

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

TWENTY-FIRST 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 29, 2009

The House of Representatives was called to order at 9:20 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 | Foil | Mills |
| Abramson | Franklin | Monica |
| Anders | Gallot | Montoucet |
| Armes | Geymann | Morris |
| Arnold | Gisclair | Norton |
| Aubert | Greene | Nowlin |
| Badon, A. | Guillory | Pearson |
| Badon, B. | Gunn | Perry |
| Baldone | Hardy | Peterson |
| Barras | Harrison | Ponti |
| Barrow | Henderson | Pope |
| Billiot | Henry | Pugh |
| Brossett | Hill | Richard |
| Burford | Hines | Richardson |
| Burns, H. | Honey | Richmond |
| Burns, T. | Howard | Ritchie |
| Burrell | Hutter | Robideaux |
| Carmody | Jackson G. | Roy |
| Carter | Jackson M. | Schroder |
| Champagne | Johnson | Simon |
| Chandler | Jones, R. | Smiley |
| Chaney | Jones, S. | Smith, G. |
| Connick | Katz | Smith, J. |
| Cortez | Kleckley | Smith, P. |
| Cromer | LaBruzzo | St. Germain |
| Danahay | LaFonta | Stiaes |
| Dixon | Lambert | Talbot |
| Doerge | Landry | Thibaut |
| Dove | LeBas | Waddell |
| Downs | Leger | White |
| Edwards | Ligi | Williams |

| | | |
|-------------|---------|----------|
| Ellington | Little | Willmott |
| Ernst | Lopinto | Wooton |
| Fannin | McVea | |
| Total - 101 | | |

ABSENT

| | | |
|-----------|----------|---------|
| Hazel | Hoffmann | Templet |
| Total - 3 | | |

The Speaker announced that there were 101 members present and a quorum.

Prayer

Prayer was offered by Rep. Jane Smith.

Pledge of Allegiance

Miss Rebecca Pearson 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. Billiott, the reading of the Journal was dispensed with.

On motion of Rep. Billiott, the Journal of May 28, 2009, was adopted.

**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. 51—

BY REPRESENTATIVE BARROW
A RESOLUTION

To express sincere and heartfelt condolences upon the death of Lilburne A. Thompson of Baton Rouge.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 171—

BY REPRESENTATIVE HINES
A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to study the effect of decreasing Medicare-Medicaid crossover payments on dually eligible people with Medicare and Medicaid in Louisiana and to report study findings and recommendations to the legislature prior to the convening of the 2010 Regular Session.

Read by title.

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

Ordered to the Senate.

Acting Speaker Greene in the Chair

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. 165—

BY REPRESENTATIVE DIXON
A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to develop, adopt, and implement a policy, as part of the school and district accountability system, to provide for an alternate method of assessing the overall performance of certain

types of public schools and to submit a written report on the status of such policy implementation.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 167—

BY REPRESENTATIVE HARDY
A CONCURRENT RESOLUTION

To urge and request the Board of Regents, in consultation with the Louisiana Student Financial Assistance Commission, to study the benefits to students, costs to the state, and program implications of lowering Taylor Opportunity Program for Students eligibility requirements for receipt of an Opportunity, Performance, or Honors award and to provide for a written report on study findings and recommendations.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 169—

BY REPRESENTATIVE CONNICK
A CONCURRENT RESOLUTION

To direct the Louisiana State Law Institute to study the feasibility of incorporating into Louisiana consumer credit and consumer protection laws, as may be applicable, the federal Credit Card Accountability and Disclosure Act of 2009, and to make specific recommendations for revisions to Louisiana laws in order to adopt the act in this state.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 170—

BY REPRESENTATIVES CONNICK, MILLS, AND TIM BURNS
A CONCURRENT RESOLUTION

To direct the Louisiana State Law Institute to study and report on the feasibility and possible consequences of raising the homestead exemption from seizure provided by R.S. 20:1 and the feasibility and possible consequences of prohibiting creditors from enforcing certain judgments, specifically those based on unsecured credit card debt, through the seizure of a homestead.

Read by title.

Under the rules, the above resolution was referred to the Committee on Ways and Means.

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. 1—

BY SENATORS CHAISSON, ALARIO, BROOME, CHEEK, DONAHUE, N. GAUTREAU, JACKSON, LAFLEUR, MICHOT, MURRAY, SMITH, THOMPSON AND WALSWORTH
A JOINT RESOLUTION

Proposing to amend Article VII, Section 10(F)(2)(a) and (b) of the Constitution of Louisiana, relative to the expenditure of state funds; to authorize the limited redirection and transfer of funds supporting appropriations or allocations from the state general fund and dedicated funds, including those constitutionally protected or mandated, to be used for other nonmandatory

purposes under certain circumstances; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 34—

BY SENATORS CHAISSON, ALARIO, BROOME, CHEEK, DONAHUE, N. GAUTREAU, JACKSON, LAFLEUR, MICHOT, MORRELL, MURRAY, SMITH, THOMPSON AND WALSWORTH
AN ACT

To amend and reenact R.S. 39:75(C)(2)(b), (E)(1) and (2), to enact R.S. 39:75(E)(5), and to repeal R.S. 39:75(F), relative to the expenditure of state funds; to authorize the limited redirection and transfer of funds supporting appropriations or allocations from the state general fund and dedicated funds, including those constitutionally protected or mandated, to be used for other nonmandatory purposes under certain circumstances; to define the official forecast of recurring revenues for the current fiscal year for purposes of the budget estimate for the next fiscal year; to repeal the limitation on the cumulative percentage reduction in constitutionally or statutorily protected or mandated appropriations, allocations, or expenditures; to provide for effective dates; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 67—

BY SENATORS MCPHERSON, DUPRE, N. GAUTREAU, HEITMEIER, LONG, RISER AND WALSWORTH AND REPRESENTATIVES HENRY BURNS, DIXON, HINES, LEGER, PEARSON, RICHARD AND ROY
A JOINT RESOLUTION

Proposing to amend Article IV, Section 4 and to add Article III, Section 4(G) and Article IV, Section 21(F) of the Constitution of Louisiana, relative to state elected officials; to provide for the implementation of any salary increase enacted by law for certain state elected officials; and to specify an election for submission of the proposition to electors and 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. 84—

BY SENATOR ADLEY
AN ACT

To amend and reenact R.S. 38:2212.1(A)(1), relative to public contracts; to increase the limit for the purchase of materials and supplies to the sum of thirty thousand dollars for public entities without the necessity of advertisement; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 107—

BY SENATOR CHEEK
AN ACT

To enact Chapter 10 of Title 29 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 29:781 through 792, and to repeal R.S. 29:735.2(A), relative to emergency volunteer health practitioners; to provide for definitions; to provide for the regulation of health services during a declared emergency; to provide for volunteer health practitioner registration systems; to

provide for administrative sanctions; to provide for a limitation of liability for volunteer health practitioners; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 128—
BY SENATOR MARTINY

AN ACT

To enact R.S. 47:301(10)(ff) and (18)(p), relative to the sales and use tax of the state; to provide an exclusion for the resale of certain Mardi Gras items by certain nonprofit organizations from such tax; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

SENATE BILL NO. 254—
BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 14:35.3(A) and (B)(2), relative to the crime of domestic abuse battery; to provide for definitions; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 261—
BY SENATORS DONAHUE AND THOMPSON

AN ACT

To enact Part II of Chapter 2 of Title 24 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 24:101 through 109, relative to streamlining state government; to create the Commission on Streamlining Government and provide for the membership, powers, duties, and functions of the commission; to provide a procedure for the submission, consideration, approval, and implementation of recommendations of the Commission on Streamlining Government; to provide for staff support and finances for the commission; to provide for cooperation with and support for the commission; to provide for the applicability of other laws; to provide for termination; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 323—
BY SENATOR ADLEY

AN ACT

To enact R.S. 38:291(J), relative to levee districts; to create and provide relative to the North Bossier Levee and Drainage District; to provide for its authority, powers, duties, functions, and responsibilities, including the authority to incur debt and levy ad valorem taxes subject to voter approval; to provide for its board of commissioners and for the nomination and appointment of members to the board; to provide for the transfer of assets; 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. 339—
BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 51:1927.1(C), relative to the Louisiana Capital Companies Tax Credit Program; to provide relative to the placement of the investment pool in qualified investments; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

**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 RESOLUTION NO. 34—
BY REPRESENTATIVES HILL, CHANDLER, HARDY, ROY, AND SIMON

A RESOLUTION

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

Read by title.

Reported favorably by the Committee on Commerce.

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

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.

Reported favorably by the Committee on Commerce.

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

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.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Original House Concurrent Resolution No. 137 by Representative Rosalind Jones

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AMENDMENT NO. 1

On page 1, line 8, change "several" to "the repeated use of"

AMENDMENT NO. 2

On page 1, line 14, after "the" and before "use" insert "inappropriate"

AMENDMENT NO. 3

On page 2, line 6, after "*financial*", delete the remainder of the line and insert "*hardship.*"; and"

AMENDMENT NO. 4

On page 2, delete lines 7 & 8 in their entirety

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

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

HOUSE CONCURRENT RESOLUTION NO. 152—

BY REPRESENTATIVES WHITE AND RICHARDSON AND SENATOR AMEDEE

A CONCURRENT RESOLUTION

To direct the Office of Financial Institutions to report to the joint committees on commerce updates regarding the investigations into the Stanford Financial Group.

Read by title.

Reported favorably by the Committee on Commerce.

On motion of Rep. Arnold, 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. 14—

BY SENATORS DUPRE AND MCPHERSON AND REPRESENTATIVES DOVE AND HUTTER

A CONCURRENT RESOLUTION

To approve the annual Coastal Protection Plan for Fiscal Year 2009-2010, as adopted by the Coastal Protection and Restoration Authority.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works with recommendation that the resolution be recommitted to the Committee on Natural Resources and Environment.

Motion

On motion of Rep. Hutter, the resolution was recommitted to the Committee on Natural Resources and Environment.

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. 5—

BY REPRESENTATIVES GUINN, BALDONE, BARRAS, GISCLAIR, HARRISON, HENDERSON, HENRY, JOHNSON, MILLS, MONTOUCET, PERRY, RICHARD, RITCHIE, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, AND WOOTON AND SENATOR GUILLORY

AN ACT

To amend and reenact R.S. 47:305(A)(5) and to enact R.S. 47:302(T), 321(J), and 331(R), relative to exemptions to sales and use tax; to provide with respect to exemptions for crawfish bait and feed; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 26—

BY REPRESENTATIVES LAMBERT, WHITE, BURFORD, HENRY BURNS, CROMER, GEYMAN, GREENE, GUINN, HENRY, HOFFMANN, LIGI, LITTLE, MCVEA, MONICA, MORRIS, POPE, RICHARDSON, SCHRODER, SMILEY, JANE SMITH, AND ST. GERMAIN

AN ACT

To amend and reenact R.S. 48:77(C), relative to deposits into the Transportation Trust Fund from the collection of state sales tax on motor vehicles; to modify provisions reducing such deposits if a deficit is projected; and to provide for an effective date.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Original House Bill No. 26 by Representative Lambert

AMENDMENT NO. 1

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

AMENDMENT NO. 2

On page 1, line 3, after "vehicles;" delete "repeal" and insert "modify"

AMENDMENT NO. 3

On page 1, delete line 6 in its entirety and insert the following:

"Section 1. R.S. 48:77(C) is hereby amended and reenacted to read as follows:

"§77. Transportation Trust Fund; dedication and uses of certain monies for transportation purposes

* * *

C.(1) Notwithstanding any provision of this Section to the contrary, if a deficit for the current fiscal year is projected due to a decrease in the official forecast of the Revenue Estimating Conference, the treasurer is hereby directed to reduce the deposits required by this Section by an amount equal to the amount of the projected deficit less the amount which is authorized to be appropriated from the Budget Stabilization Fund as provided in Article VII, Section 10.3(C)(2) of the Constitution of Louisiana. Deposits to the fund shall be reduced as provided in this Subsection

until such time as the official forecast of the Revenue Estimating Conference equals or exceeds the official forecast ~~in effect prior to the projected deficit, of the prior fiscal year,~~ at which time the reduction shall cease.

(2) Any reduction in deposits for any fiscal year made pursuant to this Section shall be made on a pro rata basis for all purposes as provided in Subsection B of this Section."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 83—

BY REPRESENTATIVES TIM BURNS AND SCHRODER
AN ACT

To amend and reenact R.S. 47:1705(B)(2)(c)(i), (ii), and (vi) and to enact R.S. 47:1705(B)(2)(c)(vii) and (f), relative to the requirements for public hearings on proposals to increase millage rates without voter approval; to require public notice and publication of certain information related to such millage increases; to require notification of certain elected officials; 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. 83 by Representative Tim Burns

AMENDMENT NO. 1

On page 2, at the end of line 11, insert the following:

"Upon the request of the taxing authority, the median value of a residence shall be determined by the assessor and provided to the taxing authority for use in complying with the requirements of this Subparagraph. Such median home value shall be estimated by the assessor using data available at the time of the request."

