

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

SEVENTEENTH 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

Thursday, May 21, 2009

The House of Representatives was called to order at 9:15 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	Gallot	Montoucet
Abramson	Geymann	Morris
Anders	Gisclair	Norton
Armes	Greene	Nowlin
Aubert	Guillory	Pearson
Badon, A.	Guinn	Perry
Badon, B.	Hardy	Peterson
Baldone	Harrison	Ponti
Barras	Hazel	Pope
Barrow	Henderson	Pugh
Billiot	Henry	Richard
Brossett	Hill	Richardson
Burford	Hines	Richmond
Burns, H.	Hoffmann	Ritchie
Burns, T.	Honey	Robideaux
Burrell	Howard	Roy
Carmody	Hutter	Schroder
Carter	Jackson G.	Simon
Champagne	Jackson M.	Smiley
Chandler	Johnson	Smith, G.
Chaney	Jones, R.	Smith, J.
Cornick	Katz	Smith, P.
Cortez	Kleckley	St. Germain
Cromer	LaBruzzo	Stiaes
Danahay	Lambert	Talbot
Dixon	Landry	Templett
Doerge	LeBas	Thibaut
Downs	Leger	Waddell
Edwards	Ligi	White
Ellington	Little	Williams
Ernst	Lopinto	Willmott

Fannin	McVea	Wooton
Foil	Mills	
Franklin	Monica	
Total - 100		

ABSENT

Arnold	Jones, S.
Dove	LaFonta
Total - 4	

The Speaker announced that there were 100 members present and a quorum.

Prayer

Prayer was offered by Rev. Terrell.

Pledge of Allegiance

Rep. Carter 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 20, 2009, was adopted.

**Petitions, Memorials and
Communications**

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

Message from the Senate

SENATE BILLS

May 21, 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. 278

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. 278—

BY SENATORS AMEDEE, ALARIO, APPEL, CHEEK, CROWE, DONAHUE, DUPLESSIS, DUPRE, ERDEY, N. GAUTREAU, HEBERT, HEITMEIER, LAFLEUR, LONG, MARIONNEAUX, MARTINY, MCPHERSON, MICHOT, MOUNT, NEVERS, RISER, SHAW, THOMPSON AND WALSWORTH

AN ACT

To amend and reenact R.S. 44:5, relative to public records; to provide for the application of laws relative to public records; and to provide for related matters.

Read by title.

House and House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 128—

BY REPRESENTATIVE HARDY
A CONCURRENT RESOLUTION

To urge and request the House Committee on House and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs to meet and function as a joint committee to study possible strategies, methods, and policies to discourage the mishandling, misuse, and misappropriation of public funds and procedures to recover public funds which may have been mishandled, misused, or misappropriated.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 130—

BY REPRESENTATIVE BILLIOT
A CONCURRENT RESOLUTION

To urge and request the Legislative Auditor, the Legislative Fiscal Office, the Governor's Office of Homeland Security and Emergency Preparedness, and the Office of Community Development, Disaster Recovery Section to prepare a report which includes the total federal funds allocated to and expended by the state of Louisiana in relation to Hurricanes Katrina, Rita, Gustav, and Ike.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 131—

BY REPRESENTATIVE PATRICIA SMITH AND SENATOR BROOME
A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to develop and adopt policies detailing all of the options and intervention strategies available to schools that are in danger of being taken over by the state and placed under the jurisdiction of the Recovery School District and to submit a written report on the status of such policies.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 132—

BY REPRESENTATIVE MONTOUCKET
A CONCURRENT RESOLUTION

To urge and request the city of Rayne and the state of Louisiana to continue to study the feasibility of construction of an additional interchange along Interstate 10 at Louisiana Highway 98 in Acadia Parish.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 133—

BY REPRESENTATIVE MONTOUCKET
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to provide members of the legislature the opportunity to have increased input in the implementation of the annual Highway Priority Program.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 134—

BY REPRESENTATIVES HUTTER AND TUCKER
A CONCURRENT RESOLUTION

To recognize June 8, 2009, as "Ports' Day" at the legislature and to commend Louisiana ports for their contributions to the state.

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. 135—

BY REPRESENTATIVE PATRICIA SMITH
A CONCURRENT RESOLUTION

To commend Charlotte D. Placide upon her retirement as superintendent of the East Baton Rouge Parish School System, to recognize and record her myriad accomplishments and remarkable contributions, and to extend to her the best wishes of the legislature as she embarks upon new challenges and endeavors.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 136—

BY REPRESENTATIVE MILLS
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to repair and make improvements to the drawbridge in the city of Breaux Bridge located on Louisiana Highway 336-1 in the parish of St. Martin.

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. 137—

BY REPRESENTATIVE ROSALIND JONES
A CONCURRENT RESOLUTION

To direct the office of financial institutions to promulgate rules regarding notices and educational materials for the payday loan industry.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 138—

BY REPRESENTATIVE ELLINGTON
A CONCURRENT RESOLUTION

To recognize Wednesday, June 3, 2009, as 4-H Day at the Louisiana State Capitol and to commend 4-H members and volunteers throughout the state for their outstanding accomplishments and manifold contributions to their communities.

Read by title.

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

Ordered to the Senate.

Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 76—
BY SENATORS CROWE AND DONAHUE AND REPRESENTATIVES PEARSON AND CROMER

A CONCURRENT RESOLUTION

To commend and congratulate Robert A. Baker of Baker Sales, Inc., for being named "Louisiana Small Business Person of the Year."

Read by title.

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

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. 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.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

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

Senate Concurrent Resolutions Reported by Committee

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

SENATE CONCURRENT RESOLUTION NO. 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.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

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

House Bills and Joint Resolutions on Second Reading Reported by Committee

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

HOUSE BILL NO. 143—
BY REPRESENTATIVE TALBOT

AN ACT

To amend and reenact R.S. 47:1992(A)(1)(a) and (2), (B), and (F), relative to the inspection period for tax assessment lists in Jefferson Parish; to provide for the time period during which assessment lists shall be open for inspection; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

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

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

HOUSE BILL NO. 168—
BY REPRESENTATIVE MICKEY GULLORY

AN ACT

To amend and reenact R.S. 40:384(16), relative to local housing authorities; to provide relative to the scope and nature of local housing authorities; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

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

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

HOUSE BILL NO. 288—
BY REPRESENTATIVE HAZEL

AN ACT

To enact R.S. 33:2212(I), relative to the salaries of certain members of the Pineville police department; to require an increase in salary for certain members; to provide for the calculation of such increases; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

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

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

HOUSE BILL NO. 367—
BY REPRESENTATIVES DOVE, BALDONE, AND HARRISON AND SENATORS DUPRE AND B. GAUTREAUX

AN ACT

To enact R.S. 33:2481.3, relative to the municipal fire and police civil service; to provide relative to the positions of fire chief and police chief in the city of Houma; to provide that each such position is in the unclassified service; to provide relative to the appointment, supervision, and discharge of any person in any such position; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

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

Under the rules, placed on the regular calendar.

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HOUSE BILL NO. 481— BY REPRESENTATIVE ST. GERMAIN AN ACT

To amend and reenact R.S. 33:2181(A) and (B), relative to the investigation of fire employees; to provide definitions; to provide minimum standards for investigations; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Original House Bill No. 481 by Representative St. Germain

AMENDMENT NO. 1

On page 1, line 17, between "not limited to any" and "interview" insert "formal"

AMENDMENT NO. 2

On page 1, line 20, after the period "." insert the following:

"An initial inquiry conducted by the fire employee's immediate supervisors shall not be considered an interrogation."

