

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

EIGHTEENTH DAY'S PROCEEDINGS

**Thirty-sixth Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

House of Representatives
State Capitol
Baton Rouge, Louisiana

Wednesday, April 28, 2010

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

Morning Hour

ROLL CALL

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

PRESENT

Mr. Speaker	Franklin	McVea
Abramson	Gallot	Mills
Anders	Geymann	Monica
Armes	Gisclair	Montoucet
Arnold	Greene	Morris
Aubert	Guillory	Norton
Badon, A.	Guinn	Nowlin
Badon, B.	Hardy	Pearson
Baldone	Harrison	Perry
Barras	Hazel	Ponti
Barrow	Henderson	Pope
Billiot	Henry	Pugh
Brossett	Hill	Richard
Burford	Hines	Richardson
Burns, H.	Hoffmann	Richmond
Burns, T.	Howard	Ritchie
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
Cromer	LaBruzzo	Stiaes
Danahay	LaFonta	Talbot
Dixon	Lambert	Templet
Doerge	Landry	Thibaut
Dove	LeBas	Thierry
Downs	Leger	Waddell
Edwards	Ligi	White

Ellington	Little	Williams
Fannin	Lopinto	Willmott
Foil	Lorusso	Wooton
Total - 102		

The Speaker announced that there were 102 members present and a quorum.

Prayer

Prayer was offered by Rep. Hoffmann.

Pledge of Allegiance

Rep. Simon 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 April 27, 2010, was adopted.

**Petitions, Memorials, and
Communications**

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

Message from the Senate

SENATE BILLS

April 28, 2010

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

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

Senate Bill Nos. 375, 378, and 590

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. 375—

BY SENATORS MORRELL, CROWE, DORSEY AND MARIONNEAUX
AN ACT

To amend and reenact R.S. 14:62.8(B)(2) and to enact R.S. 14:2(B)(42), relative to the crime of home invasion; to provide for penalties at hard labor under certain circumstances; and to provide for related matters.

Read by title.

SENATE BILL NO. 378—

BY SENATORS MORRELL AND DORSEY
AN ACT

To amend and reenact R.S. 46:1844(C)(3), relative to criminal procedure; to provide that a parent may refuse to allow their minor children to be interviewed by certain persons; to provide penalties for willful disregard of rights; and to provide for related matters.

Read by title.

SENATE BILL NO. 590—
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 37:2418(F)(2) and to enact R.S. 37:2418(F)(4), relative to physical therapist assistants; to provide for supervision requirements; and to provide for related matters.

Read by title.

Suspension of the Rules

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

**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. 132—
BY REPRESENTATIVE PERRY

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to adopt and submit to the states for ratification the Parental Rights Amendment to the Constitution of the United States.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 133—
BY REPRESENTATIVE MICHAEL JACKSON

A CONCURRENT RESOLUTION

To express support for the Louisiana Commission on HIV, AIDS, and Hepatitis C and the Louisiana AIDS Advocacy Network in requesting urgent disbursement of additional federal funding for Louisiana AIDS Drug Assistance Programs.

Read by title.

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

Ordered to the Senate.

**Senate Concurrent Resolutions
Lying Over**

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

SENATE CONCURRENT RESOLUTION NO. 33—
BY SENATOR PETERSON

A CONCURRENT RESOLUTION

To direct the division of administration to publicly disclose the savings to be achieved by outsourcing services currently performed by state employees and the benefits, including but not limited to health insurance and retirement benefits, that the proposed contractor will be providing its employees who will be performing such services before any contract is entered into which changes the manner in which the state provides services to its citizens.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 40—
BY SENATOR B. GAUTREAUX

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to support continued investment and progress in alleviating the problem of hypoxia in the Gulf of Mexico.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 54—
BY SENATOR MURRAY

A CONCURRENT RESOLUTION

To express support for the Louisiana Commission on HIV, AIDS, and Hepatitis C and the Louisiana AIDS Advocacy Network in requesting urgent disbursement of additional federal funding for Louisiana AIDS Drug Assistance Programs.

Read by title.

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

**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. 53—

BY SENATORS N. GAUTREAUX AND WALSWORTH
AN ACT

To amend and reenact R.S. 46:236.15(D)(1)(a), and to enact R.S. 27:2(C) and (D) and 24(A)(5), relative to support; to provide for public policy regarding gaming and child support; to provide for the intercept and seizure of payments of progressive slot machine annuities and cash gaming winnings for the payment of child support and overpayments to the department; to provide certain procedures and conditions; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 73—

BY SENATOR HEITMEIER
AN ACT

To amend and reenact R.S. 3:2465(C), relative to operating procedures for animal shelters; to prohibit euthanasia by carbon monoxide gas chambers on cats and dogs beginning on January 1, 2013 and thereafter; to prohibit euthanasia by intracardiac injection on a conscious animal; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 97—

BY SENATOR MORRISH
AN ACT

To enact R.S. 11:783(D)(1)(c), (d) and (e), relative to the Teachers' Retirement System of Louisiana; to provide for a change in beneficiary under certain circumstances; to provide for an effective date; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 130—
BY SENATOR MORRELL

AN ACT

To enact R.S. 46:236.1.5(D) and Chapter 13-D of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1441 through 1449, relative to child support; to provide relative to the collection of child support through private party child support collection agencies; to provide for definitions; to provide for the regulation of services of private party child support collection agencies; to provide relative to prohibited practices and penalties; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Civil Law and Procedure.

SENATE BILL NO. 134—
BY SENATOR B. GAUTREAU

AN ACT

To amend and reenact R.S. 11:104 and Chapter 3 of Subtitle I of Title 11 of the Louisiana Revised Statutes of 1950, comprised of R.S. 11:121 through 127, relative to the Public Retirement Systems' Actuarial Committee; to provide relative to membership, officers, meetings, duties, and staffing of the committee; to provide for an effective date; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 168—
BY SENATOR WALSWORTH

AN ACT

To amend and reenact R.S. 8:606(B) and (C), and 706 and to enact R.S. 8:1(22.1) and 606(D), relative to cemeteries; to provide for commencement and completion requirements of mausoleums or similar structures; to provide for commencement and the completion requirements of improvements on undeveloped cemetery property; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 185—
BY SENATOR N. GAUTREAU

A JOINT RESOLUTION

Proposing to amend Article I, Section 10(B) of the Constitution of Louisiana, relative to disqualifications from seeking or holding elective office; to prohibit a person convicted of a felony under the laws of another state or under the laws of the United States or under the laws of a foreign government or country, and who has exhausted all legal remedies and has not been pardoned, from qualifying as a candidate for elective public office; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

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

SENATE BILL NO. 218—
BY SENATOR APPEL

AN ACT

To enact R.S. 9:4815, relative to the Private Works Act; to provide for the escrow of funds due under certain contracts; to provide for the duties of an escrow agent; to provide for the release of funds from escrow; to provide for exceptions; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Civil Law and Procedure.

SENATE BILL NO. 256—
BY SENATOR CHAISSON

AN ACT

To enact Part IV of Chapter 4 of Code Title VII of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:3131.1 through 3131.9, relative to the Louisiana Exchange Sale of Receivables Act; to provide for legislative intent; to provide for definitions; to provide for the scope; to provide for the true sale status of sales of receivables over exchanges located in Louisiana; to provide for the binding effectiveness of Louisiana law to such sales of receivables; to provide for buyer ownership rights; to provide for relationship with the Uniform Commercial Code; to provide for agreements; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Civil Law and Procedure.

SENATE BILL NO. 257—
BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 36:3(4) and (7), 4(A)(10), 8(E)(2)(d), 9(C), 471(A), (B) and (C), 472, 473, 474(A)(8), (B)(1)(a)(i) and (b), 475, 475.1(A), (B) and (C), and 477 and to repeal R.S. 36:474(E) and 476, relative to the Department of Social Services; to rename the Department of Social Services the Department of Children and Family Services; to provide for the reorganization of the department; to provide for definitions; to provide for fiscal oversight and program evaluation; to provide for designation of certain organizational units; to provide for the composition of the department; to provide for the officers of the department; to provide for deputy secretaries; to provide for the undersecretary and the division of management and finance; to provide for the office of children and family services; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 282—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact Code of Criminal Procedure Art. 401(A)(5), relative to qualifications of jurors; to provide for persons who have been convicted of a felony but not received a pardon by the governor; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 291—
BY SENATOR DONAHUE

AN ACT

To amend and reenact R.S. 37:2171.2(B) and to enact R.S. 37:2171.2(C), relative to requirements for building permits; to require nonresident contractors to provide certain additional information prior to issuance of a permit; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 320—
BY SENATOR QUINN

AN ACT

To amend and reenact Subpart E of Part III of Chapter 1 of Code Title V of Code Book I of Title 9 of the Louisiana Revised Statutes of 1950, presently comprised of R.S. 9:355.1 through 355.17, to be comprised of R.S. 9:355.1 through 355.19, relative to the relocation of the residence of a child; to provide for definitions; to provide for applicability; to provide for the proposal of relocation; to provide for notice; to provide for an objection; to provide for the limitation on an objection to relocation by non-parents; to provide for the failure to object; to provide for court authorization to relocate; to provide for a temporary order; to provide for the priority for hearings; to provide for factors to determine relocation; to provide for the appointment of a mental health expert; to provide for the burden of proof; to provide for a modification of custody; to provide for the posting of security; to provide for sanctions; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Civil Law and Procedure.

SENATE BILL NO. 361—
BY SENATOR SMITH

AN ACT

To amend and reenact Civil Code Articles 538, 549, 553, 558, 567 through 569, 573 through 575, 577, 580, 581, 583, 584, 586 through 594, 601, 603, 604, 608, 613, 615, 616, 618 through 620, and 623 through 625, and to enact Civil Code Articles 568.1, 568.2, and 568.3, relative to usufruct; to provide for the continuous revision; to provide for the general principles; to provide for the capacity to receive; to provide for voting shares of stock; to provide for improvements and alterations; to provide for contracts affecting liability; to provide for disposition of nonconsumables; to provide for obligations and rights; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Civil Law and Procedure.

SENATE BILL NO. 376—
BY SENATORS MORRELL, CROWE AND DORSEY

AN ACT

To amend and reenact R.S. 46:1844(W)(1)(b) and to enact R.S. 46:1844(W)(1)(c), relative to criminal procedure; to provide for confidentiality of minors who are crime victims; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 457—
BY SENATOR APPEL

AN ACT

To amend and reenact R.S. 9:4203 and 4206, relative to the Louisiana Binding Arbitration Law; to provide certain procedures, requirements, and conditions regarding evidence; to provide relative to payment of deposits, fees, or expenses; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Civil Law and Procedure.

SENATE BILL NO. 530—
BY SENATOR BROOME

AN ACT

To enact R.S. 37:797, relative to the Louisiana State Board of Dentistry; to provide for the employment of dentists by certain non-profit entities eligible for certain federal grants; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 644—
BY SENATOR BROOME

AN ACT

To enact Chapter 2-A of Title XVI of the Louisiana Children's Code, comprised of Arts. 1623 through 1643, and to repeal Chapter 2 of Title XVI of the Louisiana Children's Code, comprised of Arts. 1608 through 1622, relative to the Interstate Compact for the Placement of Children; to authorize the state to enter into an interstate compact on the placement of children; to provide procedures, terms, conditions, requirements, and effects; to provide purposes and definitions; to provide relative to compact applicability; to provide relative to jurisdiction, assessments, placement, and state responsibility; to establish an interstate commission for the placement of children and provide for its powers, duties, membership, procedures, organization, operation, officers and staff; to provide certain qualified immunity, defenses, and indemnification; to provide for rulemaking functions and procedures; to provide for the effects of rules promulgated by the commission; to provide for judicial review of such rules; to provide for oversight of the compact by the commission; to provide for dispute resolution and enforcement of the compact; to provide for financing of the commission; to provide for effective dates of the compact; to provide for withdrawal and dissolution of the compact; to provide for legal effects of the compact; to provide for Indian tribes; to provide for rulemaking authority by the Department of Social Services; to provide certain effective dates; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Civil Law and Procedure.

SENATE BILL NO. 691—
BY SENATORS WALSWORTH AND THOMPSON

AN ACT

To amend and reenact R.S. 33:9039.52(A)(2) and (7) and to enact R.S. 33:9039.52(A)(8) and (9), relative to composition of the Northeast Louisiana Film Commission; to provide for changes in membership; and to provide for related matters.

Read by title.

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

**House and House Concurrent Resolutions
Reported by Committee**

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

HOUSE CONCURRENT RESOLUTION NO. 2—
BY REPRESENTATIVE LANDRY

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Bar Association and the Louisiana Supreme Court to develop a centralized system for monitoring the certification and registration of mediators and to

make the list of currently certified mediators readily available to the general public.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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

HOUSE CONCURRENT RESOLUTION NO. 115—
BY REPRESENTATIVES DOWNS, AUBERT, HENRY BURNS,
FRANKLIN, AND SAM JONES
A CONCURRENT RESOLUTION

To provide recommendations related to alternative funding sources for transportation infrastructure projects within the state of Louisiana and the impact of viable funding sources on transportation and Louisiana taxpayers.

Read by title.

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

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

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

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

HOUSE BILL NO. 7—
BY REPRESENTATIVES WADDELL AND LEGER
AN ACT

To enact Subpart AA of Part I of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:120.85, relative to state individual income tax return checkoffs for certain donations; to provide for a method for individuals to donate a portion of any refund due to them to the Louisiana Chapter of the National Multiple Sclerosis Society; to provide for the disposition of such donated monies; to establish the Louisiana Chapter of the National Multiple Sclerosis Society Fund as a special escrow fund in the state treasury; to provide for the administration and use of monies in the fund; to authorize the secretary of the Department of Revenue to make certain deposits into the fund; to provide for reporting; 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. 7 by Representative Waddell

AMENDMENT NO. 1

On page 1, line 6, after "Society;" delete the remainder of the line, delete line 7 in its entirety and at the beginning of line 8, delete "on the income tax return;"

AMENDMENT NO. 2

On page 2, at the beginning of line 5, delete "A.(1) Donation of Refund." and insert "A."

AMENDMENT NO. 3

On page 2, delete lines 15 through 21 in their entirety

AMENDMENT NO. 4

On page 3, at the beginning of line 3, delete "C.(1) Disposition of donated refunds." and insert "C."

AMENDMENT NO. 5

On page 3, line 7, after "fund." and before "The" insert the following

"This transfer shall occur within one hundred twenty days of the date upon which the return was received, or the due date of the return, whichever is later."