AMENDMENT NO. 2

On page 2, line 20, after "same," and before "the" insert "the notice shall be made available for posting on"

AMENDMENT NO. 3

On page 3, line 1, after "shall be" and before "to the" delete "hand delivered" and insert "delivered by facsimile or e-mail"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 106—

BY REPRESENTATIVES GREENE, BALDONE, BARRAS, CARTER, HENRY, HOFFMANN, GIROD JACKSON, NOWLIN, RICHARD, RITCHIE, ROBIDEAUX, AND JANE SMITH AND SENATORS DONAHUE AND MICHOT

AN ACT

To amend and reenact R.S. 47:293(10) and to enact R.S. 47:293(9)(a)(xvii), relative to the individual income tax; to

provide for a deduction for net capital gains; 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. 106 by Representative Greene

AMENDMENT NO. 1

On page 1, line 17, after "gains, which" delete the remainder of the line and delete line 18 in its entirety and insert the following:

"shall be limited to gains recognized and treated for federal income tax purposes as arising from the sale or exchange of an equity interest in or substantially all of the assets of a non-publicly traded corporation, partnership, limited liability company, or other business organization commercially domiciled in this state."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 110—

BY REPRESENTATIVES JANE SMITH, ANDERS, BILLIOT, BURFORD, HENRY, BURNS, CARMODY, CARTER, CHAMPAGNE, CONNICK, CORTEZ, DANAHAY, DOERGE, DOWNS, ELLINGTON, FOIL, GALLOT, GISCLAIR, GREENE, GUINN, HARRISON, HAZEL, HENDERSON, HENRY, HOFFMANN, HOWARD, KLECKLEY, LAMBERT, LIGI, LITTLE, MCVEA, MILLS, MORRIS, NOWLIN, PEARSON, PERRY, PONTI, RICHARD, RICHARDSON, ROBIDEAUX, SCHRODER, SIMON, ST. GERMAIN, WADDELL, AND WILLIAMS AND SENATORS DUPRE, N. GAUTREAUX, AND THOMPSON

AN ACT

To enact R.S. 47:6035 and to repeal R.S. 47:38 and 287.757 and R.S. 51:2458(2), relative to individual income and corporate income tax credits; to increase the tax credit for the cost of qualified clean-burning motor vehicle fuel property; to increase the tax credit for the purchase of a motor vehicle with qualified clean-burning motor vehicle fuel property installed by the vehicle's manufacturer; to provide relative to certain definitions; to provide for the refund of the tax credit under certain circumstances; to authorize the promulgation of rules and regulations under certain circumstances; to authorize a qualified employer who receives a rebate in the Louisiana Quality Jobs Program to also claim the tax credit for the conversion of vehicles to alternative fuel usage; 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. 110 by Representative Jane Smith

AMENDMENT NO. 1

On page 2, line 13, after "installation" and before "of" insert "by a technician" and at the end of the line delete "by a technician"

AMENDMENT NO. 2

On page 2, at the end of line 28, insert the following:

"The cost of property which is directly related to the delivery of an alternative fuel into the fuel tank of motor vehicles propelled by alternative fuel shall not include costs associated with exploration and development activities necessary for severing natural resources from the soil or ground."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 142—

BY REPRESENTATIVE HENRY

AN ACT

To amend and reenact R.S. 47:6007(C)(1)(b)(introductory paragraph) and to repeal R.S. 47:6007(C)(1)(c) and (d), relative to motion picture investor tax credits; to provide relative to the tax credit for state-certified productions; to provide relative to the maximum amount of tax credits for state-certified productions; to repeal certain provisions relative to the phase-down of tax credits for state-certified productions; to provide for an effective date; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Ways and Means.

HOUSE BILL NO. 898 (Substitute for House Bill No. 142 by Representative Henry)—

BY REPRESENTATIVE HENRY

AN ACT

To amend and reenact R.S. 47:6007, relative to tax credits; to provide relative to the motion picture investor tax credit; to provide for issuance of the tax credit for state-certified productions; to provide for the amount of the tax credit; to provide relative to certain definitions; to provide for certain requirements and limitations; to provide relative to the promulgation of rules; to delete certain provisions relative to the tax credit for state-certified infrastructure projects; to provide for an effective date; and to provide for related matters.

Read by title.

On motion of Rep. Jane Smith, the substitute was adopted and became House Bill No. 898 by Rep. Henry, on behalf of the Committee on Ways and Means, as a substitute for House Bill No. 142 by Rep. Henry.

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

HOUSE BILL NO. 189—

BY REPRESENTATIVE GREENE

AN ACT

To amend and reenact R.S. 47:305(D)(2) and to enact R.S. 47:302(R)(3), 321(H)(3), and 331(P)(4), relative to the sales and use tax; to provide for the effectiveness and applicability of the exemption for the sale of meals by certain institutions and organizations; to provide for the exemption of the meal plans of certain educational institutions; 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. 189 by Representative Greene

AMENDMENT NO. 1

On page 1, at the beginning of line 2, after "To" and before "enact" insert "amend and reenact R.S. 47:305(D)(2) and to"

AMENDMENT NO. 2

On page 1, line 4, after "organizations;" insert the following:

"to provide for the exemption of the meal plans of certain educational institutions;"

AMENDMENT NO. 3

On page 1, line 7, after "Section 1." and before "R.S. 47:302(R)(3)," insert "R.S. 47:305(D)(2) is hereby amended and reenacted and"

AMENDMENT NO. 4

On page 1, after line 19, insert the following:

"§305. Exclusions and exemptions from the tax

* * *

D.

* * *

(2)(a) Sales of meals furnished to as follows:

(i) To the staff and students of educational institutions including kindergartens including, but not limited to kindergartens, if the meals are consumed on the premises where purchased, or if they are purchased in advance by students, faculty, or staff pursuant to a meal plan sponsored by the institution or organization or purchased in advance pursuant to any other payment arrangement sanctioned by the institution or organization and generally available to students, faculty, and staff of the institution or organization, regardless of where such meals are consumed;

(ii) To the staff and patients of hospitals;

(iii) To the staff, inmates, and patients of mental institutions; and

(iv) To the boarders of rooming houses, and occasional

(v) Occasional meals furnished in connection with or by educational, religious, or medical organizations;

(b) Except as provided for in Item (i) of this Paragraph, the furnishing of such meals shall be exempt from the taxes imposed by this Chapter if the meals are consumed on the premises where purchased. However, sales by any of the above in facilities open to outsiders or to the general public are not exempt from the taxes imposed by taxing authorities.

* * *"

AMENDMENT NO. 5

On page 2, between lines 20 and 21, insert the following:

"Section 2. The provisions of this Act shall be retroactive; however, correctly computed taxes not paid under protest with suit filed for their recovery as required by law shall not be refunded."

AMENDMENT NO. 6

On page 2, at the beginning of line 21, change "Section 2." to "Section 3."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 215—
BY REPRESENTATIVES HUTTER AND LEGER
AN ACT

To enact R.S. 47:6035, relative to tax credits; to establish the Ports of Louisiana Investor Tax Credit; to authorize the issuance of tax credits for certain investments in ports in Louisiana; to provide for definitions; to provide for certain limitations; to provide for the certification and administration of such tax credits; to authorize the promulgation of rules and regulations; to authorize the transfer of certain tax credits; to authorize the recapture and recovery of such tax credits under certain circumstances; to provide for a termination 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. 215 by Representative Hutter

AMENDMENT NO. 1

On page 4, line 9, after "state" delete the remainder of the line in its entirety and at the beginning of line 10, delete "corporate"

AMENDMENT NO. 2

On page 4, line 12, after "credit" change "up" to "equal"

AMENDMENT NO. 3

On page 6, at the end of line 1, delete "a" and at the beginning of line 2, delete "copy of the credit certificate."

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

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

HOUSE BILL NO. 251—
BY REPRESENTATIVES GREENE, BALDONE, BARRAS, HENRY,
HOFFMANN, HONEY, RICHARD, RICHMOND, RITCHIE, AND JANE
SMITH

AN ACT

To amend and reenact R.S. 47:301(16)(g), relative to sales and use tax on factory built homes; to clarify references to manufactured, mobile, modular, and factory built homes; 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. 251 by Representative Greene

AMENDMENT NO. 1

On page 3, between lines 26 and 27, insert the following:

"Section 2. R.S. 47:301(16)(g) is hereby amended and reenacted to read as follows:

§301. Definitions

As used in this Chapter the following words, terms, and phrases have the meaning ascribed to them in this Section, unless the context clearly indicates a different meaning:

* * *

(16)

* * *

(g)(i) ~~Except~~ Notwithstanding the provisions of R.S. 9:1149.1 et seq., except as otherwise provided in this Subparagraph, the term "tangible personal property" shall not include factory built homes.

(ii) For purposes of this Subparagraph, "factory built home" means a residential structure which is built in a factory in one or more sections and has a chassis or integrated wheel delivery system, which is either:

(aa) A structure built to federal construction standards as defined in Section 5402 of Title 42 of the United States Code.

(bb) A residential structure built to the Louisiana State Uniform Construction Code.

(cc) A manufactured home, modular home, mobile home, or residential mobile home with or without a permanent foundation, which includes plumbing, heating, and electrical systems.

(iii) "Factory built home" shall not include any self-propelled recreational vehicle or travel trailer.

(iv) The term "tangible personal property" as applied to sales and use taxes levied by the state or any other taxing authority in the state shall include a new factory built home, for the initial sale from a dealer to a consumer, but only to the extent that forty-six percent of the retail sales price shall be so considered as "tangible personal property". Thereafter, each subsequent resale of a factory built home shall not be considered as "tangible personal property."

AMENDMENT NO. 2

On page 3, delete lines 27 and 28 in their entirety, and delete page 4 in its entirety, and insert the following:

"Section 3. The provisions of Section 1 of this Act are remedial, curative, and procedural, and therefore shall apply retroactively as well as prospectively; however, correctly computed taxes not paid under protest with suit filed for their recovery as required by law shall not be refunded.

Section 4. The provisions of this Act shall not be severable.

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Section 5. The provisions of Sections 1, 3, 4, 5 and 6 of this Act shall become effective on July 1, 2009.

Section 6. The provisions of Section 2 of this Act shall become effective on January 1, 2010."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 276—

BY REPRESENTATIVE FANNIN

AN ACT

To amend and reenact R.S. 40:1730.24(A) and 1730.28(C), relative to the state uniform construction code; to provide for distinctions in fees charged by certain entities; to provide for a definition of "nonprofit entity"; to allow for the adoption of certain provisions; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 316—

BY REPRESENTATIVES TIM BURNS, BARRAS, GIROD JACKSON, SCHRODER, AND SIMON

A JOINT RESOLUTION

Proposing to enact Article VII, Section 18(H) of the Constitution of Louisiana, to provide for certain limitations on ad valorem taxation for the residential property of certain persons who are sixty-five years of age and older; to provide for a tax credit; to provide for limitations on the amount of tax; to provide for eligibility requirements; to require the submission of certain documents; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on 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. 316 by Representative Tim Burns

AMENDMENT NO. 1

On page 1, at the beginning of line 3, delete "an exemption from" and insert "for certain limitations on"

AMENDMENT NO. 2

On page 1, line 4, after "older" and the semi-colon ";", and before "to provide" insert "to provide for a tax credit; to provide for limitations on the amount of tax;"

AMENDMENT NO. 3

On page 1, delete lines 14 through 19 in their entirety

AMENDMENT NO. 4

On page 2, delete lines 1 through 5 in their entirety and at the beginning of line 6, delete "percent of" and insert the following:

"H. Property Tax Relief Credit

(1) There shall be authorized a property tax relief credit for a person who is sixty-five years of age or older who meets the income eligibility requirements as provided in Subparagraph (2) of this Paragraph. The credit shall be equal to one hundred percent of the amount of ad valorem tax imposed on residential property subject to the homestead exemption which is owned and occupied by such person. The application of the credit shall be achieved by applying the credit on the eligible person's ad valorem tax bill.

(2) Income eligibility for this credit shall be based on the person having an annual family income of not more than"

AMENDMENT NO. 5

On page 2, between lines 8 and 9, insert the following:

"(3) An eligible person or their spouse or other legally qualified representative shall apply for the property tax relief credit by filing a signed application establishing that the owner qualifies for the credit with the assessor of the parish or, in the parish of Orleans, the assessor of the district where the property is located.

I. Special Limitation on Ad Valorem Tax for Senior Citizens

(1) Eligibility.

(a) There shall be a limitation on the amount of ad valorem taxes imposed on residential property owned by a person who is sixty-five years of age or older whose taxable income, as reported on his federal tax return for the year prior to the application for the special limitation, does not exceed the amount determined under Paragraph (G)(1)(a)(ii) of this Section for purposes of the special assessment level. For persons applying for the special limitation whose filing status is married filing separately, the taxable income for purposes of this Paragraph shall be determined by combining the taxable income on both federal tax returns.

(b) A person who receives the special assessment level provided for in Paragraph G of this Section shall not be eligible for the special limitation of ad valorem tax provided for in this Paragraph.

(2) Special limitation on ad valorem taxes. The amount of ad valorem tax imposed on residential property receiving the homestead exemption which is owned and occupied by such person shall not exceed the amount of ad valorem tax imposed on the property in the first year in which the person qualifies for and receives the special limitation provided for in this Paragraph.

(3) Application. An eligible owner, or owner's spouse or other legally qualified representative shall apply for the special limitation by filing a signed application establishing that the owner qualifies for the special limitation with the assessor of the parish or, in the parish of Orleans, the assessor of the district where the property is located. Provided such owner is qualified for and receives the special limitation, such special limitation of ad valorem tax shall remain with respect to the property as long as:

(a) The owner or that owner's surviving spouse who is fifty-five years of age or older or who has minor children remains the owner of the property.

(b) The value of the property does not increase more than twenty-five percent because of construction or reconstruction."

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

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

HOUSE BILL NO. 328—

BY REPRESENTATIVES GREENE, BALDONE, HENRY, HOFFMANN, HONEY, RICHMOND, RITCHIE, AND JANE SMITH
AN ACT

To amend and reenact R.S. 51:2353(C)(1)(c), relative to the Technology Commercialization Credit; to provide relative to qualifications of applicants for the technology commercialization tax credit; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 356—

BY REPRESENTATIVES FOIL, HENRY BURNS, CARTER, HARRISON, AND LEGER
A JOINT RESOLUTION

Proposing to enact Article VII, Section 10.3(C)(5) of the Constitution of Louisiana, to change provisions regarding the Budget Stabilization Fund; to change requirements of deposits into the fund in certain circumstances; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

Under the rules, the above bill was ordered engrossed and recommitted to the Committee on Civil Law and Procedure.

