

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

THIRTY-FOURTH 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

Sunday, June 21, 2009

The House of Representatives was called to order at 5:25 P.M., by the Honorable Jim Tucker, Speaker of the House of Representatives.

Morning Hour

ROLL CALL

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

PRESENT

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

Ernst
Fannin
Foil
Total - 103

Lopinto
McVea
Mills

Wooton

ABSENT

LaBruzzo
Total - 1

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

Prayer

Prayer was offered by Rep. Peterson.

Pledge of Allegiance

Rep. Johnson led the House in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Rep. Brossett, the reading of the Journal was dispensed with.

On motion of Rep. Brossett, the Journal of June 18, 2009, was adopted.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 119: Reps. Henry Burns, Wooton and Dove.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 234: Reps. Dove, Harrison, and Billiot.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 600: Reps. Johnson, Tim Burns, and Greene.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 629: Reps. Landry, Tim Burns, and Robideaux.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 729: Reps. Billiot, Arnold, and Ponti.

**Petitions, Memorials and
Communications**

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

Message from the Senate

HOUSE BILLS

June 21, 2009

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

Page 2 HOUSE

34th Day's Proceedings - June 21, 2009

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

House Bill No. 34
Returned without amendments

House Bill No. 66
Returned without amendments

House Bill No. 88
Returned without amendments

House Bill No. 90
Returned without amendments

House Bill No. 111
Returned without amendments

House Bill No. 194
Returned without amendments

House Bill No. 202
Returned with amendments

House Bill No. 218
Returned without amendments

House Bill No. 223
Returned without amendments

House Bill No. 244
Returned without amendments

House Bill No. 251
Returned with amendments

House Bill No. 307
Returned without amendments

House Bill No. 352
Returned with amendments

House Bill No. 473
Returned without amendments

House Bill No. 622
Returned without amendments

House Bill No. 637
Returned with amendments

House Bill No. 644
Returned with amendments

House Bill No. 652
Returned with amendments

House Bill No. 661
Returned with amendments

House Bill No. 666
Returned without amendments

House Bill No. 670
Returned without amendments

House Bill No. 719
Returned with amendments

House Bill No. 731
Returned without amendments

House Bill No. 741
Returned without amendments

House Bill No. 767
Returned without amendments

House Bill No. 787
Returned without amendments

House Bill No. 794
Returned with amendments

House Bill No. 796
Returned with amendments

House Bill No. 833
Returned with amendments

House Bill No. 853
Returned with amendments

House Bill No. 883
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

June 21, 2009

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

I am directed to inform your honorable body that the Senate has concurred in the following House Concurrent Resolutions:

House Concurrent Resolution No. 37
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

SENATE BILLS

June 21, 2009

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

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

Senate Bill No. 266

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. 266—
BY SENATORS THOMPSON AND WALSWORTH
AN ACT

To amend and reenact R.S. 3:4411(A) and (B), relative to the timber severance tax; to increase the portion of the timber severance tax allocated to the state which is dedicated to the Forestry Productivity Fund; 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 CONCURRENT RESOLUTION NO. 234—
BY REPRESENTATIVE WADDELL
A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Edwin Laurine Blewer, Jr., of Shreveport.

Read by title.

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

Ordered to the Senate.

House and House Concurrent Resolutions

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

Motion

On motion of Rep. Gallot, the Committee on House and Governmental Affairs was discharged from further consideration of House Resolution No. 88.

HOUSE RESOLUTION NO. 88—
BY REPRESENTATIVE BARROW
A RESOLUTION

To urge and request the House Committee on Health and Welfare to meet prior to January 31, 2010, to study the continuing effects of Hurricanes Katrina and Rita on the mental health of women living in Louisiana and to make any recommendations for policy changes related to this issue to the House of Representatives prior to the convening of the 2010 Regular Session of the Legislature.

Read by title.

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

Motion

On motion of Rep. Gallot, the Committee on House and Governmental Affairs was discharged from further consideration of House Resolution No. 100.

HOUSE RESOLUTION NO. 100—
BY REPRESENTATIVE KLECKLEY
A RESOLUTION

To urge and request the House Committee on Insurance to study health insurance benefit levels for rehabilitative services, physical therapy, occupational therapy, and speech and language pathology for certain types of severe conditions.

Read by title.

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

Motion

On motion of Rep. Gallot, the Committee on House and Governmental Affairs was discharged from further consideration of House Concurrent Resolution No. 190.

HOUSE CONCURRENT RESOLUTION NO. 190—
BY REPRESENTATIVES BARROW, HARDY, MICHAEL JACKSON, AND
PATRICIA SMITH AND SENATORS BROOME AND GUILLORY
A CONCURRENT RESOLUTION

To direct the Department of Health and Hospitals to reconsider proposed rate cuts, implement a facility need review process, to conduct an evaluation of adult day health care reimbursement and services in Louisiana and create a method for increasing the reimbursement rate to adult day health care providers, to create an advisory council to help the department implement this Resolution, to study the feasibility and advisability of expanding the adult day health care waiver services program, and to report on these matters at least thirty days prior to the 2010 Regular Session of the Legislature.

Read by title.

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

Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 90—
BY SENATOR BROOME
A CONCURRENT RESOLUTION

To urge and request the Louisiana Office of Student Financial Assistance and the Board of Regents to jointly study the benefits of the Go Grant program and to identify the adequacy of current funding sources provided to the program and to the students.

Read by title.

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

Motion

On motion of Rep. Gallot, the Committee on House and Governmental Affairs was discharged from further consideration of Senate Concurrent Resolution No. 48.

SENATE CONCURRENT RESOLUTION NO. 48—
BY SENATOR BROOME
A CONCURRENT RESOLUTION

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

Read by title.

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

Motion

On motion of Rep. Gallot, the Committee on House and Governmental Affairs was discharged from further consideration of Senate Concurrent Resolution No. 62.

SENATE CONCURRENT RESOLUTION NO. 62—
BY SENATOR MURRAY

A CONCURRENT RESOLUTION

To urge and request the Senate Committee on Health and Welfare and the House Committee on Health and Welfare to meet and function as a joint committee to study possible strategies, methods, and policies to prevent physicians and other health care practitioners from prescribing an alternative brand of medication because of financial incentives.

Read by title.

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

Motion

On motion of Rep. Gallot, the Committee on House and Governmental Affairs was discharged from further consideration of Senate Concurrent Resolution No. 74.

SENATE CONCURRENT RESOLUTION NO. 74—
BY SENATOR SHAW

A CONCURRENT RESOLUTION

To the Senate Committee on Transportation, Highways, and Public Works and the House Committee on Transportation, Highways, and Public Works to meet and function as a joint committee to study the need for additional spans on the Jimmie Davis Bridge and possible funding sources, including tolls.

Read by title.

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

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. 80—
BY SENATORS CHEEK, BROOME, DORSEY, DUPLESSIS, DUPRE, N. GAUTREAU, GRAY EVANS, GUILLORY, HEITMEIER, JACKSON, LONG, MARTINY, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS AND SHAW

AN ACT

To enact Part LXVI of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.291 through 1300.293, relative to Medicaid reimbursement; to provide for definitions; to provide for Medicaid reimbursement for certain health services providers; and to provide for related matters.

Read by title.

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

House and House Concurrent Resolutions Reported by Committee

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

HOUSE RESOLUTION NO. 104—

BY REPRESENTATIVE BARROW

A RESOLUTION

To urge and request the House Committee on Commerce to study the development of a green energy policy within the state of Louisiana.

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 RESOLUTION NO. 105—

BY REPRESENTATIVE ARNOLD

A RESOLUTION

To urge and request the adoption of a rehabilitation subcode within the state uniform construction code.

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. 128—

BY SENATOR CLAITOR

A CONCURRENT RESOLUTION

To direct the Louisiana State Law Institute to study constitutional language relative to freedom of religion in Louisiana, and to report to the Legislature not later than February 1, 2010.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original Senate Concurrent Resolution No. 128 by Senator Claitor

AMENDMENT NO. 1

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

AMENDMENT NO. 2

On page 2, line 14, change "direct" to "urge and request"

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

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

SENATE CONCURRENT RESOLUTION NO. 130—

BY SENATOR BROOME

A CONCURRENT RESOLUTION

To express support of and to provide authority for actions by the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College (LSU) for the strategic collaboration between LSU and Our Lady of the Lake Regional Medical Center (OLOL), as well as seeking, considering, and

evaluating other alternatives and strategies, in planning for a new model of health care delivery and medical education in the Baton Rouge region.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original Senate Concurrent Resolution No. 130 by Senator Broome

AMENDMENT NO. 1

On page 4, lines 18 and 19, after "partnership" delete "at an estimated cost of \$129 million"

AMENDMENT NO. 2

On page 4, line 22, after the semicolon ";" delete the remainder of the line and lines 23 through 28 in their entirety

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

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

Suspension of the Rules

On motion of Rep. Patricia Smith, the rules were suspended in order to take up and consider Senate Bills and Joint Resolutions on Third Reading and Final Passage at this time.

Senate Bills and Joint Resolutions on Third Reading and Final Passage

The following Senate Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

Local and Consent Calendar

SENATE BILL NO. 23—
BY SENATOR DORSEY

AN ACT

To amend and reenact R.S. 33:9097.1(F)(1) and (F)(3)(b), relative to neighborhood improvement districts; to provide relative to the Concord Estates Crime Prevention District; to increase the parcel fee; to extend the term of the imposition of the parcel fee; and to provide for related matters.

Read by title.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Franklin	McVea
Abramson	Gallot	Mills
Anders	Gisclair	Monica
Armes	Greene	Montoucet
Arnold	Guinn	Norton

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

Total - 90

NAYS

Total - 0

ABSENT

Badon, A.	Geymann	Nowlin
Billiot	Guillory	Peterson
Brossett	Henry	Ponti
Dove	Katz	St. Germain
Ernst	Morris	

Total - 14

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 256—
BY SENATORS MURRAY AND DORSEY
AN ACT

To amend and reenact R.S. 25:799(D)(2)(b) and (F), and to enact R.S. 25:799(I), (J), and (K), relative to the French Quarter-Marigny Historic Area Management District; to provide relative to powers; to authorize the levying of taxes and parcel fees; to provide for a budget; and to provide for related matters.

Read by title.

Rep. Peterson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Franklin	Mills
Abramson	Gallot	Monica
Anders	Gisclair	Montoucet
Armes	Greene	Norton
Arnold	Guinn	Nowlin
Aubert	Hardy	Pearson
Badon, A.	Harrison	Perry
Badon, B.	Hazel	Peterson
Baldone	Henderson	Pope
Barras	Hill	Pugh
Barrow	Hines	Richard

Billiot	Hoffmann	Richardson
Brossett	Honey	Richmond
Burford	Howard	Ritchie
Burns, H.	Hutter	Robideaux
Burns, T.	Jackson M.	Roy
Burrell	Johnson	Schroder
Carmody	Jones, R.	Smith, G.
Carter	Jones, S.	Smith, J.
Champagne	Katz	Smith, P.
Chandler	Kleckley	St. Germain
Chaney	LaBruzzo	Stiaes
Cortez	LaFonta	Templet
Danahay	Lambert	Thibaut
Dixon	Landry	Waddell
Doerge	LeBas	White
Downs	Leger	Williams
Edwards	Ligi	Willmott
Ellington	Little	Wooton
Fannin	Lopinto	
Foil	McVea	
Total - 91		

NAYS

Total - 0

ABSENT

Connick	Guillory	Simon
Cromer	Henry	Smiley
Dove	Jackson G.	Talbot
Ernst	Morris	
Geymann	Ponti	
Total - 13		

The Chair declared the above bill was finally passed.

Rep. Peterson 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.

Regular Calendar

SENATE BILL NO. 94—

BY SENATORS DONAHUE, APPEL, CROWE, DORSEY, DUPLESSIS, MORRELL, SMITH AND WALSWORTH AND REPRESENTATIVES HENRY BURNS, CHAMPAGNE, FOIL, LITTLE, MILLS, PERRY, ROBIDEAUX, SIMON, SMILEY, JANE SMITH AND THIBAUT

AN ACT

To amend and reenact R.S. 17:15(E) and to enact R.S. 14:81.2(F), relative to molestation of a juvenile; to provide for the crime of molestation of a juvenile involving an educator; to provide for penalties; to provide for definitions; to provide for reporting of criminal history; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Lopinto to Engrossed Senate Bill No. 94 by Senator Donahue

AMENDMENT NO. 1

On page 2, line 16, after "report" and before "shall" delete "as required by this Subsection" and insert "a conviction or plea of guilty or nolo contendere of any criminal offense listed in the provisions of R.S. 15:587.1(C)(1)"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Monica
Abramson	Geymann	Montoucet
Anders	Gisclair	Norton
Armes	Greene	Nowlin
Arnold	Guinn	Pearson
Aubert	Hardy	Perry
Badon, A.	Harrison	Peterson
Badon, B.	Hazel	Ponti
Baldone	Henderson	Pope
Barras	Henry	Pugh
Barrow	Hill	Richard
Billiot	Hines	Richardson
Brossett	Hoffmann	Richmond
Burford	Honey	Ritchie
Burns, H.	Howard	Robideaux
Burns, T.	Hutter	Roy
Burrell	Jackson M.	Schroder
Carmody	Johnson	Simon
Carter	Jones, R.	Smiley
Chandler	Jones, S.	Smith, G.
Chaney	Katz	Smith, J.
Connick	Kleckley	Smith, P.
Cortez	LaBruzzo	St. Germain
Cromer	LaFonta	Stiaes
Danahay	Lambert	Talbot
Dixon	Landry	Templet
Doerge	LeBas	Thibaut
Downs	Leger	Waddell
Edwards	Ligi	White
Ellington	Little	Williams
Fannin	Lopinto	Willmott
Foil	McVea	Wooton
Franklin	Mills	
Total - 98		

NAYS

Total - 0

ABSENT

Champagne	Ernst	Jackson G.
Dove	Guillory	Morris
Total - 6		

The Chair declared the above bill was finally passed.

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

Acting Speaker Arnold in the Chair

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.

Motion

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

SENATE BILL NO. 130—

BY SENATORS HEBERT, DUPRE, N. GAUTREAUX, MORRELL AND MORRISH AND REPRESENTATIVE KLECKLEY

AN ACT

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

Read by title.

Motion

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

SENATE BILL NO. 137—

BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 36:477(C)(1) and R.S. 46:1404 and to repeal R.S. 36:474(A)(10), relative to child care facilities and child-placing agencies; to provide for the transfer of functions related to the licensure of child care facilities and child-placing agencies from the secretary of the Department of Social Services to the office of community services within the Department of Social Services; to provide for the functions of the office of community services with the Department of Social Services; to provide for the licensure of child care facilities and child-placing agencies; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Willmott to Reengrossed Senate Bill No. 137 by Senator Jackson

AMENDMENT NO. 1

On page 2, line 10, after "agencies," delete "except the office of"

AMENDMENT NO. 2

On page 2, line 11, before "including" delete "community services within the Department of Social Services,"

AMENDMENT NO. 3

On page 2, line 16, after "shall" and before "perform" insert "be licensed by the office of family support within the Department of Social Services and shall"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Montoucet
Abramson	Geymann	Morris
Arnes	Gisclair	Norton
Arnold	Greene	Nowlin

Aubert	Guinn	Pearson
Badon, A.	Hardy	Perry
Badon, B.	Hazel	Peterson
Baldone	Henderson	Ponti
Barras	Henry	Pope
Barrow	Hill	Pugh
Billiot	Hines	Richard
Brossett	Hoffmann	Richardson
Burford	Honey	Richmond
Burns, H.	Howard	Ritchie
Burns, T.	Hutter	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	Stiaes
Cromer	Lambert	Talbot
Danahay	Landry	Templet
Dixon	LeBas	Thibaut
Doerge	Leger	Waddell
Downs	Ligi	White
Edwards	Little	Williams
Ellington	Lopinto	Willmott
Fannin	McVea	Wooton
Foil	Mills	
Franklin	Monica	

Total - 97

NAYS

Total - 0

ABSENT

Anders	Guillory	St. Germain
Dove	Harrison	
Ernst	Jackson G.	
Total - 7		

The Chair declared the above bill was finally passed.

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.

Speaker Tucker in the Chair

SENATE BILL NO. 130—

BY SENATORS HEBERT, DUPRE, N. GAUTREAUX, MORRELL AND MORRISH AND REPRESENTATIVE KLECKLEY

AN ACT

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

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Kleckley to Engrossed Senate Bill No. 130 by Senator Hebert

Page 8 HOUSE

34th Day's Proceedings - June 21, 2009

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 22:2303" delete "(1) and (2)"

AMENDMENT NO. 2

On page 1, line 7, after "R.S. 22:2303" delete "(1) and (2)"

AMENDMENT NO. 3

On page 3, between lines 14 and 15, insert the following:

"(3) Prior to determining any such rates, the governing board shall adopt such formulas as may be necessary for determining the rates. The board may establish rating territories as it deems appropriate."