AMENDMENT NO. 3

On page 2, line 3, after "commencing" and before "investigation" delete "an" and insert "a formal"

AMENDMENT NO. 4

On page 2, line 10, after "investigation," delete "and"

AMENDMENT NO. 5

On page 2, line 10, between "interrogation" and the period "." insert a comma "," and insert "and of the specific charges or violations being investigated"

AMENDMENT NO. 6

On page 2, line 18, after "upon" delete "request." and insert the following "submitting a written request to the fire chief."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 501— BY REPRESENTATIVE HOFFMANN AN ACT

To enact R.S. 33:2491.4, relative to municipal fire and police civil service; to provide relative to the establishment and maintenance of promotional employment lists for the various classes of positions in the classified police service in the city of West Monroe; to provide relative to the period of time a name may remain on any such list; to provide relative to tests to determine the eligibility of applicants for entry upon any such list; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

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

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

HOUSE BILL NO. 506— BY REPRESENTATIVE ERNST AN ACT

To enact R.S. 33:9615, relative to local ethics entities in certain municipalities; to authorize municipalities to establish an operating account for funds to be used in support of such entities; to provide relative to the maintenance of any such account; to authorize municipalities to authorize any such entity to establish an independent system of procurement procedures; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

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

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

HOUSE BILL NO. 544— BY REPRESENTATIVES RITCHIE, ANDERS, BOBBY BADON, HENRY BURNS, CHANEY, GISCLAIR, MICKEY GUILLORY, GUINN, HOWARD, JOHNSON, PERRY, SIMON, AND ST. GERMAIN AN ACT

To amend and reenact R.S. 3:332(E), relative to the Louisiana Center for Rural Initiatives; to provide for certain rural economic development resources; to provide for a special fund; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Agriculture, Forestry, Aquaculture, and Rural Development to Original House Bill No. 544 by Representative Ritchie

AMENDMENT NO. 1

On page 1, line 3, after "resources;" insert "to provide for a special fund;"

AMENDMENT NO. 2

On page 1, line 9, after "office," delete "through" and insert "in conjunction with"

AMENDMENT NO. 3

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

"(3)(a) Funds received under this Part or otherwise made available for the purpose of this Part shall be deposited immediately upon receipt into the state treasury.

(b) After compliance with the requirements of Article VII, Section 9(B) of the Constitution of Louisiana relative to the Bond Security and Redemption Fund, and prior to monies being placed in

the state general fund, an amount equal to that deposited as required in Subsection A hereof and monies appropriated by the legislature shall be credited to a special fund hereby created in the state treasury to be known as the "Rural Economic Development Initiative Fund". The monies in this fund shall be used solely as provided in Subsection C hereof and only in the amounts appropriated by the legislature. All unexpended and unencumbered monies in this fund at the end of the fiscal year shall remain in the fund. The monies in this fund shall be invested by the state treasurer in the same manner as monies in the state general fund, and interest earned on the investment of these monies shall be credited to this fund again, following compliance with the requirement of Article VII, Section 9(B) relative to the Bond Security and Redemption Fund.

(c) The monies in the Rural Economic Development Initiative Fund shall be used solely for the administration and implementation of the provisions of this Part."

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

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

HOUSE BILL NO. 604—
BY REPRESENTATIVE AUBERT
AN ACT

To amend and reenact R.S. 33:4711, relative to surplus property of police juries; to provide for the exchange of surplus property to private persons; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

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

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

HOUSE BILL NO. 609—
BY REPRESENTATIVE ROSALIND JONES
AN ACT

To enact Subpart D of Part IV of Chapter 5 of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:2238.1 through 2238.8, relative to property adjudicated to the city of Monroe; to provide for the authorization of the city of Monroe to sell or transfer adjudicated property; to provide for notice to the owner and other interested parties; to provide for a deposit of monies sufficient to cover the expenses of the sale, advertisement, taxes due, and other costs associated with the sale; to provide for applicability; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

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

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

HOUSE BILL NO. 622—
BY REPRESENTATIVE WILLMOTT
AN ACT

To amend and reenact R.S. 33:4762(A) and (C), relative to the removal of dangerous structures; to provide for the type of notice required prior to the removal of dangerous structures by certain political subdivisions; to provide additional procedures for notice in cases of grave public emergency; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Original House Bill No. 622 by Representative Willmott

AMENDMENT NO. 1

On page 1, line 12, after "A." and before "Before the" insert "(1)"

AMENDMENT NO. 2

On page 2, line 1, change "hereinafter provided." to "provided in Subsection C of this Section."

AMENDMENT NO. 3

On page 2, delete lines 2 and 3 in their entirety and insert the following:

"(2)(a) The notice may be served by mailing the same in the United States Post Office, by either registered or certified mail, return receipt requested, to the owner at the owner's last known address.

(b) Service by registered or certified mail shall be considered personal service if the certified return receipt or the return form is signed by the addressee. Service by registered or certified mail shall be considered domiciliary service if the certified return receipt or the return form is signed by anyone other than the addressee.

(c) If the registered or certified mail is returned for failure to obtain a signature on the return receipt form or returned due to refusal of delivery, service may be accomplished by first class mail, with a certificate of mailing. Service by first class mail in accordance with this Subparagraph shall be considered personal service and is effective when mailed."

AMENDMENT NO. 4

On page 2, at the beginning of line 4, insert "(3)"

AMENDMENT NO. 5

On page 2, line 13, after "owner" delete the remainder of the line and insert a period "." and insert the following:

"Any such notice may be attached to a door or entrance of the premises and shall have the same effect as delivery to or personal service on the owner, occupant, or attorney at law appointed to represent the absentee owner."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 644—
BY REPRESENTATIVES TALBOT, LABRUZZO, LIGI, LOPINTO, AND
WILLMOTT AND SENATORS APPEL, MARTINY, AND MORRELL
AN ACT

To enact R.S. 33:1236(49)(f), relative to Jefferson Parish; to provide for the enforcement of local building and property law and ordinance violations by adding judgments for such violations to the ad valorem tax rolls of the parish or municipalities therein;

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to provide for the adoption of ordinances and procedures for adding judgments to the ad valorem tax rolls; to provide for collection and enforcement of said judgments; to provide for a designated proper party defendant in actions to contest the levy; to provide for the continued enforceability of such judgments; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 673— BY REPRESENTATIVE POPE

AN ACT

To enact R.S. 11:163.1, relative to service credit or benefit accruals in certain state retirement systems for certain public university and college employees; to provide relative to employer and employee contributions during periods of furlough for such members of those systems; to provide for accumulation of service credit during such periods; to provide for calculation of benefits for such furloughed members; to provide for funding; to provide an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Original House Bill No. 673 by Representative Pope

AMENDMENT NO. 1

On page 1, line 3, after "systems" delete the semicolon ";" and insert "for certain public university and college employees;"

AMENDMENT NO. 2

On page 1, line 4, after "for" and before "systems" delete "members of such" and insert "such members of those"

AMENDMENT NO. 3

On page 1, line 13, change "Involuntary" to "Voluntary or involuntary"

AMENDMENT NO. 4

On page 1, line 19, after "furloughed" delete "without pay" and insert "from a public postsecondary entity without pay, or who voluntarily participates in such a furlough plan implemented"

AMENDMENT NO. 5

On page 2, line 3, after "retirement," delete the remainder of the line and delete lines 4 and 5 in their entirety and insert the following:

"The member shall pay the employee contributions to his employer at least monthly, and as otherwise provided by law, which the employer shall send to the system, and the employer shall pay to the system the contributions that would have been otherwise required. The amounts remitted by the employee and employer shall be"

AMENDMENT NO. 6

On page 2, line 7, delete "involuntary"

AMENDMENT NO. 7

On page 2, line 13, after "furloughed" delete "without pay" and insert the following:

"from a public postsecondary entity without pay, or who voluntarily participates in such a furlough plan implemented as a result of budget reductions"

AMENDMENT NO. 8

On page 2, line 16, at the beginning of the line delete "involuntary"

AMENDMENT NO. 9

On page 2, line 16, after "Both" delete the remainder of the line and insert "the employee and employer shall remit the required contributions"

AMENDMENT NO. 10

On page 2, line 18, delete "involuntary"

AMENDMENT NO. 11

On page 2, line 19, after "member" delete the remainder of the line and delete line 20 in its entirety and insert "to whom this Section applies and who"

AMENDMENT NO. 12

On page 2, between lines 24 and 25 insert the following:

"F. The provisions of this Section shall not apply to furloughs which have been mandated as a result of a declaration of financial exigency or force majeure.