AMENDMENT NO. 6

On page 3, delete lines 10 through 15 in their entirety

AMENDMENT NO. 7

On page 3, at the end of line 25, change "2011" to "2010"

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. 137—
BY REPRESENTATIVE ABRAMSON
AN ACT

To amend and reenact Code of Civil Procedure Articles 44(B), 596, 1293(B), 1313(A)(4) and (B), 1462(B) and (C), 3652, 3656, 3662, 5152, and R.S.13:3471(8), relative to the continuous revision of the Code of Civil Procedure; to provide for service by private persons; to provide for class action prescription; to provide for service by electronic means; to provide for the right of a surety to plead discussion; to provide for discovery of electronic information; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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

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

HOUSE BILL NO. 140—
BY REPRESENTATIVE LITTLE
AN ACT

To amend and reenact R.S. 32:297.1, relative to mini-trucks; to remove restrictions on the use of mini-trucks on state roads and highways; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 246—

BY REPRESENTATIVES POPE AND JANE SMITH
A JOINT RESOLUTION

Proposing to add Article VII, Section 21(C)(20) of the Constitution of Louisiana, relative to ad valorem property tax exemptions; to provide an exemption for certain property owned by certain disabled veterans and their spouses; to provide for submission of the proposed amendment to the electors; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

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

HOUSE BILL NO. 263—

BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact Children's Code Article 313 and R.S. 46:236.2(B) and to enact R.S. 9:311(G), relative to child support proceedings; to provide for the jurisdiction of juvenile courts; to provide for the proper party to enforce obligations; to provide for the modification of support; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 263 by Representative Baldone

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 46:236.2(B)(2)" to "R.S. 46:236.2(B) and to enact R.S. 9:311(G)"

AMENDMENT NO. 2

On page 1, at the end of line 2, delete "the"

AMENDMENT NO. 3

On page 1, at the beginning of line 3, delete "transfer of"

AMENDMENT NO. 4

On page 1, line 4, after "obligations;" and before "and" insert "to provide for the modification of support;"

AMENDMENT NO. 5

On page 2, line 4, change "R.S. 46:236.2(B)(2)" to "R.S. 46:236.2(B)"

AMENDMENT NO. 6

On page 2, delete lines 7 through 19 in their entirety and insert the following:

"B.(1)(a) Any interested party may by a written motion, together with a written certification from the department that the department is not presently furnishing and does not contemplate furnishing FITAP for or on behalf of an individual and that no

services are being rendered by the department on behalf of the individual, obtain from the court to which ~~rendered~~ the order to support ~~such~~ the individual had previously been transferred, an amended order to require that support payments be made payable to the individual or caretaker instead of the department.

(b) If the support order was originally established in juvenile, family, or district court, any interested party may, by written motion, together with a written certification from the department that it is not presently furnishing and does not contemplate furnishing FITAP for or on behalf of an individual and that no support enforcement services are being rendered by the department, obtain from the court which rendered the order of support, an amended order requiring payments in accordance with the order to be made to the individual or caretaker instead of the department. When the motion is granted, the individual or caretaker to whom support is owed, shall be the proper party to enforce the support obligation or any arrears owed.

~~(b)~~ (c) As used in this Paragraph, "interested party" shall include only the department, the person owing the support obligation, or the individual or caretaker to whom the support obligation is owed.

(2)(a) Notwithstanding the provisions of R.S. 13:1599(B) and 1621(C), in cases receiving support enforcement services from the department, upon the district attorney's or the department's motion to transfer, a support order amended to change the payee to the individual or caretaker instead of the department under this Subsection, shall be transferred for subsequent enforcement and modification to the appropriate court which was enforcing the support order prior to its transfer under Paragraph (A)(2) of this Section.

(b) Notwithstanding the provisions of R.S. 13:1599(B) and 1621(C), in cases not receiving support enforcement services from the department, upon motion to transfer by the interested party, a support order amended to change the payee to the individual or caretaker in accordance with Subparagraph (1)(b) of this Subsection, shall be transferred for subsequent enforcement and modification to the district or family court in the same parish as the juvenile court transferring the order.

* * *

Section 3. R.S. 9:311(G) is hereby enacted to read as follows:

"§311. Modification of support; material change in circumstances; periodic review by DSS; medical support

* * *

G. A modified order for support shall be retroactive to the filing date of the rule for modification."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 298—

BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact R.S. 32:197, relative to roadways and bicycle paths; to allow persons riding bicycles upon a roadway the option of riding a bicycle on the improved shoulder under certain circumstances; and to provide for related matters.

Read by title.

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

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

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

HOUSE BILL NO. 325—
BY REPRESENTATIVE STIAES

A JOINT RESOLUTION

Proposing to amend Article VII, Sections 18(G)(5) and 20(A)(10) of the Constitution of Louisiana, relative to ad valorem taxes on a homestead which has been destroyed or is uninhabitable due to a disaster; to authorize an extension of the homestead exemption and special assessment level for such homesteads under certain circumstances; to provide for the claiming of the extension of the homestead exemption and the special assessment level; to provide for certain limitations and requirements; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 325 by Representative Stiaes

AMENDMENT NO. 1

On page 2, line 25, after "disaster" and before the period "." insert the following:

"or if a homeowner has a damage claim filed and pending against the property's insurer or insurers"

AMENDMENT NO. 2

On page 2, line 29, after "process" and before "as" insert the following:

"or official documentation evidencing the homeowner has a claim filed and pending against the property's insurer or insurers"

AMENDMENT NO. 3

On page 4, at the end of line 1, after "disaster" and before the period "." insert the following:

"or if a homeowner has a damage claim filed and pending against the property's insurer or insurers"

AMENDMENT NO. 4

On page 4, line 4, after "process" and before "as" insert the following:

"or official documentation evidencing the homeowner has a claim filed and pending against the property's insurer or insurers"

AMENDMENT NO. 5

On page 4, line 24, after "disaster" and before the semicolon ";" insert the following:

"or if a homeowner has a damage claim filed and pending against the property's insurer or insurers"

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

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

HOUSE BILL NO. 398—
BY REPRESENTATIVE LANDRY

AN ACT

To amend and reenact R.S. 9:2781(E) and to enact R.S. 9:2781(F), relative to suits on open accounts; to provide for the award of reasonable attorney fees in certain circumstances; to provide for definitions; to provide procedures for obtaining a judgment for attorney fees; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 398 by Representative Landry

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 9:2781(E)" and before the comma ",", insert "and to enact R.S. 9:2781(F)"

AMENDMENT NO. 2

On page 1, at the end of line 3, insert "to provide procedures for obtaining a judgment for attorney fees;"

AMENDMENT NO. 3

On page 1, line 6, after "reenacted" and before "to" insert "and R.S. 9:2781(F) is hereby enacted"

AMENDMENT NO. 4

On page 1, after line 16, add the following:

"F. If the judgment creditor incurs attorney fees after judgment on the principal demand associated with enforcement of the judgment, the judgment creditor may obtain judgment for those attorney fees and additional court costs by filing a rule to show cause along with an affidavit from counsel for the judgment creditor setting forth the attorney fees incurred. If the judgment debtor does not file with the court a memorandum in opposition at least eight days prior to the hearing on the rule, the court may award the attorney fees and court costs as prayed for without the necessity of an appearance in court by counsel for the judgment creditor. The amount of any post-judgment award of attorney fees and costs shall be added to the total to be recovered on the principal demand through any existing writ or garnishment proceedings."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 481—
BY REPRESENTATIVE ROY

AN ACT

To amend and reenact R.S. 33:1423.1(B) and (C), relative to collection of certain taxes and other obligations by sheriffs and ex officio tax collectors; to authorize sheriffs and ex officio tax collectors to employ certain parties to aid in the collection of certain delinquent taxes and obligations; to provide for the payment of services on a fee basis; to provide for the amount of the fee; and to provide for related matters.

Read by title.

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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. 481 by Representative Roy

AMENDMENT NO. 1

On page 2, line 2, after "Orleans" and before "enter" delete "shall" and insert "may"

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. 540—

BY REPRESENTATIVE GISCLAIR
AN ACT

To enact R.S. 38:301(C)(1)(b)(iii), (2)(h), and (4), relative to the South Lafourche Levee District; to provide relative to the appropriation of property by the district; to provide relative to notification of property owners; to provide relative to challenges to an appropriation or compensation paid for appropriated property; and to provide for related matters.

Read by title.

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

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

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

HOUSE BILL NO. 558—

BY REPRESENTATIVE ROSALIND JONES
AN ACT

To amend and reenact R.S. 40:34(B)(1)(a)(iv) and to enact R.S. 13:4751(E), relative to the surname of a minor; to provide for the vital records form; to provide for the contents of a birth certificate; to provide for the surname of a minor born outside of marriage; to provide for the filing of a petition for name change; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 558 by Representative Rosalind Jones

AMENDMENT NO. 1

On page 2, line 1, delete "If the father" and delete line 2 in its entirety

AMENDMENT NO. 2

On page 2, line 3, delete "support, if the mother agrees, the surname of the child shall be that of the father."

AMENDMENT NO. 3

On page 2, line 15, change "in accordance with Subsection B of this Section" to "by filing a petition setting forth the reasons for the change in the district court of the parish of the residence of the child"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 579—

BY REPRESENTATIVE SAM JONES
AN ACT

To amend and reenact R.S. 47:818.40(F) relative to motor fuel taxes; to provide relative to surety bond requirements of certain licensees; to require the secretary of the Department of Revenue to waive surety bond requirements for certain licensees under certain circumstances; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 579 by Representative Sam Jones

AMENDMENT NO. 1

On page 2, line 1, after "secretary" delete the remainder of the line and delete lines 2 through 4 in their entirety and insert the following:

"is authorized to waive the furnishing of a surety bond by a terminal operator if no less than seventy-five percent of the direct owners and seventy-five percent of the ownership interest of the terminal are direct owners of a business formerly licensed as a distributor that was granted a bond waiver and is currently licensed as a supplier, and such business has and agrees to maintain assets in Louisiana of a net value of not less than one and one-fourth times the amount of the bond which would otherwise be required."

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. 595—

BY REPRESENTATIVE STIAES
AN ACT

To amend and reenact R.S. 47:1703(E), relative to ad valorem taxes on a homestead which has been destroyed or is uninhabitable due to a disaster; to authorize an extension of the homestead exemption and special assessment level for such homesteads under certain circumstances; to provide for the claiming of the extension of the homestead exemption and the special assessment level; to provide for certain limitations and requirements; 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. 595 by Representative Stiaes

AMENDMENT NO. 1

On page 2, line 12, after "disaster" and before the period "." insert the following:

"or if a homeowner has a damage claim filed and pending against the property's insurer or insurers"

AMENDMENT NO. 2

On page 2, line 15, after "process" and before the period "." insert the following:

"or official documentation evidencing the homeowner has a damage claim filed and pending against the property's insurer or insurers"

AMENDMENT NO. 3

On page 3, line 22, after "disaster" and before the period "." insert the following:

"or if a homeowner has a damage claim filed and pending against the property's insurer or insurers"

AMENDMENT NO. 4

On page 3, line 26, after "process" and before the period "." insert the following:

"or official documentation evidencing the homeowner has a claim filed and pending against the property's insurer or insurers"

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. 694— BY REPRESENTATIVE SAM JONES AN ACT

To enact R.S. 38:329.3(I), relative to the St. Mary Levee District; to provide for the transfer of certain property from the Atchafalaya Basin Levee District to the St. Mary Levee District; and to provide for related matters.

Read by title.

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

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

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

HOUSE BILL NO. 713— BY REPRESENTATIVES CHAMPAGNE, BARRAS, AND SAM JONES AN ACT

To enact R.S. 38:291(AA), relative to levee districts; to create the Iberia Parish Levee, Hurricane, and Conservation District; to provide for jurisdictional limits; to provide for a board of commissioners, to provide for appointment of commissioners, terms of office, and determination of domicile; and to provide for related matters.

Read by title.

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

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

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

HOUSE BILL NO. 763— BY REPRESENTATIVE GARY SMITH AN ACT

To amend and reenact R.S. 9:4822(K)(1), relative to notices under the Private Works Act; to require notice of a lien under certain circumstances; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Civil Law and Procedure.

The substitute was read by title as follows:

HOUSE BILL NO. 1465 (Substitute for House Bill No. 763 by Representative Gary Smith)— BY REPRESENTATIVE GARY SMITH AN ACT

To amend and reenact R.S. 9:4802(G)(2), relative to notices under the Private Works Act; to require notice of a lien under certain circumstances; and to provide for related matters.

Read by title.

On motion of Rep. Timothy Burns, the substitute was adopted and became House Bill No. 1465 by Rep. Gary Smith, on behalf of the Committee on Civil Law and Procedure, as a substitute for House Bill No. 763 by Rep. Gary Smith.

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

HOUSE BILL NO. 850— BY REPRESENTATIVE ROY AN ACT

To enact R.S. 47:2153(B)(7), relative to ad valorem tax; to authorize the collection of a refundable deposit from certain participants at a tax sale; to provide for use of deposits; to provide for refunds; 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. 850 by Representative Roy

AMENDMENT NO. 1

On page 1, line 13, after "require" delete the remainder of the line and insert "all registered tax sale participants to provide a deposit equal to ten percent of the required minimum bid prior"

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. 863—
BY REPRESENTATIVES STIAES AND LEGER
AN ACT

To enact R.S. 32:300.8, relative to motor vehicles; to prohibit the use of hand-held wireless telecommunications devices while operating motor vehicles; to provide for penalties; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 863 by Representative Stiaes

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 32:" delete "300.5(D) and" and after "relative to", delete "commercial"

AMENDMENT NO. 2

On page 1, line 3, after "operating" delete "commercial"

AMENDMENT NO. 3

On page 1, line 6, after "R.S. 32:" delete "300.5(D) and"

AMENDMENT NO. 4

On page 1, line 6, change "are" to "is"

AMENDMENT NO. 5

On page 1, delete lines 7 through 12 in their entirety

AMENDMENT NO. 6

On page 1, line 13, after "§300.8", delete "Commercial motor" and insert "Motor" in lieu thereof

AMENDMENT NO. 7

On page 1, line 16, after "operating a", delete "commercial"

AMENDMENT NO. 8

On page 1, line 17, after "vehicle" delete ", as defined by 32:401(5)."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 940—
BY REPRESENTATIVE MONTOUCET
A JOINT RESOLUTION

Proposing to amend Article I, Section 17(A) of the Constitution of Louisiana, relative to jury trials in criminal cases; to provide for with respect to the waiver of a trial by jury; to provide that a criminal defendant's waiver of a jury trial shall be contingent upon the prosecution's consent and court approval; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 947—
BY REPRESENTATIVE RICHMOND
A JOINT RESOLUTION

Proposing to amend Article IV, Section 5(E)(introductory paragraph) and (1) of the Constitution of Louisiana, to provide that the Board of Pardons may grant reprieves, commute sentences, issue pardons, and remit fines and forfeitures, subject to veto by the governor; to provide that the recommendations of the board shall become effective twenty days after notification to the governor, unless vetoed by the governor; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Engrossed House Bill No. 947 by Representative Richmond

AMENDMENT NO. 1

On page 2, delete lines 21 through 23 in their entirety and insert the following:

"To transfer the authority to grant reprieves, commute sentences, issue pardons, and remit fines and forfeitures from the governor to the Board of Pardons; to provide that the actions of the Board of Pardons shall automatically become effective unless vetoed by the governor within twenty days of receipt."