Rep. Kleckley moved the adoption of the amendments.

Rep. LaFonta objected.

By a vote of 58 yeas and 34 nays, the amendments were adopted.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative LaFonta to Engrossed Senate Bill No. 130 by Senator Hebert

AMENDMENT NO. 1

In House Floor Amendment No. 3 proposed by Representative Kleckley and adopted by the House on June 21, 2009, on page 1, at the end of line 9, insert "Any changes to the rating territories shall be approved by House and Senate committees on insurance, acting jointly."

Rep. LaFonta moved the adoption of the amendments.

Rep. Kleckley objected.

A record vote was asked for and ordered by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gisclair	Nowlin
Abramson	Guillory	Peterson
Arnold	Hardy	Richard
Aubert	Henderson	Richmond
Baldone	Hines	Ritchie
Barrow	Honey	Roy
Billiot	Johnson	Smith, G.
Brossett	Jones, R.	Smith, J.
Burns, H.	Kleckley	Smith, P.
Connick	LaFonta	St. Germain
Cortez	Landry	Stiaes
Dixon	LeBas	Thibaut
Edwards	Leger	Williams
Ellington	McVea	Wooton
Franklin	Mills	
Gallot	Norton	
Total - 46		

NAYS

Anders	Foil	Pearson
Armes	Geymann	Perry
Badon, B.	Greene	Ponti
Burford	Guinn	Pope
Burns, T.	Hill	Pugh
Carter	Hoffmann	Richardson
Chandler	Howard	Robideaux
Chaney	Katz	Simon
Cromer	Lambert	Smiley
Doerge	Ligi	Talbot
Downs	Little	White
Ernst	Lopinto	Willmott
Fannin	Morris	
Total - 38		

ABSENT

Badon, A.	Harrison	LaBruzzo
Barras	Hazel	Monica
Burrell	Henry	Montoucet
Carmody	Hutter	Schroder
Champagne	Jackson G.	Templet
Danahay	Jackson M.	Waddell
Dove	Jones, S.	
Total - 20		

The amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	McVea
Abramson	Foil	Mills
Anders	Franklin	Monica
Armes	Gallot	Montoucet
Arnold	Geymann	Morris
Aubert	Gisclair	Norton
Badon, A.	Greene	Nowlin
Badon, B.	Guillory	Pearson
Baldone	Guinn	Perry
Barras	Hardy	Peterson
Barrow	Harrison	Ponti
Billiot	Hazel	Pope
Brossett	Henderson	Pugh
Burford	Hill	Richard
Burns, H.	Hines	Richardson
Burns, T.	Hoffmann	Richmond
Burrell	Honey	Robideaux
Carmody	Howard	Roy
Carter	Hutter	Schroder
Champagne	Jackson G.	Smiley
Chandler	Johnson	Smith, G.
Chaney	Jones, R.	Smith, J.
Connick	Jones, S.	Smith, P.
Cortez	Katz	St. Germain
Cromer	Kleckley	Talbot
Danahay	LaFonta	Templet
Dixon	Lambert	Thibaut
Doerge	Landry	Waddell
Downs	LeBas	White
Edwards	Leger	Williams
Ellington	Ligi	Willmott
Ernst	Lopinto	Wooton
Total - 96		

NAYS

Little Simon
Ritchie Stiaes
Total - 4

ABSENT

Dove Jackson M.
Henry LaBruzzo
Total - 4

The Chair declared the above bill was finally passed.

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

Acting Speaker Geymann in the Chair

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.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Mills to Reengrossed Senate Bill No. 107 by Senator Cheek

AMENDMENT NO. 1

On page 5, line 24, after "immediately" delete the comma "," and delete the remainder of the line and delete line 25, and insert "and shall be promulgated as an emergency rule as provided in R.S. 49:953."

AMENDMENT NO. 2

On page 13, between lines 18 and 19, insert the following:

"F. The limitations on liability provided in this Section shall only be effective during the time period set forth in the initial declaration and shall be retroactive to the precipitating event requiring the declaration of disaster or public emergency and for a period of thirty days following the end of the initial declared state of emergency. However, if prior to the expiration of thirty days following the end of the initial declared state of emergency, the governor specifically declares that a public health emergency continues to exist as defined in R.S. 29:762, the limitations on liability shall continue to remain in effect during the time period established by the governor in a declaration issued pursuant to R.S. 29:766."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Edwards to Reengrossed Senate Bill No. 107 by Senator Cheek

AMENDMENT NO. 1

On page 5, line 2 after "services" and before the period "." insert "so long as the person who receives the health services does not pay and is not asked to pay directly or indirectly for the health services"

Rep. Edwards moved the adoption of the amendments.

Rep. Willmott objected.

By a vote of 85 yeas and 10 nays, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Gallot	Mills
Anders	Geymann	Monica
Armes	Gisclair	Montoucet
Arnold	Greene	Morris
Aubert	Guillory	Nowlin
Badon, A.	Guinn	Pearson
Badon, B.	Hardy	Perry
Baldone	Harrison	Peterson
Barras	Hazel	Ponti
Barrow	Henderson	Pope
Billiot	Henry	Pugh
Brossett	Hill	Richard
Burford	Hines	Richardson
Burns, H.	Hoffmann	Richmond
Burns, T.	Honey	Ritchie
Burrell	Howard	Robideaux
Carmody	Hutter	Roy
Carter	Jackson G.	Schroder
Champagne	Jackson M.	Simon
Chandler	Johnson	Smiley
Chaney	Jones, R.	Smith, G.
Connick	Jones, S.	Smith, J.
Cortez	Katz	Smith, P.
Cromer	Kleckley	St. Germain
Danahay	LaBruzzo	Stiaes
Dixon	LaFonta	Talbot
Doerge	Lambert	Templet
Downs	Landry	Waddell
Edwards	LeBas	White
Ellington	Leger	Williams
Ernst	Ligi	Willmott
Fannin	Little	Wooton
Foil	Lopinto	
Franklin	McVea	
Total - 100		

NAYS

Total - 0

ABSENT

Mr. Speaker Norton
Dove Thibaut
Total - 4

Page 10 HOUSE

34th Day's Proceedings - June 21, 2009

The Chair declared the above bill was finally passed.

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

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.

Rep. Cortez 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 Hazel Ponti
Barrow Henderson Pope
Billiot Henry Pugh
Brossett Hill Richard
Burford Hines Richardson
Burns, H. Hoffmann Richmond
Burns, T. Honey Ritchie
Burrell Howard Robideaux
Carmody Hutter Roy
Carter Jackson G. Schroder
Champagne Jackson M. Simon
Chandler Johnson Smiley
Chaney Jones, R. Smith, G.
Connick Jones, S. Smith, J.
Cortez Katz Smith, P.
Cromer LaBruzzo St. Germain
Danahay LaFonta Stiaes
Dixon Lambert Talbot
Doerge Landry Templet
Downs LeBas Waddell
Edwards Leger White
Ellington Ligi Williams
Ernst Little Willmott
Fannin Lopinto Wooton
Foil McVea
Franklin Mills
Total - 100

NAYS

Total - 0

ABSENT

Mr. Speaker Kleckley
Dove Thibaut
Total - 4

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 191— BY SENATOR ALARIO

AN ACT

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

Read by title.

Rep. Katz 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 Hazel Ponti
Barrow Henderson Pope
Billiot Henry Pugh
Brossett Hill Richard
Burford Hines Richardson
Burns, H. Hoffmann Richmond
Burns, T. Honey Ritchie
Burrell Howard Robideaux
Carmody Hutter Roy
Carter Jackson G. Schroder
Champagne Jackson M. Simon
Chandler Johnson Smiley
Chaney Jones, R. Smith, G.
Connick Jones, S. Smith, J.
Cortez Katz Smith, P.
Cromer Kleckley St. Germain
Danahay LaBruzzo Stiaes
Dixon LaFonta Talbot
Doerge Lambert Templet
Downs Landry Waddell
Edwards Leger White
Ellington Ligi Williams
Ernst Little Willmott
Fannin Lopinto Wooton
Foil McVea
Franklin Mills
Total - 100

NAYS

Total - 0

ABSENT

Mr. Speaker LeBas
Dove Thibaut
Total - 4

The Chair declared the above bill was finally passed.

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.

SENATE BILL NO. 214—
BY SENATOR MORRISH

AN ACT

To amend and reenact R.S. 22:1892(A)(3), relative to insurance; to authorize the commissioner of insurance to extend the time period for the filing of certain claims on policies covering damage that occurs during certain declared emergencies or disasters; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Kleckley to Reengrossed Senate Bill No. 214 by Senator Morrish

AMENDMENT NO. 1

On page 2, line 5, after "adjustment" insert "may be allowed and"

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

Motion

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

Speaker Tucker in the Chair

SENATE BILL NO. 223—

BY SENATORS CLAITOR, APPEL, CROWE, KOSTELKA, LONG, MICHOT, SMITH AND WALSWORTH AND REPRESENTATIVES HENRY BURNS, TIM BURNS, CHAMPAGNE, CONNICK, CORTEZ, DOVE, FOIL, LITTLE, PERRY, PUGH, ROBIDEAUX, SIMON, SMILEY, JANE SMITH, PATRICIA SMITH AND THIBAUT

AN ACT

To amend and reenact R.S. 17:416(A)(1)(c)(i), (ii), and (vi) and (3)(e), and to enact R.S. 17:252(C), relative to the discipline of pupils; to provide relative to circumstances under which pupils may be removed from the classroom; to require principals to provide parental notification when a pupil is removed from the classroom; to allow principals to provide feedback and guidance to teachers; to authorize school boards to adopt policies relative to parental attendance at certain intervention sessions and consequences for parents who fail to comply; to require that certain students be assigned and required to complete missed school work under certain circumstances; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Norton to Reengrossed Senate Bill No. 223 by Senator Claitor

AMENDMENT NO. 1

On page 3, between lines 10 and 11, insert the following:

"(ee) In the event that disciplinary action that includes corporal punishment is administered to a pupil, a registered nurse employed by the school district shall conduct a medical examination of the pupil. The nurse shall provide a written report of the pupil's condition to the parent or legal guardian of the pupil, the principal, and the superintendent of the school district."

Rep. Norton moved the adoption of the amendments.

Rep. Downs objected.

By a vote of 26 yeas and 66 nays, the amendments were rejected.

Rep. Downs moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Monica
Abramson	Geymann	Montoucet
Anders	Gisclair	Morris
Armes	Greene	Norton
Arnold	Guillory	Nowlin
Aubert	Guinn	Pearson
Badon, A.	Hardy	Perry
Badon, B.	Harrison	Peterson
Baldone	Hazel	Ponti
Barras	Henderson	Pope
Barrow	Henry	Pugh
Billiot	Hill	Richard
Brossett	Hines	Richardson
Burford	Hoffmann	Richmond
Burns, H.	Howard	Ritchie
Burns, T.	Hutter	Robideaux
Burrell	Jackson G.	Roy
Carmody	Jackson M.	Schroder
Carter	Johnson	Simon
Champagne	Jones, R.	Smiley
Chandler	Jones, S.	Smith, G.
Chaney	Katz	Smith, J.
Cortez	Kleckley	Smith, P.
Cromer	LaBruzzo	St. Germain
Danahay	LaFonta	Stiaes
Dixon	Lambert	Talbot
Doerge	Landry	Templet
Downs	LeBas	Thibaut
Edwards	Leger	Waddell
Ellington	Ligi	White
Ernst	Little	Williams
Fannin	Lopinto	Willmott
Foil	McVea	Wooton
Franklin	Mills	
Total - 101		

NAYS

Total - 0

Page 12 HOUSE

34th Day's Proceedings - June 21, 2009

ABSENT

Connick Dove Honey
Total - 3

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 214— BY SENATOR MORRISH

AN ACT

To amend and reenact R.S. 22:1892(A)(3), relative to insurance; to authorize the commissioner of insurance to extend the time period for the filing of certain claims on policies covering damage that occurs during certain declared emergencies or disasters; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Kleckley to Reengrossed Senate Bill No. 214 by Senator Morrish

AMENDMENT NO. 1

On page 2, line 5, after "loss" delete "adjustment," and insert "adjustment may be allowed and"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Danahay Kleckley Stiaes
Dixon LaBruzzo Talbot
Doerge Lambert Templet
Downs Landry Waddell
Edwards LeBas White
Ellington Leger Williams
Ernst Ligi Willmott
Fannin Little Wooton
Foil Lopinto

Total - 98

NAYS

LaFonta Richmond
Total - 2

ABSENT

Cromer Montoucet
Dove Thibaut
Total - 4

The Chair declared the above bill was finally passed.

Rep. Kleckley 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.

SENATE BILL NO. 251— BY SENATOR ERDEY

AN ACT

To amend and reenact R.S. 46:1426(C), relative to the Department of Social Services; to provide for disclosure of information by licensed day care centers to parents; 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 Gallot Monica
Abramson Geymann Montoucet
Anders Gisclair Morris
Armes Greene Norton
Arnold Guillory Nowlin
Aubert Guinn Pearson
Badon, A. Hardy Perry
Badon, B. Harrison Peterson
Baldone Hazel Ponti
Barras Henderson Pope
Barrow Henry Pugh
Billiot Hill Richard
Brossett Hines Richardson
Burford Hoffmann Richmond
Burns, H. Honey Ritchie
Burns, T. Howard Robideaux
Burrell Hutter Roy
Carmody Jackson G. Schroder
Carter Jackson M. Simon
Champagne Johnson Smiley
Chandler Jones, R. Smith, G.
Chaney Jones, S. Smith, J.
Connick Katz Smith, P.
Cortez Kleckley St. Germain
Danahay LaFonta Stiaes
Dixon Lambert Talbot
Doerge Landry Templet

Downs	LeBas	Thibaut
Edwards	Leger	Waddell
Ellington	Ligi	White
Ernst	Little	Williams
Fannin	Lopinto	Willmott
Foil	McVea	Wooton
Franklin	Mills	

Total - 101

NAYS

Total - 0

ABSENT

Cromer	Dove	LaBruzzo
--------	------	----------

Total - 3

The Chair declared the above bill was finally passed.

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.

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.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Rosalind Jones to Reengrossed Senate Bill No. 254 by Senator Murray

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 14:35.3(A) and (B)(2)" to "R.S. 14:35.3(B)(2)"

AMENDMENT NO. 2

On page 1, line 5, change R.S. 14:35.3(A) and (B)(2) are" to "R.S. 14:35.3(B)(2) is"

AMENDMENT NO. 3

On page 1, delete lines 8 through 10 in their entirety and insert in lieu thereof a set of asterisks "*" * *"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Monica
Abramson	Geymann	Montoucet
Anders	Gisclair	Morris
Armes	Greene	Norton
Arnold	Guillory	Nowlin
Aubert	Guinn	Pearson

Badon, A.	Hardy	Perry
Badon, B.	Harrison	Peterson
Baldone	Hazel	Ponti
Barras	Henderson	Pope
Barrow	Hill	Pugh
Billiot	Hines	Richard
Brossett	Hoffmann	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.
Cortez	LaBruzzo	Smith, P.
Danahay	LaFonta	St. Germain
Dixon	Lambert	Stiaes
Doerge	Landry	Talbot
Downs	LeBas	Templet
Edwards	Leger	Thibaut
Ellington	Ligi	Waddell
Ernst	Little	White
Fannin	Lopinto	Williams
Foil	McVea	Willmott
Franklin	Mills	Wooton

Total - 99

NAYS

Total - 0

ABSENT

Connick	Dove	Honey
Cromer	Henry	

Total - 5

The Chair declared the above bill was finally passed.

Rep. Leger 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.

SENATE BILL NO. 259—

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

AN ACT

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

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Michael Jackson to Reengrossed Senate Bill No. 259 by Senator Kostelka

Page 14 HOUSE

34th Day's Proceedings - June 21, 2009

AMENDMENT NO. 1

On page 2, line 1, after "board" and before "developed" change "shall" to "may"

AMENDMENT NO. 2

On page 2, line 4, after "and" and before "issued" change "shall" to "may"

Rep. Michael Jackson moved the adoption of the amendments.

Rep. Fannin objected.

By a vote of 16 yeas and 76 nays, the amendments were rejected.