HOUSE BILL NO. 389—

BY REPRESENTATIVES GREENE, BALDONE, BARRAS, CARTER, HENRY, NOWLIN, RICHARD, AND ROBIDEAUX
AN ACT

To amend and reenact Section 2 of Act No. 15 of the 1996 Regular Session of the Legislature, as amended by Act No. 47 of the 1998 Regular Session of the Legislature, Act No. 33 of the 2000 Regular Session of the Legislature, Act No. 141 of the 2003 Regular Session of the Legislature, and Act No. 357 of the 2005 Regular Session of the Legislature; to delete the termination date regarding certain transactions involving certain private and parochial elementary and secondary schools; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 457—

BY REPRESENTATIVES HENRY, BALDONE, BARRAS, HENRY BURNS, BURRELL, CHAMPAGNE, FOIL, HOFFMANN, HONEY, LITTLE, MILLS, PERRY, PUGH, RICHARD, RICHMOND, RITCHIE, ROBIDEAUX, SIMON, SMILEY, JANE SMITH, TEMPLET, AND THIBAUT AND SENATORS CROWE, DUPLESSIS, MICHOT, SMITH, AND WALSWORTH
AN ACT

To amend and reenact R.S. 47:6022(B)(2)(a), (C)(4), (6), (7), and (8), (D)(introductory paragraph), (E)(1), (I), and (J) and to enact R.S. 47:6022(C)(9) and (10), relative to tax credits; to provide

relative to the digital interactive media producer tax credit; to provide for certain definitions; to remove certain limitations for issuance of the digital interactive media producer tax credit; to provide for the promulgation of rules and regulations; to provide relative to the display of the state brand or logo under certain circumstances; 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. 457 by Representative Henry

AMENDMENT NO. 1

On page 1, line 7, after "regulations;" delete "to require" and insert "to provide relative to"

AMENDMENT NO. 2

On page 4, line 8 after "productions" and before "display" delete "shall" and insert "may be required to"

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

On motion of Rep. Jane Smith, the bills, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 458—

BY REPRESENTATIVES TALBOT, BALDONE, HENRY BURNS, CARTER, CHAMPAGNE, FOIL, HENRY, HOFFMANN, HONEY, LITTLE, MILLS, PERRY, PUGH, RICHARD, RICHMOND, ROBIDEAUX, SIMON, SMILEY, JANE SMITH, TEMPLET, AND THIBAUT AND SENATORS CROWE, DUPLESSIS, MICHOT, SMITH, AND WALSWORTH
AN ACT

To amend and reenact R.S. 47:6023, relative to tax credits; to provide relative to the sound recording investor tax credit; to provide relative to certain definitions; to remove certain limitations of the sound recording investor tax credit; to provide relative to the promulgation of rules and regulations; to provide relative to the certification and payment of the tax credit; to provide relative to the display of the state brand or logo under certain circumstances; 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. 458 by Representative Talbot

AMENDMENT NO. 1

On page 1, line 6, after "credit;" and before "the" delete "to require" and insert "to provide relative to"

AMENDMENT NO. 2

On page 9, line 22, after "productions" and before "display" delete "shall" and insert "may be required to"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 473—

BY REPRESENTATIVES LITTLE, BALDONE, HENRY, HOFFMANN, HONEY, NOWLIN, PERRY, RICHARD, RICHMOND, RITCHIE, AND JANE SMITH

AN ACT

To enact R.S. 47:305.62 and 321(H)(3), relative to the sales and use tax; to authorize a state sales and use tax exemption for certain commercial farm irrigation equipment; to provide for the effectiveness and applicability of the state sales and use tax exemption; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 569—

BY REPRESENTATIVE WHITE

AN ACT

To enact R.S. 45:860, relative to the Internet Crimes Investigation Fund; to create the Internet Crimes Investigation Fund; to impose a fee on Internet providers; to provide for use of the monies in the Internet Crimes Investigation Fund; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Engrossed House Bill No. 569 by Representative White

AMENDMENT NO. 1

On page 1, line 11, after "cents" delete the remainder of the line and delete lines 12 through 14 and insert the following:

"per month for each Louisiana consumer account billed for Internet access. This fee shall be collected by the Internet access service provider from each account billed and remitted to the Department of Revenue. Beginning July 1, 2009, after compliance with the requirements of"

AMENDMENT NO. 2

On page 1, line 15, change "pay" to "deposit"

AMENDMENT NO. 3

On page 2, delete lines 4 through 7 and insert the following:

"C. Monies appropriated from the fund shall be used exclusively by the Department of Justice to provide the following specific privileges, services, and benefits to those Louisiana citizens having Internet access:

(1) Proactive undercover law enforcement operations conducted through the Internet and specially designed to protect Louisiana citizens accessing the Internet from criminals operating through the Internet. These proactive activities include the following:

(a) Locating, investigating, and bringing to justice those who would commit sex crimes upon children who those persons locate through the Internet, communicate with through the Internet, or both.

(b) Locating, investigating, and bringing to justice those persons who use the Internet to facilitate the trading of images of pornography involving children.

(c) Locating, investigating, and bringing to justice those persons who use the Internet to facilitate fraudulent schemes in an effort to defraud our citizens with Internet access of money, goods, services, and other things.

(2) Follow-up investigative services.

(3) Computer forensic examination services of computers and other electronic devices associated with allegations of crimes committed against or attempted against Louisiana victims as a direct result of their having had Internet access.

(4) Proactive training of local law enforcement in the proper handling of crimes perpetrated or attempted against Louisiana citizens as a result of these victims having had Internet access.

(5) Other privileges, services, and benefits designed to protect Louisiana citizens with Internet access from crimes perpetrated against them by criminals acting through the Internet.

D. The attorney general shall submit an annual report to the Joint Legislative Committee on the Budget no later than thirty days prior to the regular session of the legislature on the status of the fund including the amounts deposited into the fund and performance data related to expenditures out of the fund."

AMENDMENT NO. 4

On page 2, after line 7, add 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. Fannin, the amendments were adopted.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 578—

BY REPRESENTATIVES RICHMOND, BALDONE, BARRAS, DANAHAY, HOFFMANN, HONEY, GIROD JACKSON, MICHAEL JACKSON, NOWLIN, PERRY, RITCHIE, AND JANE SMITH

AN ACT

To amend and reenact R.S. 47:297(K) and (O) and 287.752, to enact R.S. 47:287.786, and to repeal R.S. 47:287.748, relative to state income tax credits to reduce recidivism of persons released from custody in Louisiana; to provide for and increase the individual and corporation income tax credits for the employment of certain persons convicted of certain crimes; 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. 578 by Representative Richmond

AMENDMENT NO. 1

On page 2, line 4, after "program" and before the comma "," insert "or any other court-ordered program"

AMENDMENT NO. 2

On page 4, line 26, after "program" and before the comma "," insert "or any other court-ordered program"

AMENDMENT NO. 3

On page 5, line 19, after "applicable for" delete the remainder of the line and insert "taxable periods beginning on or"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 614—

BY REPRESENTATIVES MONICA, BALDONE, HENRY BURNS, BURRELL, CARTER, CHAMPAGNE, CORTEZ, DOVE, FOIL, HENRY, LITTLE, MILLS, PERRY, PUGH, ROBIDEAUX, SIMON, SMILEY, JANE SMITH, AND THIBAUT AND SENATORS CROWE, DUPLESSIS, KOSTELKA, MICHOT, SMITH, AND WALSWORTH

AN ACT

To enact R.S. 47:6035, relative to the motion picture investor tax credit; to authorize a tax credit for certain infrastructure projects; to provide for certain definitions; to provide for the amount of the tax credit, the use of the tax credit, the application for the tax credit, and the administration of the tax credit; to require certain fees; to authorize creation of the Entertainment Promotion and Marketing Fund; to provide for the disposition of the monies in the fund; to authorize the promulgation of rules and regulations under certain circumstances; to authorize the recapture and the recovery of the tax credit under certain circumstances; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

Under the rules, the above bill was ordered engrossed and recommitted to the Committee on House and Governmental Affairs.

HOUSE BILL NO. 618—

BY REPRESENTATIVES GREENE, BALDONE, HENRY, HOFFMANN, HONEY, RICHMOND, RITCHIE, AND JANE SMITH

AN ACT

To amend and reenact R.S. 47:601(A)(introductory paragraph) and 611, relative to corporation franchise tax; to exempt a certain amount of taxable capital from the tax; to eliminate the minimum amount of the tax; to provide relative to the initial franchise tax on newly taxable corporations; 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. 618 by Representative Greene

AMENDMENT NO. 1

On page 1, line 2, after "(introductory paragraph)" and before the comma "," insert "and 611"

AMENDMENT NO. 2

On page 1, line 4, after "tax;" and before "to" insert "to provide relative to the initial franchise tax on newly taxable corporations;"

AMENDMENT NO. 3

On page 1, line 7, after "(introductory paragraph)" and before "hereby" delete "is" and insert "and 611 are"

AMENDMENT NO. 4

On page 1, line 14, after "rate of" insert the following:

"one dollar and fifty cents for each one thousand dollars, or major fraction thereof, ~~on the first three hundred thousand dollars of taxable capital~~ taxable capital that exceeds one hundred fifty thousand dollars but is less than or equal to three hundred thousand dollars and at the rate of"

AMENDMENT NO. 5

On page 1, line 18, after "capital." and before "Taxable" insert the following:

"Except as provided for in R.S. 47:611, no tax shall be due on the first one hundred fifty thousand dollars of taxable capital."

AMENDMENT NO. 6

On page 1, after line 21, insert the following:

"§611. Newly taxable corporation

Every corporation shall pay only ~~the minimum~~ an initial tax of ten dollars in the first accounting period or fraction thereof in which it becomes subject to the tax levied herein. The tax is first due immediately on the corporation's becoming taxable under this Chapter and is payable on or before the fifteenth day of the third month after the month in which the tax is due. After the first closing of the corporate books, the tax is payable as provided in R.S. 47:609."

AMENDMENT NO. 7

On page 2, delete lines 1 through 5 in their entirety and insert the following:

"Section 2. The provisions of this Act shall become effective for all taxable periods beginning on or after January 1, 2010."

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

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

Under the rules, placed on the regular calendar.

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HOUSE BILL NO. 656—

BY REPRESENTATIVE CHANEY
AN ACT

To amend and reenact R.S. 40:1849(A) and (D)(5), 1851(D) and (E), and to repeal R.S. 40:1851(F) and 1851.1, relative Liquefied Petroleum Gas Commission; to provide for the issuance of permits and renewals; to provide for deposits of funds; to provide for uses of funds; and to provide for related matters.

Read by title.

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

The substitute was read by title as follows:

HOUSE BILL NO. 899 (Substitute for House Bill No. 656 by Representative Chaney)—

BY REPRESENTATIVE CHANEY
AN ACT

To amend and reenact R.S. 40:1851(E), relative to the Liquefied Petroleum Gas Commission; to provide for collection, receipt, and use of funds by the Liquefied Petroleum Gas Commission; and to provide for related matters.

Read by title.

On motion of Rep. Hutter, the substitute was adopted and became House Bill No. 899 by Rep. Chaney, on behalf of the Committee on Transportation, Highways and Public Works, as a substitute for House Bill No. 656 by Rep. Chaney.

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

HOUSE BILL NO. 659—

BY REPRESENTATIVES SIMON, BALDONE, HONEY, GIROD JACKSON, NOWLIN, PERRY, RICHARD, RICHMOND, RITCHIE, ROBIDEAUX, AND JANE SMITH
AN ACT

To enact R.S. 47:297(P), relative to authorizing a credit against the individual income tax for the construction, acquisition, or renovation of a residential structure having certain accessible and barrier free design elements; to provide for eligibility; to provide for the amount of the credit; to authorize rulemaking; 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. 659 by Representative Simon

AMENDMENT NO. 1

On page 2, at the beginning of line 18, change "radius" to "diameter"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 660—

BY REPRESENTATIVES SMILEY AND SCHRODER
AN ACT

To enact R.S. 39:36.1, relative to budgetary controls; to require a reduction in the number of authorized positions and certain

personnel expenditures in the executive budget; to provide for reports; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Original House Bill No. 660 by Representative Smiley

AMENDMENT NO. 1

On page 2, line 6, change "ninety-eight" to "ninety-six and two-thirds"

AMENDMENT NO. 2

On page 2, line 8, change "ninety-eight" to "ninety-six and two-thirds"

AMENDMENT NO. 3

On page 2, line 9, change "one hundred million" to "one hundred sixty-six million six hundred sixty-six thousand"

AMENDMENT NO. 4

On page 2, line 12, change "ninety-six" to "ninety-three and one-third"

AMENDMENT NO. 5

On page 2, line 14, change "ninety-six" to "ninety-three and one-third"

AMENDMENT NO. 6

On page 2, line 15, change "two hundred million" to "three hundred thirty-three million three hundred thirty-three thousand"

AMENDMENT NO. 7

On page 2, line 18, change "ninety-four" to "ninety"

AMENDMENT NO. 8

On page 2, line 20, change "ninety-four" to "ninety"

AMENDMENT NO. 9

On page 2, line 21, change "three hundred million" to "five hundred million"

AMENDMENT NO. 10

On page 2, delete lines 23 through 28 and on page 3, delete lines 1 through 5 in their entirety

AMENDMENT NO. 11

On page 3, line 7, change "2014-2015" to "2013-2014"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 661—

BY REPRESENTATIVE MORRIS

AN ACT

To enact R.S. 19:2(11) and Chapter 11 of Title 30 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 30:1101 through 1111, relative to the storage of carbon dioxide; to provide for expropriation; to provide for the duties and powers of the commissioner of conservation; to provide for definitions; to provide for public hearings; to provide for enforcement; to provide for compliance orders; to provide for penalties; to provide for certificates of public convenience and necessity; to provide for certificates of completion; to provide for liability; to provide for the Geologic Storage Trust Fund; to provide for fees; to provide for uses of the fund; to provide for accounting and reports of the fund; to provide for site-specific trust accounts; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Engrossed House Bill No. 661 by Representative Morris

AMENDMENT NO. 1

On page 16, line 20, after "treasury" and before the period "." insert "pursuant to this Chapter"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 662—