AMENDMENT NO. 2

On page 2, line 24, delete "by the governor."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 998—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To enact R.S. 19:2(13) and R.S. 30:4(C)(18), relative to the transportation of hydrogen; to provide for the expropriation of property; to provide for authority of the commissioner of conservation; to provide for the issuance of certificates of public necessity; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1023—

BY REPRESENTATIVE FOIL

AN ACT

To enact R.S. 48:461.1(10), (11), and (12), 461.2(C), and 461.6(C), relative to outdoor advertising; to provide for definitions; to allow certain outdoor advertising to be considered legal and conforming; to permit new display sign technologies under certain circumstances; to provide for certain procedures relative to outdoor advertising subject to expropriation by the state; to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 1023 by Representative Foil

AMENDMENT NO. 1

On page 1, line 12, after "means" and before "signs that" insert "existing"

AMENDMENT NO. 2

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

"(4) A conforming out-of-standard sign shall be maintained in compliance with all laws and regulations governing nonconforming signs.

* * *

AMENDMENT NO. 3

On page 3 line 14, after "and" and before "receive" insert the following:

"the owner of the outdoor advertising shall"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1125—

BY REPRESENTATIVE WILLIAMS

AN ACT

To enact R.S. 32:202 and R.S. 47:463.141, relative to special prestige license plates; to provide for the creation and issuance of the "Share the Road" license plate; to provide for fees and distribution of fees; to provide for the promulgation of rules and regulations; to create the Louisiana Bicycle and Pedestrian Safety Fund; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1159—

BY REPRESENTATIVE GREENE

AN ACT

To amend and reenact R.S. 40:1299.96(A)(2)(b), relative to charges for health care records; to provide for the fees charged for copying records; to prohibit additional charges for providing copies of records; to provide for exceptions; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 1159 by Representative Greene

AMENDMENT NO. 1

On page 1, line 4, after "records;" and before "and" insert "to provide for exceptions;"

AMENDMENT NO. 2

On page 2, line 2, after "generated" and before "upon" insert a comma "," and insert "except microfilm."

AMENDMENT NO. 3

On page 2, line 3, after "generated" and before "in" insert a comma "," and insert "maintained, or stored"

AMENDMENT NO. 4

On page 2, line 5, change "five hundred" to "three hundred fifty"

AMENDMENT NO. 5

On page 2, line 6, change "fifteen" to "twenty-five"

AMENDMENT NO. 6

On page 2, line 8, after "are" delete the remainder of the line and delete lines 9 and 10 in their entirety and at the beginning of line 11, delete "exceed fifteen dollars and actual postage." and insert the following:

"generated, maintained, or stored in digital format, copies may be requested to be provided in digital format and charged at the rate provided by this Item; however, the charges for providing digital copies shall not exceed one hundred dollars, including all postage and handling charges actually incurred."

AMENDMENT NO. 7

On page 2, line 15, after "records" and before the period "." delete "by dates of treatment"

AMENDMENT NO. 8

On page 2, at the end of line 20, change the period "." to a comma "," and insert "except for notary fees and fees for expedited requests as contracted by the parties."

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AMENDMENT NO. 9

On page 2, line 23, change "microfilm, and electronic and" to "and other"

AMENDMENT NO. 10

On page 2, line 24, change "the actual" to "reasonable"

AMENDMENT NO. 11

On page 2, line 25, after "providers." and before "If" insert "If the patient X-rays and other imaging media are generated, maintained, or stored in digital format, copies may be requested to be provided in digital format and charged at the rate provided by this Item; however, the charges for providing digital copies shall not exceed two hundred dollars, including all postage and handling charges actually incurred."

AMENDMENT NO. 12

On page 2, line 27, delete the comma and "microfilm, and electronic and" insert "and other"

AMENDMENT NO. 13

On page 2, at the end of line 28, delete the comma and "microfilm, and" and on line 29, change "electronic and" to "and other"

AMENDMENT NO. 14

On page 3, at the beginning of line 3, delete "by dates of treatment"

AMENDMENT NO. 15

On page 3, at the end of line 3, delete the comma and "microfilm, and" and on line 4, change "electronic and" to "and other"

AMENDMENT NO. 16

On page 3, at the end of line 7, delete the comma and "microfilm, and" and on line 8, change "electronic and" to "and other"

AMENDMENT NO. 17

On page 3, at the end of line 9, change the period "." to a comma "," and insert "except for notary fees and fees for expedited requests as contracted by the parties."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1235—

BY REPRESENTATIVES AUSTIN BADON AND LEGER
AN ACT

To enact R.S. 32:300.8, relative to the use of telephones and electronic communication devices while driving; to prohibit text messaging and e-mailing while driving; to provide for penalties; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 1235 by Representative Austin Badon

AMENDMENT NO. 1

On page 3, at the end of line 2, insert the following:

"All fines imposed for violations of this Section shall be transferred to the Transportation Trust Fund."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1243—

BY REPRESENTATIVE DOWNS
AN ACT

To amend and reenact R.S. 38:2214(A), relative to public contracts; to remove the requirement that a public entity include the time and place for bids in its resolution; and to provide for related matters.

Read by title.

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

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

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

HOUSE BILL NO. 1251—

BY REPRESENTATIVES CONNICK, CHAMPAGNE, CORTEZ, FANNIN, GEYMAN, HAZEL, LAMBERT, LEBAS, LEGER, LIGI, MCVEA, MORRIS, SMILEY, AND WHITE
AN ACT

To enact R.S. 39:116, relative to capital outlay; to require certain information relative to capital outlay projects to be reported annually; to provide relative to the information that must be reported; to provide for certain requirements; 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. 1251 by Representative Connick

AMENDMENT NO. 1

On page 2, at the beginning of line 8, after "Budget" delete the remainder of the line, and delete lines 9 and 10 in their entirety, and insert the following:

"and Joint Legislative Committee on Capital Outlay for review. Each entity which receives an appropriation of state capital outlay monies shall assist the office of facility planning in the provision of any

information with respect to a capital outlay project which may be necessary for the preparation of the report required under this Section. The failure of any entity to submit the requisite information to the office of facility planning shall result in the exclusion of the project from the governor's next capital outlay budget submission and unused cash or bond proceeds for the project shall be subject to re-appropriation."

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. 1268—
BY REPRESENTATIVE BROSSETT
AN ACT

To enact R.S. 47:463.141, relative to motor vehicle special prestige license plates; to provide for the creation and issuance of such plates; to provide for the design of such plates; to provide relative to the fee and distribution of fees for such plates; to authorize the promulgation of rules and regulations; and to provide for related matters.

Read by title.

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

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

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

HOUSE BILL NO. 1285—
BY REPRESENTATIVE MCVEA
AN ACT

To enact R.S. 47:463.141, relative to special prestige license plates; to provide for the creation, issuance, and design of the "Rare and Endangered Species" license plate; to provide for fees and the requirement of fees to be deposited into the "Rare and Endangered Species Fund"; to provide for the promulgation of rules and regulations; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 1285 by Representative McVea

AMENDMENT NO. 1

On page 2, line 19, after "species" and before "habitats" insert "and their"

AMENDMENT NO. 2

On page 2, line 19, change "Office of Wildlife" to "office of wildlife"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1325—
BY REPRESENTATIVE RICHMOND
AN ACT

To amend and reenact R.S. 48:1656(23), relative to the Regional Transit Authority; to provide for the general powers of the Regional Transit Authority; to provide a limitation of liability to certain entities; to provide for definitions; and to provide for related matters.

Read by title.

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

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

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

HOUSE BILL NO. 1414—
BY REPRESENTATIVE TUCKER
AN ACT

To amend and reenact R.S. 40:600.4(A)(1) and (5) and 600.6(A)(4)(a) and to enact R.S. 40:600.5(H) and 600.6(E), relative to the Louisiana Housing Finance Agency; to provide for changes to the board of commissioners; to provide for legislative oversight; to provide for annual reporting; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Original House Bill No. 1414 by Representative Tucker

AMENDMENT NO. 1

On page 2, line 4, between "to review" and "by the Joint" insert "and approval"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1464 (Substitute for House Bill No. 1089 by Representative Ellington)—
BY REPRESENTATIVE ELLINGTON
AN ACT

To enact R.S. 32:1268.3 and to repeal R.S. 32:1268.1(B), relative to repurchase of marine products; to provide for the repurchase of marine products by a manufacturer, distributor, or wholesaler; to provide for termination agreements; to provide for exemptions; and to provide for related matters.

Read by title.

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

Under the rules, placed on the regular calendar.

Reconsideration

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

HOUSE BILL NO. 51—
BY REPRESENTATIVE CHAMPAGNE
A JOINT RESOLUTION

Proposing to amend Article IV, Section 3(B) of the Constitution of Louisiana, to provide a limitation on the number of terms a person may serve in certain statewide elected offices; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

On motion of Rep. Champagne, the vote by which the above House Bill failed to pass on the previous legislative day was reconsidered.

Returned to the calendar under the rules.

Suspension of the Rules

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

House Bills and Joint Resolutions on Third Reading and Final Passage

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

Regular Calendar

HOUSE BILL NO. 403—
BY REPRESENTATIVE PEARSON
AN ACT

To enact R.S. 17:3.1, relative to meetings of the State Board of Elementary and Secondary Education; to provide for live broadcasts over the Internet of meetings of the board and its committees; to provide for the recording and archiving of meetings of the board and committees; to provide for public access to such archived meetings; to provide a special effective date; and to provide for related matters.

Read by title.

Rep. Pearson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Burford	Hoffmann	Richardson
Burns, H.	Howard	Richmond
Burns, T.	Hutter	Ritchie
Carmody	Jackson G.	Roy
Carter	Johnson	Schroder
Champagne	Jones, R.	Simon
Chandler	Jones, S.	Smith, G.
Chaney	Katz	Smith, J.
Connick	Kleckley	Smith, P.
Cortez	LaBruzzo	St. Germain
Danahay	LaFonta	Stiaes
Doerge	Lambert	Talbot
Dove	Landry	Templet
Downs	LeBas	Thibaut
Edwards	Leger	Thierry
Ellington	Ligi	Waddell
Fannin	Little	White
Foil	Lopinto	Williams
Franklin	Lorusso	Willmott

Total - 96

NAYS

Total - 0

ABSENT

Burrell	Jackson M.	Wooton
Cromer	Robideaux	
Dixon	Smiley	

Total - 7

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Consent to Correct a Vote Record

Rep. Downs requested the House consent to record his vote on final passage of House Bill No. 403 as yea, which consent was unanimously granted.

Consent to Correct a Vote Record

Rep. Katz requested the House consent to record her vote on final passage of House Bill No. 403 as yea, which consent was unanimously granted.

HOUSE BILL NO. 405—
BY REPRESENTATIVE DIXON
AN ACT

To amend and reenact R.S. 17:7(5), relative to the powers, duties, and responsibilities of the State Board of Elementary and Secondary Education; to provide that the board shall prepare and adopt rules and regulations for the use of seclusion, physical restraint, and mechanical restraint of students; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Dixon to Engrossed House Bill No. 405 by Representative Dixon

AMENDMENT NO. 1

On page 1, line 4, change "rules" to "guidelines, rules,"

AMENDMENT NO. 2

On page 1, line 5, change "students;" to "certain students;"

AMENDMENT NO. 3

On page 1, at the beginning of line 13, change "adopt" to "adopt guidelines."

AMENDMENT NO. 4

On page 1, line 13, after "rules" insert a comma ","

AMENDMENT NO. 5

On page 1, at the end of line 13, change "the use of" to "the appropriate use of"

AMENDMENT NO. 6

On page 1, line 14, change "students." to "students with exceptionalities as defined in R.S. 17:1942."

AMENDMENT NO. 7

On page 1, line 15, delete "government" and insert "governance"

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

Motion

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

HOUSE BILL NO. 569—
BY REPRESENTATIVES CARMODY AND HAZEL
AN ACT

To amend and reenact R.S. 56:116.1(B)(10) and (D), relative to hunting; to provide for times, places, and methods of taking outlaw quadrupeds and beaver; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Henderson to Engrossed House Bill No. 569 by Representative Carmody

AMENDMENT NO. 1

On page 1, line 3, after "quadrupeds" insert a comma "," and "nutria."

AMENDMENT NO. 2

On page 1, line 17, after "quadrupeds" insert a comma "," and "nutria."

AMENDMENT NO. 3

On page 2, line 1, after "quadrupeds" insert a comma "," and "nutria."

AMENDMENT NO. 4

On page 2, line 8, after "quadrupeds" insert a comma "," and "nutria."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Mills
Abramson	Geymann	Morris
Anders	Gisclair	Norton
Arnold	Greene	Pearson
Aubert	Guillory	Perry
Badon, A.	Guinn	Ponti
Badon, B.	Harrison	Pugh
Baldone	Hazel	Richard
Barras	Henderson	Richardson
Barrow	Henry	Richmond
Billiot	Hill	Ritchie
Brossett	Hines	Schroder
Burford	Hoffmann	Simon
Burns, H.	Hutter	Smiley
Burns, T.	Jackson G.	Smith, G.
Carmody	Jackson M.	Smith, J.
Carter	Jones, R.	Smith, P.
Champagne	Jones, S.	St. Germain
Chandler	Katz	Stiaes
Chaney	Kleckley	Talbot
Cortez	LaBruzzo	Templet
Danahay	LaFonta	Thibaut
Doerge	Lambert	Thierry
Dove	Leger	Waddell
Downs	Ligi	White
Ellington	Little	Williams
Fannin	Lopinto	Willmott
Foil	Lorusso	Wooton
Franklin	McVea	
Total - 86		

NAYS

Armes	Johnson	Montoucet
Cromer	Landry	Roy
Howard	Monica	
Total - 8		

ABSENT

Burrell	Edwards	Nowlin
Connick	Hardy	Pope
Dixon	LeBas	Robideaux
Total - 9		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 590—
BY REPRESENTATIVE KLECKLEY
AN ACT

To amend and reenact R.S. 40:1568(B) and to enact R.S. 40:1568(D), relative to the state fire marshal; to provide the state fire marshal with the authority to issue subpoenas, summon witnesses, and administer oaths and affirmations when investigating fires of suspicious origin; to require fire marshal employees to serve any process that is issued by the state fire marshal when investigating fires of suspicious origin; to provide that a person who fails to properly answer a subpoena issued by

the state fire marshal shall be punishable by the judge as contempt; to authorize the judge to enforce obedience by fine, imprisonment, or both; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Waddell on behalf of the Legislative Bureau to Engrossed House Bill No. 590 by Representative Kleckley

AMENDMENT NO. 1

On page 2, line 25, following "of this" and before "shall" change "Paragraph" to "Subsection"

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

NAYS

Total - 0

ABSENT

Burrell	Edwards	Nowlin
Connick	Hardy	Robideaux
Cromer	LeBas	Thibaut
Dixon	Norton	

Total - 11

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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.

HOUSE BILL NO. 723—
BY REPRESENTATIVE CONNICK
AN ACT

To amend and reenact R.S. 42:65(A) and (C), relative to dual officeholding and dual employment; to provide relative to remedies and penalties related thereto; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 734—
BY REPRESENTATIVE PEARSON
AN ACT

To amend and reenact R.S. 42:1123(36), relative to governmental ethics; to provide relative to the time period during which public employees may accept certain donations and contributions from specified not-for-profit organizations or funds within the organizations; to provide for the not-for-profit organizations or funds who may donate or contribute such funds; to provide for the deadline by which the organizations must report such donations and contributions to the Board of Ethics; to provide relative to the effectiveness of such provisions; and to provide for related matters.

Read by title.