Rep. Fannin moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of representatives who voted 'YEAS' in three columns: Mr. Speaker, Fannin, Mills, Abramson, Foil, Monica, Anders, Gallot, Montoucet, Armes, Geymann, Morris, Arnold, Gisclair, Norton, Aubert, Guillory, Nowlin, Badon, A., Guinn, Pearson, Badon, B., Harrison, Perry, Baldone, Hazel, Ponti, Barras, Henderson, Pope, Barrow, Henry, Pugh, Billiot, Hill, Richard, Burford, Hines, Richardson, Burns, H., Hoffmann, Ritchie, Burns, T., Howard, Robideaux, Burrell, Hutter, Roy, Carmody, Jackson G., Schroder, Carter, Johnson, Simon, Champagne, Jones, R., Smiley, Chandler, Jones, S., Smith, G., Chaney, Katz, Smith, J., Connick, Kleckley, Smith, P., Cortez, Lambert, St. Germain, Danahay, Landry, Talbot, Doerge, LeBas, Thibaut, Downs, Ligi, White, Edwards, Little, Williams, Ellington, Lopinto, Willmott, Ernst, McVea, Wooton

Total - 87

NAYS

Table listing names of representatives who voted 'NAYS' in three columns: Brossett, Jackson M., Richmond, Franklin, LaFonta, Stiaes, Hardy, Leger, Honey, Peterson

Total - 10

ABSENT

Table listing names of representatives who were 'ABSENT' in three columns: Cromer, Greene, Waddell, Dixon, LaBruzzo, Dove, Templet

Total - 7

The Chair declared the above bill was finally passed.

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.

Suspension of the Rules

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

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.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Lopinto to Reengrossed Senate Bill No. 273 by Senator Martiny

AMENDMENT NO. 1

In House Committee Amendment No. 3 proposed by the House Committee on the Administration of Criminal Justice and adopted by the House of Representatives on June 11, 2009 on page 1, at the end of line 21, insert the following:

"(ii) The subsequent construction, erection, development, or movement of a property on the National Historic Registry, public playground, church, synagogue, public library, or school which causes the truck stop facility to be located within the prohibited distance as provided in this Paragraph shall not be cause for revocation, withholding, denial of an application, nonrenewal of a license, or issuance of a new license. The subsequent construction, erection, development, or movement of a property on the National Historic Registry, public playground, church, synagogue, public library, or school following the application for a license to operate video draw poker devices at a truck stop facility and the granting of that license which causes the truck stop facility to be located within the prohibited distance as provided in this Paragraph shall not be cause for the revocation, withholding, denial of an application, nonrenewal of a license, or issuance of a new license."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of representatives who voted 'YEAS' in three columns: Mr. Speaker, Gallot, Monica, Abramson, Geymann, Norton, Anders, Gisclair, Nowlin, Arnold, Greene, Pearson, Aubert, Guillory, Perry, Badon, A., Hardy, Ponti, Badon, B., Harrison, Pope, Baldone, Hazel, Pugh, Barras, Henry, Richard

Billiot	Hill	Richardson
Brossett	Hines	Richmond
Burford	Hoffmann	Ritchie
Burns, H.	Howard	Robideaux
Burrell	Hutter	Roy
Carmody	Jackson G.	Schroder
Carter	Jackson M.	Simon
Champagne	Johnson	Smiley
Chandler	Jones, R.	Smith, G.
Chaney	Katz	Smith, J.
Cortez	Kleckley	Smith, P.
Cromer	LaFonta	Stiaes
Danahay	Lambert	Talbot
Doerge	Landry	Thibaut
Downs	LeBas	Waddell
Edwards	Leger	White
Ellington	Ligi	Williams
Ernst	Little	Willmott
Fannin	Lopinto	Wooton
Foil	McVea	
Franklin	Mills	
Total - 88		

NAYS

Armes	Dixon	Peterson
Barrow	Guinn	St. Germain
Cornick	Montoucet	
Total - 8		

ABSENT

Burns, T.	Honey	Morris
Dove	Jones, S.	Temple
Henderson	LaBruzzo	
Total - 8		

The Chair declared the above bill was finally passed.

Rep. Lopinto 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.

SENATE BILL NO. 282—
BY SENATOR HEBERT

AN ACT

To enact R.S. 22:1879, relative to a consumer health provider information system; to provide for a database concerning health care related information; to provide for duties of the Department of Insurance; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Kleckley to Reengrossed Senate Bill No. 282 by Senator Hebert

AMENDMENT NO. 1

Delete Amendment No. 3 proposed by the House Committee on Insurance and adopted by the House of Representatives on June 11, 2009.

AMENDMENT NO. 2

Delete the Amendment proposed by the Legislative Bureau and adopted by the House of Representatives on June 11, 2009.

AMENDMENT NO. 3

On page 1, delete lines 8 through 17 in their entirety and insert the following:

"A. (1) No later than March 31, 2010, or within thirty days of the effective date of a new contract, each hospital or ambulatory surgical center, hereinafter referred to as "facility" or "contracted facility" for purposes of this Section, shall provide to each health insurance issuer with which it contracts, the National Provider Identifier (NPI) as set forth in 45 CFR §162.402 et. seq., name, business address, and business telephone number of each individual or group of anesthesiologists, pathologists, radiologists, emergency medicine physicians, and neonatologists who provide services at that facility. Thereafter, the facility shall notify each health insurance issuer of any changes to the information as soon as possible but not later than thirty days following any change.

(2) No later than March 31, 2010, or within thirty days of the effective date of a new contract, each individual or group of anesthesiologists, pathologists, radiologists, emergency medicine physicians, and neonatologists who provide services at a contracted facility shall provide the health insurance issuer with which it is contracted, the NPI, name, business address, and business telephone number of each group or individual so contracted. Thereafter, the group or individual so contracted shall notify each health insurance issuer of any changes to the information as soon as possible but not later than thirty days following any change.

B. (1) Based on information received pursuant to Paragraphs (A)(1) and (2) of this Section, a health insurance issuer shall report on its website, no later than June 30, 2010, in a format that is clear and easy for its enrollees to understand, the following information arranged by contracted facility:

(a) Facility name, address, and phone number.

(b) The names, business addresses and business telephone numbers of each individual or group of anesthesiologists, pathologists, radiologists, emergency medicine physicians, and neonatologists who provide services at that facility and who are contracted with the health insurance issuer.

(2) For each specialty at each contracted facility, there shall be a clear indication when the health insurance issuer has no contract in place with any of the individuals or groups of anesthesiologists, pathologists, radiologists, emergency medicine physicians, and neonatologists who provide services at that contracted facility.

(3) A health insurance issuer shall update its website as soon as possible but not later than thirty days following receipt of any updated information or within thirty days of the effective date of a contract.

C. No later than June 30, 2010, a health insurance issuer shall provide a link to its website containing the information described in Subsection B of this Section to the Department of Insurance. No later than July 31, 2010, the Department of Insurance shall make available on its website, the links received from health insurance issuers.

D. Except as otherwise provided in Subsection G of this Section, the Department of Insurance may promulgate rules and regulations to provide for civil fines payable by a health insurance issuer not to exceed five hundred dollars for each and every act of violation of the requirements of this Section, not to exceed an aggregate fine of fifty thousand dollars. For purposes of this Subsection, "act of violation" is limited to an intentional act or an act of gross negligence.

E. The Department of Health and Hospitals may promulgate rules and regulations to provide for civil fines payable by a health care provider not to exceed five hundred dollars for each and every act of violation of the requirements of this Section, not to exceed an aggregate fine of fifty thousand dollars. For purposes of this Subsection, "act of violation" is limited to an intentional act or an act of gross negligence.

F. A health insurance issuer that reports information received from a health care provider shall indemnify and hold the health care provider harmless for the nonintentional erroneous or incomplete information provided by the health care provider to the health insurance issuer under the provisions of this Section. A health care provider that provides information to a health insurance issuer under the provisions of this Section shall indemnify and hold the health insurance issuer harmless for nonintentional erroneous or incomplete information reported by the health insurance issuer under the provisions of this Section. The penalties under this Section shall be the exclusive remedy for any violations and there shall be no independent cause of action by any person based upon such violation or other information reported hereunder.

G. The provisions of this Section shall apply to the Office of Group Benefits; however, the commissioner of insurance shall not be authorized to levy a fine against the Office of Group Benefits. If the commissioner of insurance concludes that the Office of Group Benefits has violated this Section, the commissioner of insurance shall notify the commissioner of administration in writing within sixty days of such violation."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Foil	Lopinto	Wooton
Franklin	McVea	
Gallot	Mills	
Total - 100		
	NAYS	
Total - 0		
	ABSENT	
Dove	Ernst	
Edwards	Pearson	
Total - 4		

The Chair declared the above bill was finally passed.

Rep. Kleckley 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.

SENATE BILL NO. 285—

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

AN ACT

To enact Chapter 25-A of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3161 through 3169, relative to educational institutions and programs; to provide for a comprehensive system of articulation and transfer of credit between and among public secondary and postsecondary educational institutions; to provide for the creation of a statewide articulation and transfer council and its membership, powers, and duties; to provide for a statewide articulation agreement; to provide for a common core curriculum; to provide relative to the length of degree programs; to provide for the transfer of specified courses and associate degrees; to provide relative to admission of transfer students to four-year colleges and universities; to provide for a statewide course numbering system; to provide relative to course levels and designations; to provide relative to accreditation of educational institutions; to provide for voluntary participation of certain independent colleges and universities; to provide relative to a comprehensive student information system; to provide for implementation timelines; to provide for reporting requirements; to provide for program rules; and to provide for related matters.

Read by title.

Rep. Hutter moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Franklin	Monica
Abramson	Gallot	Montoucet
Anders	Geymann	Morris
Armes	Gisclair	Norton
Arnold	Greene	Nowlin
Aubert	Guillory	Pearson
Badon, A.	Guinn	Perry
Badon, B.	Harrison	Peterson
Baldone	Hazel	Ponti
Barras	Henderson	Pope
Barrow	Henry	Pugh
Billiot	Hill	Richard
Brossett	Hines	Richardson
Burford	Hoffmann	Richmond

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

Total - 101

NAYS

Total - 0

ABSENT

Dove	Hardy	Jones, S.
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Total - 3

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 309—
BY SENATORS GRAY EVANS AND DORSEY
AN ACT

To enact R.S. 17:17.5, relative to physical fitness; to provide for physical fitness assessments in schools; to provide for continuation of a program conducting fitness assessments; to provide a plan for statewide implementation of such assessments; to provide for legislative intent; to provide for program participants; to provide relative to the results from such assessments; to provide for reports; to provide for rules and guidelines; to provide for funding; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Austin Badon to Engrossed Senate Bill No. 309 by Senator Gray Evans

AMENDMENT NO. 1

On page 1, line 13, after "conducted" delete "in twelve parishes" and insert "pursuant to Paragraph (2) of this Subsection"

AMENDMENT NO. 2

On page 2, line 11, after "program," delete the remainder of the line and delete lines 12 through 18 and insert as follows:

"conducted through the Cecil J. Picard Center for Child Development and Lifelong Learning at the University of Louisiana at Lafayette, in"

AMENDMENT NO. 3

On page 2, line 23, after "school" change "systems" to "districts"

AMENDMENT NO. 4

On page 3, line 14, after "September" change "1" to "first" and after "year," delete the remainder of the line and delete lines 15 through 28 and insert as follows:

"the Cecil J. Picard Center, in collaboration with the Department of Education, the Department of Health and Hospitals, the Governor's Council on Physical Fitness and Sports, and the Louisiana Council on Obesity Prevention and Management, hereinafter referred to as the "Louisiana Obesity Council," shall provide an annual report concerning the implementation of the physical fitness assessment which shall include the findings from an analysis of the plan development and implementation results of the assessment obtained during the preceding school year, to the governor, the Senate and House committees on education, the Senate and House committees on health and welfare, and the State Board of Elementary and Secondary Education."

AMENDMENT NO. 5

On page 3, at the beginning of line 29, change "(b)" to "(2)"

AMENDMENT NO. 6

On page 4, at the end of line 5, change "Subparagraph" to "Paragraph" and at the beginning of line 6, change "(a) of this Paragraph" to "(1) of this Subsection"

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

Rep. Austin Badon moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Geymann	Monica
Abramson	Gisclair	Montoucet
Armes	Greene	Morris
Arnold	Guillory	Norton
Aubert	Guinn	Nowlin
Badon, A.	Hardy	Pearson
Badon, B.	Harrison	Perry
Baldone	Hazel	Peterson
Barras	Henderson	Ponti
Barrow	Henry	Pope
Billiot	Hill	Pugh
Brossett	Hines	Richard
Burford	Hoffmann	Richardson
Burns, H.	Honey	Richmond
Burns, T.	Howard	Ritchie
Burrell	Hutter	Robideaux
Carter	Jackson G.	Roy
Champagne	Jackson M.	Schroder
Chandler	Johnson	Simon
Chaney	Jones, R.	Smiley
Connick	Jones, S.	Smith, G.
Cortez	Katz	Smith, J.
Cromer	Kleckley	Smith, P.
Dixon	LaFonta	St. Germain
Doerge	Lambert	Stiaes
Downs	Landry	Talbot

Page 18 HOUSE

34th Day's Proceedings - June 21, 2009

Edwards	LeBas	Templet
Ellington	Leger	Thibaut
Ernst	Ligi	Waddell
Fannin	Little	White
Foil	Lopinto	Williams
Franklin	McVea	Willmott
Gallot	Mills	Wooton

Total - 99

NAYS

Total - 0

ABSENT

Anders	Danahay	LaBruzzo
Carmody	Dove	

Total - 5

The Chair declared the above bill was finally passed.

Rep. Austin Badon 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.

SENATE BILL NO. 347 (Substitute of Senate Bill No. 243 by Senator Mount)—
BY SENATOR MOUNT

AN ACT

To enact R.S. 14:92(E)(3), relative to delinquency; to provide for contributing to the delinquency of a juvenile; to provide for penalties; and to provide for related matters.

Read by title.

Rep. Perry moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Ellington	Ligi	White
Ernst	Little	Williams
Fannin	Lopinto	Willmott
Foil	McVea	Wooton

Total - 102

NAYS

Total - 0

ABSENT

Dove Katz

Total - 2

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 348 (Substitute of Senate Bill No. 275 by Senator McPherson)—
BY SENATOR MCPHERSON

AN ACT

To enact Part II-I of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2120.51 thru 2120.57, relative to employees providing nursing services; to provide for certified nurse aides in nursing facilities; to provide for state registration of certified nurse aides in nursing homes and skilled nursing facility units; to provide for medical staffing agencies; to provide for minimum requirements to maintain certification; to provide for rules and regulations; to provide for complaint investigations and restricted registrations; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Katz to Reengrossed Senate Bill No. 348 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 3, after "R.S. 40:2120.51" delete "thru 2120.57," and insert "through 2120.58,"

AMENDMENT NO. 2

On page 1, line 8, after "registrations;" insert "to provide with respect to funding;"

AMENDMENT NO. 3

On page 1, line 12, after "through" delete "2120.57," and insert "2120.58,"

AMENDMENT NO. 4

On page 5, between lines 23 and 24, insert the following:

"§2120.58. Availability of funding

Implementation of the provisions of this Part shall be subject to the appropriation of state funds by the legislature."

Rep. Katz moved the adoption of the amendments.

Rep. Roy objected.

By a vote of 33 yeas and 62 nays, the amendments were rejected.

Rep. Roy moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Monica
Abramson	Geymann	Montoucet
Anders	Gisclair	Norton
Armes	Greene	Nowlin
Arnold	Guillory	Perry
Aubert	Hardy	Peterson
Badon, B.	Harrison	Ponti
Baldone	Hazel	Pugh
Barras	Henderson	Richard
Barrow	Henry	Richardson
Billiot	Hill	Richmond
Brossett	Hines	Ritchie
Burns, H.	Honey	Roy
Burrell	Howard	Simon
Carmody	Hutter	Smith, G.
Chandler	Jackson G.	Smith, J.
Chaney	Jackson M.	Smith, P.
Cortez	Johnson	St. Germain
Cromer	Jones, R.	Stiaes
Danahay	Jones, S.	Talbot
Dixon	Kleckley	Templet
Doerge	LaFonta	Thibaut
Downs	Landry	Waddell
Edwards	LeBas	White
Ellington	Leger	Williams
Ernst	Ligi	Willmott
Fannin	Lopinto	Wooton
Foil	McVea	
Franklin	Mills	
Total - 85		

NAYS

Burford	Katz	Schroder
Carter	Little	Smiley
Connick	Pearson	
Hoffmann	Pope	
Total - 10		

ABSENT

Badon, A.	Dove	Lambert
Burns, T.	Guinn	Morris
Champagne	LaBruzzo	Robideaux
Total - 9		

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 32—
BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 15:1098.7(D), relative to the authority of the governing authority of the parish of St. John the Baptist; to expend an annual tax of one mill for a period of twenty years to fund the cost of housing juveniles; to permit the expenditure of such funds on hand and to be received for operation and maintenance cost and for construction and/or renovation of a facility to house the juvenile probation officers, judges,

counselors, and other personnel associated with juvenile services; to provide for an effective date; and to provide for related matters.

