMENDMENT NO. 16

On page 75, delete line 6 in its entirety and insert the following:

"Priority 1	\$ 800,000
Priority 2	\$ 250,000
Total	<u>\$ 1,050,000"</u>

AMENDMENT NO. 17

On page 85, delete lines 12 through 17 in their entirety

AMENDMENT NO. 18

On page 85, delete line 22, and insert the following:

"Priority 1	\$ 100,000
Priority 2	\$ 50,000
Total	<u>\$ 150,000"</u>

AMENDMENT NO. 19

On page 86, delete lines 29 through 31 in their entirety and insert the following:

"Priority 1	\$ 100,000
Total	<u>\$ 850,000"</u>

AMENDMENT NO. 20

On page 96, delete lines 41 through 43 in their entirety and insert the following:

"Priority 1	\$ 200,000
Total	<u>\$ 1,120,000"</u>

AMENDMENT NO. 21

On page 99, between lines 14 and 15, insert the following:

"Payable from State General Fund (Direct) Non-Recurring Revenues	\$ 2,500,000"
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AMENDMENT NO. 22

On page 99, delete lines 16 through 21 in their entirety and insert the following:

"Priority 1	\$ 11,000,000
Total	<u>\$13,500,000"</u>

AMENDMENT NO. 23

On page 101, delete lines 27 through 29 in their entirety and insert the following:

"Priority 1	\$ 400,000
Total	<u>\$ 1,400,000"</u>

AMENDMENT NO. 24

On page 116, delete lines 14 through 19 in their entirety

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Sam Jones to Reengrossed House Bill No. 2 by Representative Greene

AMENDMENT NO. 1

On page 51, after line 45, insert the following:

"36/L ST. MARY PARISH LEVEE DISTRICT

(484) Franklin Canal Levee and Floodgate Project, Planning and Construction (St. Mary) Payable from General Obligation Bonds Priority 1	<u>\$640,000"</u>
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AMENDMENT NO. 2

On page 79, delete lines 17 through 21 in their entirety

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Sam Jones to Reengrossed House Bill No. 2 by Representative Greene

AMENDMENT NO. 1

On page 37, between lines 19 and 20, insert the following:

"Further provided, however, that of the monies appropriated herein, no less than twenty percent shall be allocated and expended for projects in the parishes of Lafourche, Terrebonne, St. Mary, Vermillion, Iberia, and Cameron."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Nowlin to Reengrossed House Bill No. 2 by Representative Greene

AMENDMENT NO. 1

On page 20, between lines 5 and 6, insert the following:

"Payable from State General Fund (Direct) Non-Recurring Revenues	\$ 5,000,000"
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AMENDMENT NO. 2

On page 20, delete line 7 in its entirety and insert the following:

"Priority 1	\$ 1,500,000
Total	<u>\$ 6,500,000"</u>

Rep. Nowlin moved the adoption of the amendments.

Rep. Greene objected.

By a vote of 12 yeas and 72 nays, the amendments were rejected.

Suspension of the Rules

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hill to Reengrossed House Bill No. 2 by Representative Greene

AMENDMENT NO. 1

On page 28, between lines 7 and 8, insert the following:

"Payable from State General Fund (Direct) Non-Recurring Revenues	\$ 5,000,000"
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AMENDMENT NO. 2

On page 28, delete line 9 in its entirety and insert the following:

"Priority 1	\$ 400,000
Total	<u>\$ 5,400,000"</u>

AMENDMENT NO. 3

On page 37, delete line 5 in its entirety and insert the following:

"Non-Recurring Revenues	<u>\$295,000,000"</u>
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Rep. Hill moved the adoption of the amendments.

Rep. Greene objected.