Rep. Pearson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Cromer	LaBruzzo	Talbot
Danahay	LaFonta	Templet
Dixon	Lambert	Thibaut
Doerge	Landry	Thierry
Dove	Leger	White
Downs	Ligi	Williams
Edwards	Little	Willmott
Ellington	Lopinto	Wooton
Fannin	Lorusso	
Total - 98		

NAYS

Total - 0

ABSENT

Hardy	Nowlin	Waddell
LeBas	Robideaux	
Total - 5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 745—

BY REPRESENTATIVE WHITE

AN ACT

To amend and reenact R.S. 17:66(A)(2) and to enact R.S. 41:904, relative to certain school systems in East Baton Rouge Parish; to provide for the transfer of certain sixteenth section lands between the East Baton Rouge Parish School System and the Central Community School System; to provide relative to the geographic boundaries of the Central Community School System; and to provide for related matters.

Read by title.

Rep. White moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Dixon	Katz	Stiaes
Doerge	Kleckley	Talbot
Dove	LaBruzzo	Thibaut
Downs	LaFonta	Thierry
Edwards	Lambert	White
Ellington	Leger	Williams
Fannin	Ligi	Willmott
Total - 90		

NAYS

Total - 0

ABSENT

Barras	Monica	Templet
Burford	Montoucet	Waddell
Chandler	Nowlin	Wooton
Landry	Pearson	
LeBas	Robideaux	
Total - 13		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 758—

BY REPRESENTATIVE HUTTER

AN ACT

To enact R.S. 42:1141(E)(13), relative to enforcement of laws within the jurisdiction of the Board of Ethics; to require that certain information be made available to a person accused of violating such laws; to provide relative to the confidentiality of such information; to provide procedures and requirements for the provision of such information; to provide for exceptions; 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	Mills
Anders	Gallot	Monica
Armes	Geymann	Montoucet
Arnold	Gisclair	Morris
Aubert	Greene	Norton
Badon, A.	Guillory	Perry
Badon, B.	Guinn	Ponti
Baldone	Hardy	Pope
Barrow	Harrison	Pugh
Billiot	Hazel	Richard
Brossett	Henderson	Richardson
Burford	Henry	Richmond
Burns, H.	Hill	Ritchie
Burns, T.	Hoffmann	Roy
Burrell	Howard	Simon
Carmody	Hutter	Smiley
Carter	Jackson G.	Smith, G.
Champagne	Jackson M.	Smith, J.
Chandler	Johnson	Smith, P.
Chaney	Jones, R.	St. Germain
Connick	Jones, S.	Stiaes
Cortez	Katz	Talbot

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Cromer	Kleckley	Templet
Danahay	LaFonta	Thibaut
Dixon	Lambert	Thierry
Doerge	Landry	Waddell
Dove	Leger	White
Downs	Ligi	Williams
Edwards	Little	Willmott
Fannin	Lorusso	
Foil	McVea	

Total - 91

NAYS

Abramson	Hines	Lopinto
----------	-------	---------

Total - 3

ABSENT

Barras	LeBas	Robideaux
Ellington	Nowlin	Schroder
LaBruzzo	Pearson	Wooton

Total - 9

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 761—

BY REPRESENTATIVES WHITE, CHAMPAGNE, CONNICK, CORTEZ, FANNIN, GEYMAN, HARRISON, LABRUZZO, LAMBERT, LEBAS, LEGER, LIGI, MCVEA, MORRIS, PEARSON, GARY SMITH, PATRICIA SMITH, AND STIAES

AN ACT

To enact R.S. 42:1124.2(A)(5), relative to financial disclosure; to require certain disclosures by certain public employees; to provide for the content of such disclosures; to provide for penalties; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative White to Engrossed House Bill No. 761 by Representative White

AMENDMENT NO. 1

On page 1, line 16, after "more persons" delete the remainder of the line and delete lines 17 and 18 and insert the following:

"who serves as the chief financial officer, head of public works, head of procurement, or chief engineer, or equivalent position, for the parish or municipality."

Rep. White moved the adoption of the amendments.

Rep. Cortez objected.

By a vote of 71 yeas and 20 nays, the amendments were adopted.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Cortez to Engrossed House Bill No. 761 by Representative White

AMENDMENT NO. 1

Delete the set of House Floor Amendments proposed by Representative White and adopted by the House on April 28, 2010.

AMENDMENT NO. 2

On page 1, line 16, after "has authorized to" delete the remainder of the line and at the beginning of line 17, delete "otherwise determine the terms of" and insert "execute"

Rep. Cortez moved the adoption of the amendments.

Rep. White objected.

By a vote of 25 yeas and 72 nays, the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Leger
Abramson	Geymann	Ligi
Anders	Gisclair	Little
Arnold	Greene	Lopinto
Badon, A.	Harrison	Lorusso
Baldone	Hazel	McVea
Barras	Henry	Ponti
Brossett	Hill	Pope
Burns, H.	Hines	Richardson
Burns, T.	Hoffmann	Richmond
Carter	Hutter	Smiley
Champagne	Jackson G.	Smith, G.
Chandler	Jackson M.	Smith, J.
Connick	Johnson	Smith, P.
Dixon	Jones, R.	Stiaes
Doerge	Kleckley	Talbot
Dove	LaBruzzo	Thibaut
Fannin	Lambert	White
Foil	Landry	Willmott

Total - 57

NAYS

Armes	Edwards	Norton
Aubert	Ellington	Nowlin
Badon, B.	Franklin	Pearson
Barrow	Hardy	Perry
Billiot	Howard	Pugh
Burford	Jones, S.	Richard
Burrell	Katz	Ritchie
Carmody	LaFonta	Schroder
Chaney	LeBas	Simon
Cortez	Mills	Thierry
Cromer	Monica	Waddell
Danahay	Montoucet	Williams
Downs	Morris	Wooton

Total - 39

ABSENT

Guillory	Robideaux	Templet
Guinn	Roy	
Henderson	St. Germain	

Total - 7

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 762—

BY REPRESENTATIVE ROY

AN ACT

To amend and reenact R.S. 14:93.3(E)(1), relative to the crime of cruelty to the infirmed; to provide for a minimum mandatory term of imprisonment for intentional and malicious acts of cruelty to the infirmed; and to provide for related matters.

Read by title.

Rep. Roy moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 91

NAYS

Total - 0

ABSENT

Mr. Speaker	Cromer	Nowlin
Aubert	Edwards	Robideaux
Burford	Franklin	Templet
Carmody	Lambert	White

Total - 12

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 841—

BY REPRESENTATIVE ARNOLD AND SENATOR MICHOT

AN ACT

To enact Chapter 10 of Title 30 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 30:1001 through 1003, relative to the development of renewable energy sources; to authorize the Department of Natural Resources to execute leases on state lands for development and production of energy from hydrokinetics; to provide for legislative finding; to provide a process for executing leases on state lands for the development and production of energy from hydrokinetics; to provide for the powers and duties of the secretary of natural resources; to provide for the powers and duties of the State Mineral and Energy Board; to authorize the implementation of fees; to provide for the promulgation of rules and regulations; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Waddell on behalf of the Legislative Bureau to Engrossed House Bill No. 841 by Representative Arnold

AMENDMENT NO. 1

On page 1, line 2, following "Chapter 10 of" and before "Title 30" insert "Subtitle I of"

AMENDMENT NO. 2

On page 1, line 13, following "Chapter 10 of" and before "Title 30" insert "Subtitle I of"

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

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Arnold gave notice of his intention to call House Bill No. 841 from the calendar on Wednesday, May 5, 2010.

HOUSE BILL NO. 879—

BY REPRESENTATIVES LAMBERT, HARRISON, LEGER, AND ST. GERMAIN AND SENATOR CHAISSON

AN ACT

To enact R.S. 34:852.21(C) and R.S. 56:6.3 and to repeal R.S. 56:6(28), relative to the powers of the Wildlife and Fisheries Commission; to authorize the commission to biennially adjust, in accordance with the consumer price index, fees charged by the Department of Wildlife and Fisheries; to require biennial promulgation of a fee schedule for all fees charged by the department; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Waddell on behalf of the Legislative Bureau to Engrossed House Bill No. 879 by Representative Lambert

AMENDMENT NO. 1

On page 1, line 17, before "rounded downward" change "Bureau of Labor Standards" to "Bureau of Labor Statistics"

AMENDMENT NO. 2

On page 2, line 12, before "rounded downward" change "Bureau of Labor Standards" to "Bureau of Labor Statistics"

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

ROLL CALL

The roll was called with the following result:

YEAS

Anders	Gisclair	Norton
Aubert	Harrison	Pugh
Billiot	Jackson G.	Richmond
Brossett	Jackson M.	Ritchie
Champagne	Johnson	Smith, P.
Doerge	Jones, R.	St. Germain
Dove	Jones, S.	Stiaes
Downs	Lambert	White
Edwards	Leger	Williams
Foil	Monica	Wooton
Gallot	Montoucet	
Total - 32		

NAYS

Mr. Speaker	Fannin	Nowlin
Armes	Geymann	Pearson
Badon, A.	Hazel	Perry
Badon, B.	Henry	Ponti
Baldone	Hill	Pope
Barras	Hines	Richard
Barrow	Hoffmann	Richardson
Burford	Howard	Roy
Burns, H.	Hutter	Schroder
Burns, T.	Kleckley	Simon
Burrell	LaBruzzo	Smiley
Carmody	LaFonta	Smith, G.
Carter	Landry	Smith, J.
Chandler	Ligi	Talbot
Chaney	Little	Templet
Cortez	Lopinto	Thibaut
Cromer	Lorusso	Thierry
Danahay	Mills	Waddell
Dixon	Morris	Willmott
Total - 57		

ABSENT

Abramson	Greene	Katz
Arnold	Guillory	LeBas
Connick	Guinn	McVea
Ellington	Hardy	Robideaux
Franklin	Henderson	
Total - 14		

The Chair declared the above bill failed to pass.

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

Acting Speaker Kleckley in the Chair

HOUSE BILL NO. 906—

BY REPRESENTATIVE SMILEY
AN ACT

To enact Chapter 28 of Title 42 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 42:1511, relative to the compensation of public officers; to provide relative to fixing the compensation of such officers; to provide that the compensation of any officer shall not be based on the compensation of a sheriff; to provide for implementation; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Geymann to Engrossed House Bill No. 906 by Representative Smiley

AMENDMENT NO. 1

On page 1, line 18 after "Section 2." delete the remainder of the line and delete lines 19 and 20 and on page 2, delete lines 1 through 5 and insert the following:

"On and after the effective date of this Act, any provision of a parish, municipal, or other local law or charter that requires or provides for the amount of compensation of a public officer to be based upon the amount of compensation of a parish sheriff shall be null."

Rep. Geymann moved the adoption of the amendments.

Rep. Smiley objected.

By a vote of 68 yeas and 16 nays, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Anders	Foil	Norton
Armes	Geymann	Nowlin
Arnold	Gisclair	Pearson
Badon, A.	Guillory	Perry
Baldone	Guinn	Ponti
Barras	Hardy	Pope
Barrow	Harrison	Pugh
Billiot	Henry	Richard
Brossett	Hines	Richardson
Burford	Hoffmann	Richmond
Burns, H.	Howard	Ritchie
Burns, T.	Hutter	Simon
Burrell	Jackson G.	Smiley
Carmody	Jackson M.	Smith, G.
Carter	Jones, R.	Smith, J.
Champagne	Katz	Smith, P.
Chandler	Kleckley	St. Germain
Chaney	LaBruzzo	Stiaes
Connick	LaFonta	Talbot
Cortez	Landry	Templet
Danahay	LeBas	Thierry
Dixon	Little	White

Dove	Lopinto	Williams
Downs	Lorusso	Willmott
Ellington	Monica	
Fannin	Montoucet	
Total - 76		

NAYS

Aubert	Gallot	Roy
Badon, B.	Hazel	Thibaut
Cromer	Johnson	Waddell
Doerge	Leger	Wooton
Edwards	Mills	
Total - 14		

ABSENT

Mr. Speaker	Hill	Morris
Abramson	Jones, S.	Robideaux
Franklin	Lambert	Schroder
Greene	Ligi	
Henderson	McVea	
Total - 13		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

NOTE: Vote on the above bill corrected pursuant to motion made on April 29, 2010, by Rep. Norton.

HOUSE BILL NO. 933—

BY REPRESENTATIVE PERRY

AN ACT

To enact R.S. 42:1123(18)(b), relative to ethics; to allow a member on the board of commissioners of a hospital service district to engage in certain transactions and to own an interest in entities that engage in certain transactions; to require certain recusals by such board members; to provide for restrictions and limitations; 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

Anders	Geymann	Montoucet
Armes	Gisclair	Morris
Arnold	Guillory	Norton
Aubert	Guinn	Nowlin
Badon, A.	Hardy	Pearson
Badon, B.	Harrison	Perry
Baldone	Hazel	Ponti
Barras	Henry	Pope
Barrow	Hill	Pugh
Billiot	Hines	Richard
Brossett	Hoffmann	Richardson
Burford	Howard	Richmond
Burns, H.	Hutter	Ritchie
Burns, T.	Jackson G.	Roy
Burrell	Jackson M.	Schroder
Carmody	Johnson	Simon
Carter	Jones, R.	Smiley
Champagne	Jones, S.	Smith, G.

Chandler	Katz	Smith, J.
Chaney	LaBruzzo	Smith, P.
Connick	LaFonta	St. Germain
Cortez	Lambert	Stiaes
Danahay	Landry	Talbot
Dixon	LeBas	Templet
Doerge	Leger	Thibaut
Edwards	Ligi	Thierry
Ellington	Little	Waddell
Fannin	Lopinto	White
Foil	Lorusso	Williams
Franklin	Mills	Willmott
Gallot	Monica	Wooton
Total - 93		

NAYS

Total - 0

ABSENT

Mr. Speaker	Downs	McVea
Abramson	Greene	Robideaux
Cromer	Henderson	
Dove	Kleckley	
Total - 10		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 969—

BY REPRESENTATIVE PEARSON

AN ACT

To amend and reenact R.S. 17:52(E)(1), relative to city, parish, and other local public school board members; to provide relative to the qualifications for membership on such a school board; and to provide for related matters.

Read by title.

Rep. Pearson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Arnold	Guillory	Pearson
Badon, A.	Hardy	Pope
Baldone	Harrison	Pugh
Barras	Henry	Richard
Billiot	Hines	Richardson
Burns, H.	Hoffmann	Richmond
Burns, T.	Jackson G.	Ritchie
Carmody	Jackson M.	Schroder
Carter	Jones, S.	Simon
Chaney	Katz	Smiley
Connick	LaBruzzo	St. Germain
Cortez	Landry	Talbot
Cromer	Leger	Thibaut
Danahay	Ligi	Thierry
Downs	Little	Williams
Foil	Lopinto	Willmott
Gallot	Lorusso	Wooton
Gisclair	Norton	
Total - 53		

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NAYS

Mr. Speaker	Fannin	Mills
Anders	Franklin	Monica
Armes	Geymann	Montoucet
Aubert	Guinn	Morris
Badon, B.	Henderson	Nowlin
Barrow	Hill	Ponti
Burford	Howard	Roy
Burrell	Hutter	Smith, G.
Chandler	Johnson	Smith, J.
Dixon	Jones, R.	Smith, P.
Doerge	LaFonta	Stiaes
Edwards	Lambert	Templet
Ellington	LeBas	Waddell
Total - 39		

ABSENT

Abramson	Greene	Perry
Brossett	Hazel	Robideaux
Champagne	Kleckley	White
Dove	McVea	
Total - 11		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 977—
BY REPRESENTATIVE HARRISON
AN ACT

To amend and reenact R.S. 30:136(A)(1)(c) and to enact R.S. 44:4(44), relative to the office of mineral resources; to provide for the confidentiality of records while an audit is being performed by the office of mineral resources of the Department of Natural Resources; and to provide for related matters.