G. The total number of furlough days to which this Section applies shall not exceed thirty days in any fiscal year."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 699— BY REPRESENTATIVE ERNST

AN ACT

To amend and reenact R.S. 33:9091.1(F)(2)(a), relative to the Lakeview Crime Prevention District; to provide relative to the parcel fee imposed within the district; to require the governing authority of the city of New Orleans to impose the fee on all parcels located within the district, subject to voter approval; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

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

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

HOUSE BILL NO. 711—

BY REPRESENTATIVES RITCHIE, ANDERS, BOBBY BADON, HENRY BURNS, CHANEY, GISCLAIR, MICKEY GUILLORY, GUINN, HOWARD, JOHNSON, LITTLE, PERRY, SIMON, AND ST. GERMAIN

AN ACT

To enact Part IX of Chapter 28 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:4421 through 4425, relative to forestry; to create the Forestry Product Fairness Act; to provide for legislative purpose; to provide relative to distribution of tax credits, tax exemptions, tax exclusions, tax deductions, rebates, incentives, investments, contracts, or grants; to provide for promulgation of rules and regulations; to provide for definitions; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Agriculture, Forestry, Aquaculture, and Rural Development to Original House Bill No. 711 by Representative Ritchie

AMENDMENT NO. 1

On page 1, line 3, change "4424" to "4425"

AMENDMENT NO. 2

On page 1, line 4, after "Fairness Act;" insert "to provide for legislative purpose;"

AMENDMENT NO. 3

On page 1, line 5, after "exclusions," and before "or grants" insert "tax deductions, rebates, incentives, investments, contracts,"

AMENDMENT NO. 4

On page 1, line 9, change "4424" to "4425"

AMENDMENT NO. 5

On page 1, between lines 12 and 13, insert the following:

"§4422. Purpose

The Louisiana Legislature recognizes the enormous contribution that the Louisiana forest products industry makes to the state. The continued health of the industry is vital to Louisiana's economic well-being. A fair and equitable process for awarding state incentives to the forest products industry is necessary to maintain economic viability. The purpose of this Part is to provide for a procedure that will ensure an open process for the awarding of incentives, that encourages the use of forest products but does not unfairly advantage one segment of the forest products industry over another, and that does not put existing businesses at a competitive disadvantage.

AMENDMENT NO. 6

On page 1, line 13, change "§4422." to "§4423."

AMENDMENT NO. 7

On page 2, between lines 6 and 7, insert the following:

"(3) Tax exemption, tax credit, tax exclusion, tax deduction, rebate, incentive, investment, contract, or grant" means any such

benefit that is not available by operation of law to all persons purchasing forest products to produce the generation of steam, heat, electricity or the production of wood-based fuels."

AMENDMENT NO. 8

On page 2, line 7, change "§4423." to "§4424."

AMENDMENT NO. 9

On page 2, line 8, after "exclusion," and before "or grant" insert "tax deduction, rebate, incentive, investment, contract,"

AMENDMENT NO. 10

On page 2, line 10, after "forest" delete "product raw materials" and insert "products"

AMENDMENT NO. 11

On page 2, line 15, change "§4424." to "§4425."

AMENDMENT NO. 12

On page 2, line 16, after "regulations" and before "for the" insert "in consultation with the secretary of the Department of Economic Development"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 769—

BY REPRESENTATIVE JANE SMITH
AN ACT

To amend and reenact R.S. 47:305.14(A)(1), relative to the sales and use tax; to provide relative to the exemption for certain nonprofit organizations; to provide relative to necessary expenses; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 769 by Representative Jane Smith

AMENDMENT NO. 1

On page 1, line 15, after "speakers" insert a comma "," and "chair and table rentals, and food and beverage utility related items"

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

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

Motion

On motion of Rep. Jane Smith, the bill was placed on the regular calendar.

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HOUSE BILL NO. 819—

BY REPRESENTATIVE GREENE

AN ACT

To enact R.S. 47:301(14)(g)(iv), relative to the sales and use tax on repair services; to exclude from the definition of "tangible personal property" the repair of certain machinery and equipment which becomes a component part of a building; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 825—

BY REPRESENTATIVE TUCKER AND SENATOR HEITMEIER

AN ACT

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

Read by title.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Original House Bill No. 825 by Representative Tucker

AMENDMENT NO. 1

On page 1, line 18, after "by" delete the remainder of the line and delete line 19 in its entirety and insert "paying into the system an amount which, on an actuarial basis, totally offsets the increase in accrued liability of the system resulting from the rescission of his original benefit. Such payment shall be made"

AMENDMENT NO. 2

On Page 2, line 1, after "Upon" change "repayment" to "payment"

AMENDMENT NO. 3

On page 2, at the end of line 8 change "thirty-six" to "sixty"

AMENDMENT NO. 4

On page 2, line 9, after "reemployment" delete "his average compensation" and insert "the average compensation used to recalculate his benefit"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 866—

BY REPRESENTATIVES CONNICK, ABRAMSON, RICHMOND, LEGER, HINES, AND ERNST AND SENATORS APPEL, ALARIO, MARTINY, MORRELL, AND MURRAY

AN ACT

To enact R.S. 43:201(D), relative to Jefferson Parish; to provide for judicial advertisements and legal notices in certain publications; to provide for criteria; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Original House Bill No. 866 by Representative Connick

AMENDMENT NO. 1

On page 1, after line 17, insert the following:

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

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 882—

BY REPRESENTATIVE GREENE

AN ACT

To enact R.S. 47:301(16)(q), relative to sales and use tax; to provide with respect to the definition of tangible personal property for purposes of sales and use tax levied by the state and its political subdivisions; to exclude certain component parts of immovable property; to provide with respect to legislative intent of Act No. 632 of the 2008 Regular Session of the Legislature as relates to sales and use tax; to provide for applicability and retroactivity; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 894 (Substitute for House Bill No. 809 by Representative Peterson)—

BY REPRESENTATIVE PETERSON

AN ACT

To enact Children's Code Article 896.1 and Part VI of Chapter 7 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:971 through 974, relative to juvenile delinquency; to provide for the disposition and treatment of juveniles following adjudication; to provide for the creation of the Functional Family Therapy Pilot Program; to provide for the administration of the program by the Department of Public Safety and Corrections, youth services, office of juvenile justice; to authorize the use of cooperative endeavor agreements and contracts to implement the program; to provide for the eligibility of participants in the pilot program; to authorize courts to recommend that eligible juveniles participate in the program; to provide for definitions; and to provide for related matters.