Read by title.

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

NAYS

Total - 0

ABSENT

Anders	Connick	Henry
Arnold	Dove	Ligi
Badon, A.	Harrison	Robideaux
Total - 9		

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 82—
BY SENATOR LAFLEUR

AN ACT

To amend and reenact R.S. 40:1472.1, the introductory paragraph of 1472.2(7), 1472.6(A), 1472.7(A), and 1472.12(A), and to enact R.S. 40:1472.3(L), 1472.4(B)(2), and 1472.5(I), relative to public health and safety; to provide with respect to the regulation of explosives; to provide for the purchase and storage

of commercially manufactured black powder; to provide for use in antique devices; to provide exceptions; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Ellington to Reengrossed Senate Bill No. 82 by Senator LaFleur

AMENDMENT NO. 1

On page 1, line 2, after "1472.2(7)," and before "1472.6(A)" insert "1472.3(A)(1) and (E)(1) and (3)(b),"

AMENDMENT NO. 2

On page 1, line 9, "1472.2(7)," and before "1472.6(A)" insert "1472.3(A)(1) and (E)(1) and (3)(b),"

AMENDMENT NO. 3

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

"A.(1) It shall be unlawful for any person or business to acquire, sell, possess, store, engage in the use of, or otherwise handle explosives in this state, except in conformity with the provisions of this Part. Each manufacturer, dealer-distributor, user, blaster, or handler, as such words are defined in R.S. 40:1472.2, shall possess a valid and subsisting license issued by the deputy secretary. An applicant employed by a licensed manufacturer, shall be permitted to work and to perform duties that would otherwise require a license pursuant to this Part provided the following conditions are all met:

(a) The applicant has submitted a complete application for a handler license.

(b) The applicant has successfully completed the required training.

(c) The applicant has been drug screened and found free of controlled dangerous substances.

(d) The applicant is found to meet the suitability requirements for licensing as provided for in this Chapter.

(e) When the conditions in Paragraphs (a), (b) and (c) of this Subsection have been fulfilled and the department has preliminarily determined the applicant to be suitable for licensing, the department shall, within five days from receipt of application unless exigent circumstances dictate otherwise, inform the applicant as to his provisional status to begin work.

(f) During the period as provided for in Paragraph (e), of this Subsection, a currently licensed manufacturer shall be responsible to ensure the applicant performs all activities regulated by this Chapter under their direct supervision or the supervision of a licensed designee in their employ. Such licensee shall direct, coordinate and control all activities of the applicant at all times while at work and shall not permit the applicant to work independently with explosives until fully licensed by the Department of Public Safety and Corrections.

* * *

E.(1) The forms of such licenses and applications shall be prescribed by the deputy secretary and shall require a photo and

fingerprint of the applicant as well as such other information and data as the deputy secretary deems appropriate.

* * *

(3)

* * *

(b) The department shall execute a thorough background investigation, including a criminal history check, of every applicant for the purpose of verifying the qualifications of the applicant pursuant to the requirements of this Section. For purposes of this Subparagraph, a background check shall be defined as a computer check of available online state records, as well as national records including but not limited to the federal Interstate Identification Index and fingerprints which shall be forwarded to the Federal Bureau of Investigation for a national identification and criminal history records check and which may include fingerprints of the applicant, if so requested by the department."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns listing names of representatives and their votes (Yeas or Nays). Includes names like Mr. Speaker, Abramson, Anders, Arnes, Arnold, Aubert, Badon, A., Badon, B., Baldone, Barras, Barrow, Billiot, Brossett, Burford, Burns, H., Burns, T., Burrell, Carmody, Carter, Champagne, Chandler, Chaney, Connick, Cortez, Cromer, Danahay, Dixon, Doerge, Downs, Edwards, Ellington, Ernst, Fannin, Foil, Franklin, Gallot, Geymann, Gisclair, Greene, Guillory, Guinn, Hardy, Harrison, Hazel, Henderson, Henry, Hill, Hines, Hoffmann, Honey, Howard, Hutter, Jackson G., Jackson M., Johnson, Jones, R., Jones, S., Katz, LaBruzzo, LaFonta, Lambert, LeBas, Leger, Ligi, Little, Lopinto, McVea, Mills, Monica, Montoucet, Morris, Norton, Nowlin, Pearson, Perry, Peterson, Ponti, Pope, Pugh, Richard, Richardson, Richmond, Ritchie, Robideaux, Roy, Schroder, Simon, Smith, G., Smith, J., Smith, P., St. Germain, Stiaes, Talbot, Templet, Thibaut, Waddell, White, Williams, Willmott, Wooton.

Total - 100

NAYS

Total - 0

ABSENT

Dove
Kleckley
Total - 4

Landry
Smiley

The Chair declared the above bill was finally passed.

Rep. Johnson 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.

SENATE BILL NO. 162—
BY SENATOR MARIONNEAUX
AN ACT

To provide for the continuation of parishwide economic development districts; and to provide for related matters.

Read by title.

Motion

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

SENATE BILL NO. 224—
BY SENATOR N. GAUTREAUX
AN ACT

To enact Subpart B-42 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.790 through 130.793, inclusive; to provide relative to local governmental subdivisions; to authorize the creation of sustainable energy financing districts; to provide terms, conditions, procedures, and requirements; to provide for the powers and duties of the districts; to authorize certain financing concerning property within the district; to provide for property assessment and collection of such assessments within the district; and to provide for related matters.

Read by title.

Rep. Foil moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Franklin	Monica
Abramson	Gallot	Montoucet
Anders	Geymann	Morris
Armes	Gisclair	Norton
Arnold	Guillory	Nowlin
Aubert	Guinn	Pearson
Badon, A.	Hardy	Peterson
Badon, B.	Harrison	Ponti
Baldone	Hazel	Pope
Barras	Henderson	Pugh
Barrow	Henry	Richard
Billiot	Hill	Richardson
Brossett	Hines	Richmond
Burford	Hoffmann	Ritchie
Burns, H.	Honey	Robideaux
Burns, T.	Howard	Schroder
Burrell	Hutter	Simon
Carmody	Jackson G.	Smiley
Carter	Jackson M.	Smith, G.
Champagne	Jones, R.	Smith, J.
Chandler	Jones, S.	Smith, P.
Chaney	Katz	St. Germain

Connick	LaBruzzo	Stiaes
Cortez	LaFonta	Talbot
Cromer	Lambert	Templet
Dixon	Landry	Thibaut
Doerge	LeBas	Waddell
Downs	Leger	White
Edwards	Ligi	Williams
Ellington	Little	Willmott
Ernst	Lopinto	Wooton
Fannin	McVea	
Foil	Mills	

Total - 97

NAYS

Total - 0

ABSENT

Danahay	Johnson	Roy
Dove	Kleckley	
Greene	Perry	

Total - 7

The Chair declared the above bill was finally passed.

Rep. Foil 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.

SENATE BILL NO. 304—
BY SENATOR HEBERT AND REPRESENTATIVES BARRAS,
CHAMPAGNE, SAM JONES, MILLS, MONToucET AND PERRY
AN ACT

To provide for the membership of the transportation policy committee of certain metropolitan planning organizations; and to provide for related matters.

Read by title.

Rep. Barras moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Foil	Monica
Abramson	Franklin	Montoucet
Anders	Gallot	Morris
Armes	Gisclair	Norton
Arnold	Guillory	Nowlin
Aubert	Guinn	Pearson
Badon, A.	Hardy	Peterson
Badon, B.	Harrison	Ponti
Baldone	Hazel	Pope
Barras	Henderson	Pugh
Barrow	Henry	Richard
Billiot	Hill	Richardson
Brossett	Hines	Richmond
Burford	Hoffmann	Ritchie
Burns, H.	Honey	Robideaux
Burns, T.	Howard	Roy
Burrell	Hutter	Schroder
Carmody	Jackson G.	Simon
Carter	Jackson M.	Smiley
Champagne	Johnson	Smith, G.
Chandler	Jones, R.	Smith, J.
Chaney	Jones, S.	Smith, P.
Connick	Katz	St. Germain
Cortez	LaBruzzo	Stiaes
Cromer	LaFonta	Talbot
Danahay	Landry	Templet

Page 22 HOUSE

34th Day's Proceedings - June 21, 2009

Dixon	LeBas	Thibaut
Doerge	Leger	Waddell
Downs	Ligi	White
Edwards	Little	Williams
Ellington	Lopinto	Willmott
Ernst	McVea	
Fannin	Mills	
Total - 97		

NAYS

Total - 0

ABSENT

Dove	Kleckley	Wooton
Geymann	Lambert	
Greene	Perry	
Total - 7		

The Chair declared the above bill was finally passed.

Rep. Barras 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.

SENATE BILL NO. 162—

BY SENATOR MARIONNEAUX

AN ACT

To provide for the continuation of parishwide economic development districts; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Aubert moved the final passage of the bill.

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

Ernst	Lopinto	Wooton
Fannin	McVea	
Foil	Mills	
Total - 100		

NAYS

Total - 0

ABSENT

Dove	Kleckley
Geymann	Richmond
Total - 4	

The Chair declared the above bill was finally passed.

Rep. Aubert 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. Robideaux gave notice of his intention to call Senate Bill No. 284 from the calendar on Monday, June 22, 2009.

SENATE BILL NO. 93—

BY SENATOR THOMPSON

AN ACT

To enact Part I-A of Chapter 4 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:651 through 654, relative to food safety; to provide for definitions; to provide for written plans for food processing and food recalls; to provide for required reporting and testing of adulterated food by food processing plants; to provide for rules and regulations; and to provide for related matters.

Called from the calendar.

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	Gisclair	Norton
Abramson	Greene	Nowlin
Anders	Guillory	Pearson
Arnold	Guinn	Perry
Aubert	Harrison	Peterson
Badon, A.	Hazel	Ponti
Badon, B.	Henderson	Pope
Baldone	Hill	Pugh
Barras	Hines	Richard
Billiot	Hoffmann	Richardson
Brossett	Honey	Richmond
Burford	Howard	Ritchie
Burns, H.	Hutter	Robideaux
Burns, T.	Jackson G.	Roy
Burrell	Jackson M.	Schroder
Carmody	Johnson	Simon
Carter	Jones, R.	Smiley
Chandler	Jones, S.	Smith, G.
Chaney	Katz	Smith, J.
Connick	LaBruzzo	Smith, P.
Cortez	LaFonta	St. Germain
Cromer	Lambert	Stiaes
Danahay	Landry	Talbot

Dixon	LeBas	Templet
Doerge	Ligi	Thibaut
Downs	Little	Waddell
Edwards	Lopinto	White
Ellington	McVea	Williams
Ernst	Mills	Willmott
Fannin	Monica	Wooton
Foil	Montoucet	
Gallot	Morris	
Total - 94		

NAYS

Total - 0

ABSENT

Armes	Franklin	Kleckley
Barrow	Geymann	Leger
Champagne	Hardy	
Dove	Henry	
Total - 10		

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

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.

SENATE BILL NO. 292—

BY SENATOR N. GAUTREUX

AN ACT

To amend and reenact R.S. 4:185(A), relative to amusements and sports; to provide for certain investments of monies in the Horsemen's Bookkeeper Account; to provide for an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Cortez to Reengrossed Senate Bill No. 292 by Senator N. Gautreaux

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 4:" insert "145.1 and"

AMENDMENT NO. 2

On page 1, line 3, after "Account;" insert "to provide for venue;"

AMENDMENT NO. 3

On page 1, line 6, after "R.S. 4:" insert "145.1 and" and change "is" to "are"

AMENDMENT NO. 4

On page 1, between lines 6 and 7, insert the following:

"§145.1. Exclusive venue for law suits against the commission

The commission may be sued only in the Proper venue for suits against the commission and judicial review of any adjudicatory decision of the commission shall be the city of New Orleans, parish of Orleans or in the parishes of Bossier, Calcasieu, or St. Landry.

* * *

Point of Order

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

Ruling of the Chair

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

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

Rep. Cortez moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Franklin	Montoucet
Abramson	Gallot	Morris
Anders	Gisclair	Norton
Armes	Greene	Nowlin
Arnold	Guillory	Pearson
Aubert	Guinn	Perry
Badon, A.	Hardy	Peterson
Badon, B.	Harrison	Ponti
Baldone	Hazel	Pope
Barras	Henderson	Pugh
Barrow	Hill	Richard
Billiot	Hines	Richardson
Brossett	Honey	Richmond
Burford	Howard	Ritchie
Burns, H.	Hutter	Robideaux
Burrell	Jackson G.	Roy
Carmody	Jackson M.	Schroder
Carter	Johnson	Simon
Champagne	Jones, R.	Smith, G.
Chandler	Jones, S.	Smith, J.
Chaney	Katz	Smith, P.
Connick	Kleckley	St. Germain
Cortez	LaFonta	Stiaes
Cromer	Lambert	Talbot
Danahay	Landry	Templet
Dixon	LeBas	Thibaut
Doerge	Leger	Waddell
Downs	Ligi	White
Edwards	Little	Williams
Ellington	Lopinto	Willmott
Ernst	McVea	Wooton
Fannin	Mills	
Foil	Monica	
Total - 97		

NAYS

Total - 0

ABSENT

Burns, T.	Henry	Smiley
Dove	Hoffmann	
Geymann	LaBruzzo	
Total - 7		

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 212—
BY SENATOR CLAITOR

AN ACT

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

Called from the calendar.

Read by title.

Rep. Foil moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Mills
Abramson	Gisclair	Monica
Arnes	Greene	Pearson
Badon, B.	Guillory	Perry
Baldone	Harrison	Ponti
Burns, H.	Henderson	Pope
Burns, T.	Hill	Pugh
Carmody	Hines	Richard
Carter	Hoffmann	Richardson
Chandler	Howard	Richmond
Chaney	Jones, R.	Roy
Cromer	Katz	Simon
Doerge	Kleckley	Smiley
Downs	LaBruzzo	Smith, J.
Edwards	Lambert	Talbot
Ellington	Landry	Waddell
Ernst	LeBas	White
Fannin	Leger	Williams
Foil	Little	Willmott
Franklin	McVea	Wooton
Total - 60		

NAYS

Anders	Dixon	Lopinto
Arnold	Guinn	Montoucet
Aubert	Hardy	Norton
Barras	Hazel	Nowlin
Barrow	Henry	Peterson
Brossett	Honey	Ritchie
Burford	Hutter	Smith, G.
Burrell	Jackson G.	Smith, P.
Champagne	Jackson M.	St. Germain
Connick	Johnson	Stiaes
Cortez	LaFonta	Thibaut
Danahay	Ligi	
Total - 35		

ABSENT

Badon, A.	Geymann	Robideaux
Billiot	Jones, S.	Schroder
Dove	Morris	Templet
Total - 9		

The Chair declared the above bill was finally passed.

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

Suspension of the Rules

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

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Appropriations

June 21, 2009

To the Speaker and Members of the House of Representatives:

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

Senate Bill No. 1, by Chaisson (Joint Resolution)
Reported with amendments. (23-0) (Regular)

Senate Bill No. 2, by Chaisson
Reported favorably. (23-0) (Regular)

Senate Bill No. 246, by Cheek
Reported favorably. (23-0) (Regular)

Senate Bill No. 267, by Michot
Reported favorably. (23-0) (Regular)

Senate Bill No. 316, by Nevers
Reported favorably. (23-0) (Regular)

JAMES R. "JIM" FANNIN
Chairman

The above Senate Bills reported favorably or with amendments, except Senate Bill No. 1, were referred to the Legislative Bureau.

Suspension of the Rules

On motion of Rep. Fannin, the rules were suspended in order to refer Senate Bill No. 1 to the Legislative Bureau at this time.

Report of the Committee on Ways and Means

June 19, 2009

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on June 18, 2009, I am directed by your Committee on Ways and Means to submit the following report:

House Bill No. 86, by LaBruzzo
Reported with amendments. (14-0) (Regular)

House Bill No. 388, by White
Reported favorably. (11-0) (Regular)

Senate Bill No. 21, by Marionneaux (Joint Resolution)
Reported with amendments. (11-0) (Regular)

Senate Bill No. 26, by Gautreaux, N.
Reported favorably. (14-0) (Regular)

Senate Bill No. 52, by Marionneaux
Reported favorably. (14-0) (Regular)

Senate Bill No. 91, by Gautreaux, N.
Reported with amendments. (15-0) (Regular)

Senate Bill No. 113, by Marionneaux
Reported with amendments. (10-0) (Regular)

Senate Bill No. 139, by Riser
Reported with amendments. (12-0) (Regular)

Senate Bill No. 159, by Marionneaux
Reported with amendments. (13-0) (Regular)

Senate Bill No. 194, by Broome
Reported with amendments. (15-0) (Regular)

Senate Bill No. 206, by Adley
Reported favorably. (16-0) (Regular)

Senate Bill No. 221, by Broome
Reported with amendments. (16-0) (Regular)

Senate Bill No. 228, by Gray Evans
Reported favorably. (9-0) (Regular)

Senate Bill No. 245, by Adley
Reported with amendments. (14-0) (Regular)

Senate Bill No. 252, by Walsworth
Reported with amendments. (13-0) (Regular)

Senate Bill No. 268, by Donahue
Reported with amendments. (9-0) (Regular)

Senate Bill No. 287, by Martiny
Reported favorably. (15-0) (Regular)

HUNTER V. GREENE
Chairman

The above Senate Bills reported favorably or with amendments, except Senate Bill No. 21 and Senate Bill No. 268, were referred to the Legislative Bureau.