Read by title.

Rep. Harrison moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Chaney	Jones, S.	St. Germain
Connick	Katz	Stiaes
Cortez	LaBruzzo	Talbot
Cromer	LaFonta	Templet
Danahay	Landry	Thibaut
Dixon	LeBas	Thierry
Doerge	Leger	Waddell
Dove	Ligi	White
Downs	Little	Williams
Edwards	Lopinto	Wooton
Ellington	Lorusso	
Foil	Mills	

Total - 94

NAYS

Total - 0

ABSENT

Mr. Speaker	Kleckley	Perry
Fannin	Lambert	Robideaux
Hardy	McVea	Willmott
Total - 9		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1014—
BY REPRESENTATIVE NORTON
AN ACT

To amend and reenact R.S. 17:434(A), relative to required planning time for teachers; to remove state funding restrictions; to provide an effective date; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 1029—
BY REPRESENTATIVE HOFFMANN
AN ACT

To amend and reenact R.S. 17:183.3(B)(2)(d), 274, 274.1, and 3996(B)(14) and to repeal R.S. 17:3996(B)(13), relative to curricula; to provide for Free Enterprise as an elective course rather than a prerequisite to high school graduation; to require inclusion of Free Enterprise instruction in the required Civics course; to provide relative to the duration and credit units of the Civics course; to provide for exceptions; to delete Free Enterprise from course requirements relative to the career major program; to provide for effectiveness; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hoffmann to Engrossed House Bill No. 1029 by Representative Hoffmann

AMENDMENT NO. 1

On page 2, line 2, after "complete" and before "in" change "coursework" to "coursework"

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 93

NAYS

Total - 0

ABSENT

Mr. Speaker	Jackson M.	Smith, P.
Brossett	Kleckley	St. Germain
Guinn	McVea	
Henderson	Robideaux	

Total - 10

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1123—
BY REPRESENTATIVE GALLOT

AN ACT

To amend and reenact R.S. 17:2351, 2352, 2352.1, 2353, 2354(A) through (E), 2354.1, 2354.2, 2354.3, 2354.4(A) and (B), 2355, 2355.1(A), (B), and (C), 2356, 2357, and 2358, to enact R.S. 17:2354.5 through 2354.9 and 2358.1, and to repeal R.S. 17:2354(F) and (G), 2354.4(C) through (K), and 2355.1(D) and (E), relative to the Louisiana Anatomical Gift Act; to make such Act uniform with that of other states; to provide for definitions;

to provide for applicability; to provide for procurement; to provide for recipients; to provide for the execution of an anatomical gift; to provide for the refusal to make a gift; to provide for the authority to make a gift of a body or part; to prohibit the sale or purchase of a part and provide for penalties; to grant immunity for certain acts; to provide choice of law provisions; to provide for a donor registry; to provide for advance health directives; to provide for the delivery of the gift; to provide for the search for a gift; to provide for the revocation or amendment of a gift; to provide for the rights and duties of procurement organizations; to provide for the application of federal laws; to provide a special effective date; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Waddell on behalf of the Legislative Bureau to Engrossed House Bill No. 1123 by Representative Gallot

AMENDMENT NO. 1

On page 10, line 12, following "gift" and before "a" change "only specifies" to "specifies"

AMENDMENT NO. 2

On page 10, line 13, following "gift" and before "." insert "by words such as "donor", "organ donor", or "body donor""

AMENDMENT NO. 3

On page 11, line 8, following "may" delete "only"

AMENDMENT NO. 4

On page 11, line 10, following "transplantation" and before "if" insert "only"

AMENDMENT NO. 5

On page 23, line 26, following "a" and before "gift" change "pervious" to "previous"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Foil	Lopinto
Abramson	Franklin	Lorusso
Anders	Gallot	Mills
Armes	Gisclair	Monica
Aubert	Greene	Montoucet
Badon, A.	Guillory	Morris
Baldone	Hardy	Norton
Barras	Harrison	Nowlin
Billiot	Hazel	Ponti
Brossett	Henderson	Pope
Burford	Henry	Pugh
Burns, T.	Hill	Richard

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Burrell	Hines	Richardson
Carmody	Hoffmann	Richmond
Carter	Howard	Ritchie
Champagne	Hutter	Schroder
Chandler	Jackson G.	Simon
Chaney	Johnson	Smiley
Connick	Jones, R.	Smith, G.
Cortez	Jones, S.	Smith, J.
Cromer	Katz	Smith, P.
Danahay	LaBruzzo	Stiaes
Dixon	LaFonta	Talbot
Doerge	Lambert	Templet
Dove	Landry	Thierry
Downs	LeBas	White
Edwards	Leger	Williams
Ellington	Ligi	Willmott
Fannin	Little	Wooton

Total - 87

NAYS

Total - 0

ABSENT

Arnold	Jackson M.	Roy
Badon, B.	Kleckley	St. Germain
Barrow	McVea	Thibaut
Burns, H.	Pearson	Waddell
Geymann	Perry	
Guinn	Robideaux	

Total - 16

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1233—
BY REPRESENTATIVE LABRUZZO AND SENATOR HEBERT
AN ACT

To enact R.S. 37:24, relative to professions and occupations in general; to provide an option for persons licensed or regulated by the state to be insured by a policy of group insurance; to provide the option to insure dependents of persons licensed or regulated by this state; to provide the board or commission authority to make contracts of insurance; to provide for board authority to negotiate and collect premiums; to provide that participation in a group insurance plan is optional; to provide that the offered group insurance plan shall not be perceived as limiting an employee's benefits; to provide for definitions; and to provide for related matters.

Read by title.

Rep. LaBruzzo moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Ellington	Little
Abramson	Fannin	Lopinto
Anders	Foil	Lorusso
Armes	Franklin	Mills
Arnold	Gallot	Monica
Aubert	Gisclair	Nowlin
Badon, A.	Greene	Pearson
Badon, B.	Guillory	Perry
Baldone	Hardy	Ponti

Barrow	Harrison	Pope
Billiot	Hazel	Pugh
Brossett	Henderson	Richard
Burford	Henry	Richardson
Burns, H.	Hill	Richmond
Burns, T.	Hines	Ritchie
Burrell	Hoffmann	Schroder
Carmody	Howard	Simon
Carter	Hutter	Smiley
Champagne	Jackson G.	Smith, G.
Chandler	Johnson	Smith, J.
Chaney	Jones, R.	St. Germain
Connick	Jones, S.	Stiaes
Cortez	Katz	Talbot
Cromer	LaBruzzo	Templet
Danahay	LaFonta	Thierry
Dixon	Lambert	Waddell
Doerge	Landry	White
Dove	LeBas	Willmott
Downs	Leger	Wooton
Edwards	Ligi	

Total - 89

NAYS

Norton
Total - 1

ABSENT

Barras	McVea	Smith, P.
Geymann	Montoucet	Thibaut
Guinn	Morris	Williams
Jackson M.	Robideaux	
Kleckley	Roy	

Total - 13

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1239—
BY REPRESENTATIVE DIXON
AN ACT

To enact R.S. 17:7(29), relative to the duties, functions, and responsibilities of the State Board of Elementary and Secondary Education; to require the State Board of Elementary and Secondary Education to develop and adopt rules and regulations relative to the physical abuse of public school teachers and other school employees by students; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Dixon to Engrossed House Bill No. 1239 by Representative Dixon

AMENDMENT NO. 1

On page 2, line 8, after "certified" and before "and" insert "within the same parish"

AMENDMENT NO. 2

On page 2, line 9, after "students" and before the period "." insert a comma "," and ", provided there is another position available"

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

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Gallot	Montoucet
Anders	Geymann	Morris
Armes	Gisclair	Norton
Arnold	Greene	Nowlin
Aubert	Guillory	Pearson
Badon, A.	Hardy	Perry
Badon, B.	Harrison	Ponti
Baldone	Hazel	Pope
Barrow	Henderson	Pugh
Billiot	Henry	Richard
Brossett	Hill	Richardson
Burford	Hines	Richmond
Burns, H.	Hoffmann	Ritchie
Burns, T.	Howard	Roy
Burrell	Hutter	Schroder
Carmody	Jackson G.	Simon
Carter	Jackson M.	Smith, G.
Champagne	Johnson	Smith, J.
Chandler	Jones, R.	Smith, P.
Chaney	Jones, S.	St. Germain
Connick	Katz	Stiaes
Cortez	LaBruzzo	Talbot
Danahay	LaFonta	Templet
Dixon	Lambert	Thierry
Doerge	Landry	Waddell
Downs	Leger	White
Edwards	Ligi	Williams
Ellington	Little	Willmott
Fannin	Lopinto	Wooton
Foil	Lorusso	
Franklin	Monica	
Total - 91		

NAYS

Total - 0

ABSENT

Mr. Speaker	Guinn	Mills
Barras	Kleckley	Robideaux
Cromer	LeBas	Smiley
Dove	McVea	Thibaut
Total - 12		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1259—
BY REPRESENTATIVE BURRELL
AN ACT

To enact R.S. 14:40.7, relative to assault and battery and related offenses; to create the crime of cyberbullying; to provide for definitions; to provide for penalties; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Burrell to Engrossed House Bill No. 1259 by Representative Burrell

AMENDMENT NO. 1

On page 1, at the beginning of line 10, delete "frighten."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Ellington	Little
Anders	Fannin	Monica
Armes	Foil	Montoucet
Arnold	Franklin	Morris
Aubert	Gallot	Norton
Badon, B.	Geymann	Nowlin
Baldone	Gisclair	Perry
Barras	Guillory	Ponti
Barrow	Hardy	Pope
Billiot	Harrison	Pugh
Brossett	Hazel	Richard
Burns, H.	Henderson	Richardson
Burns, T.	Hines	Ritchie
Burrell	Howard	Roy
Carmody	Hutter	Simon
Carter	Jackson G.	Smith, G.
Champagne	Jackson M.	Smith, J.
Chandler	Johnson	Smith, P.
Chaney	Jones, R.	St. Germain
Connick	Jones, S.	Stiaes
Cromer	Katz	Templet
Danahay	LaBruzzo	Thibaut
Dixon	LaFonta	Thierry
Doerge	Lambert	Waddell
Dove	Landry	Williams
Downs	LeBas	Wooton
Total - 78		

NAYS

Burford	Hoffmann	Richardson
Cortez	Kleckley	Schroder
Edwards	Ligi	Smiley
Greene	Lopinto	Talbot
Henry	Lorusso	
Hill	Pearson	
Total - 16		

ABSENT

Mr. Speaker	Leger	Robideaux
Badon, A.	McVea	White
Guinn	Mills	Willmott
Total - 9		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Burrell 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.

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NOTE: Vote on the above bill corrected pursuant to motion made on April 29, 2010, by Rep. Brossett.

HOUSE BILL NO. 1275—
BY REPRESENTATIVE NOWLIN
AN ACT

To amend and reenact R.S. 37:1281(B), relative to certain additional fees for the issuance, renewal, or reinstatement of physician licenses, permits, certificates, or registrations; to authorize the Louisiana State Board of Medical Examiners to increase the annual fee utilized for identification, monitoring, assistance, and procurement of treatment of physicians suffering from behavioral, psychiatric, or physical conditions which may interfere with their ability to practice medicine; and to provide for related matters.

Read by title.

Rep. Nowlin moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Anders, Arnold, Aubert, Badon, A., Badon, B., Baldone, Barras, Billiot, Brossett, Burford, Burns, H., Burrell, Carmody, Carter, Chaney, Connick, Danahay, Dixon, Doerge, Dove, Downs, Edwards, Ellington, Fannin, Foil, Franklin, Gisclair, Guillory, Guinn, Hardy, Harrison, Hazel, Henderson, Hines, Hoffmann, Hutter, Jackson G., Jackson M., Johnson, Katz, LaBruzzo, LaFonta, Landry, LeBas, Little, Lopinto, Monica, Norton, Nowlin, Pearson, Ponti, Pugh, Richard, Richardson, Ritchie, Roy, Smith, G., Smith, P., St. Germain, Stiaes, Templet, Thibaut, Thierry, Waddell, Willmott, Wooton.

NAYS

Table with 3 columns of names: Abramson, Armes, Champagne, Cortez, Cromer, Gallot, Geymann, Henry, Hill, Howard, Jones, R., Kleckley, Ligi, Lorusso, Montoucet, Perry, Richmond, Schroder, Simon, Smiley, Talbot.

ABSENT

Table with 3 columns of names: Mr. Speaker, Barrow, Burns, T., Chandler, Greene, Jones, S., Lambert, Leger, McVea, Mills, Morris, Pope, Robideaux, Smith, J., White, Williams.

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

Motion to reconsider pending.

HOUSE BILL NO. 1407 (Substitute for House Bill No. 450 by Representative Foil)—
BY REPRESENTATIVE FOIL

AN ACT

To amend and reenact R.S. 3:3807(A) and 3808(I)(1) and to repeal R.S. 3:3807(B)(2), relative to retail florists; to repeal examination requirements for retail florists; to repeal a prohibition against selling cut flowers within three hundred feet of the business of a retail florist; and to provide for related matters.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Foil gave notice of his intention to call House Bill No. 1407 from the calendar on Wednesday, May 5, 2010.

HOUSE BILL NO. 1408 (Substitute for House Bill No. 1208 by Representative Tucker)—
BY REPRESENTATIVE TUCKER

AN ACT

To enact R.S. 4:185.1, relative to gaming proceeds; to provide for auditing of the Horsemen's Benevolent and Protective Association and its operations and programs by the legislative auditor; to provide for guidelines; and to provide for related matters.

Read by title.

Rep. Tucker moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. Speaker, Abramson, Anders, Armes, Arnold, Aubert, Badon, A., Badon, B., Baldone, Barras, Barrow, Billiot, Brossett, Burford, Burns, H., Burns, T., Burrell, Carmody, Carter, Chandler, Champagne, Chandler, Chaney, Connick, Cortez, Cromer, Danahay, Dixon, Doerge, Franklin, Gallot, Geymann, Gisclair, Greene, Guillory, Guinn, Hardy, Harrison, Hazel, Henderson, Henry, Hill, Hoffmann, Howard, Hutter, Jackson G., Johnson, Jones, R., Jones, S., Katz, Kleckley, LaBruzzo, LaFonta, Lambert, Landry, LeBas, Monica, Montoucet, Morris, Norton, Nowlin, Pearson, Perry, Ponti, Pope, Pugh, Richard, Richardson, Richmond, Ritchie, Roy, Schroder, Simon, Smiley, Smith, G., Smith, J., Smith, P., St. Germain, Stiaes, Talbot, Templet, Thibaut, Thierry, Waddell.