Read by title.

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

Under the rules, placed on the regular calendar.

Suspension of the Rules

On motion of Rep. Downs, 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. 647—

BY REPRESENTATIVE DOWNS
AN ACT

To enact Subpart B-42 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.791 through 130.797, relative to Lincoln Parish; to authorize the governing authority of the parish to create a geographic information system district; to provide relative to the board of commissioners for the district; to provide for the powers, duties, and functions of the district; to authorize the board to levy certain taxes; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 651—

BY REPRESENTATIVE ARMES
AN ACT

To amend and reenact R.S. 11:1007(C) and (F), relative to the Louisiana School Employees' Retirement System; to provide relative to the reemployment of retired school bus drivers; to require the submission of certain information relative to such persons; to provide for actuarial costs associated with reemploying such school bus drivers; to provide an effective date; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 658—

BY REPRESENTATIVE ROY
AN ACT

To amend and reenact R.S. 23:1209(A)(3), relative to the prescriptive period for claiming workers' compensation benefits; to provide for an interruption of prescription for developmental injuries; and to provide for related matters.

Read by title.

Rep. Roy moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	McVea
Abramson	Franklin	Mills
Anders	Gallot	Monica

Armes	Geymann	Montoucet
Arnold	Gisclair	Morris
Aubert	Greene	Norton
Badon, A.	Guillory	Perry
Baldone	Guinn	Peterson
Barras	Hardy	Ponti
Barrow	Harrison	Richard
Billiot	Hazel	Ritchie
Brossett	Henry	Robideaux
Burns, H.	Hill	Roy
Burrell	Honey	Smiley
Carmody	Howard	Smith, G.
Champagne	Hutter	Smith, J.
Chandler	Jackson G.	Smith, P.
Chaney	Jackson M.	St. Germain
Connick	Johnson	Stiaes
Cortez	Jones, R.	Thibaut
Cromer	Kleckley	Waddell
Danahay	LaFonta	White
Dixon	Lambert	Williams
Doerge	Landry	Willmott
Downs	LeBas	Wooton
Edwards	Leger	
Ernst	Lopinto	
Total - 79		

NAYS

Burford	Hoffmann	Pearson
Burns, T.	Katz	Pope
Carter	LaBruzzo	Schroder
Ellington	Ligi	Talbot
Foil	Little	
Total - 14		

ABSENT

Badon, B.	Jones, S.	Richmond
Dove	Nowlin	Simon
Henderson	Pugh	Templet
Hines	Richardson	
Total - 11		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Consent to Correct a Vote Record

Rep. Willmott requested the House consent to correct his vote on final passage of House Bill No. 658 from nay to yea, which consent was unanimously granted.

HOUSE BILL NO. 647—

BY REPRESENTATIVE DOWNS
AN ACT

To enact Subpart B-42 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.791 through 130.797, relative to Lincoln Parish; to authorize the governing authority of the parish to create a geographic information system district; to provide relative to the board of commissioners for the district; to provide for the powers, duties, and functions of the district; to authorize the board to levy certain taxes; and to provide for related matters.

Called from the calendar.

Read by title.

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

Total - 96

NAYS

Total - 0

ABSENT

Badon, B.	Greene	Ponti
Dove	Henderson	Richardson
Edwards	Jones, S.	

Total - 8

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Downs 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. 686—
BY REPRESENTATIVE CARMODY
AN ACT

To amend and reenact R.S. 17:3981(4) and 3982(A)(1)(a), relative to the review of proposed school charters by authorizing entities; to provide for an application review process that complies with specified principles and standards; to provide for an independent evaluation of a charter proposal by a qualified third party; to provide an effective date; and to provide for related matters.

Read by title.

Rep. Carmody moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 94

NAYS

Total - 0

ABSENT

Badon, B.	Ernst	Richardson
Dixon	Henderson	Waddell
Dove	Jones, S.	
Ellington	Lopinto	

Total - 10

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.

Suspension of the Rules

On motion of Rep. Wooton, 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.

HOUSE BILL NO. 705—
BY REPRESENTATIVE NORTON
AN ACT

To enact Chapter 6-A of Title 23 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 23:661 through 668, relative to payment of wages; to provide for definitions; to provide for

prohibited acts constituting unequal pay; to provide for a complaint procedure; to provide for damages; to limit actions of employees; to require certain records be kept by employers; 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. 705 by Representative Norton

AMENDMENT NO. 1

On page 3, line 3, following "shall" and before "to" change "only apply" to "apply only"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Abramson to Engrossed House Bill No. 705 by Representative Norton

AMENDMENT NO. 1

On page 2, line 9, change "four" to "twenty"

AMENDMENT NO. 2

On page 4, line 2, after "court" delete "of" and insert "in the parish in which the alleged violation occurred"

AMENDMENT NO. 3

On page 4, at the beginning of line 3, delete "competent jurisdiction"

AMENDMENT NO. 4

On page 4, line 7, after "unpaid wages" delete the remainder of the line

AMENDMENT NO. 5

On page 4, line 8, delete "amount of one-half of unpaid wages in liquidated damages"

Rep. Abramson moved the adoption of the amendments.

Rep. Patricia Smith objected.

By a vote of 55 yeas and 37 nays, the amendments were adopted.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Norton to Engrossed House Bill No. 705 by Representative Norton

AMENDMENT NO. 1

On page 4, line 26, delete "and liquidated damages"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Gallot	Landry
Anders	Hardy	LeBas
Armes	Henderson	Leger
Aubert	Hill	Norton
Barrow	Hines	Peterson
Brossett	Honey	Richmond
Burrell	Howard	Ritchie
Champagne	Jackson G.	Smith, P.
Dixon	Jackson M.	St. Germain
Edwards	Johnson	Stiaes
Franklin	Jones, R.	Williams
Total - 33		

NAYS

Mr. Speaker	Geymann	Nowlin
Baldone	Gisclair	Pearson
Barras	Greene	Perry
Billiot	Guillory	Ponti
Burford	Guinn	Pope
Burns, H.	Harrison	Pugh
Burns, T.	Hazel	Richardson
Carmody	Henry	Robideaux
Carter	Hoffmann	Schroder
Chandler	Katz	Simon
Chaney	Kleckley	Smiley
Connick	LaBruzzo	Smith, G.
Cortez	Lambert	Talbot
Cromer	Ligi	Templet
Danahay	Little	Thibaut
Downs	Lopinto	Waddell
Ellington	McVea	White
Ernst	Mills	Willmott
Fannin	Monica	Wooton
Foil	Morris	
Total - 59		

ABSENT

Arnold	Dove	Montoucet
Badon, A.	Hutter	Richard
Badon, B.	Jones, S.	Roy
Doerge	LaFonta	Smith, J.
Total - 12		

The Chair declared the above bill failed to pass.

Rep. Connick 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.