Suspension of the Rules

On motion of Rep. Greene, the rules were suspended in order to take up House Bills contained in the committee report at this time.

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. 86— BY REPRESENTATIVE LABRUZZO AN ACT

To enact R.S. 47:6035, relative to individual and corporate income tax; to authorize the wind or solar energy system manufacturer's tax credit; to provide for eligibility; to provide for the amount of the credit; to provide for rulemaking; 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. 86 by Representative LaBruzzo

AMENDMENT NO. 1

On page 1, delete line 2 in its entirety and insert "To enact R.S. 47:6035, "

AMENDMENT NO. 2

On page 1, delete lines 4 and 5 in their entirety and insert the following:

"system manufacturer's tax credit; to provide for eligibility; to provide for the amount of the credit; to provide for rulemaking;"

AMENDMENT NO. 3

On page 1, delete lines 8 through 17 in their entirety and insert the following:

"Section 1. R.S. 47:6035 is hereby enacted to read as follows:

§6035. Wind or solar energy systems manufacturer's tax credit"

AMENDMENT NO. 4

On page 1, at the beginning of line 18, delete "A.(1)" and insert "A."

AMENDMENT NO. 5

On page 1, line 19, after "taxpayer" delete the remainder of the line and insert the following:

"which starts a new business in Louisiana solely for the manufacture of wind turbine or solar panel energy systems. Taxpayers eligible for the tax credit shall be limited to those businesses which are established from January 1, 2009 through December 31, 2014, and which register with the Louisiana Workforce Commission for purposes of unemployment and worker's compensation contributions for employees engaged in the manufacture of solar panel and wind turbine energy systems during that period of time. The secretary of the Department of Revenue, in consultation with the secretary of the Department of Natural Resources, shall establish rules and regulations in accordance with the Administrative Procedure Act to provide for the types of manufacturers of wind turbine or solar panel energy systems which shall be eligible to take the credit.

B. The amount of the credit shall be equal to the taxpayer's total Louisiana income tax liability for each taxable year. The credit may be first claimed in the year the business is established, and may be taken for up to five taxable years thereafter, beginning January 1, 2010; however, no credit shall be taken for any taxable year beginning on or after January 1, 2015."

AMENDMENT NO. 6

Delete page 2 in its entirety and on page 3, delete lines 1 through 27 in their entirety

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 388— BY REPRESENTATIVE WHITE AN ACT

To amend and reenact R.S. 51:2453(4), relative to the Louisiana Quality Jobs Program Act; to expand the definition of "new direct job" to include employees of a contract labor provider in certain instances; to provide for definitions; 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. Greene, 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. Greene, 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:

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 599: Reps. Hill, Richmond, and Foil.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 404: Reps. Kleckley, Roy and Cortez.

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

June 21, 2009

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

I am directed to inform your honorable body that the Senate has concurred in the following House Concurrent Resolutions:

House Concurrent Resolution No. 53
Returned without amendments

House Concurrent Resolution No. 54
Returned without amendments

House Concurrent Resolution No. 68
Returned without amendments

House Concurrent Resolution No. 99
Returned without amendments

House Concurrent Resolution No. 101
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

HOUSE BILLS

June 21, 2009

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

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

House Bill No. 33
Returned with amendments

House Bill No. 110
Returned without amendments

House Bill No. 451
Returned without amendments

House Bill No. 507
Returned without amendments

House Bill No. 513
Returned with amendments

House Bill No. 519
Returned with amendments

House Bill No. 520
Returned without amendments

House Bill No. 538
Returned with amendments

House Bill No. 541
Returned without amendments

House Bill No. 574
Returned without amendments

House Bill No. 626
Returned without amendments

House Bill No. 645
Returned without amendments

House Bill No. 685
Returned without amendments

House Bill No. 696
Returned without amendments

House Bill No. 712
Returned with amendments

House Bill No. 721
Returned with amendments

House Bill No. 753
Returned with amendments

House Bill No. 772
Returned with amendments

House Bill No. 774
Returned with amendments

House Bill No. 806
Returned with amendments

House Bill No. 823
Returned without amendments

House Bill No. 864
Returned with amendments

House Bill No. 866
Returned with amendments

House Bill No. 868
Returned with amendments

House Bill No. 887
Returned with amendments

House Bill No. 899
Returned without amendments

House Bill No. 901
Returned without amendments

House Bill No. 905
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

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. 109—
BY REPRESENTATIVES JOHNSON AND ROY
A RESOLUTION

To express the sincere and heartfelt condolences of the House of Representatives upon the death of Father Kenneth Jude Roy.

Read by title.

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

HOUSE RESOLUTION NO. 110—
BY REPRESENTATIVES HONEY AND GALLOT
A RESOLUTION

To commend the Southern University Dancing Dolls upon the celebration of their fortieth anniversary.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 235—
BY REPRESENTATIVES CHAMPAGNE, LANDRY, AND PERRY
A CONCURRENT RESOLUTION

To commend Lee Bernard of Erath upon his receipt of the French Legion of Honor medal for his military service during World War II.

Read by title.

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

Ordered to the Senate.

Privileged Report of the Legislative Bureau

June 21, 2009

To the Speaker and Members of the House of Representatives:

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

Senate Bill No. 1
Reported without amendments.

Senate Bill No. 2
Reported without amendments.

Senate Bill No. 26
Reported without amendments.

Senate Bill No. 52
Reported without amendments.

Senate Bill No. 91
Reported without amendments.

Senate Bill No. 113
Reported without amendments.

Senate Bill No. 139
Reported without amendments.

Senate Bill No. 159
Reported without amendments.

Senate Bill No. 194
Reported without amendments.

Senate Bill No. 206
Reported without amendments.

Senate Bill No. 221
Reported without amendments.

Senate Bill No. 228
Reported without amendments.

Senate Bill No. 245
Reported without amendments.

Senate Bill No. 246
Reported without amendments.

Senate Bill No. 252
Reported without amendments.

Senate Bill No. 267
Reported without amendments.

Senate Bill No. 287
Reported without amendments.

Senate Bill No. 316
Reported without amendments.

Respectfully submitted,

WAYNE WADDELL
Chairman

Senate Instruments on Second Reading Returned from the Legislative Bureau

Rep. Fannin asked for and obtained a suspension of the rules to take up at this time the following Senate Bills and Joint Resolutions on second reading just returned from the Legislative Bureau, with a view of acting on the same:

SENATE BILL NO. 1—
BY SENATORS CHAISSON, ALARIO, BROOME, CHEEK, DONAHUE, N. GAUTREAUX, 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.

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 Reengrossed Senate Bill No. 1 by Senator Chaisson

AMENDMENT NO. 1

On page 1, line 2, after "(b)" and before "of the" insert "and to enact Article VII, Section 10(F)(4)(g)"

AMENDMENT NO. 2

On page 1, at the end of line 6, insert "to prohibit the limited redirection and transfer of certain funds;"

AMENDMENT NO. 3

On page 1, line 12, after "(b)" and before "of the" insert "and to enact Article VII, Section 10(F)(4)(g)"

AMENDMENT NO. 4

On page 2, line 3, after "(2)(a)" and before "Notwithstanding" insert "(i)"

AMENDMENT NO. 5

On page 2, line 18, after the period "." and before "Any" insert "(ii)"

AMENDMENT NO. 6

On page 2, between lines 22 and 23, insert the following:

"(iii) Any adjustments pursuant to this Subsubparagraph which are in excess of five percent shall not be applicable to any fund established by law or this constitution to the extent such dedication or appropriation is derived from the imposition, assessment, or collection of a fee. Any such adjustments pursuant to this Subsubparagraph which are in excess of five percent shall not exceed five percent for any line item appropriation from any fund established by law or this constitution."

AMENDMENT NO. 7

On page 2, line 23, after "(b)" and before "Notwithstanding" insert "(i)"

AMENDMENT NO. 8

On page 3, line 13, after the period "." and before "Any" insert "(ii)"

AMENDMENT NO. 9

On page 3, at the end of line 17, insert the following:

"(iii) Any adjustments pursuant to this Subsubparagraph which are in excess of five percent shall not be applicable to any fund established by law or this constitution to the extent such dedication

or appropriation is derived from the imposition, assessment, or collection of a fee. Any such adjustments pursuant to this Subsubparagraph which are in excess of five percent shall not exceed five percent for any line item appropriation from any fund established by law or this constitution.

(iv) For the purpose of this Subparagraph, and for the determination if monies are available for appropriation pursuant to Article VII, Section 10.3(C)(1), the Revenue Estimating Conference may include federal funds available as a result of the American Recovery and Reinvestment Act of 2009 in the official forecast."

AMENDMENT NO. 10

On page 3, between lines 18 and 19, insert the following:

"(4) The provisions of Subparagraphs (1) and (2) of this Paragraph shall not be applicable to, nor affect:

* * *

(g) The Transportation Trust Fund as provided in Article VII, Section 27 of this constitution.

* * *

AMENDMENT NO. 11

On page 4, line 6, after "constitution" change the period "." to a semicolon ";" and insert the following:

"to limit the amount to not more than five percent available for appropriation from a fund which is derived from the imposition, assessment, or collection of a fee; to authorize the incorporation of certain federal funds into the official revenue forecast for adjustments of allocations and appropriations and for use of the Budget Stabilization Fund. To prohibit adjustments of allocations and appropriations from the Transportation Trust Fund."

AMENDMENT NO. 12

On page 4, at the end of line 7, delete "(b)" and insert "(b); adds Article VII, Section 10(F)(4)(g))"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 2—

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

To repeal R.S. 39:75(F), relative to the avoidance of budget deficits; to repeal the limitation on the cumulative percentage reduction in constitutionally or statutorily protected or mandated appropriations, allocations, or expenditures; and to provide for an effective date.

Read by title.

Reported favorably by the Committee on Appropriations.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 26—

BY SENATORS N. GAUTREAUX, ADLEY, ALARIO, CHEEK, DUPRE, HEBERT, KOSTELKA, LONG, MARIONNEAUX, MARTINY, MICHOT, MORRISH, MURRAY, RISER, SHAW, SMITH AND WALSWORTH AND REPRESENTATIVES JANE SMITH, BILLIOT, BURFORD, HENRY BURNS, CHAMPAGNE, ELLINGTON, GISCLAIR, GUINN, MONTOUCET AND SIMON

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 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 favorably by the Committee on Ways and Means.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 52—

BY SENATOR MARIONNEAUX

AN ACT

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

Read by title.

Reported favorably by the Committee on Ways and Means.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 91—

BY SENATOR N. GAUTREAUX

AN ACT

To enact R.S. 47:6035, relative to tax credits for the individual or corporation income tax or corporation franchise tax; to provide a tax credit for certain qualified energy systems; to provide terms, conditions, and definitions; to provide for promulgation of rules and regulations; to provide 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 Reengrossed Senate Bill No. 91 by Senator N. Gautreaux

AMENDMENT NO. 1

On page 2, line 6, after "produce" and before "and" delete "electricity" and insert "energy"

AMENDMENT NO. 2

On page 2, at the beginning of line 7, delete "electricity" and insert "energy"

AMENDMENT NO. 3

On page 4, at the beginning of line 21, after "Revenue," and before "shall" insert "the Louisiana Department of Natural Resources, and the Louisiana Department of Environmental Quality,"

AMENDMENT NO. 4

On page 4, after line 27, insert the following:

"I. No tax credits shall be issued under this Section except to the extent federal funds from the American Recovery and Reinvestment Act of 2009 or another federal government program have been allocated to the state of Louisiana to fund the tax credits allowed by this Section. The department shall issue tax credits on a first come, first serve basis. In no event shall the total amount of tax credits allowed by this Section exceed the amount of federal funds allocated for such purposes."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

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.

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 Reengrossed Senate Bill No. 113 by Senator Marionneaux

AMENDMENT NO. 1

On page 1, line 12, after "products district," and before "or a " insert "a federal designated hub zone,"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 139—

BY SENATORS RISER, ADLEY, DORSEY, DUPRE, ERDEY, GRAY EVANS, KOSTELKA, LONG, MARIONNEAUX, MORRISH, THOMPSON AND WALSWORTH

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 sales tax exemptions; to provide that the sales tax exemption for sales of meals furnished to the staff, faculty, and students of educational institutions shall be applicable, operative, and effective; to provide for the exemption of the meal plans of certain educational institutions; to provide for retroactivity; 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 Reengrossed Senate Bill No. 139 by Senator Riser

AMENDMENT NO. 1

On page 2, line 19, after "furnished" and before "educational," delete "in connection with or by" and insert "to the public in"

AMENDMENT NO. 2

On page 2, at the end of line 20, delete "organizations" and insert "organization facilities"

AMENDMENT NO. 3

On page 2, line 24, after "purchased" delete the semicolon ";" and insert a period "." and delete the remainder of the line and delete lines 25 and 26 in their entirety

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 159—

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 47:6007 (C)(2)(c)(iv), relative to tax credits; to provide for the kinds of expenditures which qualify an infrastructure project for initial certification on or before December 31, 2008; 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 Engrossed Senate Bill No. 159 by Senator Marionneaux

AMENDMENT NO. 1

On page 2, line 4, after "qualify" and before "meeting" delete "for" and insert "as expenditures for purposes of"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 194—

BY SENATORS BROOME, DORSEY AND GRAY EVANS

AN ACT

To enact R.S. 47:6035, relative to tax credits; to provide a credit against the corporate income tax and the corporation franchise tax for employers who allow parental involvement in schools during working hours; 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 Engrossed Senate Bill No. 194 by Senator Broome

AMENDMENT NO. 1

On page 1, line 12, after "who" delete the remainder of the line and delete line 13 in its entirety, and insert "is a student attending school in kindergarten, first grade, second grade or third grade."

AMENDMENT NO. 2

On page 2, line 20, after "more than" and before "hours" delete "seven" and insert "four"

AMENDMENT NO. 3

On page 2, line 23, after "child" and before the period "." insert a comma "," and insert the following:

"which shall be limited to parent-teachers conferences, special presentations, and school-related committees, all during regular school hours"

AMENDMENT NO. 4

On page 2, line 26, after "provide" and before "notice" delete "reasonable" and insert "forty-eight hours"

AMENDMENT NO. 5

On page 2, line 29, after "amount" delete the remainder of the line, and on page 3, delete line 1 in its entirety and insert the following:

"per hour of leave granted by the employer which is equal to the lesser of forty-five dollars per hour or two and one-half times the employee's hourly wages."

AMENDMENT NO. 6

On page 3, between lines 9 and 10, insert the following:

"Section 2. The provisions of this Act shall be applicable for the taxable periods beginning on and after January 1, 2010 through December 31, 2011."