BY REPRESENTATIVES LAMBERT AND WHITE

AN ACT

To enact R.S. 48:77(D), relative to dedication of certain state sales and use taxes on levied materials related to highway construction; to provide for deposits of certain sales and use tax collections into the Transportation Trust Fund; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 683—

BY REPRESENTATIVES MONICA, BALDONE, BARRAS, BURRELL, CARTER, HENRY, AND RICHARD AND SENATOR AMEDEE

AN ACT

To enact R.S. 30:127.2, relative to incentives for deep oil and gas drilling; to provide an offset set to royalty payments for deep oil and gas drilling in a proportionate amount of ad valorem taxes paid; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 693—

BY REPRESENTATIVES GREENE, BALDONE, HONEY, RICHMOND, AND RITCHIE

AN ACT

To amend and reenact Section 3(C) of Act No. 456 of the 2007 Regular Session of the Legislature, relative to motion picture investor tax credits; to provide relative to the amount of the tax credit for certain state-certified infrastructure projects; to provide relative to certain requirements and limitations; to provide relative to the payment of tax credits; 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. 693 by Representative Greene

AMENDMENT NO. 1

On page 2, at the end of line 1, delete "an" and insert "a state-certified"

AMENDMENT NO. 2

On page 2, line 20, after "on" and before "infrastructure" insert "state-certified"

AMENDMENT NO. 3

On page 2, at the end of line 22 insert the following:

"State-certified infrastructure project" shall mean a film, video, television, and digital production and postproduction facility and movable and immovable property and equipment related thereto, or any other facility which supports and is a necessary component of such proposed state-certified infrastructure project, all as determined and approved by the office of entertainment industry development, the secretary of the Department of Economic Development, and the division of administration under such terms and conditions as are authorized by R.S. 47:6007, excluding R.S. 47:6007 (C)(2), and in accordance with the immediate and long term objectives of Act No. 456 of the 2007 Regular Legislative Session. The term "infrastructure project" shall not include movie theaters or other commercial exhibition facilities."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 734—

BY REPRESENTATIVES CARTER, BALDONE, BARRAS, HONEY, RICHARD, RICHMOND, RITCHIE, ROBIDEAUX, JANE SMITH, AND TEMPLET

AN ACT

To enact R.S. 47:305.62, 321(H)(3), and 337.9(D)(30), relative to state and local sales and use taxes; to authorize a state and local sales and use tax exemption for the purchase, lease, or repair of

certain equipment by qualifying radiation therapy treatment centers; to provide for certain definitions; to provide for certain requirements; to authorize the promulgation of rules and regulations; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 744—

BY REPRESENTATIVES RICHMOND, AUSTIN BADON, BALDONE, DANAHAY, HENRY, HOFFMANN, HONEY, LEGER, PERRY, RITCHIE, TALBOT, AND TUCKER AND SENATORS DUPLESSIS AND MORRELL
AN ACT

To enact R.S. 47:6035, relative to income and corporation franchise tax credits; to authorize a tax credit against any Louisiana income or corporation franchise tax liability for certain taxpayers who import and export breakbulk or containerized cargo between Louisiana and a foreign country via a Louisiana public port facility; to provide for a certification process; to authorize the secretary of the Department of Economic Development to certify taxpayers for eligibility for the credit; to provide for the amount of the credit; to provide for the use of the credit; to provide that any excess credit may be carried over to a certain number of subsequent tax years; to provide for definitions; to authorize rulemaking; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means with recommendation that the bill be recommitted to the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 744 by Representative Richmond

AMENDMENT NO. 1

On page 2, line 11, after "volume" and before "of breakbulk" insert "and tons"

AMENDMENT NO. 2

On page 2, line 23, after "multiplying" and before "dollars" change "ten" to "five"

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

On motion of Rep. Jane Smith, the bill, as amended, was ordered engrossed and recommitted to the Committee on Appropriations.

HOUSE BILL NO. 746—

BY REPRESENTATIVE PETERSON
AN ACT

To enact Subtitle XII of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:9100 through 9108, relative to providing a program for the reimbursement and payment of or for offsetting of assessments levied by Louisiana Citizens Property Insurance Corporation; to provide for the administration of the program by the Department of Revenue;

to provide for the creation of the Louisiana Citizens Assessment Reimbursement Fund; to provide for the reimbursement, payment, or both of surcharges or assessments applied to residential and commercial policyholders as a result of assessments and charges levied by Louisiana Citizens Property Insurance Corporation; to provide for the transmission of information by affected insurance companies to the Department of Revenue; to provide a penalty for the failure to produce such information to the Department of Revenue; to provide for the confidentiality of such information; to provide an effective date; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Ways and Means.

The substitute was read by title as follows:

HOUSE BILL NO. 900 (Substitute for House Bill No. 746 by Representative Peterson)—

BY REPRESENTATIVE PETERSON
AN ACT

To amend and reenact R.S. 22:2301, 2307 and 47:6025, relative to certain emergency assessments levied by Louisiana Citizens Property Insurance Corporation; to require that certain emergency assessments levied by the Louisiana Citizens Property Insurance Corporation be levied against certain insurers; to provide for eligibility for tax credits related to the payment of such assessments; and to provide for related matters.

Read by title.

On motion of Rep. Jane Smith, the substitute was adopted and became House Bill No. 900 by Rep. Peterson, on behalf of the Committee on Ways and Means, as a substitute for House Bill No. 746 by Rep. Peterson.

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

HOUSE BILL NO. 759—

BY REPRESENTATIVES GREENE, BALDONE, HONEY, RICHMOND, RITCHIE, AND JANE SMITH
AN ACT

To enact R.S. 47:6035, relative to state tax credits; to establish the Venture Fund Tax Credit Program; to authorize Louisiana public retirement systems and plans to participate in the program; to provide for the participation of Louisiana university endowments in the program; to provide for certain tax benefits for such systems, plans, and endowments; to provide for definitions; to require reporting; to authorize rulemaking; 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 Engrossed House Bill No. 759 by Representative Greene

AMENDMENT NO. 1

On page 3, line 8, after "endowment" delete the remainder of the line and delete line 9 in its entirety, insert a comma ",₁" and insert the following:

"upon final distribution, receives less money from a venture capital fund than it invested. However, if upon final distribution, an

endowment or pension fund participating in this program receives illiquid stock, a net realized loss can only be declared if the ownership of all such illiquid stock is transferred to the Louisiana Economic Development Corporation."

AMENDMENT NO. 2

On page 4, delete lines 6 and 7 in their entirety

AMENDMENT NO. 3

On page 4, line 8, change "(d)" to "(c)"

AMENDMENT NO. 4

On page 4, line 10, change "(e)" to "(d)"

AMENDMENT NO. 5

On page 5, line 4, between "investment" and the period "." insert "made on or after August 15, 2009"

AMENDMENT NO. 6

On page 5, delete line 19 in its entirety and insert "income tax, in the"

AMENDMENT NO. 7

On page 6, line 10, after "certificate," delete the remainder of the line and delete line 11 in its entirety, and insert the following:

"(4) After issuance of the tax credit certificate, the department shall submit the tax credit certificate to the Department of Revenue on behalf of the investor who earned the tax credits. Upon receipt of the tax credit certificate and any necessary additional information, the secretary of the Department of Revenue shall make payment to the investor in the amount to which he is entitled from the current collections of the taxes collected pursuant to Chapter 1 of Subtitle II of this Title, as amended."

AMENDMENT NO. 8

On page 6, line 12, change "(4)" to "(5)"

AMENDMENT NO. 9

On page 6, delete lines 13 through 15 in their entirety

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

On motion of Rep. Jane Smith, the bill, as amended, was ordered reengrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 790—

BY REPRESENTATIVES GREENE, BALDONE, HOFFMANN, HONEY, RICHMOND, RITCHIE, AND JANE SMITH
AN ACT

To amend and reenact R.S. 47:6015, and Section 2 of Act No. 9 of the 2002 First Extraordinary Session of the Legislature, relative to the research and development tax credit; to authorize the issuance of tax credits for certain research and development activities; to provide for the amount of the tax credit; to authorize the refundability of the tax credits; to provide for a sunset date for issuance of the tax credit; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 798—

BY REPRESENTATIVES CARTER, BALDONE, HONEY, RICHMOND, AND RITCHIE

AN ACT

To amend and reenact R.S. 47:6034, relative to tax credits; to provide relative to the musical and theatrical production income tax credit; to provide for certain definitions; to provide relative to the application for tax credits for state-certified productions; to provide relative to the application for tax credits for state-certified musical or theatrical facility infrastructure projects; to authorize the collection of application fees; to provide for the amount of the fee and the disposition of the monies collected from the fee; to create the Entertainment Promotion and Marketing Fund; to provide relative to the use of the monies in the fund; to provide relative to the promulgation of rules and regulations; to require display of the state's logo under certain circumstances; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

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

HOUSE BILL NO. 818—

BY REPRESENTATIVES ELLINGTON, BALDONE, HENRY, HOFFMANN, HONEY, NOWLIN, RICHMOND, RITCHIE, AND JANE SMITH

AN ACT

To enact R.S. 47:301(3)(k), relative to the sales and use tax; to phase-in an exclusion from state sales and use taxes for certain tangible property related to the manufacturing process; to provide for certain limitations; to provide for certain definitions; 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. 818 by Representative Ellington

AMENDMENT NO. 1

On page 1, at the beginning of line 17, after "state, the" and before "cost" insert "tax on the"

AMENDMENT NO. 2

On page 1, at the end of line 18, after "oils" delete the semicolon ",'" and delete the remainder of the line and delete lines 19 and 20 in their entirety and on page 2, at the beginning of line 1, delete "components; and" and insert "and the tax on"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 833—

BY REPRESENTATIVES DOVE, BOBBY BADON, BILLIOT, HENRY BURNS, CHAMPAGNE, FOIL, HENDERSON, LAMBERT, LANDRY, LITTLE, MONTOUCET, AND MORRIS AND SENATORS DUPRE AND MORRISH

AN ACT

To amend and reenact R.S. 36:4(Z), 351(C)(1), 358(B), 501(B) and (C)(1), 502(A) and (B), and 508.3(A), (B), (C), (F), and (G), R.S. 38:81, 100(introductory paragraph), 101(A) and (B), 102, 103(A) and (B), 106(A)(1) and (2) and (B), 107(A), 108, and 109, R.S. 49:214.1 and 214.2, R.S. 56:421(B)(introductory paragraph) and (1), (C), (E)(4), 424(H), 425(E), 427.1(C), 432.1(A), (B)(introductory paragraph) and (1)(a), (2), (3), and (4), (C)(introductory paragraph) and (1), (D)(1), and 432.2, to enact R.S. 35:410, R.S. 49:214.3.1, 214.4.1 and 214.4.2, 214.5.1 through 214.5.8, and 214.6.1 through 214.6.11, and R.S. 56:421(B)(13) and to repeal R.S. 36:4(J), R.S. 38:84, Chapter 3-A of Title 38 of the Louisiana Revised Statutes of 1950, comprised of R.S. 38:241 through 251, Subpart A of Part II of Chapter 2 of Title 49 of the Louisiana Revised Statutes of 1950, comprised of R.S. 49:213.1 through 213.12, R.S. 49:214.3 through 214.16, relative to hurricane protection, flood control, and coastal restoration; to create the Office of Coastal Protection and Restoration in the office of the governor; to consolidate functions relative to hurricane protection, flood control, and coastal restoration under the authority of that office; to provide relative to the powers, duties, functions, and responsibilities of that office; provides for the interrelations between the governor's executive assistant for coastal activities, the Coastal Protection and Restoration Authority, the Governor's Advisory Commission on Coastal Protection, Restoration, and Conservation, and the Office of Coastal Protection and Restoration. and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Engrossed House Bill No. 833 by Representative Dove

AMENDMENT NO. 1

Delete Amendments No. 1 and No. 20 of the House Floor Amendments proposed by Representative Waddell on behalf of the Legislative Bureau and adopted by the House on May 20, 2009

AMENDMENT NO. 2

On page 1, line 5, change "R.S. 56:421(B)(3)" to "R.S. 56:421(B)(introductory paragraph) and (1), (C),"

AMENDMENT NO. 3

On page 1, line 17, change "Governor's Office of Coastal Activities," to "governor's executive assistant for coastal activities,"

AMENDMENT NO. 4

On page 2, line 8, after "Protection" insert a comma " ,"

AMENDMENT NO. 5

On page 2, line 9, delete "Governor's Office of" and on line 10, delete "Coastal Activities (R.S. 49:214.5.1 et seq.)," and insert "the Coastal Protection and Restoration Authority (R.S. 49:214.5.1 et seq.)."

AMENDMENT NO. 6

On page 2, line 11, change "R.S. 49:214.5.1" to "R.S. 49:214.6.1"

AMENDMENT NO. 7

On page 5, line 15, after "secretary." delete the remainder of the line and delete lines 16 through 18 in their entirety

AMENDMENT NO. 8

On page 5, line 26, after "shall" delete the remainder of the line, delete line 27 in its entirety and on line 28, delete "also shall" and delete "other"

AMENDMENT NO. 9

On page 6, line 9, delete "licensed" and on line 10, change "engineer" to "member of the senior staff"

AMENDMENT NO. 10

On page 17, line 21, change "49:214.3.1." to "49:214.1."

AMENDMENT NO. 11

On page 17, line 23, change "R.S. 49:214.6.1(B)." to "R.S. 49:214.3.1."