HOUSE BILL NO. 712—
BY REPRESENTATIVE GARY SMITH
AN ACT

To amend and reenact Code of Criminal Procedure Article 202(B) and to enact Code of Criminal Procedure Article 202(E) and R.S. 49:251.2, relative to warrant of arrest; to provide that a justice of the peace shall not have the authority to issue a warrant for arrest unless he has received a certificate of

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completion for the required training course which has included education on the proper issuance of arrest warrants; to provide for the Attorney General's Arrest Warrants Course for Justices of the Peace; to require the attorney general's training course for justices of the peace to include specified subject matter areas; to provide for implementation; 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. 712 by Representative Gary Smith

AMENDMENT NO. 1

On page 3, line 9, following "assistant" and before "and" change "attorney generals" to "attorneys general"

AMENDMENT NO. 2

On page 4, line 8, following "R.S." change "40:251.1" to "49:251.1"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Gary Smith to Engrossed House Bill No. 712 by Representative Gary Smith

AMENDMENT NO. 1

On page 1, line 2, after "to" and before "enact" delete "amend and reenact Code of Criminal Procedure Article 202(B) and to"

AMENDMENT NO. 2

On page 1, line 3, change "R.S. 49:251.2" to "R.S. 49:251.4"

AMENDMENT NO. 3

On page 1, line 12, after "Section 1." delete the remainder of the line in its entirety

AMENDMENT NO. 4

On page 1, at the beginning of line 13, delete "reenacted and"

AMENDMENT NO. 5

On page 1, delete lines 17 through 21 in their entirety

AMENDMENT NO. 6

On page 2, delete lines 1 through 7 in their entirety

AMENDMENT NO. 7

On page 2, line 12 change "R.S. 49:251.2." to R.S. 49:251.4."

AMENDMENT NO. 8

On page 2, line 13, change "R.S. 49:251.2" to R.S. 49:251.4"

AMENDMENT NO. 9

On page 2, line 14 change "251.2." to "251.4."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 89

NAYS

Total - 0

ABSENT

Armes	Cromer	Jones, S.
Arnold	Dove	Montoucet
Badon, A.	Geymann	Ponti
Badon, B.	Harrison	Richard
Chandler	Hutter	Smith, J.

Total - 15

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Gary Smith 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. 766—

BY REPRESENTATIVE ABRAMSON
AN ACT

To amend and reenact R.S. 33:9091.6, relative to the Upper Hurstville Security District; to provide relative to the purpose, governance, powers, and duties of the district; to provide relative to the funding of the district, including the levy of a

parcel fee; to provide for the merger of the district or a part thereof with another district or a part thereof; to provide for indemnification and exculpation of board members; and to provide for related matters.

Read by title.

Rep. Abramson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gisclair	Monica
Abramson	Greene	Morris
Anders	Guillory	Nowlin
Armes	Guinn	Pearson
Aubert	Hardy	Perry
Barras	Hazel	Peterson
Barrow	Henderson	Pope
Billiot	Henry	Pugh
Brossett	Hill	Richardson
Burford	Hines	Richmond
Burns, H.	Hoffmann	Ritchie
Burns, T.	Honey	Robideaux
Burrell	Howard	Roy
Carmody	Jackson G.	Schroder
Carter	Jackson M.	Simon
Champagne	Johnson	Smiley
Chaney	Jones, R.	Smith, G.
Connick	Katz	Smith, P.
Cortez	Kleckley	St. Germain
Danahay	LaBruzzo	Stiaes
Dixon	LaFonta	Talbot
Doerge	Lambert	Templet
Downs	Landry	Thibaut
Edwards	LeBas	Waddell
Ellington	Leger	White
Ernst	Ligt	Williams
Fannin	Little	Willmott
Foil	Lopinto	Wooton
Franklin	McVea	
Gallot	Mills	
Total - 88		

NAYS

Total - 0

ABSENT

Arnold	Dove	Norton
Badon, A.	Geymann	Ponti
Badon, B.	Harrison	Richard
Baldone	Hutter	Smith, J.
Chandler	Jones, S.	
Cromer	Montoucet	
Total - 16		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 771—

BY REPRESENTATIVE HUTTER

AN ACT

To enact R.S. 17:1871(C), relative to the Board of Supervisors of Community and Technical Colleges; to authorize the board to set a uniform tuition amount for online courses offered by

public postsecondary education institutions under its jurisdiction; to provide for effectiveness; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 785—

BY REPRESENTATIVE SAM JONES

AN ACT

To enact Chapter 10-E of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4550.1 through 4550.11, relative to St. Mary Parish; to create and provide for the St. Mary Hydroelectric Authority as a political subdivision within such parish; to provide for the boundaries, governance, and powers and duties of the district; to provide for district funding, including the issuance of bonds and the use of district funds; and to provide for related matters.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Henderson gave notice of Rep. Sam Jones' intention to call House Bill No. 785 from the calendar during the week of May 26, 2009.

Speaker Pro Tempore Peterson in the Chair

HOUSE BILL NO. 821—

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

AN ACT

To enact R.S. 17:7(2)(f), relative to the duties, functions, and responsibilities of the State Board of Elementary and Secondary Education; to provide for the use of certain funding by public school boards provided through the minimum foundation program formula; to provide reporting requirements; to provide guidelines and standards for such reports; to provide for effectiveness; and to provide for related matters.

Read by title.

Rep. Carter moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Foil	McVea
Abramson	Franklin	Mills
Anders	Gallot	Monica
Armes	Gisclair	Montoucet
Arnold	Greene	Morris
Aubert	Guillory	Norton
Badon, B.	Hardy	Nowlin
Baldone	Harrison	Pearson
Barras	Hazel	Perry
Barrow	Henderson	Peterson

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Billiot	Henry	Ponti
Burford	Hill	Pope
Burns, H.	Hines	Pugh
Burns, T.	Hoffmann	Richardson
Burrell	Honey	Ritchie
Carmody	Howard	Robideaux
Carter	Jackson G.	Roy
Champagne	Jackson M.	Schroder
Chandler	Johnson	Simon
Chaney	Jones, R.	Smiley
Connick	Katz	Smith, G.
Cortez	Kleckley	St. Germain
Cromer	LaBruzzo	Stiaes
Danahay	LaFonta	Talbot
Dixon	Lambert	Templet
Doerge	Landry	Thibaut
Downs	LeBas	Waddell
Edwards	Leger	White
Ellington	Ligi	Williams
Ernst	Little	Willmott
Fannin	Lopinto	Wooton

Total - 93

NAYS

Guinn	Hutter	Smith, P.
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Total - 3

ABSENT

Badon, A.	Geymann	Richmond
Brossett	Jones, S.	Smith, J.
Dove	Richard	

Total - 8

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Carter 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. 840—

BY REPRESENTATIVE WHITE

AN ACT

To enact R.S. 29:727(I), relative to parish homeland security and emergency preparedness agencies; to provide for the creation of parish emergency management advisory committees; to provide for the membership of the committee; to provide for reporting procedures; 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. 840 by Representative White

AMENDMENT NO. 1

On page 1, line 14, following "with" change "Subparagraph" to "Paragraph"

AMENDMENT NO. 2

On page 1, line 15, following "this" and before ":" change "Paragraph" to "Subsection"

AMENDMENT NO. 3

On page 2, line 11, following "officers" insert "of the municipalities"

AMENDMENT NO. 4

On page 2, line 16, following "within" change "a" to "the"

AMENDMENT NO. 5

On page 3, line 2, following "in" and before ":" change "Subparagraph (3) of this Paragraph" to "Paragraph (3) of this Subsection"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative White to Engrossed House Bill No. 840 by Representative White

AMENDMENT NO. 1

On page 2, line 1, after "president" and before "shall" delete the comma ","

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative White to Engrossed House Bill No. 840 by Representative White

AMENDMENT NO. 1

On page 3, after line 4, insert the following:

"(7) Nothing herein shall restrict or impair the rights and responsibilities of a committee created by a parish police jury and other local agencies and municipalities pursuant to a joint services agreement to develop and implement a plan in response to an emergency."