AMENDMENT NO. 7

On page 3, at the beginning of line 10, delete "Section 2." and insert "Section 3."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 206—

BY SENATORS ADLEY, DORSEY, DUPRE, ERDEY, LONG, MARIONNEAUX AND RISER

AN ACT

To amend and reenact R.S. 47:305.59, relative to the sales and use tax of the state and its political subdivisions; to exempt the sale and use of certain construction materials sold to certain organizations; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 221—

BY SENATORS BROOME AND DORSEY

AN ACT

To amend and reenact R.S. 47:2323(C) and to enact R.S. 47:2323(D) and 6035, relative to ad valorem taxation; to provide relative to valuation of property for ad valorem property tax purposes; to provide relative to exemption from state taxes; to establish a state housing tax credit program; to provide with respect to rules and regulations; 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 Engrossed Senate Bill No. 221 by Senator Broome

AMENDMENT NO. 1

On page 2, at the end of line 26, insert the following:

"The total amount of tax credits which may be granted in any calendar year shall not exceed two hundred fifty thousand dollars."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 228—

BY SENATOR GRAY EVANS

AN ACT

To enact R.S. 47:297.13, relative to individual income tax; to provide certain tax credits against certain taxes for certain homeowners who are also residential lessees; to provide for definitions; to provide for effective dates; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 245—

BY SENATORS ADLEY AND THOMPSON

AN ACT

To amend and reenact the introductory paragraphs of R.S. 47:6007(C)(1)(b) and (c), and R.S. 47:6007(C)(1)(c)(i) and (ii), and (5), to enact R.S. 47:6007(D)(2)(e), and to repeal R.S. 47:6007(C)(1)(d), relative to tax credits; to increase the motion picture investor tax credit; to provide with respect to the submission to the Department of Economic Development of a notarized statement by the applicant which demonstrates conformity with certain provisions of law; to provide for transfers of certain credits; to provide for the amount of payroll credit; 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 Reengrossed Senate Bill No. 245 by Senator Adley

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line and delete lines 3 and 4 in their entirety and from the beginning of line 5, delete "investor tax credit;" and insert the following:

"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;

AMENDMENT NO. 2

On page 1, line 8, after "credit;" and before "and" insert the following:

"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;"

AMENDMENT NO. 3

On page 1, line 11, after "Section 1." delete the remainder of the line and delete lines 12 and 13 in their entirety and insert the following:

"R.S. 47:6007 is hereby amended and reenacted to read as follows:"

AMENDMENT NO. 4

On page 1, delete line 15 in its entirety and insert the following:

"A. Purpose. The primary objective of this Section is to encourage development in Louisiana of a strong capital and infrastructure base for motion picture ~~film, videotape, digital, and television program productions~~ production in order to achieve an independent, self-supporting industry. This objective is divided into immediate and long-term objectives as follows:

(1) Immediate objectives are to:

(a) Attract private investment for the production of motion pictures, ~~videotape productions, and television programs~~ in Louisiana.

(b) Develop a tax and capital infrastructure which encourages private investment. This infrastructure will provide for state participation in the form of tax credits to encourage investment in state-certified productions ~~and infrastructure projects~~.

(c) Develop a tax infrastructure utilizing tax credits which encourage investments in multiple state-certified ~~production and infrastructure projects~~ productions.

(2) Long-term objectives are to:

(a) Encourage increased employment opportunities within this sector and increased global ~~competition~~ competitiveness with other states in fully ~~developing~~ utilizing economic development options within the ~~film and video~~ motion picture industry.

(b) Encourage new education curricula in order to provide a labor force trained in all aspects of film and digital production.

~~(c) Encourage development of a Louisiana film, video, television, and digital production and postproduction infrastructure with state-of-the-art facilities.~~

B. Definitions. For the purposes of this Section:

(1) "Base investment" ~~shall mean the actual investment made and expended by:~~

~~(a) A state-certified production in the state as production expenditures incurred in this state that are directly used in a state-certified production or productions.~~

~~(b) A person in the development of a state-certified infrastructure project means cash or cash equivalent investment made and used for production expenditures in the state for a state-certified production.~~

(2) "Division" means the division of administration of the office of the governor.

~~(3) "Expended in the state" in the case of tangible property shall mean property which is acquired from a source within the state and, in the case of services, shall mean services procured and performed~~

~~in the state means an expenditure to lease immovable property located in the state; an expenditure as compensation for services performed in the state; or an expenditure to purchase or lease tangible personal property within the state where the transaction is subject to the state sales or lease tax provisions of Title 47 of the Louisiana Revised Statutes. A transaction that is subject to the state sales or lease tax provisions of Title 47 of the Louisiana Revised Statutes shall include transactions which are also subject to a statutory exclusion or exemption.~~

(3) "Expenditure" shall mean actual cash or cash equivalent exchanged for goods or services.

(4) "Headquartered in Louisiana" shall mean a corporation incorporated in Louisiana or a partnership, limited liability company, or other business entity domiciled and headquartered in Louisiana for the purpose of producing nationally or internationally distributed motion pictures as defined in this Section.

(5) "Motion picture" means a nationally or internationally distributed feature-length film, video, television pilot, television series, television movie of the week, animated feature film, animated television series, or commercial made in Louisiana, in whole or in part, for theatrical or television viewing ~~or as a television pilot~~. The term "motion picture" shall not include the production of television coverage of news and athletic events.

(6) "Motion picture production company" ~~shall mean~~ means a company engaged in the business of producing nationally or internationally distributed motion pictures as defined in this Section. Motion picture production company shall not mean or include any company owned, affiliated, or controlled, in whole or in part, by any company or person which is in default on a loan made by the state or a loan guaranteed by the state, nor with any company or person who has ever declared bankruptcy under which an obligation of the company or person to pay or repay public funds or monies was discharged as a part of such bankruptcy.

(7) "Office" means the Governor's Office of Film and Television Development until August 15, 2006; thereafter, the term "office" means the office of entertainment industry development in the Department of Economic Development provided for in R.S. 51:938.1.

(8) "Payroll" ~~shall include all salary, wages, and other compensation, including related benefits sourced or apportioned to Louisiana~~ means all salary, wages, and other compensation, including benefits paid to an employee for services relating to a state-certified production and taxable in this state. However, "payroll" for purposes of the additional five percent tax credit for Louisiana-resident payroll shall exclude any portion of an individual salary in excess of one million dollars.

(9) "Production expenditures" means preproduction, production, and postproduction expenditures ~~directly incurred~~ in this state ~~that are directly used in~~ directly relating to a state-certified production, including without limitation the following: set construction and operation; wardrobes, ~~make-up~~ makeup, accessories, and related services; costs associated with photography and sound synchronization, lighting, and related services and materials; editing and related services; rental of facilities and equipment; leasing of vehicles; costs of food and lodging; digital or tape editing, film processing, transfer of film to tape or digital format, sound mixing, special and visual effects; ~~total aggregate payroll; music, if performed, composed, or recorded by a Louisiana musician, or released or published by a Louisiana-domiciled and headquartered company; airfare, if purchased through a Louisiana-based travel agency or travel company; insurance costs or bonding, if purchased through a Louisiana-based insurance agency; or other similar production expenditures as determined by rule and payroll.~~ This term shall not include postproduction expenditures for marketing and

~~distribution, any indirect costs, any amounts that are later reimbursed, any expenditures for marketing and distribution, non-production related overhead, amounts reimbursed by the state or any other governmental entity, costs related to the transfer of tax credits, or any amounts that are paid to persons or entities as a result of their participation in profits from the exploitation of the production, the application fee, or state or local taxes.~~

(10) "Resident" or "resident of Louisiana" means a natural person ~~and, for the purpose of determining eligibility for the tax incentives provided by this Chapter, any person domiciled in the state of Louisiana and any other person.~~ A person who maintains a permanent place of abode within the state and spends in the aggregate more than six months of each year within the state ~~shall be presumed to be domiciled in the state.~~

(11) "Secretary" means the secretary of the Department of Economic Development.

~~(12) "Source within the state" means a physical facility in Louisiana, operating with posted business hours and employing at least one full-time equivalent employee.~~

~~(13) "State" means the state of Louisiana.~~

~~(14) "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, the secretary of the Department of Economic Development, and the division of administration under such terms and conditions as are authorized by this Section. The term "infrastructure project" shall not include movie theaters or other commercial exhibition facilities.~~

~~(15) "State-certified production" shall mean a production approved by the office and the secretary of the Department of Economic Development which is produced by a motion picture production company domiciled and headquartered in Louisiana and which has a viable multi-market commercial distribution plan."~~

AMENDMENT NO. 5

On page 1, delete line 17 in its entirety and insert the following:

"(1) There is hereby authorized a tax credit against state income tax for Louisiana taxpayers for investment in state-certified productions, ~~other than motion picture production companies.~~ The tax credit shall be earned by investors at the time expenditures are made by a motion picture production company in a state-certified production. However, credits cannot be applied against a tax or transferred until the expenditures are certified by the office and the secretary of the Department of Economic Development. For state-certified productions, expenditures shall be certified no more than twice during the duration of a state-certified production unless the motion picture production company agrees to reimburse the office for the costs of any additional certifications. The tax credit shall be calculated as a percentage of the total base investment dollars certified per project.

(a) For state-certified productions approved by the office and the secretary on or after January 1, 2004, but before January 1, 2006:

(i) If the total base investment is greater than three hundred thousand dollars and less than or equal to eight million dollars, each taxpayer shall be allowed a tax credit of ten percent of the actual investment made by that taxpayer.

(ii) If the total base investment is greater than eight million dollars, each taxpayer shall be allowed a tax credit of fifteen percent of the actual investment made by that taxpayer.

(iii) The initial certification shall be effective for a period twelve months prior to and twelve months after the date of initial certification, unless the production has commenced, in which case the initial certification shall be valid until the production is completed."

AMENDMENT NO. 6

On page 2, delete line 3 in its entirety and insert the following:

"(i) If the total base investment is greater than three hundred thousand dollars, each investor shall be allowed a tax credit of twenty-five percent of the base investment made by that investor.

(ii) To the extent that base investment is expended on payroll for Louisiana residents employed in connection with a state-certified production, each investor shall be allowed an additional tax credit of ten percent of such payroll. However, if the payroll to any one person exceeds one million dollars, this additional credit shall exclude any salary for that person that exceeds one million dollars.

(iii) The initial certification shall be effective for a period twelve months prior to and twelve months after the date of initial certification, unless the production has commenced, in which case the initial certification shall be valid until the production is completed."

AMENDMENT NO. 7

On page 2, delete line 14 in its entirety and insert the following:

"(iii) The initial certification shall be effective for a period twelve months prior to and twelve months after the date of initial certification, unless the production has commenced, in which case the initial certification shall be valid until the production is completed.

~~(d) For state-certified productions approved by the office and the secretary on or after July 1, 2012:~~

~~(i) If the total base investment is greater than three hundred thousand dollars, each investor shall be allowed a tax credit of fifteen percent of the base investment made by that investor.~~

~~(ii) To the extent that base investment is expended on payroll for Louisiana residents employed in connection with a state-certified production, each investor shall be allowed an additional tax credit of ten percent of such payroll. However, if the payroll to any one person exceeds one million dollars, this additional credit shall exclude any salary for that person that exceeds one million dollars.~~

~~(iii) The initial certification shall be effective for a period twelve months prior to and twelve months after the date of initial certification, unless the production has commenced, in which case the initial certification shall be valid until the production is completed.~~

~~(e)(d) Motion picture investor tax credits associated with a state-certified production shall never exceed the total base investment in that production.~~

~~(2)(a) Beginning July 1, 2005, and ending on January 1, 2009, there shall be allowed a credit against state income tax for state-certified infrastructure projects which meet the criteria provided for in this Paragraph and which are approved by the office, the secretary of the Department of Economic Development, and the division of administration. The tax credit shall be equal to forty percent of the~~

base investment expended in this state on such project which is in excess of three hundred thousand dollars. The total tax credit allowed for any state-certified infrastructure project shall not exceed twenty-five million dollars, and the tax credit shall be earned and may be structured as provided for in this Paragraph:

(b)(i) An infrastructure project shall be approved if it is a film, video, television, or digital production or postproduction facility:

(ii) However, if all or a portion of an infrastructure project is a facility which may be used for other purposes unrelated to production or postproduction activities, then the project shall be approved only if a determination is made that the multiple-use facility will support and will be necessary to secure production or postproduction activity for the production and postproduction facility and the applicant provides sufficient contractual assurances that:

(aa) The facility will be used as a state-of-the-art production or postproduction facility, or as a support and component thereof, for the useful life of the facility.

(bb) No tax credits shall be earned on such multiple-use facilities until the production or postproduction facility is complete:

(c) Tax credits for infrastructure projects shall be earned only as follows:

(i) Construction of the infrastructure project shall begin within six months of the initial certification provided for in Subparagraph (D)(2)(c) of this Section.

(ii) Expenditures shall be certified by the office, the secretary, and the division as provided for in Paragraph (D)(2) of this Section, and credits are not earned until such certification.

(iii) Twenty-five percent of the total base investment provided for in the initial certification of an infrastructure project pursuant to Subparagraph (D)(2)(d) of this Section shall be certified as expended before any credits may be earned.

(iv) No tax credit shall be allowed for expenditures made for any infrastructure project after December 31, 2008, unless fifty percent of total base investment provided for in the initial certification of the project pursuant to Subparagraph (D)(2)(d) of this Section has been expended prior to that date. The expenditures may be finally certified at a later date.

(v) For purposes of allowing tax credits against state income tax liability and transferability of the tax credits, the tax credits shall be deemed earned at the time the expenditures are made, provided that all requirements of this Subsection have been met and after the tax credits have been certified.

(d) The office, the secretary, and the division may require the tax credits to be taken and/or transferred in the tax period in which the credit is earned or may structure the tax credit in the initial certification of the project to provide that only a portion of the tax credit be taken over the course of two or more tax years.

(3)(2) The credit shall be allowed against the income tax for the taxable period in which the credit is earned or for the taxable period in which initial certification authorizes the credit to be taken. If the tax credit allowed pursuant to this Section exceeds the amount of such taxes due for such tax period, then any unused credit may be carried forward as a credit against subsequent tax liability for a period not to exceed ten years.

(4)(3) Application of the credit.

(a) All entities taxed as corporations for Louisiana income tax purposes shall claim any credit allowed under this Section on their corporation income tax return.

(b) Individuals, estates, and trusts shall claim any credit allowed under this Section on their income tax return.

(c) Entities not taxed as corporations shall claim any credit allowed under this Section on the returns of the partners or members as follows:

(i) Corporate partners or members shall claim their share of the credit on their corporation income tax returns.

(ii) Individual partners or members shall claim their share of the credit on their individual income tax returns.

(iii) Partners or members that are estates or trusts shall claim their share of the credit on their fiduciary income tax returns."

AMENDMENT NO. 8

On page 2, at the beginning of line 15, change "(5)" to "(4)"

AMENDMENT NO. 9

On page 2, delete line 18 in its entirety and insert the following:

"(a) A single transfer or sale may involve one or more transferees. The transferee of the tax credits may transfer or sell such tax credits subject to the conditions of this Subsection.

(b) Transferors and transferees shall submit to the office, and to the Department of Revenue in writing, a notification of any transfer or sale of tax credits within thirty days after the transfer or sale of such tax credits. The notification shall include the transferor's tax credit balance prior to transfer, a copy of any tax credit certification letter(s) issued by the office and the secretary of the Department of Economic Development and, in the case of an infrastructure project, to the office, the secretary, and the division of administration, the name of the state-certified production or infrastructure project, the transferor's remaining tax credit balance after transfer, all tax identification numbers for both transferor and transferee, the date of transfer, the amount transferred, a copy of the credit certificate, price paid by the transferee to the transferor, in the case when the transferor is a state-certified production or state-certified infrastructure project, for the tax credits, and any other information required by the office or the Department of Revenue. For the purpose of reporting transfer prices, the term "transfer" shall include allocations pursuant to Paragraph (3)(2) of this Subsection as provided by rule. The office may post on its web site website an average tax credit transfer value, as determined by the office and the secretary of the Department of Economic Development to reflect adequately the current average tax credit transfer value. The tax credit transfer value means the percentage as determined by the price paid by the transferee to the transferor divided by the dollar value of the tax credits that were transferred in return. The notification submitted to the office shall include a processing fee of up to two hundred dollars per transferee, and any pricing information submitted by a transferor or transferee shall be treated by the office and the Department of Revenue as proprietary to the entity reporting such information and therefore confidential. However, this shall not prevent the publication of summary data that includes no fewer than three transactions.

(c) Failure to comply with this Paragraph will result in the disallowance of the tax credit until the taxpayers are in full compliance.

(d) The transfer or sale of this credit does not extend the time in which the credit can be used. The carryforward period for credit that is transferred or sold begins on the date on which the credit was originally earned or, in the case of a structured infrastructure credit, the date upon which the credit is allowed to be taken earned.

(e) To the extent that the transferor did not have rights to claim or use the credit at the time of the transfer, the Department of Revenue shall either disallow the credit claimed by the transferee or recapture the credit from the transferee through any collection method authorized by R.S. 47:1561. The transferee's recourse is against the transferor."

AMENDMENT NO. 10

On page 2, at the beginning of line 19, change "(f)(i)" to "(f)"

AMENDMENT NO. 11

On page 2, line 21, after "January 1, 2009," delete the remainder of the line and from the beginning of line 22, delete "second year thereafter" and insert "and ending on June 30, 2009"

AMENDMENT NO. 12

On page 2, line 23, after "two percent" delete the remainder of the line and at the beginning of line 24, delete "reaches eighty percent" and insert "for a value of seventy-four percent of the face value of the credits"

AMENDMENT NO. 13

On page 3, at the beginning of line 3, change "(ii)" to "(g)"

AMENDMENT NO. 14

On page 3, delete line 7 in its entirety and insert the following:

"~~(6)~~(5) The transferee shall apply such credits in the same manner and against the same taxes as the taxpayer originally awarded the credit.