AMENDMENT NO. 12

On page 19, line 4, change "Office of" to "Executive Assistant for"

AMENDMENT NO. 13

On page 19, line 6, after "(1)" delete the remainder of the line and delete lines 7 and 8 in their entirety and insert "The executive"

AMENDMENT NO. 14

On page 19, line 9, change "to serve" to "and shall serve"

AMENDMENT NO. 15

On page 19, line 10, change "his" to "the governor's"

AMENDMENT NO. 16

On page 19, line 19, after "functions" delete the remainder of the line and on line 19, delete "Coastal Activities as"

AMENDMENT NO. 17

On page 19, line 21, change "in" to "of the Office of Coastal Protection and Restoration or"

AMENDMENT NO. 18

On page 19, line 22, change "the duties and functions" to "his duties, functions, and responsibilities"

AMENDMENT NO. 19

On page 20, delete lines 8 through 10 in their entirety

AMENDMENT NO. 20

On page 21, line 27, after "perform" delete the remainder of the line and delete line 28 in its entirety and insert in lieu thereof "the duties, functions, and responsibilities of the executive assistant."

AMENDMENT NO. 21

On page 29, line 18, change "Governor's Office of Coastal Activities" to "executive assistant"

AMENDMENT NO. 22

On page 30, lines 6 and 12, change "Governor's Office of Coastal Activities" to "Office of Coastal Protection and Restoration"

AMENDMENT NO. 23

On page 30, at the end of line 27, add the following:

"The provisions of R.S. 44:5(A) shall not be applicable to any activities or records of or pertaining to the authority."

AMENDMENT NO. 24

On page 34, at the end of line 5, add the following:

"Such designation by the chairman or the executive director shall be by authentic act."

AMENDMENT NO. 25

On page 43, line 13, after "Restoration," delete the remainder of the line and on line 14, delete "Conservation," and insert "the Coastal Protection and Restoration Authority,"

AMENDMENT NO. 26

On page 47, between lines 7 and 8, insert the following:

"(4) The provisions of R.S. 44:5(A) shall not be applicable to any activities or records of or pertaining to the office."

AMENDMENT NO. 27

On page 47, line 13, after "assistant" insert a period "." and delete the remainder of the line and delete line 14 in its entirety

AMENDMENT NO. 28

On page 47, line 22, after "director" insert a comma "," and "or his designee,"

AMENDMENT NO. 29

On page 62, line 6, change "R.S. 56:421(B)(3)" to "R.S. 56:421(B)(introductory paragraph) and (1), (C),"

AMENDMENT NO. 30

On page 62, delete lines 13 through 15 in their entirety and insert the following:

"(1) ~~One member appointed by the governor from the Governor's Office of Coastal Activities. The governor's executive assistant for coastal activities or his designee.~~"

AMENDMENT NO. 31

On page 62, between lines 19 and 20, insert the following:

"C. The members appointed under the provisions of Paragraphs (B)(1) through (4) ~~and (13) hereir of this Section~~ shall be nonvoting members. However, they shall be considered members of the task force for determination of the number of members necessary for a quorum and for establishing the presence of a quorum.

* * *

AMENDMENT NO. 32

On page 62, line 27, change "Governor's Office of Coastal Activities" to "governor's executive assistant for coastal activities"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 835—

BY REPRESENTATIVES JOHNSON, HENRY BURNS, GISCLAIR, GUINN, LITTLE, AND ST. GERMAIN

AN ACT

To enact R.S. 45:563 and 564 and to repeal R.S. 45:561 and 562, relative to railroad safety; to provide for the Public Service Commission; to implement the Federal Railroad State Safety Participation Program; to provide for funding; to authorize inspection of railroad facilities; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 835 by Representative Johnson

AMENDMENT NO. 1

On page 2, line 17, delete "railroad facility that is connected to but not a part of a"

AMENDMENT NO. 2

On page 2, line 19, after "surveillance of" and before "facilities" insert "the general railroad system's"

AMENDMENT NO. 3

On page 2, at the end of line 21, delete "railroad facility" and insert in lieu thereof "general railroad system"

On motion of Rep. Hutter, 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. 860—

BY REPRESENTATIVES PERRY, BALDONE, BARRAS, DANAHAY, HONEY, GIROD JACKSON, NOWLIN, RICHARD, RICHMOND, RITCHIE, ROBIDEAUX, JANE SMITH, AND TEMPLET

AN ACT

To enact R.S. 47:297.13, relative to the individual income tax; to provide for a deduction from state income taxes for certain educational support workers having certain credentials or certificates; to provide for certain limitations; 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. 860 by Representative Perry

AMENDMENT NO. 1

On page 1, line 15, after "by a" insert "Louisiana"

AMENDMENT NO. 2

On page 2, line 1, after "by a" insert "Louisiana"

AMENDMENT NO. 3

On page 2, line 8, after "by a" insert "Louisiana"

AMENDMENT NO. 4

On page 2, line 13, after "provide" insert "or retain as provided by the secretary"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 878—

BY REPRESENTATIVE TUCKER
AN ACT

To appropriate federal funds from the Community Development Block Grant for Fiscal Year 2009-2010 for paying off debt incurred by governments and infrastructure improvements as a result of hurricanes; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Original House Bill No. 878 by Representative Tucker

AMENDMENT NO. 1

On page 1, line 3, after "incurred" delete the remainder of the line and insert "by governments and infrastructure improvements as a result of"

AMENDMENT NO. 2

On page 1, delete lines 6 and 7 in their entirety and insert "Section 1. Federal funds available from the"

AMENDMENT NO. 3

On page 1, line 8, change "is" to "are"

AMENDMENT NO. 4

On page 1, line 9, after "governments" delete "in federally declared disaster recovery areas" and insert "within the parishes that suffered damages to more than sixty percent of the housing following Hurricanes Katrina and Rita"

AMENDMENT NO. 5

On page 1, at the end of line 10, insert "Provided, however, that such appropriation shall be made on or before March 30, 2010."

AMENDMENT NO. 6

On page 1, between lines 10 and 11, insert the following:

"Section 2. Federal funds available from the Community Development Block Grant are hereby appropriated for Fiscal Year 2009-2010 for the payment of state-related hurricane debt within the parishes that suffered damages to more than sixty percent of the housing following Hurricanes Katrina and Rita.

Section 3. Any remaining federal funds available from the Community Development Block Grant after payment in full of Section 1 and Section 2 of this Act are hereby appropriated for Fiscal Year 2009-2010 for infrastructure improvements within the parishes that suffered damages to more than sixty percent of the housing following Hurricanes Katrina and Rita.

Section 4.A. The Louisiana Recovery Authority shall report quarterly to the legislature on the progress of all program expenditures under the Community Development Block Grant disaster recovery program including Louisiana Bridge Loan, Louisiana Tourism Marketing, Recovery Workforce Training, Research Commercialization/Educational Enhancement, Small Firm Recovery Loan and Grant, Technical Assistance to Small Firms, Building Code Enforcement, First Time Homebuyer Pilot Program, Homelessness Supports, Homeowners Assistance, Housing Development Loan Fund, Land Assembly Operations, LIHTC/CDBF Piggyback, Small Rental Property, Supportive Housing Services, Support to Community Based Programs, Fisheries Assistance, Infrastructure Program Delivery Local Government, Long Term Community Recovery, Primary and Secondary Education, Ratepayer Mitigation, Environmental Clearance, and Planning Capacity.

B. The Louisiana Recovery Authority shall provide an analysis of potentially unused funds within programs to the legislature by September 30, 2009, and through its federal and state required processes, develop action plan amendments for public comment to redirect funds to unmet needs within the parishes that suffered damage to more than sixty percent of the housing following Hurricanes Katrina and Rita. Plans for allocations or action plan amendments shall be made by December 31, 2009."

AMENDMENT NO. 7

On page 1, line 11, delete "Section 2. This" and insert "Section 5. Sections 1 and 4 of this"

AMENDMENT NO. 8

On page 1, line 12, delete "this" and insert "Sections 1 and 4 of this"

AMENDMENT NO. 9

On page 1, after line 13, insert the following:

"Section 6. Section 2 of this Act shall become effective upon the payment in full of the appropriation in Section 1 of this Act.

Section 7. Section 3 of this Act shall become effective upon the payment in full of the appropriation in Section 1 and 2 of this Act."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 896 (Substitute for House Bill No. 49 by Representative Richard)—
 BY REPRESENTATIVE RICHARD

AN ACT

To amend and reenact R.S. 42:1124.2.1(A)(1) and (B) and 1124.3(A) and (B), to enact R.S. 42:1124.2(G)(4) and (J) and 1124.3(D)(3) and (4), and to repeal R.S. 42:1124.2.1(D)(4), relative to financial disclosure; to require certain disclosures by certain public servants; to provide for the content of such disclosures; to provide for effectiveness; and to provide for related matters.

Read by title.

On motion of Rep. Gallot, 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. Sam Jones, 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. 257—
 BY REPRESENTATIVE SAM JONES
 AN ACT

To amend and reenact R.S. 37:2465, relative to the sale of hearing aids; to provide that any person who owns, maintains, or operates a business which employs or contracts with a person who practices the selling and fitting of hearing aids is considered to be practicing the selling and fitting of hearing aids and is required to be licensed; to specify which persons shall be licensed; to provide the procedure for submitting to the board a list of those licensed under an organization to practice the selling and fitting of hearing aids; to provide for exemptions for physicians and audiologists; and to provide for related matters.

Read by title.

Rep. Sam Jones moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|------------|
| Abramson | Gallot | Monica |
| Anders | Geymann | Montoucet |
| Armes | Gisclair | Morris |
| Arnold | Greene | Norton |
| Aubert | Guillory | Nowlin |
| Badon, A. | Guinn | Pearson |
| Badon, B. | Hardy | Perry |
| Baldone | Harrison | Peterson |
| Barras | Henderson | Ponti |
| Barrow | Henry | Pope |
| Billiot | Hill | Pugh |
| Brossett | Hines | Richard |
| Burford | Honey | Richardson |
| Burns, H. | Howard | Richmond |

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

Total - 96

NAYS

Total - 0

ABSENT

| | | |
|-------------|----------|----------|
| Mr. Speaker | Dove | LaBruzzo |
| Burns, T. | Hazel | Templet |
| Cromer | Hoffmann | |
| Total - 8 | | |

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

HOUSE BILL NO. 282—
 BY REPRESENTATIVE CHAMPAGNE
 AN ACT

To amend and reenact Children's Code Article 793.1(introductory paragraph), 793.2 (introductory paragraph), and 793.3 (A), (B), and (D) and to repeal Children's Code Article 793.3(E), relative to reauthorization of the early intervention program for at-risk children; to make the program permanent; to eliminate a sunset date for the program; to provide for an effective date; 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. 282 by Representative Champagne

AMENDMENT NO. 1

On page 1, line 3, following "(B)" and before "," insert "(introductory paragraph)"

AMENDMENT NO. 2

On page 1, line 12, following "(B)" and before "," insert "(introductory paragraph)"

On motion of Rep. Waddell, 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

| | | |
|------------|------------|-------------|
| Abramson | Gallot | Monica |
| Anders | Geymann | Montoucet |
| Armes | Gisclair | Morris |
| Arnold | Greene | Norton |
| Badon, A. | Guillory | Nowlin |
| Badon, B. | Guinn | Pearson |
| Baldone | Hardy | Perry |
| Barras | Harrison | Peterson |
| Barrow | Henderson | Ponti |
| Billiot | Henry | Pope |
| Brossett | Hill | Pugh |
| Burford | Hines | Richard |
| Burns, H. | Honey | Richardson |
| Burrell | Howard | Richmond |
| Carmody | Hutter | Ritchie |
| Carter | Jackson G. | Robideaux |
| Champagne | Jackson M. | Roy |
| Chandler | Johnson | Schroder |
| Chaney | Jones, R. | Simon |
| Connick | Jones, S. | Smiley |
| Cortez | Katz | Smith, G. |
| Cromer | Kleckley | Smith, J. |
| Danahay | LaFonta | Smith, P. |
| Dixon | Lambert | St. Germain |
| Doerge | Landry | Stiaes |
| Downs | LeBas | Talbot |
| Edwards | Leger | Thibaut |
| Ellington | Ligi | Waddell |
| Ernst | Little | White |
| Fannin | Lopinto | Williams |
| Foil | McVea | Willmott |
| Franklin | Mills | |
| Total - 95 | | |

NAYS

Total - 0

ABSENT

| | | |
|-------------|----------|----------|
| Mr. Speaker | Dove | LaBruzzo |
| Aubert | Hazel | Templet |
| Burns, T. | Hoffmann | Wooton |
| Total - 9 | | |

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.

Speaker Tucker in the Chair

HOUSE BILL NO. 319—
BY REPRESENTATIVE WILLMOTT
AN ACT

To enact R.S. 17:81(Q) and 3996(B)(21), relative to instruction to students in public secondary schools concerning the state's safe haven relinquishments law; to provide applicability; to provide guidelines for such instruction; to provide an effective date; and to provide for related matters.

Read by title.

Rep. Willmott 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 |
| Badon, A. | Hardy | Perry |
| Badon, B. | Harrison | Peterson |
| Baldone | Henderson | Ponti |
| Barras | Henry | Pope |
| Barrow | Hill | Pugh |
| Billiot | Hines | Richard |
| Brossett | Honey | Richardson |
| Burford | Howard | Richmond |
| Burns, H. | Hutter | Ritchie |
| Burns, T. | Jackson G. | Robideaux |
| Burrell | Jackson M. | Roy |
| Carmody | Johnson | Schroder |
| Carter | Jones, R. | Simon |
| Champagne | Jones, S. | Smiley |
| Chandler | Katz | Smith, G. |
| Chaney | Kleckley | Smith, J. |
| Connick | LaBruzzo | Smith, P. |
| Cortez | LaFonta | St. Germain |
| Cromer | Landry | Stiaes |
| Danahay | Lambert | Talbot |
| Dixon | Landry | Thibaut |
| Doerge | LeBas | Waddell |
| Downs | Leger | White |
| Edwards | Ligi | Williams |
| Ellington | Little | Willmott |
| Ernst | Lopinto | Wooton |
| Foil | McVea | |
| Franklin | Mills | |
| Gallot | Monica | |
| Total - 97 | | |

NAYS

Total - 0

ABSENT

| | | |
|-----------|----------|---------|
| Aubert | Fannin | Templet |
| Chandler | Hazel | |
| Dove | Hoffmann | |
| Total - 7 | | |

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Willmott 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. 383—
BY REPRESENTATIVE HINES
AN ACT

To amend and reenact Children's Code Article 899(B)(2)(b) and to enact Children's Code Article 779(B)(5), relative to juvenile dispositions; to authorize the court to require certain persons to perform community service; and to provide for related matters.