Dove	Leger	White
Downs	Ligi	Williams
Edwards	Little	Willmott
Ellington	Lopinto	Wooton
Fannin	Lorusso	
Foil	Mills	
Total - 100		

NAYS

Total - 0

ABSENT

Jackson M.	McVea	Robideaux
Total - 3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Speaker Tucker in the Chair

HOUSE BILL NO. 35—
BY REPRESENTATIVE PATRICIA SMITH
AN ACT

To enact R.S. 15:574.4(A)(4), relative to parole; to provide for eligibility for parole consideration for certain inmates who are at least sixty years of age, have been incarcerated for at least ten years, and have met certain conditions; to provide for exceptions; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Waddell on behalf of the Legislative Bureau to Engrossed House Bill No. 35 by Representative Patricia Smith

AMENDMENT NO. 1

On page 2, lines 7, 9, and 10, following "GED" insert "credential"

AMENDMENT NO. 2

On page 2, line 17, following "shall" and before "to" change "only apply" to "apply only"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Armes	Gallot	Montoucet
Arnold	Guillory	Norton
Aubert	Guinn	Perry
Badon, B.	Hardy	Richard
Baldone	Harrison	Richmond
Barrow	Henderson	Ritchie

Brossett	Howard	Roy
Burns, H.	Jackson G.	Smith, G.
Burrell	Jackson M.	Smith, P.
Carter	Jones, R.	St. Germain
Champagne	Jones, S.	Stiaes
Chandler	LaBruzzo	Templet
Chaney	LaFonta	Thibaut
Dixon	LeBas	Thierry
Ellington	Leger	Williams
Franklin	Mills	Wooton
Total - 48		

NAYS

Mr. Speaker	Geymann	Lopinto
Abramson	Gisclair	Lorusso
Badon, A.	Greene	Monica
Barras	Hazel	Nowlin
Billiot	Henry	Pearson
Burford	Hines	Ponti
Burns, T.	Hoffmann	Pugh
Carmody	Hutter	Richardson
Connick	Johnson	Schroder
Cortez	Katz	Simon
Danahay	Lambert	Smiley
Doerge	Landry	Talbot
Fannin	Ligi	Waddell
Foil	Little	Willmott
Total - 42		

ABSENT

Anders	Hill	Robideaux
Cromer	Kleckley	Smith, J.
Dove	McVea	White
Downs	Morris	
Edwards	Pope	
Total - 13		

The Chair declared the above bill failed to pass.

Motion to reconsider pending.

NOTE: Vote on the above bill corrected pursuant to motions made on April 29, 2010, by Reps. Geymann and Johnson.

HOUSE BILL NO. 63—
BY REPRESENTATIVE GEYMAN
AN ACT

To authorize and provide for the transfer or lease of certain state property in Calcasieu Parish to Sidney J. and Sherilyn M. Cormier from the division of administration; and to provide for related matters.

Read by title.

Rep. Geymann moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Foil	Lopinto
Abramson	Franklin	Lorusso
Anders	Gallot	Monica
Armes	Geymann	Montoucet
Arnold	Gisclair	Norton
Aubert	Greene	Nowlin
Badon, A.	Guillory	Pearson
Badon, B.	Guinn	Perry
Baldone	Hardy	Ponti

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Barras	Harrison	Pope
Barrow	Hazel	Pugh
Billiot	Henderson	Richard
Brossett	Henry	Richardson
Burford	Hill	Richmond
Burns, H.	Hines	Ritchie
Burns, T.	Hoffmann	Roy
Burrell	Howard	Schroder
Carmody	Hutter	Simon
Carter	Jackson G.	Smiley
Champagne	Johnson	Smith, G.
Chandler	Jones, R.	Smith, J.
Chaney	Jones, S.	St. Germain
Connick	Katz	Stiaes
Cortez	Kleckley	Talbot
Cromer	LaBruzzo	Temple
Danahay	LaFonta	Thibaut
Dixon	Lambert	Thierry
Doerge	Landry	Waddell
Downs	LeBas	White
Edwards	Leger	Williams
Ellington	Ligi	Willmott
Fannin	Little	Wooton

Total - 96

NAYS

Morris
Total - 1

ABSENT

Dove	McVea	Robideaux
Jackson M.	Mills	Smith, P.

Total - 6

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 78— BY REPRESENTATIVES LIGI AND ROSALIND JONES AN ACT

To amend and reenact R.S. 49:992(B)(2) and (D)(2) and (7), relative to adjudicatory and hearing functions of the division of administrative law and certain state departments; to provide for the adjudication and hearing functions of the Department of Health and Hospitals, the Department of Social Services, and the Department of Education; to provide for the delegation of certain functions and authority to the division of administrative law, except where prohibited by federal law; to require an agency to prove its exempt status; to provide for the transfer of adjudications and the resources related to handling such adjudications; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Ligi to Engrossed House Bill No. 78 by Representative Ligi

AMENDMENT NO. 1

On page 1, line 8, after "status;" insert "to provide for adjudications of hearings arising under certain federal programs;"

AMENDMENT NO. 2

On page 1, at the beginning of line 18, delete "(D)(2)(b)(iii) and (vi)" and insert "Items (D)(2)(b)(iii), (vi), and (vii)"

AMENDMENT NO. 3

On page 3, line 5, after "(iii)" insert "(aa)"

AMENDMENT NO. 4

On page 3, line 8, after "issue" change "an initial" to "a recommended"

AMENDMENT NO. 5

On page 3, line 8, between "The" and "decision" change "initial" to "recommended"

AMENDMENT NO. 6

On page 3, at the end of line 9, change "initial" to "recommended"

AMENDMENT NO. 7

On page 3, line 11, change "initial" to "recommended"

AMENDMENT NO. 8

On page 3, line 13, after "proceeding." delete the remainder of the line and insert the following:

"A copy of the department or agency's rejected or modified decision shall be forwarded to the division on the day it is issued. If the agency head does not reject"

AMENDMENT NO. 9

On page 3, line 14, between "the" and "decision" change "initial" to "recommended"

AMENDMENT NO. 10

On page 3, at the end of line 14, change "initial" to "recommended"

AMENDMENT NO. 11

On page 3, line 15, change "initial" to "recommended"

AMENDMENT NO. 12

On page 3, between lines 16 and 17, insert the following:

"(bb) In Temporary Assistance for Needy Families (TANF) cases, if the secretary of the Department of Social Services approves, rejects, or modifies the recommended decision of the division, that approved, rejected, or modified decision shall be issued by the division as the final decision of the Department of Social Services."

AMENDMENT NO. 13

On page 3, delete line 22 in its entirety and insert the following in lieu thereof:

"stay requests related to involuntary discharges from nursing homes. The division shall adjudicate all appeals related to involuntary discharges from nursing homes within thirty days of receipt."

AMENDMENT NO. 14

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

"(vii) The provisions of this Subparagraph shall apply to hearings involving the Department of Education required under the Individuals with Disabilities Education Act, and the provisions of the Administrative Procedure Act shall not apply to these hearings. Hearings involving the Individuals with Disabilities Act shall proceed in accordance with regulations promulgated by the Board of Elementary and Secondary Education. Only an administrative law judge who has received training on the federal and state statutes and regulations with respect to children with disabilities and on educational placements in Louisiana's school systems shall conduct hearings pursuant to this Item. Any party aggrieved by the findings and decisions of the administrative law judge in hearings conducted pursuant to the Individuals with Disabilities Education Act, including local educational authorities, shall have a right to bring a civil action in state or federal court pursuant to federal law or regulation."

AMENDMENT NO. 15

On page 4, between lines 9 and 10, insert the following:

"Section 2. The Department of Health and Hospitals and the Department of Education shall each enter into a memorandum of understanding with the division of administrative law regarding procedures for docketing of appeals and issuing decisions to be executed prior to October 1, 2010. If either memorandum of understanding has not been fully executed by October 1, 2010, the affected department and the division of administrative law shall appear before the Committee on House and Governmental Affairs to provide an explanation as to their failure to comply with this Section."

AMENDMENT NO. 16

On page 4, line 10, change "Section 2." to "Section 3."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Downs	Little	Williams
Edwards	Lopinto	Willmott
Ellington	Lorusso	Wooton
Total - 93		

NAYS

Total - 0

ABSENT

Armes	Jackson M.	Robideaux
Geymann	Kleckley	Smith, P.
Guinn	McVea	
Henderson	Nowlin	
Total - 10		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Ligi 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.

NOTE: Vote on the above bill corrected pursuant to motion made on April 29, 2010, by Rep. Johnson.

HOUSE BILL NO. 120—

BY REPRESENTATIVE ROY

AN ACT

To amend and reenact Code of Criminal Procedure Article 894.1(D) and (E)(introductory paragraph), relative to sentencing; to provide for certain obligations of the sentencing court and the Department of Public Safety and Corrections; and to provide for related matters.

Read by title.

Rep. Roy moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Fannin	Little
Anders	Foil	Lopinto
Armes	Franklin	Mills
Arnold	Gallot	Monica
Aubert	Gisclair	Montoucet
Badon, A.	Guillory	Norton
Badon, B.	Guinn	Perry
Barras	Hardy	Ponti
Barrow	Harrison	Pugh
Billiot	Hazel	Richard
Brossett	Henderson	Richardson
Burns, H.	Hill	Richmond
Burrell	Hoffmann	Ritchie
Carter	Howard	Roy
Champagne	Hutter	Schroder
Chandler	Jackson G.	Smiley
Chaney	Jackson M.	Smith, G.
Connick	Johnson	Smith, P.
Cortez	Jones, R.	St. Germain
Danahay	Jones, S.	Stiaes
Dixon	Kleckley	Thibaut
Doerge	LaBruzzo	Thierry
Dove	LaFonta	Waddell
Downs	Landry	Williams
Edwards	LeBas	Willmott
Ellington	Leger	Wooton
Total - 78		

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NAYS

Mr. Speaker, Burford, Burns, T., Carmody, Cromer, Henry, Katz, Ligi, Lorusso, Morris, Pearson, Pope, Simon, Talbot, Templet, White

ABSENT

Baldone, Geymann, Greene, Hines, Lambert, McVea, Nowlin, Robideaux, Smith, J.

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

NOTE: Vote on the above bill corrected pursuant to motion made on April 29, 2010, by Rep. Simon.

HOUSE BILL NO. 130—

BY REPRESENTATIVE WHITE

AN ACT

To amend and reenact Code of Criminal Procedure Articles 899(E) and 900(A)(introductory paragraph), relative to procedures following the arrest or summons for a violation of probation; to increase the time period in which a defendant shall be brought before the court for a hearing on a probation violation; to provide for the use of affidavits in determining probable cause; to provide for time limitations; and to provide for related matters.

Read by title.

Rep. White moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker, Abramson, Anders, Armes, Arnold, Badon, A., Badon, B., Baldone, Barras, Billiot, Burford, Burns, H., Burns, T., Burrell, Carmody, Carter, Champagne, Chandler, Chaney, Connick, Cortez, Danahay, Dixon, Doerge, Franklin, Gallot, Geymann, Gisclair, Greene, Guillory, Guinn, Hardy, Harrison, Henderson, Henry, Hill, Hines, Hoffmann, Howard, Hutter, Jackson G., Jackson M., Johnson, Jones, S., Katz, Kleckley, LaBruzzo, Landry, Monica, Montoucet, Morris, Norton, Nowlin, Pearson, Perry, Ponti, Pope, Pugh, Richard, Richardson, Ritchie, Schroder, Simon, Smiley, Smith, G., Smith, J., Smith, P., St. Germain, Stiaes, Talbot, Templet, Thibaut

Dove, Downs, Edwards, Ellington, Fannin, Foil, LeBas, Ligi, Little, Lopinto, Lorusso, Mills, Thierry, Waddell, White, Williams, Willmott, Wooton

Total - 90

NAYS

Aubert, Barrow, Total - 6, Brossett, Jones, R., Leger, Richmond

ABSENT

Cromer, Hazel, LaFonta, Lambert, McVea, Robideaux, Roy

Total - 7

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 193—

BY REPRESENTATIVES LOPINTO, ANDERS, ARNOLD, BOBBY BADON, BALDONE, BARRAS, BILLIOT, BROSSETT, BURFORD, HENRY BURNS, TIM BURNS, CARTER, CHAMPAGNE, CHANEY, CONNICK, CROMER, DOERGE, DOVE, HARDY, HAZEL, HENDERSON, HENRY, HINES, HOFFMANN, HUTTER, JOHNSON, LABRUZZO, LAMBERT, LEGER, LIGI, LORUSSO, MILLS, MONICA, PEARSON, PUGH, RICHARD, ROBIDEAUX, SCHRODER, SIMON, SMILEY, JANE SMITH, ST. GERMAIN, TALBOT, TEMPLET, THIERRY, WHITE, WILLIAMS, AND WILLMOTT AND SENATORS ALARIO, AMEDEE, APPEL, BROOME, CROWE, DUPLESSIS, HEITMEIER, KOSTELKA, LONG, MARTINY, MICHOT, MOUNT, SHAW, AND THOMPSON

AN ACT

To enact Code of Criminal Procedure Article 732.1, relative to subpoenas; to authorize the use of administrative subpoenas for the production of information in investigations of certain sex offenses or in the exploitation of children; to provide for the types of information which may be disclosed pursuant to an administrative subpoena; to provide for information which may not be disclosed pursuant to an administrative subpoena; 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 House Bill No. 193 by Representative Lopinto

AMENDMENT NO. 1

On page 2, line 9, after "of" and before "records" delete "any" and insert "the following"

AMENDMENT NO. 2

On page 2, line 10, after "investigation" delete the comma "," and insert a colon ":" and delete the remainder of the line

AMENDMENT NO. 3

On page 3, after line 12, insert the following:

"G. Any administrative subpoena issued pursuant to this Article shall comply with the provisions of 18 USC §2703(c)(2)."

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

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

NAYS

Landry
Total - 2

ABSENT

Guinn	McVea	Roy
LaFonta	Robideaux	Smith, P.
Total - 6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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.