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

Rep. White 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	Gisclair	Monica
Armes	Guillory	Montoucet
Arnold	Guinn	Morris
Aubert	Hardy	Norton
Baldone	Hazel	Pearson
Barras	Henderson	Perry
Barrow	Henry	Ponti
Billiot	Hill	Pope
Brossett	Hines	Pugh
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.	Smith, G.
Chaney	Katz	Smith, P.
Connick	Kleckley	St. Germain
Cortez	LaBruzzo	Stiaes
Cromer	LaFonta	Talbot
Danahay	Lambert	Templet
Dixon	Landry	Thibaut
Doerge	LeBas	Waddell
Downs	Leger	White
Edwards	Ligi	Williams
Ellington	Little	Willmott
Foil	Lopinto	Wooton
Total - 90		

NAYS

Nowlin
Total - 1

ABSENT

Badon, A.	Geymann	Richard
Badon, B.	Greene	Smiley
Dove	Harrison	Smith, J.
Ernst	Jones, S.	
Fannin	Peterson	
Total - 13		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. White 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. 890 (Substitute for House Bill No. 177 by Representative Mills)—

BY REPRESENTATIVES MILLS, CHAMPAGNE, HARDY, HAZEL, LEBAS, LOPINTO, NORTON, PERRY, SCHRODER, AND WOOTON
AN ACT

To enact R.S. 40:962.1(E), 962.1.1(F), 964(Schedule V)(E), and 1006(E) and (F), and Part X-F of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1049.1 through 1049.11 and to repeal R.S. 40:962.1.1(D) and 962.1.2, relative to nonprescription compounds, mixtures, or preparations containing ephedrine, pseudoephedrine, or phenylpropanolamine; to provide that such nonprescription compounds, mixtures, and preparations and prescription products not otherwise scheduled are Schedule V drugs; to provide for the production of a photo identification prior to the purchase of nonprescription products containing pseudoephedrine, ephedrine, and phenylpropanolamine; to require the purchaser sign a log book prior to the purchase of nonprescription products containing ephedrine, pseudoephedrine, and phenylpropanolamine; to provide for a central computer monitoring system to monitor the purchase of those products; to provide for the acquisition and implementation of the central computer monitoring system; to provide for the access to information contained in the central computer monitoring system; to provide for the sharing of that information by certain agencies; to provide with respect to funding for the central computer monitoring system; to provide limitations on the quantities of products containing pseudoephedrine, ephedrine, or phenylpropanolamine which may be sold within a specified period of time; to authorize the reporting of suspected violations of law which are discovered due to the Prescription Monitoring Program to appropriate law enforcement and prosecutorial agencies; to repeal the provision

of law authorizing the secretary of the Department of Health and Hospitals to exempt certain products containing ephedrine, pseudoephedrine, and phenylpropanolamine from sales and possession restrictions if determined not to be used in the manufacture or production of methamphetamines; to repeal conflicting provisions of law regarding the purchase of products containing ephedrine, pseudoephedrine, and phenylpropanolamine; to provide for definitions; to repeal provisions of law providing for certain dosage forms containing ephedrine, pseudoephedrine, and phenylpropanolamine from sales restrictions; to provide for legislative findings; to provide for a limitation of liability; to provide for a defense for certain violations of the Uniform Controlled Substances Law; 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. 890 by Representative Mills

AMENDMENT NO. 1

On page 1, line 3, and page 2, line 15, and page 4, line 15, following "of" and before "Title 40" insert "Chapter 4 of"

AMENDMENT NO. 2

On page 2, line 22, following "shall" and before "be" delete "only" and on line 23, following "distributed" and before "in" insert "only"

AMENDMENT NO. 3

On page 3, line 4 following "shall" and before "be" delete "only" and on line 5, following "distributed" and before "in" insert "only"

AMENDMENT NO. 4

On page 7, line 6, following "shall" and before "be dispensed" delete "only" and on line 7, following "distributed" and before "by" insert "only"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Monica
Abramson	Gisclair	Montoucet
Anders	Greene	Morris
Armes	Guillory	Norton
Arnold	Guinn	Nowlin
Aubert	Hardy	Pearson
Barras	Hazel	Perry
Barrow	Henderson	Peterson
Billiot	Henry	Ponti
Brossett	Hill	Pope
Burford	Hines	Pugh
Burns, H.	Hoffmann	Richardson
Burns, T.	Honey	Richmond
Burrell	Howard	Ritchie

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Carmody	Hutter	Robideaux
Carter	Jackson G.	Roy
Champagne	Jackson M.	Schroder
Chandler	Johnson	Simon
Chaney	Jones, R.	Smiley
Connick	Katz	Smith, G.
Cortez	Kleckley	Smith, P.
Cromer	LaBruzzo	St. Germain
Danahay	LaFonta	Stiaes
Dixon	Lambert	Talbot
Doerge	Landry	Templet
Downs	LeBas	Thibaut
Edwards	Leger	Waddell
Ellington	Ligi	White
Ernst	Little	Williams
Fannin	Lopinto	Willmott
Foil	McVea	Wooton
Franklin	Mills	
Total - 95		

NAYS

Total - 0

ABSENT

Badon, A.	Dove	Jones, S.
Badon, B.	Geymann	Richard
Baldone	Harrison	Smith, J.
Total - 9		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 771—
BY REPRESENTATIVE HUTTER
AN ACT

To enact R.S. 17:1871(C), relative to the Board of Supervisors of Community and Technical Colleges; to authorize the board to set a uniform tuition amount for online courses offered by public postsecondary education institutions under its jurisdiction; to provide for effectiveness; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Hutter moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Mills
Abramson	Gisclair	Monica
Anders	Greene	Montoucet
Armes	Guillory	Norton
Aubert	Hardy	Nowlin
Badon, A.	Harrison	Peterson
Barras	Hazel	Ponti
Barrow	Henderson	Pope
Billiot	Henry	Pugh
Brossett	Hill	Richmond
Burford	Hines	Ritchie
Burns, H.	Hoffmann	Robideaux

Burns, T.	Honey	Roy
Carmody	Howard	Schroder
Carter	Hutter	Simon
Champagne	Jackson G.	Smiley
Chandler	Johnson	Smith, G.
Chaney	Jones, R.	Smith, P.
Connick	Katz	St. Germain
Cortez	Kleckley	Stiaes
Danahay	LaBruzzo	Talbot
Dixon	LaFonta	Templet
Doerge	Lambert	Thibaut
Downs	Landry	Waddell
Edwards	LeBas	White
Ellington	Leger	Williams
Fannin	Ligi	Willmott
Foil	Little	Wooton
Franklin	Lopinto	
Total - 86		

NAYS

Total - 0

ABSENT

Arnold	Ernst	Morris
Badon, B.	Geymann	Pearson
Baldone	Guinn	Perry
Burrell	Jackson M.	Richard
Cromer	Jones, S.	Richardson
Dove	McVea	Smith, J.
Total - 18		

The Chair declared the above bill, having received a two-thirds vote of the elected members, was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 651—
BY REPRESENTATIVE ARMES
AN ACT

To amend and reenact R.S. 11:1007(C) and (F), relative to the Louisiana School Employees' Retirement System; to provide relative to the reemployment of retired school bus drivers; to require the submission of certain information relative to such persons; to provide for actuarial costs associated with reemploying such school bus drivers; to provide an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Waddell on behalf of the Legislative Bureau to Engrossed House Bill No. 651 by Representative Armes

AMENDMENT NO. 1

On page 1, line 11, following "(F)" and before "hereby" change "is" to "are"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Robideaux to Engrossed House Bill No. 651 by Representative Armes

AMENDMENT NO. 1

On page 1, line 4, after "persons;" insert "to require certification of a school bus driver shortage by the employer;"

AMENDMENT NO. 2

On page 2, between lines 12 and 13 insert the following:

"(3) The superintendent of any employer who elects to reemploy a retired bus driver pursuant to this Section shall certify to the Board of Elementary and Secondary Education that a shortage of qualified bus drivers exists in the school district of such employer. The legislative auditor may audit or investigate as to whether there is a shortage of bus drivers in such district."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 88

NAYS

Hardy
Total - 1

ABSENT

Arnold	Gallot	Jones, S.
Badon, B.	Geymann	Richard
Dove	Greene	Richardson
Ernst	Guinn	Smith, J.
Fannin	Harrison	Waddell
Total - 15		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Armes 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

Suspension of the Rules

On motion of Rep. Bobby Badon, and under a suspension of the rules, the following bill was taken up out of its regular order at this time.