Read by title.

Rep. Hines moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-------------|------------|------------|
| Mr. Speaker | Foil | Monica |
| Abramson | Gallot | Morris |
| Anders | Geymann | Nowlin |
| Arnes | Gisclair | Pearson |
| Arnold | Guinn | Perry |
| Aubert | Hardy | Peterson |
| Badon, A. | Harrison | Pope |
| Baldone | Henry | Pugh |
| Barras | Hill | Richard |
| Barrow | Hines | Richardson |
| Billiot | Honey | Richmond |
| Brossett | Jackson G. | Ritchie |
| Burford | Jackson M. | Robideaux |
| Burns, H. | Johnson | Roy |
| Burrell | Jones, R. | Schroder |
| Carmody | Jones, S. | Simon |
| Carter | Katz | Smiley |
| Chaney | Kleckley | Smith, G. |
| Connick | LaFonta | Smith, J. |
| Cortez | Lambert | Stiaes |
| Dixon | Landry | Talbot |
| Doerge | LeBas | Waddell |
| Downs | Leger | White |
| Edwards | Ligi | Williams |
| Ellington | Little | Wooton |
| Fannin | Lopinto | |
| Total - 77 | | |

NAYS

| | | |
|------------|-----------|-------------|
| Badon, B. | Guillory | Norton |
| Burns, T. | Henderson | Ponti |
| Champagne | Howard | Smith, P. |
| Cromer | Hutter | St. Germain |
| Danahay | LaBruzzo | Thibaut |
| Ernst | McVea | Willmott |
| Franklin | Mills | |
| Greene | Montoucet | |
| Total - 22 | | |

ABSENT

| | | |
|-----------|----------|---------|
| Chandler | Hazel | Templet |
| Dove | Hoffmann | |
| Total - 5 | | |

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Hines 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. 390—
BY REPRESENTATIVE HENDERSON
AN ACT

To enact R.S. 40:5.3.1, relative to molluscan shellfish sanitation requirements; to authorize the Department of Health and Hospitals to grant exemptions from certain of the molluscan shellfish sanitation requirements; and to provide for related matters.

Read by title.

Rep. Henderson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-------------|------------|-------------|
| Mr. Speaker | Franklin | Monica |
| Abramson | Gallot | Morris |
| Anders | Geymann | Norton |
| Arnes | Gisclair | Nowlin |
| Arnold | Greene | Pearson |
| Badon, A. | Guillory | Perry |
| Badon, B. | Guinn | Peterson |
| Baldone | Hardy | Ponti |
| Barras | Harrison | Pope |
| Barrow | Henderson | Pugh |
| Billiot | Henry | Richard |
| Brossett | Hill | Richardson |
| Burford | Hines | Richmond |
| Burns, H. | Honey | Ritchie |
| Burns, T. | Howard | Robideaux |
| Burrell | Hutter | Roy |
| Carmody | Jackson M. | Schroder |
| Carter | Johnson | Smiley |
| Champagne | Jones, R. | Smith, G. |
| Chaney | Jones, S. | Smith, J. |
| Connick | Katz | Smith, P. |
| Cortez | LaBruzzo | St. Germain |
| Danahay | LaFonta | Stiaes |
| Dixon | Lambert | Talbot |
| Doerge | Landry | Thibaut |
| Downs | LeBas | Waddell |
| Edwards | Leger | White |
| Ellington | Ligi | Williams |
| Ernst | Lopinto | Willmott |
| Fannin | McVea | Wooton |
| Foil | Mills | |
| Total - 92 | | |

NAYS

| | | |
|-----------|-----------|-------|
| Little | Montoucet | Simon |
| Total - 3 | | |

ABSENT

| | | |
|-----------|----------|------------|
| Aubert | Dove | Jackson G. |
| Chandler | Hazel | Kleckley |
| Cromer | Hoffmann | Templet |
| Total - 9 | | |

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Henderson 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. 399—
BY REPRESENTATIVES GEYMAN AND WOOTON
AN ACT

To enact R.S. 40:964(Schedule IV)(B)(52), relative to controlled dangerous substances; to add Carisoprodol to Schedule IV; and to provide for related matters.

Read by title.

Rep. Geymann moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-------------|------------|-------------|
| Mr. Speaker | Foil | Mills |
| Abramson | Franklin | Montoucet |
| Anders | Gallot | Morris |
| Armes | Geymann | Norton |
| Arnold | Gisclair | Nowlin |
| Badon, A. | Greene | Pearson |
| Badon, B. | Guinn | Perry |
| Baldone | Hardy | Ponti |
| Barras | Harrison | Pope |
| Barrow | Henderson | Pugh |
| Billiot | Henry | Richard |
| Brossett | Hill | Richardson |
| Burford | Hines | Richmond |
| Burns, H. | Hutter | Ritchie |
| Burns, T. | Jackson M. | Robideaux |
| Burrell | Johnson | Schroder |
| Carmody | Jones, R. | Simon |
| Carter | Jones, S. | Smiley |
| Champagne | Katz | Smith, G. |
| Chandler | Kleckley | Smith, J. |
| Chaney | LaBruzzo | Smith, P. |
| Connick | LaFonta | St. Germain |
| Cortez | Lambert | Stiaes |
| Danahay | Landry | Talbot |
| Dixon | LeBas | Thibaut |
| Doerge | Leger | Waddell |
| Downs | Ligi | White |
| Edwards | Little | Williams |
| Ellington | Lopinto | Willmott |
| Fannin | McVea | Wooton |
| Total - 90 | | |

NAYS

| | |
|-----------|----------|
| Howard | Peterson |
| Total - 2 | |

ABSENT

| | | |
|------------|----------|------------|
| Aubert | Guillory | Jackson G. |
| Cromer | Hazel | Monica |
| Dove | Hoffmann | Roy |
| Ernst | Honey | Templet |
| Total - 12 | | |

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 400—

BY REPRESENTATIVES WILLIAMS, GREENE, HUTTER, TUCKER, ARNOLD, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BARROW, BILLIOT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CONNICK, CORTEZ, DIXON, DOWNS, ELLINGTON, FOIL, GALLOT, GISCLAIR, MICKEY GUILLORY, GUINN, HARDY, HARRISON, HINES, HONEY, HOWARD, MICHAEL JACKSON, KATZ, KLECKLEY, LABRUZZO, LAFONTA, LEBAS, LIGI, MILLS, NORTON, NOWLIN, PEARSON, PERRY, RICHARD, RICHMOND, RITCHIE, ROY, GARY SMITH, JANE SMITH, PATRICIA SMITH, STIAES, WILLMOTT, AND WOOTON

AN ACT

To amend and reenact R.S. 17:17.1(A)(1) and to enact R.S. 17:264, relative to required physical activity for students; to require public schools to provide at least thirty minutes of physical activity each school day for students in grades seven and eight; to require schools to provide a morning and afternoon recess each school day; to require instruction in physical education as a prerequisite to high school graduation; to provide for effectiveness; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Williams to Engrossed House Bill No. 400 by Representative Williams

AMENDMENT NO. 1

On page 1, line 2, after "enact" and before "relative" change "R.S. 17:264," to "R.S. 17:17.1(D),"

AMENDMENT NO. 2

On page 1, delete lines 5 and 6 in their entirety and insert "to provide for the establishment of school health advisory councils; to provide for council purposes, membership, and compensation;"

AMENDMENT NO. 3

On page 1, line 9, after "reenacted and" and before "is" change "R.S. 17:264" to "R.S. 17:17.1(D)"

AMENDMENT NO. 4

On page 1, line 15, after "students." delete the remainder of the line and delete lines 16 and 17 in their entirety

AMENDMENT NO. 5

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

"D. Each city, parish, and other local public school board shall establish a school health advisory council to advise the board on physical activity for students, physical and health education, nutrition, and overall student health. The council may advise the board on issues relative to compliance with school vending machine restrictions, use of physical fitness assessment results, and school recess policies. The council members shall be appointed by the school board and shall include parents of students and individuals representing the community. All council members shall serve without compensation."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-------------|------------|------------|
| Mr. Speaker | Franklin | Monica |
| Abramson | Gallot | Montoucet |
| Anders | Gisclair | Morris |
| Armes | Greene | Norton |
| Arnold | Guillory | Nowlin |
| Badon, A. | Guinn | Pearson |
| Badon, B. | Hardy | Perry |
| Baldone | Harrison | Peterson |
| Barras | Henderson | Ponti |
| Barrow | Henry | Pope |
| Billiot | Hill | Pugh |
| Brossett | Hines | Richard |
| Burford | Honey | Richardson |
| Burns, H. | Howard | Richmond |
| Burns, T. | Hutter | Ritchie |
| Burrell | Jackson M. | Roy |

| | | |
|------------|-----------|-------------|
| Carmody | Johnson | Schroder |
| Carter | Jones, R. | Smiley |
| Champagne | Jones, S. | Smith, G. |
| Chandler | Katz | Smith, J. |
| Chaney | Kleckley | Smith, P. |
| Connick | LaBruzzo | St. Germain |
| Cortez | LaFonta | Stiaes |
| Cromer | Lambert | Talbot |
| Danahay | Landry | Thibaut |
| Dixon | LeBas | Waddell |
| Downs | Leger | White |
| Edwards | Ligi | Williams |
| Ellington | Little | Willmott |
| Ernst | Lopinto | Wooton |
| Fannin | McVea | |
| Foil | Mills | |
| Total - 94 | | |

NAYS

Total - 0

ABSENT

| | | |
|------------|------------|---------|
| Aubert | Hazel | Simon |
| Doerge | Hoffmann | Templet |
| Dove | Jackson G. | |
| Geymann | Robideaux | |
| Total - 10 | | |

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Williams 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. 405—

BY REPRESENTATIVE KATZ
AN ACT

To amend and reenact R.S. 40:2120.2(5) and 2120.3(A), relative to home- and community-based service providers; to provide for clarification of the definition of home- and community-based service provider; to provide for exclusions from the definition; to provide for reimbursement from Medicaid; and to provide for related matters.

Read by title.

Rep. Katz moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-------------|-----------|------------|
| Mr. Speaker | Fannin | Mills |
| Abramson | Foil | Monica |
| Anders | Franklin | Montoucet |
| Armes | Gallot | Morris |
| Arnold | Gisclair | Norton |
| Aubert | Greene | Nowlin |
| Badon, A. | Guillory | Pearson |
| Badon, B. | Guinn | Perry |
| Baldone | Hardy | Peterson |
| Barras | Harrison | Ponti |
| Barrow | Henderson | Pope |
| Billiot | Henry | Pugh |
| Brossett | Hill | Richard |
| Burford | Hines | Richardson |
| Burns, H. | Honey | Richmond |

| | | |
|------------|------------|-------------|
| Burrell | Howard | Ritchie |
| Carmody | Hutter | Robideaux |
| Carter | Jackson M. | Roy |
| Champagne | Johnson | Simon |
| Chandler | Jones, R. | Smith, G. |
| Chaney | Jones, S. | Smith, J. |
| Connick | Katz | Smith, P. |
| Cortez | Kleckley | St. Germain |
| Cromer | LaFonta | Stiaes |
| Danahay | Lambert | Talbot |
| Dixon | Landry | Thibaut |
| Doerge | LeBas | Waddell |
| Downs | Leger | White |
| Edwards | Ligi | Williams |
| Ellington | Little | Willmott |
| Ernst | Lopinto | Wooton |
| Total - 93 | | |

NAYS

Total - 0

ABSENT

| | | |
|------------|------------|----------|
| Burns, T. | Hoffmann | Schroder |
| Dove | Jackson G. | Smiley |
| Geymann | LaBruzzo | Templet |
| Hazel | McVea | |
| Total - 11 | | |

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Katz 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. 420—

BY REPRESENTATIVE RICHARD
AN ACT

To amend and reenact R.S. 18:59(A), 103(A), 109, 115(A)(1) and (F)(2)(d), 151(B), 152(C)(1), 175, 196(A)(1), 423(E), 427(A), 428(A), (B), and (C), 431(B)(5), 433(A)(3), (B)(4), (G)(1) and (2)(introductory paragraph), (H)(1)(introductory paragraph), (I), and (J), 465(E)(1), 562(A)(2), 566.2(C), 1253(E), 1254(A) and (C), 1255(A), 1272(A), 1275.1(B), 1275.8, 1306(A)(2) and (3) and (B)(1), 1307(B)(2), 1308(C), 1309(A)(3), (B)(1), (C), (D)(1), (E)(2), (I), and (J), 1315(C)(2) and (3)(a), 1363(A), 1373, 1400.3(D), 1505.1(D), and 1505.2(H)(6)(a)(introductory paragraph), (Q)(3)(a)(ii), and (R)(3)(a)(ii), to enact R.S. 18:1253(F), 1254(E), 1309(K), and 1363(H), and to repeal R.S. 18:433(A)(2) and 1372, relative to the Louisiana Election Code; to revise the system of laws comprising the Louisiana Election Code; to provide relative to deputy registrars of voters; to provide relative to the registration of voters; to provide relative to changes in registrations; to provide relative to records used for the conduct of the registrar's office; to provide relative to the duties of registrars; to provide relative to reports and lists produced by the Department of State; to provide relative to the inactive list of voters; to provide relative to allocation of voting machines for precincts; to provide relative to parish boards of election supervisors; to provide relative to watchers; to provide relative to law enforcement officers; to provide relative to courses of instruction conducted by the clerk; to provide relative to election commissioners; to provide relative to nominating petitions; to provide relative to procedures and requirements for voting; to provide relative to provisional voting; to provide relative to nominations for candidates for presidential electors; to provide relative to application for voting and voting absentee by mail; to provide relative to early voting; to provide relative to election expenses; to provide relative to congressional elections; to provide relative to early voting commissioners; to

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provide relative to challenges of absentee by mail and early voting ballots; to provide relative to the preparation and testing of voting machines; 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. 420 by Representative Richard

AMENDMENT NO. 1

On page 20, line 28, delete " * * * "

AMENDMENT NO. 2

On page 21, lines 7 and 20, change "Federal Credit Union Administration" to "National Credit Union Administration"

AMENDMENT NO. 3

On page 22, line 7, change "Federal Credit Union Administration" to "National Credit Union Administration"

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

Motion

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

HOUSE BILL NO. 507—

BY REPRESENTATIVE PUGH AN ACT

To amend and reenact R.S. 3:3010 and R.S. 18:3(C), 107(B), (C), and (D), 110(A)(3), 112, 151(A) and (C), 152(A)(1)(introductory paragraph), (a), and (b), (B), and (D), 152.1, 176(A)(3)(b), (B), and (C), 198(C), and 564(D)(1)(b) and to repeal R.S. 18:152(A)(2), relative to records of registrars of voters; to provide for the maintenance of records of the registrars of voters; to provide for the form of the records; to provide relative to the retention of the records; to provide relative to changes to the records; to provide for the procedures of registrars relative to the use of the records; and to provide for related matters.