HOUSE BILL NO. 194—
BY REPRESENTATIVE PATRICIA SMITH
AN ACT

To amend and reenact R.S. 15:571.3(A)(1) and (B)(2)(a) and 574.4(B), relative to criminal sentences of certain offenders; to provide for the earning rate of diminution of sentence for an inmate convicted of a crime of violence; to reduce the percentage of the length of sentence a person convicted of a crime of violence must serve before being eligible for parole; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Patricia Smith to Engrossed House Bill No. 194 by Representative Patricia Smith

AMENDMENT NO. 1

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

"* * *"

AMENDMENT NO. 2

On page 3, delete line 5 in its entirety

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Anders	Fannin	Montoucet
Armes	Foil	Norton
Arnold	Franklin	Perry
Aubert	Gallot	Ponti
Badon, A.	Gisclair	Richard
Badon, B.	Guillory	Richardson
Baldone	Hardy	Richmond
Barrow	Henderson	Ritchie
Billiot	Hill	Smith, G.
Brossett	Jackson G.	Smith, J.
Burrell	Jackson M.	Smith, P.
Chandler	Jones, R.	St. Germain
Chaney	Jones, S.	Stiaes
Connick	LaFonta	Thierry
Dixon	Lambert	White
Doerge	LeBas	Williams
Edwards	Leger	Wooton
Ellington	Mills	
Total - 53		

NAYS

Mr. Speaker	Hazel	Lorusso
Barras	Henry	Morris
Burford	Hines	Nowlin
Burns, H.	Hoffmann	Pearson
Burns, T.	Howard	Pope
Carmody	Johnson	Schroder
Carter	Katz	Simon
Cortez	LaBruzzo	Smiley
Cromer	Ligi	Talbot
Danahay	Little	Waddell
Downs	Lopinto	Willmott
Total - 33		

ABSENT

Abramson	Harrison	Pugh
Champagne	Hutter	Robideaux
Dove	Kleckley	Roy
Geymann	Landry	Templet
Greene	McVea	Thibaut
Guinn	Monica	
Total - 17		

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The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

NOTE: Vote on the above bill corrected pursuant to motions made on April 29, 2010, by Reps. Burrell, Carmondy, LaBruzzo, Little, and Simon.

HOUSE BILL NO. 195— BY REPRESENTATIVES MILLS, WOOTON, AND PATRICIA SMITH AND SENATOR MARTINY

AN ACT

To amend and reenact R.S. 15:574.2(B), (C), (D), (E), and (F) and to enact R.S. 15:574.2(G), relative to the Board of Parole; to change the number of votes required to grant parole to offenders convicted of certain offenses; to provide for applicability; to provide for criteria; to provide for the granting of parole to certain offenders participating in work release programs; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Waddell on behalf of the Legislative Bureau to Engrossed House Bill No. 195 by Representative Mills

AMENDMENT NO. 1

On page 3, line 2, following "GED" insert "credential"

AMENDMENT NO. 2

On page 3, line 4, following "GED" insert "credential"

AMENDMENT NO. 3

On page 3, line 5, following "GED" insert "credential"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. Speaker, Foil, Montoucet. Lists names of representatives who voted 'yeas'.

Table with 3 columns: Burrell, Jackson G., Simon. Lists names of representatives who voted 'yeas'.

Total - 95

NAYS

Johnson Total - 1

ABSENT

Table with 3 columns: Burns, T., Hutter, Robideaux. Lists names of representatives who were absent.

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Acting Speaker Mills in the Chair

HOUSE BILL NO. 216— BY REPRESENTATIVES FOIL AND WILLIAMS AN ACT

To enact Part II of Chapter 43 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:4031, relative to the establishment of a school choice pilot program in certain parishes for certain students with exceptionalities; to provide for the purpose of the program; to provide program eligibility requirements for participating students and nonpublic schools; to provide for program administration, implementation, and reporting; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Waddell on behalf of the Legislative Bureau to Engrossed House Bill No. 216 by Representative Foil

AMENDMENT NO. 1

On page 4, line 8, following "completed" and before "not" delete "by"

AMENDMENT NO. 2

On page 4, line 11, following "department" and before "not" delete "by"

AMENDMENT NO. 3

On page 4, line 13, following "Education" and before "not" delete "by"

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

Speaker Tucker in the Chair

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Foil to Engrossed House Bill No. 216 by Representative Foil

AMENDMENT NO. 1

On page 2, line 6, after "services" and before "and" delete the comma " " and insert "for autism, a mental disability, emotional disturbance, developmental delay, other health impairment, specific learning disability, or traumatic brain injury."

AMENDMENT NO. 2

On page 2, line 7, after "Education Plan" and before the period "." insert "or a services plan in accordance with Title 34 of the Code of Federal Regulations Part 300.37"

AMENDMENT NO. 3

On page 3, line 16, after "education" and before "and" insert "or other appropriate education or training as defined by the department"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Ellington	Lopinto
Abramson	Fannin	Lorusso
Anders	Foil	Mills
Arnold	Geymann	Monica
Aubert	Gisclair	Morris
Badon, A.	Greene	Nowlin
Badon, B.	Guillory	Perry
Baldone	Hardy	Ponti
Barras	Hazel	Pugh
Barrow	Henderson	Richard
Billiot	Henry	Richardson
Brossett	Hill	Richmond
Burford	Hines	Roy
Burns, H.	Hoffmann	Schroder
Burns, T.	Howard	Simon
Burrell	Hutter	Smiley
Carmody	Jackson M.	Smith, G.
Carter	Johnson	Smith, J.
Champagne	Katz	Talbot
Chandler	Kleckley	Thibaut
Chaney	LaBruzzo	Waddell
Connick	Lambert	White
Cortez	Landry	Williams
Cromer	LeBas	Willmott
Danahay	Leger	Wooton
Doerge	Ligi	
Downs	Little	
Total - 79		

NAYS

Dixon	Jackson G.	Norton
Edwards	Jones, R.	Smith, P.
Franklin	Jones, S.	St. Germain
Gallot	LaFonta	Stiaes
Harrison	Montoucet	Thierry
Total - 15		

ABSENT

Armes	McVea	Ritchie
Dove	Pearson	Robideaux
Guinn	Pope	Templet
Total - 9		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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.

HOUSE BILL NO. 218—

BY REPRESENTATIVE NORTON

AN ACT

To amend and reenact R.S. 15:574.2.1(A)(introductory paragraph) and to enact R.S. 15:574.2.1(G), relative to contact with the Board of Parole; to authorize the warden of the institution where an inmate is incarcerated to contact the Board of Parole for certain purposes; and to provide for related matters.

Read by title.

Rep. Norton moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Armes	Guillory	Norton
Aubert	Howard	Perry
Badon, B.	Jackson G.	Richmond
Barrow	Jackson M.	Smith, G.
Brossett	Jones, R.	Smith, P.
Burrell	Jones, S.	St. Germain
Cortez	Kleckley	Stiaes
Dixon	LaFonta	Thibaut
Franklin	Mills	Thierry
Gallot	Montoucet	Williams
Total - 30		

NAYS

Mr. Speaker	Fannin	Monica
Abramson	Foil	Morris
Anders	Gisclair	Nowlin
Arnold	Greene	Pearson
Baldone	Hardy	Ponti
Barras	Harrison	Pope
Billiot	Hazel	Pugh
Burford	Henderson	Richard
Burns, H.	Henry	Richardson
Burns, T.	Hill	Ritchie
Carmody	Hines	Roy
Carter	Hoffmann	Schroder
Champagne	Johnson	Simon
Chandler	Katz	Smiley
Chaney	LaBruzzo	Smith, J.
Cromer	Lambert	Talbot

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Danahay	Landry	Templet
Doerge	LeBas	Waddell
Dove	Ligi	White
Downs	Little	Willmott
Edwards	Lopinto	Wooton
Ellington	Lorusso	

Total - 65

ABSENT

Badon, A.	Guinn	McVea
Connick	Hutter	Robideaux
Geymann	Leger	

Total - 8

The Chair declared the above bill failed to pass.

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

HOUSE BILL NO. 418—
BY REPRESENTATIVE GARY SMITH
AN ACT

To amend and reenact R.S. 15:574.2(A), relative to the Board of Parole; to provide relative to the membership of the board; to provide for an ex officio, nonvoting member; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 525—
BY REPRESENTATIVE FANNIN
AN ACT

To enact R.S. 47:299.21, relative to offset claims against individual income tax refunds; to require the Department of Public Safety and Corrections and the Board of Parole to file such a claim under certain circumstances; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Fannin moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Foil	Montoucet
Abramson	Franklin	Morris
Anders	Gallot	Norton
Armes	Geymann	Nowlin
Arnold	Gisclair	Pearson
Aubert	Guillory	Perry
Badon, A.	Hardy	Ponti
Badon, B.	Harrison	Pope
Baldone	Hazel	Pugh
Barras	Henry	Richard
Barrow	Hill	Richardson
Billiot	Hines	Richmond
Brossett	Hoffmann	Ritchie
Burford	Howard	Roy
Burns, H.	Jackson G.	Schroder
Burns, T.	Jackson M.	Simon
Burrell	Johnson	Smiley

Carmody	Jones, R.	Smith, G.
Carter	Jones, S.	Smith, J.
Champagne	Katz	Smith, P.
Chandler	Kleckley	St. Germain
Chaney	LaBruzzo	Stiaes
Connick	LaFonta	Talbot
Cortez	Lambert	Templet
Cromer	Landry	Thibaut
Danahay	LeBas	Thierry
Dixon	Leger	Waddell
Doerge	Ligi	White
Dove	Little	Williams
Downs	Lopinto	Willmott
Edwards	Lorusso	Wooton
Ellington	Mills	
Fannin	Monica	

Total - 97

NAYS

Total - 0

ABSENT

Greene	Henderson	McVea
Guinn	Hutter	Robideaux

Total - 6

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 561—
BY REPRESENTATIVE BALDONE
AN ACT

To enact R.S. 17:421.13, relative to educational diagnosticians; to provide for a salary supplement for certain public school educational diagnosticians who have acquired certification by the National Certification for Educational Diagnosticians' Board; to provide conditions and guidelines for receiving the supplement; to provide conditions; to provide relative to funding; to provide definitions; to provide for effectiveness; and to provide for related matters.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Baldone gave notice of his intention to call House Bill No. 561 from the calendar on Monday, May 3, 2010

HOUSE BILL NO. 617—
BY REPRESENTATIVE LABRUZZO
AN ACT

To amend and reenact R.S. 46:460.10(A), (B), and (E) and to enact R.S. 46:460.10(F), relative to drug testing of adult recipients of public assistance; to require drug testing for twenty percent of recipients of cash assistance; to prioritize drug testing of pregnant women receiving cash assistance; to establish a cost savings program for drug testing; to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative LaBruzzo to Engrossed House Bill No. 617 by Representative LaBruzzo

AMENDMENT NO. 1

On page 1, lines 2 and 8, after "(B)," insert "(C),"

AMENDMENT NO. 2

On page 1, line 3, after "recipients of" delete "public assistance" and insert "cash assistance; to require participants to consent to possible drug testing prior to receipt of cash benefits;"

AMENDMENT NO. 3

On page 1, line 4, after the semicolon ";" delete the remainder of the line

AMENDMENT NO. 4

On page 1, line 5, delete "pregnant women receiving cash assistance"

AMENDMENT NO. 5

On page 1, line 20, delete "entitlement" and insert "cash assistance"

AMENDMENT NO. 6

On page 2, line 4, after "Program" delete the remainder of the line and line 5 and insert a period "."

AMENDMENT NO. 7

On page 2, delete lines 6 through 16 in their entirety and insert the following:

"B. (1) Each participant in the Family Independence Temporary Assistance Program shall be asked to sign a written consent form which informs the participant that, in order to receive or to continue receiving cash assistance benefits, the participant shall consent to drug testing administered by the Department of Social Services according to the provisions of this Section. The form shall inform the participant that, with his signature, the participant may be drug tested at any time as determined by the department while the participant is receiving cash assistance benefits. A participant who does not sign the form granting consent to a drug test shall not be eligible to receive or continue receiving cash assistance benefits.

(2) The secretary of the Department of Social Services shall cause to be instituted a mandatory drug testing program for certain twenty percent of adult participants, to be determined by the secretary in consultation with the secretary of the Department of Health and Hospitals and the commissioner of administration, in the Family Independence Temporary Assistance Program Temporary Assistance for Needy Families Block Grant Program. The Department of Social Services shall select the participants to be drug tested according to a procedure established through rules and regulations promulgated according to the Administrative Procedure Act. No participant shall be tested if such testing is prohibited by federal law. No sanction shall be imposed on an adult participant if such sanction is prohibited by federal law. Such testing program shall provide procedural safeguards to ensure the protection of the constitutional rights of the program participants and provide that testing shall be done by state certified laboratories.

C. The required drug testing program shall require a participant to complete an education and rehabilitation program upon the initial identification of such participant as an illegal drug user verified by a positive test result as a prerequisite to continued receipt of benefits. Further, the drug testing program shall provide for the suspension of participation in such entitlement cash assistance program for a participant subsequently identified by a verified positive test result as an illegal drug user; however, in no event shall participation in such entitlement cash assistance program be suspended while the participant is taking part in the education and rehabilitation program or until an education and rehabilitation program is available to the participant. The secretary of the Department of Social Services in conjunction with the secretary of the Department of Health and Hospitals and the commissioner of administration shall provide a program of education and rehabilitation for participants so identified as illegal drug users. Such program shall include regulations governing the reentry of a suspended recipient into the entitlement cash assistance program based on subsequent testing results and completion of education and rehabilitation programs. Such program shall also include the provision of inpatient services for any participant identified as an illegal drug user if it is determined that such inpatient services are necessary for successful rehabilitation.

AMENDMENT NO. 8

On page 2, line 22, after "selected" delete the remainder of the line and lines 23 through 26 in their entirety and insert in lieu thereof "by the Department of Social Services to be drug tested according to the procedure established by the department."

AMENDMENT NO. 9

On page 2, at the beginning of line 27, delete "Families Block Grant Program."

Rep. LaBruzzo moved the adoption of the amendments.

Rep. Stiaes objected.

By a vote of 59 yeas and 31 nays, the amendments were adopted.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Richmond to Engrossed House Bill No. 617 by Representative LaBruzzo

AMENDMENT NO. 1

On page 2, line 3, after "adults" and before "in" insert "who participate"

AMENDMENT NO. 2

On page 2, line 4, after "Program" and before the comma "," insert "and twenty percent of adults who are members of a body which appropriates funds for the Family Independence Temporary Assistance Program."

Point of Order

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

Ruling of the Chair

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

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Barrow to Engrossed House Bill No. 617 by Representative LaBruzzo

AMENDMENT NO. 1

On page 1, line 3, after "assistance" insert "and participants in the Taylor Opportunity Program for Students"

AMENDMENT NO. 2

On page 1, line 4, after "assistance" insert "and all participants in the Taylor Opportunity Program for Students"

AMENDMENT NO. 3

On page 1, line 10, after "assistance" insert "and all participants in the Taylor Opportunity Program for Students"

AMENDMENT NO. 4

On page 2, line 5, after the period "." insert "The legislature also directs the commissioner of the Board of Regents to establish a mandatory drug testing program for all students participating in the Taylor Opportunity Program for Students."

AMENDMENT NO. 5

On page 2, line 12, after the period "." insert "The commissioner of the Board of Regents shall cause to be instituted a mandatory drug testing program for all students participating in the Taylor Opportunity Program for Students."

AMENDMENT NO. 6

On page 2, line 27, after the period "." insert "The commissioner of the Board of Regents shall also enter into an agreement with a private contractor for the full implementation of the provisions of this Section."

Point of Order

Rep. LaBruzzo 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. Barrow, the amendments were withdrawn.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Barrow to Engrossed House Bill No. 617 by Representative LaBruzzo

AMENDMENT NO. 1

On page 2, line 20, after "Section." and before "Such" insert "To be eligible to enter into an agreement, the private contractor shall be

licensed by the state of Louisiana, follow the procurement process, and be approved by the Joint Legislative Committee on the Budget."

Point of Order

Rep. LaBruzzo 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 germane to the subject matter contained in the bill as introduced.