HOUSE BILL NO. 654—
BY REPRESENTATIVES BOBBY BADON AND MONTOUCET
AN ACT

To amend and reenact R.S. 13:716(A) and (B)(1), (2), and (3), relative to the commissioner of the Fifteenth Judicial District Court; to provide for powers and duties; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

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

Suspension of the Rules

On motion of Rep. Champagne, and under a suspension of the rules, the following bill was taken up out of its regular order at this time.

HOUSE BILL NO. 50—
BY REPRESENTATIVE CHAMPAGNE
AN ACT

To enact R.S. 15:712 and 1113 and R.S. 40:2853, relative to facilities providing housing or temporary residence to individuals referred to or participating in work release programs; to provide for a limitation on the location of those facilities in relationship to schools or day care centers; to provide for definitions; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Waddell on behalf of the Legislative Bureau to Engrossed House Bill No. 50 by Representative Champagne

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AMENDMENT NO. 1

On page 2, line 12, following "Section" insert "the following definitions shall apply:"

AMENDMENT NO. 2

On page 2, line 28, following "or" and before "shall" change "1199.09" to "1199.9"

AMENDMENT NO. 3

On page 3, line 1, following "and" and before "unincorporated" delete "in"

AMENDMENT NO. 4

On page 3, line 17, following "Section" insert "the following definitions shall apply:"

AMENDMENT NO. 5

On page 4, line 9, following "and" and before "unincorporated" delete "in"

AMENDMENT NO. 6

On page 4, line 25, following "Section" insert "the following definitions shall apply:"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Champagne to Engrossed House Bill No. 50 by Representative Champagne

AMENDMENT NO. 1

On page 2, line 6, after "residence" and before "for" insert "and has been in operation"

AMENDMENT NO. 2

On page 2, between lines 17 and 18 insert "(2) 'Premises' includes that land and any improvements thereon."

AMENDMENT NO. 3

On page 3, line 11, after "residence" and before "for" insert "and has been in operation"

AMENDMENT NO. 4

On page 3, between lines 22 and 23 insert "(2) 'Premises' includes that land and any improvements thereon."

AMENDMENT NO. 5

On page 4, line 19, after "residence" and before "for" insert "and has been in operation"

AMENDMENT NO. 6

On page 5, between lines 2 and 3 insert "(2) 'Premises' includes that land and any improvements thereon."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of representatives who voted 'YEAS' in three columns: Mr. Speaker, Franklin, Mills; Abramson, Gallot, Monica; Anders, Gisclair, Montoucet; Arnes, Greene, Morris; Arnold, Guillory, Norton; Aubert, Hardy, Nowlin; Badon, A., Harrison, Pearson; Baldone, Hazel, Perry; Barras, Henderson, Peterson; Barrow, Henry, Ponti; Billiot, Hill, Pope; Brossett, Hines, Pugh; Burford, Hoffmann, Richmond; Burns, H., Honey, Ritchie; Burns, T., Howard, Robideaux; Burrell, Hutter, Roy; Carmody, Jackson G., Schroder; Carter, Jackson M., Simon; Champagne, Johnson, Smiley; Chandler, Jones, R., Smith, G.; Chaney, Katz, Smith, P.; Connick, Kleckley, St. Germain; Cortez, LaBruzzo, Stiaes; Cromer, LaFonta, Talbot; Danahay, Lambert, Templet; Dixon, Landry, Thibaut; Doerge, LeBas, White; Downs, Leger, Williams; Edwards, Ligi, Willmott; Ellington, Little, Wooton; Fannin, Lopinto; Foil, McVea

Total - 94

NAYS

Total - 0

ABSENT

Table listing names of representatives who were 'ABSENT' in three columns: Badon, B., Guinn, Smith, J.; Dove, Jones, S., Waddell; Ernst, Richard; Geymann, Richardson; 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.

Suspension of the Rules

On motion of Rep. Henry, and under a suspension of the rules, the following bill was taken up out of its regular order at this time.

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.

Called from the calendar.

Read by title.

Rep. Henry moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Mills
Abramson	Gisclair	Monica
Anders	Greene	Montoucet
Armes	Guillory	Morris
Arnold	Guinn	Norton
Aubert	Hardy	Nowlin
Badon, A.	Harrison	Pearson
Baldone	Hazel	Perry
Barras	Henderson	Peterson
Barrow	Henry	Ponti
Billiot	Hill	Pope
Brossett	Hines	Pugh
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	Katz	Smith, G.
Connick	Kleckley	Smith, P.
Cortez	LaBruzzo	St. Germain
Danahay	LaFonta	Stiaes
Dixon	Lambert	Talbot
Doerge	Landry	Templett
Downs	LeBas	Thibaut
Edwards	Leger	Waddell
Ellington	Ligi	White
Fannin	Little	Williams
Foil	Lopinto	Willmott
Franklin	McVea	Wooton
Total - 96		

NAYS

Total - 0

ABSENT

Badon, B.	Ernst	Richard
Cromer	Geymann	Smith, J.
Dove	Jones, S.	
Total - 8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Montoucet gave notice of his intention to call House Bill No. 756 from the calendar during the week of May 26, 2009.

Suspension of the Rules

On motion of Rep. Montoucet, 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 21, 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. 125
Returned without amendments

House Concurrent Resolution No. 127
Returned without amendments

House Concurrent Resolution No. 134
Returned without amendments

House Concurrent Resolution No. 135
Returned without amendments

House Concurrent Resolution No. 138
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS

May 21, 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 No. 75

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Suspension of the Rules

On motion of Rep. Doerge, 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. 75—

BY SENATOR ADLEY

A CONCURRENT RESOLUTION

To authorize and direct the Department of Economic Development, with the assistance of the Louisiana Automobile Dealers Association, to take any and all necessary steps and actions to have General Motors and Chrysler to meet with each of their Louisiana dealerships which have been or will be advised of closure in order to permit the dealership to provide information regarding their continued operation and to extend any deadline which may have been set for such closure.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Doerge to Original Senate Concurrent Resolution No. 75 by Senator Adley

AMENDMENT NO. 1

On page 1, line 2, change "authorize and direct" to "urge and request"

AMENDMENT NO. 2

On page 3, line 17, change "authorize and direct" to "urge and request"

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

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

Message from the Senate

SENATE BILLS

May 21, 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. 9, 10, 33, 52, 72, 83, 103, and 130

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. 9—

BY SENATOR LONG

AN ACT

To amend and reenact R.S. 47:303(D)(1) and 305(D)(1)(i) and (H) and to enact R.S. 47:321(H)(3), relative to the sales and use tax of the state and its political subdivisions; to provide for an

exemption for certain property used as demonstrators; and to provide for related matters.