By a vote of 25 yeas and 63 nays, the amendments were rejected.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Cortez to Reengrossed House Bill No. 2 by Representative Greene

AMENDMENT NO. 1

On page 25, delete lines 8 through 13 in their entirety

AMENDMENT NO. 2

On page 62, between lines 1 and 2, insert the following:

"(97) Kaliste Saloom (LA 3095) Widening (Lafayette) Payable from General Obligation Bonds		\$ 500,000
Priority 1		\$ 250,000
Priority 2		<u>\$ 750,000"</u>
Total		<u>\$ 750,000"</u>

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Baldone to Reengrossed House Bill No. 2 by Representative Greene

AMENDMENT NO. 1

On page 102, delete line 36 in its entirety and insert "and Technology, Planning and Re-construction of Babington Hall"

Rep. Baldone moved the adoption of the amendments.

Rep. Greene objected.

By a vote of 23 yeas and 66 nays, the amendments were rejected.

Speaker Pro Tempore Peterson in the Chair

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Austin Badon to Reengrossed House Bill No. 2 by Representative Greene

AMENDMENT NO. 1

On page 89, delete lines 39 through 43 in their entirety

AMENDMENT NO. 2

On page 103, between lines 9 and 10, insert the following:

"(569) New Fence Kingwood Subdivision, Planning and Construction (Orleans) Payable from General Obligation Bonds		\$ 140,000"
Priority 1		<u>\$ 140,000"</u>

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On motion of Rep. Austin Badon, the amendments were adopted.

Speaker Tucker in the Chair

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Gisclair to Reengrossed House Bill No. 2 by Representative Greene

AMENDMENT NO. 1

On page 12, between lines 19 and 20, insert the following:

"(1246) Local Government Assistance Program Administered by DOA Office of Community Development (formerly called Supplemental State Funds for Community Development Block Grant Program Payable from State General Fund (Direct) Non-Recurring Revenues \$30,000,000"

AMENDMENT NO. 2

On page 13, delete line 29 through 32 in their entirety

AMENDMENT NO. 3

On page 25, line 30, change "178,977,466" to "233,977,466"

AMENDMENT NO. 4

On page 25, line 33, change "1,093,076,651" to "1,148,076,651"

Rep. Gisclair moved the adoption of the amendments.

Rep. Greene objected.

Speaker Pro Tempore Peterson in the Chair

Speaker Tucker in the Chair

By a vote of 20 yeas and 68 nays, the amendments were rejected.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Gary Smith to Reengrossed House Bill No. 2 by Representative Greene

AMENDMENT NO. 1

On page 29, delete line 27 in its entirety and insert the following:

"(Ascension, Calcasieu, East Baton Rouge, Iberville, Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. Charles, St. James, St. John the Baptist, West Baton Rouge)"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Roy to Reengrossed House Bill No. 2 by Representative Greene

AMENDMENT NO. 1

On page 17, delete lines 30 through 34

AMENDMENT NO. 2

On page 25, on line 30 change "\$178,977,466" to "\$180,977,466"

AMENDMENT NO. 3

On page 25, on line 33 change "\$1,093,076,651" to "\$1,095,076,651"

AMENDMENT NO. 4

On page 25, between lines 39 and 40 insert the following:

"Provided, however, that of the funds appropriated herein to the Highway Program from State General Fund (Direct) Non-Recurring Revenues no less than \$2,000,000 shall be used on LA 112 for resurfacing and overlay between Hineston and Union Hill in Rapides Parish, or LA 113 for resurfacing and overlay between Glenmora and Union Hill in Rapides Parish."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Morris to Reengrossed House Bill No. 2 by Representative Greene

AMENDMENT NO. 1

On page 21, between lines 9 and 10, insert the following:

Table with 2 columns: Description and Amount. Rows include 'Payable from Transportation Trust Fund - Regular' (\$12,000,000) and 'Payable from Transportation Trust Fund - Federal' (\$48,000,000).

AMENDMENT NO. 2

On page 21, delete line 12 in its entirety and insert the following:

Table with 2 columns: Description and Amount. Row includes 'Total' (\$102,300,000).

AMENDMENT NO. 3

On page 25, delete lines 31 through 33, and insert the following:

Table with 2 columns: Description and Amount. Rows include 'Payable from Transportation Trust Fund - Regular' (\$127,099,185), 'Payable from Transportation Trust Fund - Federal' (\$727,000,000), and 'Total' (\$1,033,076,651).