Read by title.

Rep. Pugh moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. Speaker, Abramson, Anders, Arnes, Arnold, Aubert, Badon, A., Badon, B., Baldone, Barras, Barrow, Billiot, Brossett, Gallot, Geymann, Gisclair, Greene, Guillory, Guinn, Hardy, Harrison, Henderson, Henry, Hill, Hines, Honey, Monica, Morris, Norton, Nowlin, Pearson, Perry, Peterson, Ponti, Pope, Pugh, Richard, Richardson, Richmond

Table with 3 columns of names: Burford, Burns, H., Burns, T., Burrell, Carmody, Carter, Champagne, Chandler, Chaney, Connick, Cortez, Danahay, Dixon, Downs, Edwards, Ellington, Fanning, Foil, Franklin, Howard, Hutter, Jackson G., Jackson M., Johnson, Jones, R., Jones, S., Katz, Kleckley, LaBruzzo, LaFonta, Lambert, Landry, LeBas, Leger, Ligi, Little, Lopinto, Mills, Ritchie, Robideaux, Schroder, Simon, Smiley, Smith, G., Smith, J., Smith, P., St. Germain, Stiaes, Talbot, Thibaut, Waddell, White, Williams, Willmott, Wooton

Total - 94

NAYS

Total - 0

ABSENT

Table with 3 columns of names: Cromer, Doerge, Dove, Ernst, Hazel, Hoffmann, McVea, Montoucet, Roy, Templet

Total - 10

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Pugh 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. 520—

BY REPRESENTATIVE CROMER AN ACT

To amend and reenact R.S. 18:103(A), 104(A)(15), and 105(A) and to enact R.S. 18:115.1, relative to registration of voters; to provide for electronic registration of voters; to provide relative to changes in registration; to provide relative to the powers and duties of the secretary of state; to provide relative to the powers and duties of registrars of voters; 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. 520 by Representative Cromer

AMENDMENT NO. 1

On page 1, line 19, following "R.S. 40:1321" and before "or" insert ", "

AMENDMENT NO. 2

On page 2, line 29, following "shall" and before "to" change "only be used" to "be used only"

AMENDMENT NO. 3

On page 4, line 22, following "considered" and before "for" insert "1"

AMENDMENT NO. 4

On page 4, line 23, following "Title" and before "an" insert "1"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-------------|------------|-------------|
| Mr. Speaker | Fannin | Pearson |
| Anders | Foil | Ponti |
| Arnold | Gallot | Pope |
| Badon, A. | Geymann | Pugh |
| Baldone | Gisclair | Richard |
| Barras | Guinn | Richardson |
| Barrow | Harrison | Richmond |
| Billiot | Henderson | Ritchie |
| Brossett | Henry | Robideaux |
| Carmody | Hines | Schroder |
| Carter | Howard | Simon |
| Champagne | Hutter | Smiley |
| Chandler | Jackson G. | Smith, G. |
| Chaney | Jackson M. | Smith, P. |
| Connick | Jones, R. | St. Germain |
| Cortez | Katz | Stiaes |
| Cromer | Kleckley | Talbot |
| Danahay | LaFonta | White |
| Doerge | Lambert | Williams |
| Downs | Landry | Willmott |
| Edwards | LeBas | Wooton |
| Ellington | Ligi | |
| Ernst | Lopinto | |
| Total - 67 | | |

NAYS

| | | |
|------------|-----------|-----------|
| Armes | Johnson | Nowlin |
| Burford | Jones, S. | Perry |
| Burns, H. | Leger | Peterson |
| Dixon | Little | Roy |
| Franklin | Mills | Smith, J. |
| Greene | Monica | Thibaut |
| Hardy | Montoucet | Waddell |
| Honey | Norton | |
| Total - 23 | | |

ABSENT

| | | |
|------------|----------|----------|
| Abramson | Dove | LaBruzzo |
| Aubert | Guillory | McVea |
| Badon, B. | Hazel | Morris |
| Burns, T. | Hill | Templet |
| Burrell | Hoffmann | |
| Total - 14 | | |

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Cromer 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. Richard gave notice of his intention to call House Bill No. 420 from the calendar during the week of June 1, 2009.

HOUSE BILL NO. 530—
BY REPRESENTATIVE ROBIDEAUX
AN ACT

To amend and reenact R.S. 40:40(14) and R.S. 46:2403(B), relative to fees for certified copies of birth certificates; to provide for fees for obtaining a birth certificate; to provide for funds deposited into the Children's Trust Fund; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Landry to Engrossed House Bill No. 530 by Representative Robideaux

AMENDMENT NO. 1

On page 1, line 18, after "of" delete "ten" and insert in lieu thereof "five"

Rep. Landry moved the adoption of the amendments.

Rep. Lopinto objected.

By a vote of 40 yeas and 45 nays, the amendments were rejected.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Lopinto to Engrossed House Bill No. 530 by Representative Robideaux

AMENDMENT NO. 1

On page 1, line 18, change "ten" to "eleven"

AMENDMENT NO. 2

On page 1, line 19, after "certificate" and before ",in" delete "of a child born to a mother who is Medicaid eligible."

AMENDMENT NO. 3

On page 2, line 2 after "Section." delete "A fee"

AMENDMENT NO. 4

On page 2, delete lines 3 through 5 in their entirety

AMENDMENT NO. 5

On page 2, line 14, after "certificate" delete the remainder of the line

AMENDMENT NO. 6

On page 2, delete line 15 in its entirety

AMENDMENT NO. 7

On page 2, at the beginning of like 16, delete "40:40(14)"

Rep. Lopinto moved the adoption of the amendments.

Rep. Robideaux objected.

By a vote of 21 yeas and 69 nays, the amendments were rejected.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative LaFonta to Engrossed House Bill No. 530 by Representative Robideaux

AMENDMENT NO. 1

On page 1, line 2, after "relative" and before "to" insert "to birth certificates; to provide relative"

AMENDMENT NO. 2

On page 1, line 4, after "Fund;" and before "and" insert "to provide for information to be included on birth certificates;"

AMENDMENT NO. 3

On page 2, after line 19, add the following:

"Section 3. The names of both parents shall be listed on every birth certificate issued by the state of Louisiana."

Motion

Rep. Peterson moved that the bill be laid on the table.

Rep. Robideaux objected.

By a vote of 38 yeas and 53 nays, the House refused to lay the bill on the table.

Rep. LaFonta moved the adoption of the amendments.

Rep. Robideaux objected.

By a vote of 22 yeas and 65 nays, the amendments were rejected.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Rosalind Jones to Engrossed House Bill No. 530 by Representative Robideaux

AMENDMENT NO. 1

On page 2, after line 19 insert the following:

Section 3. The provisions of this Act shall be referred to as the Baby Tax Act"

Rep. Rosalind Jones moved the adoption of the amendments.

Rep. Robideaux objected.

By a vote of 36 yeas and 53 nays, the amendments were rejected.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Robideaux gave notice of his intention to call House Bill No. 530 from the calendar during the week of June 1, 2009.

HOUSE BILL NO. 545—
BY REPRESENTATIVE RITCHIE
AN ACT

To amend and reenact R.S. 17:112(A)(1) and (B), relative to student education records; to require principals of certain schools to provide for the transfer of certain student education records; to require that such records include certain information relative to the suspension of students; and to provide for related matters.

Read by title.

Rep. Ritchie moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 95

NAYS

Total - 0

ABSENT

| | | |
|-----------|----------|------------|
| Armes | Harrison | Jackson G. |
| Dove | Hazel | Roy |
| Geymann | Hoffmann | Templet |
| Total - 9 | | |

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 565—

BY REPRESENTATIVE ERNST

AN ACT

To amend and reenact Children's Code Articles 839(C) and 840(C), relative to informal adjustment agreements; to provide with respect to authority of the court to utilize a teen or youth court program; to require the consent of the district attorney; to extend the maximum period of informal adjustment; and to provide for related matters.

Read by title.

Rep. Ernst moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-------------|------------|-------------|
| Mr. Speaker | Fannin | Monica |
| Abramson | Foil | Montoucet |
| Anders | Franklin | Morris |
| Arnold | Gallot | Norton |
| Aubert | Gisclair | Nowlin |
| Badon, A. | Greene | Pearson |
| Badon, B. | Guillory | Perry |
| Baldone | Hardy | Peterson |
| Barras | Henderson | Ponti |
| Barrow | Henry | Pope |
| Billiot | Hill | Pugh |
| Brossett | Hines | Richard |
| Burford | Honey | Richardson |
| Burns, H. | Howard | Richmond |
| Burns, T. | Hutter | Ritchie |
| Burrell | Jackson M. | Robideaux |
| Carmody | Johnson | Roy |
| Carter | Jones, R. | Schroder |
| Champagne | Jones, S. | Simon |
| Chandler | Katz | Smiley |
| Chaney | Kleckley | Smith, G. |
| Connick | LaBruzzo | Smith, J. |
| Cortez | Lambert | Smith, P. |
| Cromer | Landry | St. Germain |
| Danahay | LeBas | Talbot |
| Dixon | Leger | Thibaut |
| Doerge | Ligi | Waddell |
| Downs | Little | White |
| Edwards | Lopinto | Williams |
| Ellington | McVea | Willmott |
| Ernst | Mills | Wooton |
| Total - 93 | | |

NAYS

Total - 0

ABSENT

| | | |
|------------|------------|---------|
| Armes | Harrison | LaFonta |
| Dove | Hazel | Stiaes |
| Geymann | Hoffmann | Templet |
| Guinn | Jackson G. | |
| Total - 11 | | |

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Ernst 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. 567—

BY REPRESENTATIVE WOOTON

AN ACT

To amend and reenact R.S. 56:10(B)(1)(b)(ii), 302.3(B)(5)(c), 305(H), and 506.1, relative to shrimp gear fees; to provide for additional fees on shrimp gear licenses; and to provide for related matters.

Read by title.

Rep. Wooton moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-------------|------------|-------------|
| Mr. Speaker | Dixon | Lopinto |
| Anders | Edwards | McVea |
| Armes | Ellington | Mills |
| Arnold | Henry | Monica |
| Aubert | Hines | Montoucet |
| Badon, A. | Honey | Peterson |
| Barrow | Howard | Pugh |
| Brossett | Jackson M. | Simon |
| Burns, H. | Jones, R. | Smith, P. |
| Burrell | Katz | St. Germain |
| Carmody | Leger | Stiaes |
| Chandler | Ligi | Talbot |
| Chaney | Little | Wooton |
| Total - 39 | | |

NAYS

| | | |
|------------|-----------|------------|
| Badon, B. | Franklin | Nowlin |
| Baldone | Gisclair | Pearson |
| Barras | Greene | Perry |
| Billiot | Hardy | Ponti |
| Burns, T. | Henderson | Pope |
| Carter | Johnson | Richard |
| Champagne | Jones, S. | Richardson |
| Connick | Kleckley | Smiley |
| Cortez | LaBruzzo | Smith, G. |
| Danahay | Lambert | Waddell |
| Downs | Landry | Williams |
| Fannin | LeBas | Willmott |
| Foil | Norton | |
| Total - 38 | | |

ABSENT

| | | |
|----------|----------|-----------|
| Abramson | Guinn | Richmond |
| Burford | Harrison | Ritchie |
| Cromer | Hazel | Robideaux |
| Doerge | Hill | Roy |
| Dove | Hoffmann | Schroder |

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| | | |
|------------|------------|-----------|
| Ernst | Hutter | Smith, J. |
| Gallot | Jackson G. | Templet |
| Geymann | LaFonta | Thibaut |
| Guillory | Morris | White |
| Total - 27 | | |

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

Motion to reconsider pending.

HOUSE BILL NO. 802—
BY REPRESENTATIVE FANNIN
AN ACT

To repeal R.S. 22:2371, relative to state funds; to abolish the Insure Louisiana Incentive Program Fund; to provide for the transfer, dedication, use, and appropriation as specified of certain treasury funds; to provide for effective dates; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Montoucet to Engrossed House Bill No. 802 by Representative Fannin

AMENDMENT NO. 1

On page 5, delete line 20 in its entirety

AMENDMENT NO. 2

On page 5, delete lines 25 and 26 in their entirety

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative LaFonta to Engrossed House Bill No. 802 by Representative Fannin

AMENDMENT NO. 1

On page 7, between lines 8 and 9, insert the following:

"Section 8. Notwithstanding any provision of law to the contrary, the state treasurer is authorized and directed to transfer two-thirds of the surplus funds for the last ten fiscal years from all statutorily dedicated funds to the state general fund for the purpose of healthcare and higher education expenditures."