~~(7)~~(6) Notwithstanding any other provision of law, on or after January 1, 2006, a state-certified production which receives tax credits pursuant to the provisions of this Chapter shall not be eligible to receive the rebates provided for in R.S. 51:2451 through 2461 in connection with the activity for which the tax credits were received."

AMENDMENT NO. 15

On page 3, delete lines 9 through 11 in their entirety and insert the following:

"(1)(a) The secretary of the Department of Economic Development and the office shall determine through the promulgation of rules the minimum criteria that a project must meet in order to qualify according to this Section. The secretary, the office, and the division of administration shall determine through the promulgation of rules the minimum criteria that a project must meet in order to qualify according to this Section.

(b) The secretary, the office, and the division of administration shall determine, through the promulgation of rules, an appeals process in the event that an application for or the certification of motion picture production ~~or infrastructure tax credits~~ tax credit is denied. The office shall promptly provide written notice of such denial to the Senate Committee on Revenue and Fiscal Affairs and the House Committee on Ways and Means.

(c) ~~Prior to adoption~~ In addition, these rules shall be approved by the House Committee on Ways and Means and the Senate Committee on Revenue and Fiscal Affairs in accordance with the provisions of the Administrative Procedure Act.

(d) When determining which productions ~~and infrastructure projects~~ may qualify, the office and the secretary of the Department of Economic Development ~~and, in the case of infrastructure projects, also the division of administration~~ shall take the following factors into consideration:

(i) The impact of the production ~~or infrastructure project~~ on the immediate and long-term objectives of this Section.

(ii) The impact of the production ~~or infrastructure project~~ on the employment of Louisiana residents.

(iii) The impact of the production ~~or infrastructure project~~ on the overall economy of the state.

(2)(a) Application. An applicant for the motion picture investor credit shall submit an application for initial certification to the office and the secretary of the Department of Economic Development ~~and, in the case of infrastructure projects, to the office, the secretary, and the division of administration~~ that includes the following information:

(i) For state-certified productions the application shall include:

(aa) The multi-market commercial distribution plan.

(bb) A preliminary budget including estimated Louisiana payroll and estimated base investment.

(cc) The script, including a synopsis.

(dd) A list of the principal creative elements, including the cast, producer, and director.

(ee) A statement that the production will qualify as a state-certified production.

(ff) Estimated start and completion dates.

~~(ii) For state-certified infrastructure projects the application shall include:~~

~~(aa) A detailed description of the infrastructure project.~~

~~(bb) A preliminary budget.~~

~~(cc) A complete detailed business plan and market analysis.~~

~~(dd) Estimated start and completion dates.~~

(b) If the application is incomplete, additional information may be requested prior to further action by the office or the secretary of the Department of Economic Development ~~or, in the case of infrastructure projects, the office, the secretary, and the division of administration~~. An application fee shall be submitted with the application based on the following:

(i) 0.2 percent times the estimated total incentive tax credits.

(ii) The minimum application fee is two hundred dollars, and the maximum application fee is five thousand dollars.

(c) The office and the secretary ~~and, in the case of infrastructure projects, the division~~ shall submit their initial certification of a project as a state-certified production ~~or infrastructure project~~ to investors and to the secretary of the Department of Revenue indicating the total base investment which shall be expended in the state on the state-certified production ~~or state-certified infrastructure project~~ ~~and, in the case of state-certified infrastructure projects, when such tax credits may be taken or transferred~~. The initial certification shall include a unique identifying number for each state-certified production.

(d) Prior to any final certification of the state-certified production ~~or infrastructure project~~, the motion picture production company ~~or applicant for the infrastructure project~~ shall submit to the office and the secretary ~~and, in the case of infrastructure projects, to~~

~~the office, the secretary, and the division, a cost report of production or infrastructure project an audit of the production expenditures audited and certified by an independent certified public accountant as determined by rule. The office and the secretary and, in the case of infrastructure projects, the office, the secretary, and the division shall review the production or infrastructure project expenses and will shall review the audit, the production expense details, and may require additional information needed to make a determination. Upon approval of the audit, the office and the secretary shall issue a final tax credit certification letter indicating the amount of tax credits certified for the state-certified production or state-certified infrastructure project to the investors. The rules required by this Subparagraph shall, at a minimum, require that:~~

- (i) The auditor shall be a certified public accountant licensed in the state of Louisiana and shall be an independent third party, not related to the producer.
- (ii) The auditor's opinion shall be addressed to the party which has engaged the auditor (e.g., directors of the production company, producer of the production).
- (iii) The auditor's name, address, and telephone number shall be evident on the report.
- (iv) The auditor's opinion shall be dated as of the completion of the audit fieldwork.
- (v) The audit shall be performed in accordance with auditing standards generally accepted in the United States of America and the auditor shall have sufficient knowledge of accounting principles and practices generally recognized in the film and television industry."

AMENDMENT NO. 16

On page 3, at the end of line 14, delete "or" and at the beginning of line 15, delete "infrastructure project applicant"

AMENDMENT NO. 17

On page 3, delete line 29 in its entirety and insert the following:

"(3) The secretary of the Department of Revenue, in consultation with the office and the secretary of the Department of Economic Development ~~and, in the case of infrastructure projects, also the division of administration,~~ shall promulgate such rules and regulations as are necessary to carry out the intent and purposes of this Section in accordance with the general guidelines provided herein.

(4)(i) Any taxpayer applying for the credit shall be required to reimburse the office for any audits required in relation to granting the credit.

(ii)(aa) The production ~~or infrastructure project~~ application fee provided for in Subparagraph (2)(b) of this Subsection received by the office shall be deposited upon receipt in the state treasury. After compliance with the requirements of Article VII, Section 9(B) of the Constitution of Louisiana relative to the Bond Security and Redemption Fund and prior to any money being placed into the general fund or any other fund, an amount equal to that deposited as required by this Item shall be credited by the treasurer to a special fund hereby created in the state treasury to be known as the Entertainment Promotion and Marketing Fund. The money in the fund shall be appropriated by the legislature to be used solely for promotion and marketing of Louisiana's entertainment industry.

(bb) The money in the fund shall be invested by the treasurer in the same manner as money in the state general fund and interest earned on the investment of the money shall be credited to the fund after compliance with the requirements of Article VII, Section 9(B)

of the Constitution of Louisiana relative to the Bond Security and Redemption Fund. All unexpended and unencumbered money in the fund at the end of the year shall remain in the fund.

(5) A motion picture production company applying for the additional credit for the employment of Louisiana residents must remit a schedule to the Department of Revenue, in a machine-sensible format approved by the secretary of the Department of Revenue, that includes the following information: the names of all persons who received salary, wages, or other compensation for services performed in Louisiana in connection with the state-certified production, and the address, taxpayer identification number, permanent address of, and the amount of compensation for services performed in Louisiana received by each such person.

(6) With input from the Legislative Fiscal Office, the office shall prepare a written report to be submitted to the Senate Committee on Revenue and Fiscal Affairs and the House of Representatives Committee on Ways and Means no less than sixty days prior to the start of the Regular Session of the Legislature in 2007, and every second year thereafter. The report shall include the overall impact of the tax credits, the amount of the tax credits issued, the number of net new jobs created, the amount of Louisiana payroll created, the economic impact of the tax credits and film industry, ~~the amount of new infrastructure that has been developed in the state,~~ and any other factors that describe the impact of the program.

(7) ~~Either the The Department of Economic Development or the Department of Revenue may audit the cost report~~ may request an additional audit of the expenditures submitted by the motion picture production company at the cost of the motion picture production company.

(8) As a condition for receiving certification of tax credits under this Section, state-certified productions may be required to display an animated state brand or logo, or both, which includes a fleur de lis as prescribed by the secretary of the Department of Economic Development as long as the animated state brand or logo is not contrary to any rule or regulation of the Federal Communications Commission.

E. Recapture of credits. If the office finds that monies for which an investor received tax credits according to this Section are not invested in and expended with respect to a state-certified production within twenty-four months of the date that such credits are earned, ~~and with respect to a state-certified infrastructure project also within the time provided for in Paragraph (C)(2) of this Section,~~ then the investor's state income tax for such taxable period shall be increased by such amount necessary for the recapture of credit provided by this Section.

F. Recovery of credits by Department of Revenue. (1) Credits previously granted to a taxpayer, but later disallowed, may be recovered by the secretary of the Department of Revenue through any collection remedy authorized by R.S. 47:1561 and initiated within three years from December thirty-first of the year in which the twenty-four-month investment period specified in Subsection E of this Section ends.

(2) The only interest that may be assessed and collected on recovered credits is interest at a rate three percentage points above the rate provided in R.S. 9:3500(B)(1), which shall be computed from the original due date of the return on which the credit was taken.

(3) The provisions of this Subsection are in addition to and shall not limit the authority of the secretary of the Department of Revenue to assess or to collect under any other provision of law."

AMENDMENT NO. 18

On page 4, at the beginning of line 1, change "Section 3." to "Section 2."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 246—

BY SENATORS CHEEK, NEVERS AND THOMPSON
AN ACT

To enact Part XXIX-A of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1299.97.1 through 1299.97.4, relative to the Electronic Health Records Loan Program; to provide findings and purpose; to provide definitions; to facilitate access to funding for acquisition and implementation of certified electronic health record technology by health care providers; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 252—

BY SENATORS WALSWORTH AND NEVERS
AN ACT

To enact Chapter 39-C of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:2399.1 through 2399.6, relative to economic development; to provide definitions for words and terms; to provide for a modernization tax credit; to provide the process for approval of the modernization tax credit; to provide for the promulgation of rules and regulations; to provide for penalties for false or fraudulent applications; 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 Reengrossed Senate Bill No. 252 by Senator Walsworth

AMENDMENT NO. 1

On page 4 delete lines 24 and 25 in their entirety and insert the following:

"(b) The total amount of modernization tax credits granted by the Department of Economic Development in any calendar year shall not exceed ten million dollars irrespective of the year in which claimed. The department shall by rule establish the method of allocating available tax credits to applicants, including but not limited to a first come, first served system, reservation of tax credits for a specified time period, or other method which the department, in its discretion, may find beneficial to the program. In the event that the total amount of credits granted in any calendar year is less than ten million dollars, any residual amount of unused credits shall carry forward for use in subsequent years and may be granted in addition to the ten million dollar limit for each year."

AMENDMENT NO. 2

On page 4, at the end of line 28, insert the following:

"No project placed in service before July 1, 2011 shall be eligible for the tax credit authorized pursuant to the provisions of this Section."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 267—

BY SENATORS MICHOT, APPEL, CROWE, DUPLESSIS, LONG, SMITH AND WALSWORTH AND REPRESENTATIVES HENRY BURNS, TIM BURNS, CHAMPAGNE, CONNICK, CORTEZ, DOVE, FOIL, LITTLE, MILLS, PERRY, PUGH, ROBIDEAUX, SIMON, SMILEY, JANE SMITH AND WILLMOTT

AN ACT

To enact R.S. 49:308.5, relative to special funds in the state treasury and dedicated money; to provide for an annual performance report of the activities funded by such special funds; to provide relative to the development of a plan and schedule relative to the biennial review of special funds and dedications; to provide for the biennial review and report of the findings of such review; to provide for exceptions; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 287—

BY SENATORS MARTINY, ALARIO, APPEL, MORRELL AND QUINN AND REPRESENTATIVES LABRUZZO, TEMPLET AND TUCKER

AN ACT

To enact R.S. 47:6034(B)(11) and (C)(1)(e), relative to the musical and theatrical production income tax credit; to provide relative to certain definitions; to authorize a tax credit for limited state-certified musical or theatrical productions; to provide for the amount of the credit; to provide for a sunset of the issuance of such 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.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 316—

BY SENATORS NEVERS, ALARIO, AMEDEE, APPEL, BROOME, CHEEK, CLAITOR, DONAHUE, DORSEY, DUPLESSIS, DUPRE, ERDEY, N. GAUTREAUX, GUILLORY, JACKSON, KOSTELKA, LAFLEUR, LONG, MARTINY, MICHOT, MOUNT, MURRAY, RISER, SMITH, THOMPSON AND WALSWORTH

AN ACT

To enact Chapter 18 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:2921 through 2932, to enact R.S. 23:6(15), and to repeal R.S. 17:183.4, 183.6, 183.7, 183.8,

and 183.9, relative to college and career readiness; to provide for programs to improve high school graduation rates and prepare students for postsecondary education and careers; to provide for the development of focused programs of study and related courses and curricula; to provide for student development of individual graduation plans; to provide relative to student guidance and counseling; to provide relative to programs for identification of and assistance to students at risk for being underprepared for the next level of study; to establish a high school graduation rate goal; to provide for consideration of improved graduation rates and completion of certain advanced coursework by the state educational accountability system; to provide relative to articulation and transfer of credit; to provide for consultation and collaboration with business and industry and the Louisiana Workforce Commission; to provide relative to the recruitment and training of certain instructional personnel; to provide for reporting and rules; to provide for implementation guidelines and timelines; to provide relative to funding; and to provide for related matters.

Read by title.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

Petitions, Memorials and Communications

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

Message from the Senate

SIGNED SENATE CONCURRENT RESOLUTIONS

June 21, 2009

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

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

Senate Concurrent Resolution Nos. 135, 136, and 137

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

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

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

Message from the Senate

SIGNED SENATE BILLS AND JOINT RESOLUTIONS

June 21, 2009

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

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

Senate Bill Nos. 58, 66, 84, 114, 125, 134, 147, 158, 160, 171, 187, 193, 215, 229, 239, 241, 262, 323, and 339

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

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

The Senate Bills and Joint Resolutions contained herein were signed by the Speaker of the House.

Privileged Report of the Committee on Enrollment

June 21, 2009

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

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

The following House Resolutions have been properly enrolled:

HOUSE RESOLUTION NO. 101—

BY REPRESENTATIVE RICHARD
A RESOLUTION

To urge and request the Department of Transportation and Development to designate a certain portion of Louisiana Highway 20 within Sugar Ridge Subdivision as a no- passing zone and to reduce the speed limit on Louisiana Highway 20 within Sugar Ridge Subdivision.

HOUSE RESOLUTION NO. 102—

BY REPRESENTATIVE JOHNSON
A RESOLUTION

To express sincere and heartfelt condolences upon the death of Margaret Ann Bennett Michel, longtime first lady of Marksville.

HOUSE RESOLUTION NO. 103—

BY REPRESENTATIVE GREENE
A RESOLUTION

To commend David K. Attenhofer of Baton Rouge upon his receipt of the Catholic Youth Leadership Award from the St. Thomas More Knights of Columbus Council 5530.

HOUSE RESOLUTION NO. 106—

BY REPRESENTATIVE ELLINGTON
A RESOLUTION

To express the sincere condolences of the Louisiana House of Representatives upon the death of Christian Price Baer.

HOUSE RESOLUTION NO. 107—

BY REPRESENTATIVE WILLIAMS
A RESOLUTION

To commend the Red River Marine Institute upon placing first overall in the Experiential Challenge Summer Games.

HOUSE RESOLUTION NO. 108—

BY REPRESENTATIVE ROSALIND JONES
A RESOLUTION

To urge and request the Board of Regents and the postsecondary education management boards to begin a concerted effort to improve the fundraising capacity of the state's postsecondary education institutions.

Respectfully submitted,

WAYNE WADDELL
Chairman

The above House Resolutions contained in the report were signed by the Speaker of the House and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Privileged Report of the Committee on Enrollment

June 21, 2009

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

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

The following House Concurrent Resolutions have been properly enrolled:

HOUSE CONCURRENT RESOLUTION NO. 89—

BY REPRESENTATIVE BARROW

A CONCURRENT RESOLUTION

To urge and request all civil service systems in the state to utilize electronic testing procedures for applicants for classified positions and to report to the legislature by February 1, 2010, on progress towards implementing such procedures.

HOUSE CONCURRENT RESOLUTION NO. 202—

BY REPRESENTATIVE WILLIAMS AND SENATOR JACKSON

A CONCURRENT RESOLUTION

To urge and request the division of administration to study the feasibility of consolidating state office space in Shreveport into a central downtown location.

HOUSE CONCURRENT RESOLUTION NO. 225—

BY REPRESENTATIVE HUTTER

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Transportation and Development to convene a conference to examine intermodal transportation in Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 226—

BY REPRESENTATIVE PATRICIA SMITH

A CONCURRENT RESOLUTION

To urge and request BrightStart, an interagency collaboration, to establish the Home Visiting Advisory Council in preparation for potential new federal funding of home visiting programs.

HOUSE CONCURRENT RESOLUTION NO. 228—

BY REPRESENTATIVE CARTER AND SENATOR CLAITOR

A CONCURRENT RESOLUTION

To commend Derbigny "Derby" Willis of Episcopal High School upon her selection as an alternate representative of Louisiana at the Hugh O'Brian World Leadership Congress in Washington, D.C.