Rep. Morris moved the adoption of the amendments.

Rep. Greene objected.

By a vote of 33 yeas and 55 nays, the amendments were rejected.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Champagne to Reengrossed House Bill No. 2 by Representative Greene

AMENDMENT NO. 1

On page 25, delete line 30 in its entirety and insert the following:

"Non-Recurring Revenues	\$103,977,466"
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AMENDMENT NO. 2

On page 25, delete line 33 in its entirety and insert the following:

"Total	<u>\$1,018,076,651"</u>
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AMENDMENT NO. 3

On page 37, delete line 5 in its entirety and insert the following:

"Non-Recurring Revenues	<u>\$375,000,000"</u>
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On motion of Rep. Champagne, the amendments were withdrawn.

Speaker Pro Tempore Peterson in the Chair

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Tucker to Reengrossed House Bill No. 2 by Representative Greene

AMENDMENT NO. 1

On page 15, line 36, change "\$30,300,000" to "32,470,000"

AMENDMENT NO. 2

On page 15, line 37, change "19,500,000" to "36,355,000"

AMENDMENT NO. 3

On page 15, line 49, change "50,460,000" to "69,485,000"

AMENDMENT NO. 4

On page 16, line 24, change "4,445,000" to "2,275,000"

AMENDMENT NO. 5

On page 16, delete lines 25 and 26 in their entirety

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

Speaker Tucker in the Chair

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Pope to Reengrossed House Bill No. 2 by Representative Greene

AMENDMENT NO. 1

On page 25, delete line 30 in its entirety and insert the following:

"Non-Recurring Revenues	\$ 193,977,466"
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AMENDMENT NO. 2

On page 25, delete line 33 in its entirety and insert the following:

"Total	<u>\$1,108,076,651"</u>
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AMENDMENT NO. 3

On page 25, between lines 39 and 40, insert the following:

"Further provided, however, that of the funds appropriated to the Highway Program from State General Fund (Direct) Non-Recurring Revenues, that no less than \$35,000,000 shall be used on the Widening of Interstate 12 in Livingston Parish."

AMENDMENT NO. 4

On page 26, between lines 6 and 7, insert the following:

"Payable from State General Fund (Direct) Non-Recurring Revenues	\$20,000,000"
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AMENDMENT NO. 5

On page 26, delete line 7 in its entirety and insert the following:

"Payable from State Highway Improvement Fund Total	\$ 34,400,000 <u>\$54,400,000"</u>
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AMENDMENT NO. 6

On page 26, delete line 18 in its entirety and insert the following:

"Non-Recurring Revenues	<u>\$ 7,000,000"</u>
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AMENDMENT NO. 7

On page 37, delete line 5 and insert the following:

"Non-Recurring Revenues	<u>\$55,000,000"</u>
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AMENDMENT NO. 8

On page 37, between lines 19 and 20, insert the following:

"Further provided, however, that of the monies appropriated herein, no less than fifty-five million dollars shall be allocated and expended for projects in the parishes of Cameron, Iberia, Lafourche, Terrebonne, St. Mary and Vermillion."

AMENDMENT NO. 9

On page 71, between lines 5 and 6, insert the following:

"()	LA. Hwy 415 Improvements, Planning and Construction (West Baton Rouge) Payable from State General Fund (Direct) Non-Recurring Revenues	\$ 5,000,000"
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Motion

Rep. Champagne moved the previous question be ordered on the amendments.

Rep. Lambert objected.

By a vote of 64 yeas and 25 nays, the House agreed to order the previous question on the amendments.