AMENDMENT NO. 2

On page 7, at the beginning of line 9, change "Section 8." to "Section 9." and after "6" and before "of" insert a comma and "8"

AMENDMENT NO. 3

On page 7, line 13, after "6" and before "of" insert a comma and "8"

AMENDMENT NO. 4

On page 7, at the beginning of line 15, change "Section 9." to "Section 10."

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

Rep. Fannin 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 | Gisclair | Monica |
| Arnold | Greene | Morris |
| Badon, A. | Guillory | Norton |
| Badon, B. | Guinn | Nowlin |
| Baldone | Harrison | Pearson |
| Barras | Henderson | Perry |
| Billiot | Henry | Ponti |
| Brossett | Hill | Pugh |
| Burford | Hines | Richard |
| Burns, H. | Howard | Richardson |
| Burns, T. | Hutter | Ritchie |
| Carmody | Jackson M. | Robideaux |
| Carter | Johnson | Schroder |
| Champagne | Katz | Simon |
| Chandler | Kleckley | Smiley |
| Chaney | LaBruzzo | Smith, G. |
| Connick | LaFonta | Smith, J. |
| Cortez | Lambert | Stiaes |
| Danahay | Landry | Talbot |
| Doerge | LeBas | Waddell |
| Downs | Leger | White |
| Ellington | Ligi | Williams |
| Ernst | Little | Willmott |
| Fannin | Lopinto | Wooton |
| Total - 78 | | |

NAYS

| | | |
|------------|-----------|-----------|
| Burrell | Honey | Richmond |
| Dixon | Jones, R. | Smith, P. |
| Gallot | Montoucet | |
| Hardy | Peterson | |
| Total - 10 | | |

ABSENT

| | | |
|------------|------------|-------------|
| Armes | Geymann | Roy |
| Aubert | Hazel | St. Germain |
| Barrow | Hoffmann | Templet |
| Cromer | Jackson G. | Thibaut |
| Dove | Jones, S. | |
| Edwards | Pope | |
| Total - 16 | | |

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 881—
BY REPRESENTATIVE FANNIN

AN ACT

To appropriate funds and to make certain reductions in appropriations from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations and reductions for said agencies and purposes for Fiscal Year 2008-2009; and to provide for related matters.

Read by title.

Rep. Fannin moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-------------|-----------|-------------|
| Mr. Speaker | Foil | Monica |
| Abramson | Gisclair | Montoucet |
| Anders | Greene | Morris |
| Arnold | Guillory | Nowlin |
| Aubert | Guinn | Pearson |
| Badon, A. | Hardy | Perry |
| Badon, B. | Harrison | Ponti |
| Baldone | Henderson | Pope |
| Barras | Henry | Pugh |
| Billiot | Hill | Richard |
| Brossett | Hines | Richardson |
| Burford | Howard | Ritchie |
| Burns, H. | Hutter | Robideaux |
| Burns, T. | Jones, S. | Schroder |
| Carmody | Katz | Simon |
| Carter | Kleckley | Smiley |
| Champagne | LaBruzzo | Smith, G. |
| Chaney | Lambert | Smith, J. |
| Cortez | Landry | St. Germain |
| Danahay | LeBas | Talbot |
| Doerge | Ligi | Waddell |
| Downs | Little | White |
| Ellington | Lopinto | Williams |
| Ernst | McVea | Willmott |
| Fannin | Mills | Wooton |
| Total - 75 | | |

NAYS

| | | |
|------------|------------|-----------|
| Barrow | Honey | Peterson |
| Burrell | Jackson M. | Richmond |
| Dixon | Jones, R. | Smith, P. |
| Franklin | LaFonta | Stiaes |
| Gallot | Norton | |
| Total - 14 | | |

ABSENT

| | | |
|------------|------------|---------|
| Armes | Edwards | Johnson |
| Chandler | Geymann | Leger |
| Connick | Hazel | Roy |
| Cromer | Hoffmann | Templet |
| Dove | Jackson G. | Thibaut |
| Total - 15 | | |

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Explanation of Vote

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

Explanation of Vote

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

Explanation of Vote

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

Consent to Correct a Vote Record

Rep. Barrow requested the House consent to correct her vote on final passage of House Bill No. 881 from yea to nay, which consent was unanimously granted.

Consent to Correct a Vote Record

Rep. Burrell requested the House consent to correct his vote on final passage of House Bill No. 881 from yea to nay, which consent was unanimously granted.

Consent to Correct a Vote Record

Rep. Dixon requested the House consent to correct his vote on final passage of House Bill No. 881 from yea to nay, which consent was unanimously granted.

Consent to Correct a Vote Record

Rep. Franklin requested the House consent to correct his vote on final passage of House Bill No. 881 from yea to nay, which consent was unanimously granted.

Consent to Correct a Vote Record

Rep. Gallot requested the House consent to record his vote on final passage of House Bill No. 881 as nay, which consent was unanimously granted.

Consent to Correct a Vote Record

Rep. Honey requested the House consent to record his vote on final passage of House Bill No. 881 as nay, which consent was unanimously granted.

Consent to Correct a Vote Record

Rep. Michael Jackson requested the House consent to correct his vote on final passage of House Bill No. 881 from yea to nay, which consent was unanimously granted.

Consent to Correct a Vote Record

Rep. Rosalind Jones requested the House consent to correct her vote on final passage of House Bill No. 881 from yea to nay, which consent was unanimously granted.

Consent to Correct a Vote Record

Rep. LaFonta requested the House consent to correct his vote on final passage of House Bill No. 881 from yea to nay, which consent was unanimously granted.

Consent to Correct a Vote Record

Rep. Norton requested the House consent to correct her vote on final passage of House Bill No. 881 from yea to nay, which consent was unanimously granted.

Consent to Correct a Vote Record

Rep. Peterson requested the House consent to record her vote on final passage of House Bill No. 881 as nay, which consent was unanimously granted.

Consent to Correct a Vote Record

Rep. Pope requested the House consent to record his vote on final passage of House Bill No. 881 as yea, which consent was unanimously granted.

Consent to Correct a Vote Record

Rep. Richmond requested the House consent to record his vote on final passage of House Bill No. 881 as nay, which consent was unanimously granted.

Consent to Correct a Vote Record

Rep. Patricia Smith requested the House consent to correct her vote on final passage of House Bill No. 881 from yea to nay, which consent was unanimously granted.

Consent to Correct a Vote Record

Rep. Stiaes requested the House consent to correct her vote on final passage of House Bill No. 881 from yea to nay, which consent was unanimously granted.

Suspension of the Rules

On motion of Rep. Willmott, the rules were suspended in order to take up and consider House and House Concurrent Resolutions on Third Reading for Final Consideration at this time.

House and House Concurrent Resolutions on Third Reading for Final Consideration

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

HOUSE CONCURRENT RESOLUTION NO. 45—
BY REPRESENTATIVE WILLMOTT
A CONCURRENT RESOLUTION

To urge and request each nonpublic high school to provide students at least thirty minutes of classroom instruction each year in health education or a comparable course determined to be appropriate by the school's governing authority relative to the state's safe haven relinquishments law, Children's Code Articles 1149 through 1160.

Read by title.

On motion of Rep. Willmott, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 75—
BY REPRESENTATIVE HARDY
A CONCURRENT RESOLUTION

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

Called from the calendar.

Read by title.

On motion of Rep. Hardy, the resolution was adopted.

Ordered to the Senate.

Suspension of the Rules

On motion of Rep. Hardy, 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 29, 2009

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

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

Senate Bill Nos. 113, 156, 158, 186, 208, 272, 273, 296, and 308

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. 113—
BY SENATORS MARIONNEAUX AND MURRAY
AN ACT

To amend and reenact R.S. 47:297.6(A)(1), relative to individual income tax credits; to provide for increases in tax credits for the rehabilitation of residential structures in certain areas; and to provide for related matters.

Read by title.

SENATE BILL NO. 156—
BY SENATOR LAFLEUR
AN ACT

To amend and reenact R.S. 22:1545(C), 1546(D), 1547(A), the introductory paragraph of R.S. 22:1547(I), R.S. 22:1551(C), 1571(A)(1), (B), (C)(4), and (E), and 1573(B), (C), (D), (E) and the introductory paragraph of R.S. 22:1573(I)(1)(a) and R.S. 44:4.1(B)(10) and to repeal R.S. 22:1545(F), 1546(B)(3), 1553(C), 1572, and 1573(F)(2), relative to insurance producers; to provide for exemptions to preclicensing education requirements; to provide for the fingerprinting and criminal history check of applicants; to provide for confidentiality; to provide for application for license; to provide for lines of authority for licenses; to provide for exemptions from licensing examinations; to provide for preclicensing requirements; to provide for preclicensing and continuing education programs; to abolish the Insurance Education Advisory Council; to repeal certain temporary licenses; to provide for continuing education requirements; and to provide for related matters.

Read by title.

SENATE BILL NO. 158—

BY SENATOR B. GAUTREUX AND REPRESENTATIVE HILL
AN ACT

To amend and reenact R.S. 36:4(U), R.S. 43:111(A)(9), and R.S. 51:1317, 1318(A) and (D), and 1319(A)(1), (2), (3), (4), and (B)(5), relative to the Louisiana Retirement Development Commission; to change the name of the commission to the Encore Louisiana Commission; to provide that the commission shall market Louisiana to persons fifty years old and above; and to provide for related matters.

Read by title.

SENATE BILL NO. 186—

BY SENATORS MARIONNEAUX, CHEEK, DORSEY, ERDEY, HEITMEIER, MOUNT, NEVERS AND WALSWORTH
AN ACT

To amend and reenact R.S. 40:1300.256(B)(13) and to enact R.S. 40:1300.256(A)(5) and to repeal R.S. 40:1300.256(B)(5) and (8), relative to prohibiting smoking in certain places; to provide for restrictions; to provide relative to exceptions; and to provide for related matters.

Read by title.

SENATE BILL NO. 208—

BY SENATOR AMEDEE

AN ACT

To amend and reenact R.S. 38:334(A), relative to levee districts; to provide relative to the Lafourche Basin Levee District; to provide for revenue utilization; and to provide for related matters.

Read by title.

SENATE BILL NO. 272—

BY SENATORS HEITMEIER AND WALSWORTH

AN ACT

To amend and reenact R.S. 14:329.6(A)(9) and to enact R.S. 29:732(E) and (F) and R.S. 51:422.1(C)(5), relative to fuel; to prohibit excessive fuel pricing during a declared state of emergency; to allow sales below costs during such time; to provide for definitions; to provide for civil and criminal penalties; to provide for exceptions; and to provide for related matters.

Read by title.

SENATE BILL NO. 273—

BY SENATOR MARTINY

AN ACT

To enact R.S. 27:306(C)(5), relative to the Video Draw Poker Devices Control Law; to provide relative to licenses for truck stop facilities; to provide for an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 296—

BY SENATOR B. GAUTREUX AND REPRESENTATIVE ROBIDEAUX
AN ACT

To amend and reenact R.S. 11:42(B)(5) and (11), 102(B)(1), (2)(b)(i) and (ii) and (c), (3)(b) and (c), and (5), 542(A), (B), (C)(1)(introductory paragraph), (2), (3), (4)(a)(introductory paragraph), (b)(introductory paragraph), and (c), (5)(a)(i) and (b), and (E), and 883.1(A), (B), (C)(1)(introductory paragraph), (2), (3), (4)(a)(introductory paragraph), (b)(introductory paragraph), and (c), (E), and (F), to enact R.S. 11:102.1, 102.2, 542(C)(4)(d) and (e) and (F), and 883.1(C)(4)(d) and (e) and (G), and to repeal R.S. 11:542(D) and 883.1(D), relative to the liabilities of the state retirement systems; to provide for payment of such liabilities; to provide for employer contributions; to limit creation of certain additional liabilities through benefit

increases; to provide for an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 308—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 48:285, 286(A)(1) and (B), 287, 288, 289(B), the introductory paragraph of 290(B), the introductory paragraph of 290(C), and (D), 291, the introductory paragraph of 292(B), 292.1(B), 293, and 294, relative to employment of consultants; to provide relative to the requirements for employment of consultants by the Department of Transportation and Development; to provide for an effective date; 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. 52—

BY REPRESENTATIVE LAFONTA

A RESOLUTION

To recognize Monday, June 8, 2009, as UNO Day at the Louisiana House of Representatives and to commend the University of New Orleans and its administrative staff, faculty, and students.

Read by title.

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

HOUSE RESOLUTION NO. 53—

BY REPRESENTATIVE GREENE

A RESOLUTION

To express sincere and heartfelt condolences upon the death of Harold Wayne Buchanan, Sr., of Denham Springs.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 172—

BY REPRESENTATIVE HUTTER

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to conduct a bridge rating study on all state bridges.

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. 173—

BY REPRESENTATIVE HINES

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to restore the Medicare-Medicaid crossover payments nationally so all Medicare beneficiaries in Louisiana and nationwide have equal access to Medicare benefits.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 174—
BY REPRESENTATIVES TIM BURNS, CROMER, PEARSON, AND SCHRODER

A CONCURRENT RESOLUTION

To create and provide with respect to the St. Tammany Parish Consolidated Services Study Committee for the purposes of studying and making recommendations with respect to the consolidation of government services in the parish and to provide that the committee shall submit a written report of its recommendations to the legislature by not later than January 27, 2010.

Read by title.

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

Ordered to the Senate.

Privileged Report of the Legislative Bureau

May 29, 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. 4
Reported without amendments.

Senate Bill No. 70
Reported without amendments.

Senate Bill No. 116
Reported without amendments.

Respectfully submitted,

WAYNE WADDELL
Chairman

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 Nos. 316, 356, and 529

Leave of Absence

Rep. Hazel - 1 day

Rep. Hoffmann - 1 day

Rep. Templet - 1 day

Adjournment

On motion of Rep. Brossett, at 12:30 P.M., the House agreed to adjourn until Monday, June 1, 2009, at 2:00 P.M.

The Speaker of the House declared the House adjourned until 2:00 P.M., Monday, June 1, 2009.

ALFRED W. SPEER
Clerk of the House