Read by title.

SENATE BILL NO. 10—

BY SENATORS DUPRE, ADLEY AND SHAW AND REPRESENTATIVES BOBBY BADON, BILLIOT, BURFORD, HENRY BURNS, CHAMPAGNE, CORTEZ, GISCLAIR, SAM JONES, KLECKLEY, LAMBERT, LANDRY, LITTLE, MILLS, MONICA, MONTOUCET, MORRIS, PUGH, SIMON AND WHITE

AN ACT

To enact R.S. 47:301(10)(ff) and (18)(p), relative to sales and use tax imposed by the state or any political subdivision of the state; to grant an exclusion for certain tertiary recovery projects; and to provide for related matters.

Read by title.

SENATE BILL NO. 33—

BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 47:305.51, relative to the sales tax exemption for purchases of utilities used by certain steelworks and blast furnaces; to change the business classification required for eligibility for the exemption from Standard Industrial Classification (SIC) Sector 3312 to North American Industry Classification System (NAICS) Sector 331111, as it existed in 2002; to provide relative to terms and definitions; to provide for an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 52—

BY SENATOR MARIONNEAUX

AN ACT

To enact R.S. 47:305.62, relative to the state and local sales and use tax; to enact the Annual Second Amendment Weekend Holiday; to provide that the state and local sales and use tax shall not apply to consumer purchases of firearms, ammunition, and hunting supplies each year for a certain period; to provide for a penalty; to provide for an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 72—

BY SENATOR MURRAY

AN ACT

To enact R.S. 33:4076.1, relative to the Sewerage and Water Board of New Orleans; to prohibit unauthorized firearms or other explosive devices on board property; to provide for an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 83—

BY SENATOR SHAW

AN ACT

To amend and reenact R.S. 33:1423.1(A), relative to collection and disposition of bonds, fines, fees, licenses, and taxes; to provide for payment by electronic check; to authorize the collection of a fee for electronic check processing; and to provide for related matters.

Read by title.

SENATE BILL NO. 103—

BY SENATOR DUPLESSIS

AN ACT

To enact R.S. 33:9091.15, a bill relative to Orleans Parish; to create the Oak Island Neighborhood Improvement District; to provide for district boundaries, purpose, governance, and funding,

including the levy of a parcel fee; to provide relative to the powers and duties of the district and its governing board; and to provide for related matters.

Read by title.

SENATE BILL NO. 130—

BY SENATORS HEBERT, DUPRE, N. GAUTREAU, MORRELL AND MORRISH AND REPRESENTATIVE KLECKLEY
AN ACT

To amend and reenact R.S. 22:2303(A)(1) and (2) and (D)(1), relative to the Louisiana Citizens Property Insurance Corporation; to provide with respect to the powers, duties, functions and responsibilities of the corporation; to provide for the determination of rates charged by the corporation; and to provide for related matters.

Read by title.

Message from the Senate

SIGNED SENATE CONCURRENT RESOLUTIONS

May 21, 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. 64, 65, 66, 69, 70, 71, and 73

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. 139—

BY REPRESENTATIVE TUCKER
A CONCURRENT RESOLUTION

To memorialize the United States Congress to provide funding for the Louisiana University of Medical Sciences, Inc., College of Primary Care Medicine.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 140—

BY REPRESENTATIVE PATRICIA SMITH
A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to study the feasibility and advisability of expanding the Adult Day Health Care waiver services program, to reevaluate the

Medicaid rate paid to Adult Day Health Care service providers including a method for increasing that rate, and to report these findings to the House Health and Welfare Committee and the Senate Health and Welfare Committee prior to March 1, 2010.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 141—

BY REPRESENTATIVE PATRICIA SMITH
A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Health and Hospitals to develop a plan to provide technical assistance to health care providers on becoming a qualified Program of All-Inclusive Care for the Elderly provider.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 142—

BY REPRESENTATIVE NOWLIN
A CONCURRENT RESOLUTION

To direct the Department of Health and Hospitals to develop and submit to the Centers for Medicare and Medicaid Services new waiver or state plan options for a sustainable system of home- and community-based services, to continue to implement approved cost control mechanisms for the Long Term/Personal Care Services Program, the Elderly and Disabled Adults Waiver, and the New Opportunities Waiver, and to provide quarterly progress reports to the House and Senate committees on health and welfare and the Joint Legislative Committee on the Budget.

Read by title.

Lies over under the rules.

Privileged Report of the Legislative Bureau

May 21, 2009

To the Speaker and Members of the House of Representatives:

I am directed by your Legislative Bureau to submit the following report:

Senate Bill No. 154
Reported without amendments.

Respectfully submitted,

WAYNE WADDELL
Chairman

Privileged Report of the Committee on Enrollment

May 21, 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. 46—
BY REPRESENTATIVE BARROW

A RESOLUTION

To commend and congratulate Upsilon Phi Upsilon Service Fraternity, Incorporated, for its outstanding achievements and generous community services and to recognize Thursday, May 21, 2009, as Upsilon Phi Upsilon Service Fraternity Day at the Legislature of Louisiana.

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 21, 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. 126—
BY REPRESENTATIVES BARROW, AUBERT, AUSTIN, BADON, BROSSETT, BURRELL, DIXON, FRANKLIN, GALLOT, HARDY, HONEY, GIROD JACKSON, MICHAEL JACKSON, ROSALIND JONES, LAFONTA, NORTON, PETERSON, RICHMOND, PATRICIA SMITH, STIAES, AND WILLIAMS AND SENATORS BROOME, DORSEY, DUPLESSIS, GRAY EVANS, GUILLORY, JACKSON, MORRELL, AND MURRAY
A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the legislature upon the death of state Representative Charles L. Young of Meridian, Mississippi.

HOUSE CONCURRENT RESOLUTION NO. 129—
BY REPRESENTATIVE ROSALIND JONES
A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the legislature upon the death of Ayana Animata McHenry of Monroe.

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.

Reports of Committees

The following reports of committees were received and read:

**Report of the Committee on
Transportation, Highways, and Public Works**

May 21, 2009

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on May 20, 2009, I am directed by your Committee on Transportation, Highways, and Public Works to submit the following report:

House Bill No. 518, by Badon, Austin
Reported with amendments. (11-4) (Regular)

House Bill No. 666, by Henry
Reported favorably. (16-0) (Local & Consent)

NITA RUSICH HUTTER
Chairwoman

**Report of the Committee on
Ways and Means**

May 21, 2009

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on May 20, 2009, I am directed by your Committee on Ways and Means to submit the following report:

House Bill No. 753, by Richmond
Reported with amendments. (14-0) (Regular)

HUNTER V. GREENE
Chairman

Suspension of the Rules

On motion of Rep. Greene, the rules were suspended to permit the Committee on Ways and Means to meet at 9:00 a.m., on Friday, May 22, 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 Nos. 31, 142, 213, 271, 272, 291, 331, 450, 457, 458, 614, 693, 735, 759, 789, 792, 798, 811, 862, and 884

Leave of Absence

Rep. Dove - 1 day

Rep. Sam Jones - 1 day

Adjournment

On motion of Rep. Billiot, at 12:25 P.M., the House agreed to adjourn until Tuesday, May 26, 2009, at 4:00 P.M.

The Speaker Pro Tempore of the House declared the House adjourned until 4:00 P.M., Tuesday, May 26, 2009.

ALFRED W. SPEER
Clerk of the House