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Rep. Pope moved the adoption of the amendments.
Rep. Fannin objected
A record vote was asked for and ordered by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Edwards McVea Smith, P.
Foil Ponti Thibaut
Greene Pope Waddell
Hill Richardson White
Honey Ritchie
Lambert Smiley
Total - 16

NAYS

Mr. Speaker Fannin Little
Anders Franklin Mills
Aubert Gisclair Monica
Badon, A. Guillory, M. Montoucet
Badon, B. Guinn Morris
Baldone Hardy Nowlin
Barras Harrison Pearson
Barrow Hazel Perry
Billiot Henderson Pugh
Burford Hines Richard
Burns, H. Hoffmann Robideaux
Burns, T. Howard Roy
Carmody Hutter Schroder
Champagne Jackson G. Simon
Chaney Johnson Smith, G.
Connick Jones, R. Smith, J.
Cortez Jones, S. Stiaes
Danahay Katz Talbot
Dixon Kleckley Williams
Dove LaFonta Willmott
Downs Landry Wooton
Ellington Leger
Ernst Ligt
Total - 67

ABSENT

Abramson Doerge Lopinto
Arnes Gallot Norton
Arnold Geymann Peterson
Brossett Guillory, E. Richmond
Burrell Henry St. Germain
Carter Jackson M. Templet
Chandler LaBruzzo
Cromer LeBas

The amendments were rejected.

Consent to Correct a Vote Record

Rep. Hutter requested the House consent to correct her vote on adoption of the amendments proposed by Rep. Pope from yea to nay, which consent was unanimously granted.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Morris to Reengrossed House Bill No. 2 by Representative Greene

AMENDMENT NO. 1

On page 21, between lines 9 and 10, insert the following:

"Payable from Transportation
Trust Fund - Regular \$12,000,000
Payable from Transportation
Trust Fund - Federal \$48,000,000"

AMENDMENT NO. 2

On page 21, delete line 12 in its entirety and insert the following:

"Total \$102,300,000"

AMENDMENT NO. 3

On page 25, delete lines 31 through 33, and insert the following:

"Payable from Transportation
Trust Fund - Regular \$ 127,099,185
Payable from Transportation
Trust Fund - Federal \$ 727,000,000
Total \$1,033,076,651"

AMENDMENT NO. 4

On page 25, between lines 39 and 40 insert the following:

"Further provided, however, that of the monies appropriated herein to the Highway Program no less than \$35,000,000 shall be used on the Widening of Interstate 12 in Livingston Parish."

Rep. Morris moved the adoption of the amendments.

Rep. Fannin objected.

By a vote of 38 yeas and 45 nays, the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Foil McVea
Abramson Franklin Mills
Anders Gisclair Monica
Arnes Greene Montoucet
Aubert Guillory, M. Morris
Badon, A. Guinn Pearson
Badon, B. Hardy Perry
Baldone Harrison Ponti
Barras Hazel Pope
Barrow Henderson Pugh
Billiot Hill Richard
Burford Hines Richardson
Burns, H. Hoffmann Ritchie
Burns, T. Honey Robideaux
Burrell Howard Schroder
Carmody Hutter Simon
Carter Jackson G. Smiley
Champagne Jackson M. Smith, G.
Chaney Johnson Smith, J.
Connick Jones, R. Smith, P.
Cortez Jones, S. St. Germain
Cromer Katz Stiaes
Danahay Kleckley Talbot
Dixon LaBruzzo Templet

Dove	LaFonta	Thibaut
Downs	Landry	Waddell
Edwards	Leger	White
Ellington	Ligi	Williams
Ernst	Little	Willmott
Fannin	Lopinto	Wooton
Total - 90		

NAYS

Lambert	LeBas	Roy
Total - 3		

ABSENT

Arnold	Gallot	Norton
Brossett	Geymann	Nowlin
Chandler	Guillory, E.	Peterson
Doerge	Henry	Richmond
Total - 12		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Greene 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.

Explanation of Vote

Rep. Brossett disclosed a possible conflict of interest and recused himself from casting his vote on the final passage of the above bill.

HOUSE BILL NO. 3—
BY REPRESENTATIVE GREENE
AN ACT

To enact the Omnibus Bond Authorization Act of 2009, relative to the implementation of a five-year capital improvement program; to provide for the repeal of certain prior bond authorizations; to provide for new bond authorizations; to provide for authorization and sale of such bonds by the State Bond Commission; and to provide for related matters.

Read by title.