HOUSE CONCURRENT RESOLUTION NO. 229—

BY REPRESENTATIVE LAFONTA

A CONCURRENT RESOLUTION

To proclaim July 6 through July 12, 2009, as Phi Beta Sigma Week.

HOUSE CONCURRENT RESOLUTION NO. 230—

BY REPRESENTATIVE GALLOT AND SENATOR KOSTELKA

A CONCURRENT RESOLUTION

To acknowledge April 1, 2010, as Census Day and to encourage Louisianians to participate in Census 2010.

HOUSE CONCURRENT RESOLUTION NO. 231—

BY REPRESENTATIVE SIMON

A CONCURRENT RESOLUTION

To urge and request the Louisiana Chapter of the American Institute of Architects (AIA) to create an advisory group to assist the commissioner of administration with the concept of universal design and its use in state buildings and to urge the commissioner to utilize such professional services.

Respectfully submitted,

WAYNE WADDELL
Chairman

The above House Concurrent Resolutions contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk of the House and were signed by the President of the Senate and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Privileged Report of the Committee on Enrollment

June 21, 2009

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

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

The following House Bills have been properly enrolled:

HOUSE BILL NO. 14—

BY REPRESENTATIVE BURFORD

AN ACT

To amend and reenact R.S. 33:1448(G) and to enact R.S. 33:1448(U), relative to the premium costs of group hospital and health insurance for retired sheriffs and retired deputy sheriffs in DeSoto Parish; to provide for eligibility for payment of premium costs; and to provide for related matters.

HOUSE BILL NO. 95—

BY REPRESENTATIVE MILLS

AN ACT

To amend and reenact R.S. 33:1448(G) and to enact R.S. 33:1448(U), relative to the premium costs of group hospital and health insurance for retired sheriffs and retired deputy sheriffs in St. Martin Parish; to provide for eligibility; and to provide for related matters.

HOUSE BILL NO. 112—

BY REPRESENTATIVE MONTOUCE

AN ACT

To amend and reenact R.S. 11:701(33)(a)(x) and (xi) and (b)(v) and to enact R.S. 11:701(33)(a)(xii), relative to the Teachers' Retirement System of Louisiana; to provide that membership in such system includes certain foreign teachers who are teaching in Louisiana on J visas; and to provide for related matters.

HOUSE BILL NO. 162—

BY REPRESENTATIVES SAM JONES AND CHAMPAGNE

AN ACT

To enact R.S. 56:796 and R.S. 36:610(F) and 917, relative to the Atchafalaya Basin Program; to create an advisory board in the Department of Wildlife and Fisheries to advise the secretary regarding the Lake Fausse Point and Grand Avoille Cove area; to provide relative to board composition, meetings, and functions; and to provide for related matters.

HOUSE BILL NO. 179—

BY REPRESENTATIVES STIAES, BALDONE, BARROW, BURRELL, DIXON, FRANKLIN, GISCLAIR, HARDY, HINES, NORTON, AND PATRICIA SMITH

AN ACT

To amend and reenact R.S. 17:24.4(F)(4)(a), relative to requirements for pupil progression; to provide with regard to the impact of established proficiency levels on certain tests on the progress of students in grades four and eight; to require the state superintendent of education to submit recommendations to the State Board of Elementary and Secondary Education relative to expanding opportunities for student promotion in limited circumstances; to require implementation of such recommendations; to provide for effectiveness; and to provide for related matters.

HOUSE BILL NO. 191—

BY REPRESENTATIVE DOVE

AN ACT

To amend and reenact R.S. 56:700.13(C), relative to the Oyster Lease Damage Evaluation Board; to provide relative to selection of a biologist to survey oyster beds to determine quality, condition, and value of said beds; and to provide for related matters.

HOUSE BILL NO. 320—

BY REPRESENTATIVES GALLOT AND DOWNS AND SENATORS KOSTELKA, THOMPSON, AND WALSWORTH

AN ACT

To amend and reenact R.S. 47:301(16)(m)(i) and (ii) and 337.10(I), to exempt from state and local sales and use taxes certain machinery and equipment used by glass container manufacturers; to authorize the granting of exemptions by a political subdivision; to provide for the duration of the exclusion; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 347—

BY REPRESENTATIVE DOWNS

AN ACT

To amend and reenact R.S. 44:4.1(B)(10) and to enact R.S. 22:42.1, relative to the Department of Insurance; to provide with respect to the confidentiality of certain health information; to provide for the definition of protected health information; to provide for limited disclosures by the department; and to provide for related matters.

HOUSE BILL NO. 349—

BY REPRESENTATIVE HAZEL

AN ACT

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

HOUSE BILL NO. 354—

BY REPRESENTATIVE GIROD JACKSON AND SENATOR MURRAY

AN ACT

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

HOUSE BILL NO. 390—

BY REPRESENTATIVES HENDERSON AND BALDONE

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.

HOUSE BILL NO. 400—

BY REPRESENTATIVES WILLIAMS, 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, GREENE, MICKEY GUILLORY, GUINN, HARDY, HARRISON, HINES, HONEY, HOWARD, HUTTER, MICHAEL JACKSON, KATZ, KLECKLEY, LABRUZZO, LAFONTA, LEBAS, LIGI, MILLS, NORTON, NOWLIN, PEARSON, PERRY, RICHARD, RICHMOND, RITCHIE, ROY, GARY SMITH, JANE SMITH, PATRICIA SMITH, STIAES, TUCKER, WILLMOTT, AND WOOTON

AN ACT

To amend and reenact R.S. 17:17.1(A)(1) and to enact R.S. 17:17.1(D), 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 provide for the establishment of school health advisory councils; to provide for council purposes, membership, and compensation; to provide for effectiveness; and to provide for related matters.

HOUSE BILL NO. 481—

BY REPRESENTATIVE ST. GERMAIN

AN ACT

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

HOUSE BILL NO. 501—

BY REPRESENTATIVE HOFFMANN AND SENATORS THOMPSON AND WALSWORTH

AN ACT

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

HOUSE BILL NO. 540—

BY REPRESENTATIVES BOBBY BADON AND MONTOU CET AND SENATOR B. GAUTREAU X

AN ACT

To amend and reenact R.S. 11:103(B)(3)(introductory paragraph) and (e)(introductory paragraph) and (i)(aa) and to enact R.S. 11:103(B)(3)(e)(i)(cc), relative to the Firefighters' Retirement System; to provide with respect to extending the period of amortizing actuarial gains and losses; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 546—

BY REPRESENTATIVE PERRY

AN ACT

To enact R.S. 41:727.1, relative to the transfer of certain sixteenth section lands by the Vermilion Parish School Board; to authorize the school board to sell certain specified sixteenth section properties; to provide relative to proceeds of the sales; and to provide for related matters.

HOUSE BILL NO. 557—

BY REPRESENTATIVE HOWARD

AN ACT

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

HOUSE BILL NO. 568—

BY REPRESENTATIVE HUTTER AND SENATORS DORSEY, THOMPSON, AND WALSWORTH

AN ACT

To enact R.S. 17:3129.9 through 3129.15 and R.S. 36:651(BB) and 801.5(C), relative to public postsecondary education institutions; to provide for a comprehensive system of articulation and transfer of credit between and among public education institutions; to provide for the creation of a statewide articulation and transfer council and its membership, powers, and duties; to provide for a statewide articulation agreement; to provide for a common core curriculum; to provide relative to the length of degree programs; to provide for the transfer of specified courses and associate degrees; to provide relative to admission of transfer students to four-year colleges and universities; to provide for implementation timelines; to provide for reporting requirements; to provide for program rules; to provide for effectiveness; and to provide for related matters.

HOUSE BILL NO. 570—

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

AN ACT

To enact R.S. 17:81(Q) and 3996(B)(21), to require the governing authority of a public elementary or secondary school to formulate, develop, adopt, and implement policies, procedures, and practices applicable to school employees relative to electronic communications by an employee at a school to a student enrolled at that school; to provide policy guidelines and requirements; to provide limitations and exceptions; to provide that the occurrence of certain electronic communications be reported by the school employee; to provide for immunity from civil liability; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 582—

BY REPRESENTATIVE BURRELL AND SENATOR JACKSON

AN ACT

To amend and reenact R.S. 33:2740.38(B), relative to the Shreveport Downtown Development District; to change the boundaries of the district; and to provide for related matters.

HOUSE BILL NO. 593—

BY REPRESENTATIVE BILLIOT

AN ACT

To enact R.S. 33:2955(A)(1)(j), relative to investments by political subdivisions; to provide for investment in debt instruments issued by the state; to provide for investment in debt instruments issued by other political subdivisions; to provide restrictions on such types of investment; and to provide for related matters.

HOUSE BILL NO. 622—

BY REPRESENTATIVE WILLMOTT

AN ACT

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

HOUSE BILL NO. 636—

BY REPRESENTATIVE MONICA AND SENATORS AMEDEE, DUPRE, N. GAUTREAUX, AND MICHOT

AN ACT

To amend and reenact R.S. 32:415.1(A)(1)(a) and (B) and R.S. 34:851.24(F)(2) and 851.36(A) and to enact R.S. 32:414(V) and 667(B)(5) and R.S. 34:851.8 and 851.31(B), relative to boat safety; to provide for suspension of the privilege and prohibition to operate a watercraft upon certain waterways; to provide for suspension of driver's license; to provide for hardship appeal; to provide for boating safety equipment; to provide for boating safety education; and to provide for related matters.

HOUSE BILL NO. 651—

BY REPRESENTATIVE ARMES AND SENATOR SMITH

AN ACT

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

HOUSE BILL NO. 666—

BY REPRESENTATIVE HENRY

AN ACT

To amend and reenact R.S. 32:387(H)(1)(c) and (J)(1) and (2)(a), relative to permits for transportation of sealed containers; to provide for a single-trip permit for a sealed ocean container to be issued for the container rather than the transport vehicle; to require certain information on the permit application form; to provide for transfer of the permit to another vehicle under certain circumstances; and to provide for related matters.

HOUSE BILL NO. 670—

BY REPRESENTATIVE ERNST

AN ACT

To amend and reenact R.S. 40:600.62(2) and (3), 600.63, 600.65, and 600.67, relative to The Road Home Program and The Road Home Corporation; to provide relative to the purpose of the corporation; to provide relative to the sale of property by the corporation; to provide for audit of the corporation by the legislative auditor; to provide relative to the nature of the corporation with respect to the state and its subdivisions; and to provide for related matters.

HOUSE BILL NO. 731—

BY REPRESENTATIVES DOWNS, ARMES, AUBERT, HENRY BURNS, TIM BURNS, CARMODY, CARTER, CHAMPAGNE, CONNICK, CORTEZ, DIXON, DOVE, FOIL, HARDY, HOFFMANN, LITTLE, PERRY, PUGH, RITCHIE, ROBIDEAUX, SIMON, SMILEY, JANE SMITH, PATRICIA SMITH, AND THIBAUT AND SENATORS APPEL, CROWE, KOSTELKA, LONG, MICHOT, SMITH, AND WALSWORTH

AN ACT

To amend and reenact R.S. 14:92.2(A)(2)(c) and R.S. 17:221(A)(1) and (2) and Children's Code Article 728(4) and to enact R.S. 14:92.2(B)(4) and R.S. 17:233(B)(1)(d)(iii) and (iv), all relative to the habitual absence and tardiness of students from school; to provide relative to the crime of improper supervision of a minor as it relates to habitually absent or tardy students; to provide penalties and minimum conditions of probation for certain violations by parents or legal custodians of such students including fines, school or community service, attendance in parenting classes and family counseling programs, and the suspension of certain licenses; to provide relative to multiple offenses committed by parents or legal guardians; to provide relative to definitions; and to provide for related matters.

HOUSE BILL NO. 741—

BY REPRESENTATIVES AUSTIN BADON, ARMES, BALDONE, BILLIOT, HENRY BURNS, TIM BURNS, CARTER, CHAMPAGNE, CHANDLER, CONNICK, CORTEZ, DOVE, DOWNS, FOIL, GISCLAIR, MICKEY GUILLORY, HARDY, HINES, HOFFMANN, KATZ, LIGI, LITTLE, MILLS, PERRY, PUGH, RITCHIE, ROBIDEAUX, ROY, SIMON, SMILEY, JANE SMITH, THIBAUT, TUCKER, AND WOOTON AND SENATORS APPEL, CROWE, DUPLESSIS, KOSTELKA, LONG, MICHOT, SMITH, AND WALSWORTH

AN ACT

To amend and reenact R.S. 17:81.9(A), (B), and (C) and to enact R.S. 17:81.9(L) and 430, relative to hiring procedures for public school employees; to provide relative to procedures and requirements for the disclosure of information regarding certain instances of sexual misconduct, abuse, and neglect committed by applicants for public school employment; to provide that violation of such disclosure requirements by any such applicant shall be a misdemeanor offense; to provide for penalties; to require applicants to sign certain statements prior to being hired; to provide for exceptions; to provide for definitions; and to provide for related matters.

HOUSE BILL NO. 767—

BY REPRESENTATIVES WILLIAMS AND SIMON AND SENATORS GRAY EVANS AND WALSWORTH

AN ACT

To amend and reenact R.S. 17:197.1(B)(2), relative to school nutrition; to provide relative to beverages offered for sale to students in public high schools; to provide for effectiveness; and to provide for related matters.

HOUSE BILL NO. 787—

BY REPRESENTATIVES BALDONE, AUBERT, BILLIOT, HENRY BURNS, DIXON, DOVE, GUINN, HOWARD, AND WOOTON AND SENATORS DUPRE AND MORRISH
AN ACT

To amend and reenact R.S. 38:301.1, relative to coastal area levee districts and parish governing authorities; to provide for certain levee districts and local parish governments to submit elevation reports; to provide for the name change of the office of public works, hurricane flood protection, and intermodal transportation; to provide for the authority to establish adequate drainage, flood control, and water resource development; to provide authority to enter into contracts or other agreements; and to provide for related matters.

HOUSE BILL NO. 829—

BY REPRESENTATIVE CORTEZ
AN ACT

To amend and reenact R.S. 38:3092(6), 3093, 3094(A)(introductory paragraph) and (1) through (5), (B)(introductory paragraph) and (7), (C)(introductory paragraph) and (1), 3097.3(C)(4)(a)(introductory paragraph) and (F)(1) and (2)(introductory paragraph), 3098(A)(introductory paragraph) and (B), 3098.1(4), 3098.2(A)(introductory paragraph), (2), and (5) and (B), 3098.4(7), 3098.5, 3098.6, and 3098.7(B), to enact R.S. 38:3092(7) and 3097.3(F)(2)(h) and (i), and to repeal R.S. 38:3096, 3097, 3098.3, and 3098.7(C), relative to ground water resources, water wells and drillers; to transfer duties and responsibilities relative to ground water resources, water wells and drillers from the Department of Transportation and Development, office of public works, to the office of conservation, Department of Natural Resources; and to provide for related matters.

HOUSE BILL NO. 883—

BY REPRESENTATIVE PERRY
AN ACT

To repeal Part VI of Chapter 3 of Title 25 of the Louisiana Revised Statutes of 1950, comprised of R.S. 25:295 through 295.3, relative to the Vermilion Parish Law Library Commission; to repeal such commission and the powers, rights, and duties of such commission; to provide for the transfer of any assets or liabilities of the commission; and to provide for related matters.

Respectfully submitted,
WAYNE WADDELL
Chairman

The above House Bills contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk and were signed by the President of the Senate and taken by the Clerk of the House to the Governor for executive approval.

Suspension of the Rules

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

House and House Concurrent Resolutions

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

Motion

Rep. Peterson moved that the Committee on Appropriations be discharged from further consideration of House Concurrent Resolution No. 160.

Rep. Fannin objected.

HOUSE CONCURRENT RESOLUTION NO. 160—

BY REPRESENTATIVES PETERSON, ARMES, BARROW, BROSETT, DIXON, FRANKLIN, GALLOT, GISCLAIR, MICKEY GUILLORY, HENDERSON, HONEY, MICHAEL JACKSON, ROSALIND JONES, SAM JONES, LAFONTA, MILLS, RICHMOND, RITCHIE, PATRICIA SMITH, ST. GERMAIN, STIAES, WILLIAMS, AND WOOTON
A CONCURRENT RESOLUTION

To authorize the Revenue Estimating Conference to incorporate certain monies available for appropriation from the Budget Stabilization Fund into the official forecast for Fiscal Year 2009-2010 and to authorize appropriation of such amounts.

Read by title.

Rep. Peterson withdrew her motion to discharge the Committee on Appropriations.

Adjournment

On motion of Rep. Brossett, at 10:05 P.M., the House agreed to adjourn until Monday, June 22, 2009 at 9:00 A.M.

The Speaker of the House declared the House adjourned until 9:00 A.M., Monday, June 22, 2009.

ALFRED W. SPEER
Clerk of the House