Rep. Greene moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Ernst	McVea
Anders	Fannin	Mills
Aubert	Gisclair	Monica
Badon, A.	Greene	Morris
Badon, B.	Guillory, M.	Nowlin
Baldone	Guinn	Pearson
Barras	Harrison	Perry
Billiot	Hazel	Ponti
Brossett	Hill	Pugh
Burford	Hines	Ritchie
Burns, H.	Hoffmann	Robideaux
Burns, T.	Howard	Schroder
Carmody	Hutter	Simon
Champagne	Jackson G.	Smiley
Chaney	Johnson	Smith, G.
Connick	Katz	Smith, J.
Cortez	Kleckley	Talbot
Danahay	Landry	Waddell

Dove	Leger	Willmott
Downs	Ligi	Wooton
Ellington	Little	
Total - 62		

NAYS

Armes	Honey	Richard
Barrow	Jones, R.	Richardson
Burrell	Jones, S.	Roy
Dixon	LaFonta	Smith, P.
Edwards	Lambert	Stiaes
Franklin	LeBas	Thibaut
Hardy	Montoucet	White
Henderson	Pope	Williams
Total - 24		

ABSENT

Abramson	Gallot	Norton
Arnold	Geymann	Peterson
Carter	Guillory, E.	Richmond
Chandler	Henry	St. Germain
Cromer	Jackson M.	Templet
Doerge	LaBruzzo	
Foil	Lopinto	
Total - 19		

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

Motion to reconsider pending.

Acting Speaker Jane Smith in the Chair

Speaker Tucker in the Chair

Suspension of the Rules

On motion of Rep. Wooton, 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

SENATE BILLS

May 15, 2009

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

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

Senate Bill No. 262

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. 262—
BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 40:531(E) and to repeal Section 2 and Section 3 of Act No. 874 of the 2008 Regular Session of the Legislature, relative to commissioners of local housing authority; to remove requirement of landlord commissioner; 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. 42—
BY REPRESENTATIVE JOHNSON

A RESOLUTION

To express the condolences of the House of Representatives upon the death of Mona Lou Resnick Raiford of Baton Rouge.

Read by title.

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

HOUSE RESOLUTION NO. 43—
BY REPRESENTATIVE HENRY BURNS

A RESOLUTION

To commend Sunlight Missionary Baptist Church upon the celebration of its ninety-third anniversary.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 119—
BY REPRESENTATIVES MILLS, BOBBY BADON, CORTEZ, AND ROBIDEAUX AND SENATOR MICHOT

A CONCURRENT RESOLUTION

To commend Richard Zuschlag, chairman and chief executive officer of Acadian Ambulance, which was named Large Business of the Year in the 2009 Acadiana Business Hall of Fame.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 120—
BY REPRESENTATIVE TUCKER

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of former state representative Joseph F. Cerise.

Read by title.

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

Ordered to the Senate.

Privileged Report of the Committee on Enrollment

May 15, 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. 41—
BY REPRESENTATIVE RITCHIE

A RESOLUTION

To recognize Monday, May 18, 2009, as Louisiana Electric Cooperative Day and to commend members of the Association of Louisiana Electric Cooperatives.

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.

Suspension of the Rules

On motion of Rep. Fannin, the rules were suspended to permit the Committee on Appropriations 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. 879

Suspension of the Rules

On motion of Rep. Tim Burns, the rules were suspended to permit the Committee on Civil Law and Procedure 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. 511

Suspension of the Rules

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

House Concurrent Resolution No. 114

Suspension of the Rules

On motion of Rep. Austin Badon, the rules were suspended to permit the Committee on Education to meet upon adjournment on Monday, May 18, 2009 and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill No. 568

Leave of Absence

Rep. Doerge - 1 day

Adjournment

On motion of Rep. Billiot, at 12:20 P.M., the House agreed to adjourn until Monday, May 18, 2009, at 2:00 P.M.

The Speaker of the House declared the House adjourned until 2:00 P.M., Monday, May 18, 2009.

ALFRED W. SPEER
Clerk of the House