Rep. Barrow moved the adoption of the amendments.

Rep. LaBruzzo objected.

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Barrow to Engrossed House Bill No. 617 by Representative LaBruzzo

AMENDMENT NO. 1

On page 2, at the end of line 5, insert "The drug testing shall comply with standards utilized by the office of addictive disorders."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Dixon to Engrossed House Bill No. 617 by Representative LaBruzzo

AMENDMENT NO. 1

In House Floor Amendment No. 7 proposed by Representative LaBruzzo and adopted by the House on April 28, 2010, on page 1, line 26, change "twenty" to "forty"

Motion

Rep. Lopinto moved to end consideration of amendments.

Rep. Barrow objected.

By a vote of 53 yeas and 36 nays, the motion was agreed to.

Motion

Rep. Dixon moved the adoption of the amendments.

Rep. LaBruzzo objected

By a vote of 36 yeas and 54 nays, the amendments were rejected.

Motion

Rep. Michael Jackson moved to lay the entire subject matter on the table.

Rep. LaBruzzo objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Anders	Franklin	Leger
Arnold	Gallot	Mills
Aubert	Guillory	Montoucet
Badon, A.	Hardy	Norton
Baldone	Henderson	Ritchie
Barrow	Hines	Smith, G.
Billiot	Jackson G.	Smith, P.
Brossett	Jackson M.	Stiaes
Burrell	Jones, R.	Thierry
Dixon	Jones, S.	Williams
Edwards	LaFonta	
Total - 32		

NAYS

Mr. Speaker	Geymann	Morris
Badon, B.	Gisclair	Nowlin
Barras	Greene	Pearson
Burford	Harrison	Ponti
Burns, H.	Hazel	Pope
Burns, T.	Henry	Pugh
Carmody	Hill	Richardson
Carter	Hoffmann	Roy
Champagne	Howard	Schroder
Chandler	Johnson	Simon
Chaney	Katz	Smiley
Connick	LaBruzzo	Smith, J.
Cortez	Lambert	Talbot
Cromer	Landry	Templet
Danahay	LeBas	Thibaut
Doerge	Ligi	White
Downs	Little	Willmott
Ellington	Lopinto	Wooton
Foil	Lorusso	
Total - 56		

ABSENT

Abramson	Hutter	Richard
Armes	Kleckley	Richmond
Dove	McVea	Robideaux
Fannin	Monica	St. Germain
Guinn	Perry	Waddell
Total - 15		

The House refused to lay the entire subject matter on the table.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Geymann	Montoucet
Anders	Gisclair	Morris
Badon, B.	Greene	Nowlin
Baldone	Guillory	Pearson
Barras	Hardy	Ponti
Burford	Harrison	Pope
Burns, H.	Hazel	Pugh
Burns, T.	Henry	Richardson

Carmody	Hill	Roy
Carter	Hoffmann	Schroder
Champagne	Howard	Simon
Chandler	Johnson	Smiley
Chaney	Katz	Smith, J.
Connick	LaBruzzo	Talbot
Cortez	Lambert	Templet
Cromer	Landry	Thibaut
Danahay	LeBas	White
Doerge	Ligi	Willmott
Downs	Little	Wooton
Ellington	Lopinto	
Foil	Lorusso	
Total - 61		

NAYS

Arnold	Franklin	Leger
Aubert	Gallot	Mills
Badon, A.	Henderson	Norton
Barrow	Hines	Ritchie
Billiot	Jackson G.	Smith, G.
Brossett	Jackson M.	Smith, P.
Burrell	Jones, R.	Stiaes
Dixon	Jones, S.	Thierry
Edwards	LaFonta	Williams
Total - 27		

ABSENT

Abramson	Hutter	Richard
Armes	Kleckley	Richmond
Dove	McVea	Robideaux
Fannin	Monica	St. Germain
Guinn	Perry	Waddell
Total - 15		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 629—

BY REPRESENTATIVE DANAHAY
AN ACT

To amend and reenact Chapter 17 of Title 42 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 42:1261 through 1266, relative to the Department of State Civil Service, to provide for the transfer of certain responsibilities relative to employee training programs from the division of administration to the department; and to provide for related matters.

Read by title.

Rep. Danahay moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Foil	Lorusso
Anders	Franklin	Mills
Arnold	Gallot	Monica
Aubert	Geymann	Montoucet
Badon, A.	Gisclair	Morris
Badon, B.	Greene	Norton
Baldone	Guillory	Pearson
Barras	Hardy	Pope
Barrow	Harrison	Pugh
Billiot	Hazel	Richard
Brossett	Henderson	Richardson

Burford	Henry	Richmond
Burns, H.	Hill	Roy
Burns, T.	Hines	Schroder
Burrell	Hoffmann	Simon
Carmody	Howard	Smiley
Carter	Jackson G.	Smith, G.
Champagne	Jackson M.	Smith, J.
Chandler	Johnson	Smith, P.
Chaney	Jones, R.	St. Germain
Connick	Jones, S.	Stiaes
Cortez	Katz	Talbot
Cromer	LaBruzzo	Templet
Danahay	Lambert	Thibaut
Dixon	Landry	Thierry
Doerge	LeBas	White
Downs	Leger	Williams
Edwards	Ligi	Willmott
Ellington	Little	Wooton
Fannin	Lopinto	

Total - 89

NAYS

Total - 0

ABSENT

Abramson	Kleckley	Ponti
Arnes	LaFonta	Ritchie
Dove	McVea	Robideaux
Guinn	Nowlin	Waddell
Hutter	Perry	

Total - 14

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 741—

BY REPRESENTATIVE JOHNSON
AN ACT

To amend and reenact R.S. 46:236.1.4(B), relative to family and child support programs; to provide for financial institution duties; to provide for the authority of other states to place levies and liens on assets of noncustodial parents; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Johnson to Engrossed House Bill No. 741 by Representative Johnson

AMENDMENT NO. 1

On page 1, after line 10, insert the following:

"B.(1) For the purposes of this Subsection, the following definitions shall apply:

(a) "Financial institution" shall have the meaning ascribed in R.S. 46:236.1.1.

(b) "Title IV-D agency" shall mean an agency that administers child support programs pursuant to Title IV-D of the Social Security Act of 1975."

AMENDMENT NO. 2

On page 1, line 11, change "B.(1)" to "(2)"

AMENDMENT NO. 3

On page 1, line 15, after "matters" insert "if the provisions of this Subsection are met." and delete the remainder of the line

AMENDMENT NO. 4

On page 1, delete lines 16 through 20 in their entirety

AMENDMENT NO. 5

On page 1, after line 20, insert the following:

"(3) Any Title IV-D agency may enforce a lien in this state by attaching and seizing of assets of the delinquent obligor held in a financial institution operating in Louisiana without the necessity of obtaining an order from any other judicial or administrative tribunal if the financial institution is presented with a properly documented request. To be properly documented and valid, such request shall contain all of the following:

(a) A certified copy of the judgment or administrative order issued by the appropriate legal authority establishing the lien.

(b) A letter or notice of lien or levy which includes all of the following information:

(i) The name of the Title IV-D agency responsible for making the request for attachment and seizure of assets.

(ii) The name of the Title IV-D agency representative responsible for making the request for attachment and seizure of assets.

(iii) The name of the financial institution to whom the request for attachment and seizure is directed.

(iv) The name and social security number of the obligor against whom the lien is sought to be enforced.

(v) The name and address of the Title IV-D agency to whom the financial institution is to remit the seized assets or deposits.

(vi) A statement confirming that a copy of the request for attachment and seizure of assets or deposits was sent to the obligor by certified mail with return receipt requested.

(4) To transmit a request prepared in accordance with the provisions of this Subsection, a Title IV-D agency shall send the request by certified mail with return receipt requested to all of the following:

(a) A financial institution through its registered agent as defined in R.S. 6:285(C).

(b) The obligor against whom the lien is sought to be enforced.

(5) If, after fifteen days from the date that a financial institution receives a request which conforms with the provisions of this Subpart, the person against whom the lien is sought has not provided written notice stating that he has taken legal action to enjoin or otherwise restrain compliance with the request, then the financial institution may remit funds or other assets to the Title IV-D agency making the request.

(6) No financial institution, including its directors, officers, employees, attorneys, accountants, or other agents, shall incur liability to any person, including any depositor or other customer, as a result of remitting deposits or other assets to a Title IV-D agency in compliance with a request that conforms to the provisions of this Subsection."

On motion of Rep. Johnson, 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

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

Total - 87

NAYS

Total - 0

ABSENT

Armes	Kleckley	Ritchie
Cromer	LaFonta	Robideaux
Dove	McVea	St. Germain
Guinn	Perry	Waddell
Harrison	Richard	
Jackson G.	Richmond	

Total - 16

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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.

HOUSE BILL NO. 723—

BY REPRESENTATIVE CONNICK

AN ACT

To amend and reenact R.S. 42:65(A) and (C), relative to dual officeholding and dual employment; to provide relative to remedies and penalties related thereto; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Danahay to Engrossed House Bill No. 723 by Representative Connick

AMENDMENT NO. 1

On page 1, line 9, after "(1)" and before "The" insert "(a)"

AMENDMENT NO. 2

On page 1, between lines 15 and 16, insert the following:

"(b) Prior to filing a petition pursuant to Subparagraph (a) of this Paragraph, the attorney general or district attorney shall send written notice by certified mail to the person detailing the alleged violation of this Part."

AMENDMENT NO. 3

On page 2, line 6, after "judgment." delete "If, however," and insert the following:

"If the person vacates the position or office to remedy a violation of this Part within fourteen days after written notice of the violation is sent by the attorney general or a district attorney pursuant to Subparagraph (A)(1)(b) of this Section, such person shall not be subject to the reimbursement provided for in this Subsection. If"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Franklin	Lorusso
Abramson	Gallot	Mills
Anders	Geymann	Monica
Arnold	Gisclair	Montoucet
Aubert	Greene	Morris
Badon, A.	Guillory	Norton
Badon, B.	Hardy	Nowlin
Baldone	Harrison	Pearson
Barras	Hazel	Ponti
Barrow	Henderson	Pope
Billiot	Henry	Pugh
Brossett	Hill	Richard
Burford	Hines	Richardson
Burns, H.	Hoffmann	Richmond
Burns, T.	Howard	Ritchie
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	Stiaes

Cortez	LaBruzzo	Talbot
Danahay	Lambert	Templet
Dixon	Landry	Thibaut
Doerge	LeBas	Thierry
Downs	Leger	Waddell
Edwards	Ligi	White
Fannin	Little	Williams
Foil	Lopinto	Willmott

Total - 90

NAYS

Total - 0

ABSENT

Arnes	Kleckley	Roy
Cromer	LaFonta	St. Germain
Dove	McVea	Wooton
Ellington	Perry	
Guinn	Robideaux	

Total - 13

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Suspension of the Rules

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

Petitions, Memorials, and Communications

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

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

April 28, 2010

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. 130
Returned without amendments

House Concurrent Resolution No. 131
Returned without amendments

House Concurrent Resolution No. 133
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

**ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

April 28, 2010

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

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution Nos. 56, 58, and 59

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

SENATE BILLS

April 28, 2010

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

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

Senate Bill Nos. 38, 64, 89, 111, 162, 182, 184, 223, 244, 251, 263, 271, 285, 301, 302, 344, 346, 384, 385, 533, 553, 713, and 721

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. 38—

BY SENATOR MARTINY

AN ACT

To enact R.S. 14:102.24, relative to cockfighting; to create the crime of participation in cockfighting; to provide for elements of the crime; to provide for definitions; to provide for penalties; and to provide for related matters.

Read by title.

SENATE BILL NO. 64—

BY SENATOR MURRAY

AN ACT

To enact R.S. 33:9080.4, relative to Orleans Parish; to create the Lakeview Street Maintenance District; to provide for the purpose, governance, and powers and duties of the district; to provide for the imposition of a parcel fee; and to provide for related matters.

Read by title.

SENATE BILL NO. 89—

BY SENATOR LONG

AN ACT

To amend and reenact R.S. 17:1963(C), relative to the Louisiana School of Math, Science, and the Arts; to remove statutory placement of the school within the Department of Education; and to provide for related matters.

Read by title.

SENATE BILL NO. 111—

BY SENATOR LONG

AN ACT

To amend and reenact R. S. 17:1967, relative to the Louisiana School for Math, Science, and the Arts; to allow the school to admit high school sophomores on the same basis as juniors and seniors; and to provide for related matters.

Read by title.

SENATE BILL NO. 162—

BY SENATOR ADLEY

AN ACT

To enact R.S. 29:732(F)(3), relative to price gouging during a declared state of emergency; to specify additional actions which would result in a violation; and to provide for related matters.

Read by title.

SENATE BILL NO. 182—

BY SENATORS N. GAUTREAU, ADLEY, APPEL, DONAHUE, DORSEY, DUPLESSIS, LONG, MARIONNEAU, MURRAY, NEVERS, RISER AND SHAW AND REPRESENTATIVES EDWARDS, ELLINGTON, GISCLAIR, KATZ, MCVEA, MONICA AND SCHRODER

AN ACT

To amend and reenact R.S. 17:3048.1(O)(1), (2) and (3), relative to the Taylor Opportunity Program for Students; to provide for certain awards and payments for Louisiana National Guardsmen; and to provide for related matters.

Read by title.

SENATE BILL NO. 184—

BY SENATOR N. GAUTREAU

AN ACT

To enact R.S. 30:136(D), relative to the State Mineral and Energy Board; to provide relative to the disposition of certain funds payable to the state as the lessor of certain mineral leases; to provide for reimbursement of certain monies to the Mineral Resources Operation Fund; to provide terms and conditions; and to provide for related matters.

Read by title.

SENATE BILL NO. 223—

BY SENATOR MOUNT AND REPRESENTATIVE GEYMAN

AN ACT

To designate that section of Louisiana Highway US 171 between its intersection with Sam Houston Jones Parkway and its intersection with You Winn Road as the "Senior Trooper Duane Dalton Memorial Highway"; and to provide for related matters.

Read by title.

SENATE BILL NO. 244—

BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 33:4084(A)(1)(a), to increase the requirement for public advertisement for bids on materials and supplies contracts of the sewerage and water board in the city of New Orleans; and to provide for related matters.

SENATE BILL NO. 251—

BY SENATORS DORSEY, ERDEY, B. GAUTREAU, HEITMEIER, MCPHERSON AND SHAW

AN ACT

To enact R.S. 47:463.141, relative to motor vehicle special prestige license plates; to provide for the creation and issuance of such plates; to provide for the design of such plates; to provide relative to the annual fee and disposition of such fee for such plates; to provide for the promulgation of rules and regulations; and to provide for related matters.

Read by title.

SENATE BILL NO. 263—

BY SENATOR CLAITOR

AN ACT

To amend and reenact R.S. 32:71(B) and (D), relative to motor vehicles; to restrict vehicles to driving in the left-hand lane on non-urban multilane highways; and to provide for related matters.

Read by title.

SENATE BILL NO. 271—

BY SENATOR ADLEY

AN ACT

To amend and reenact R.S. 48:394(A)(1) and (C) and to enact R.S. 48:394(D), relative to private railroad crossings; to prohibit closure of private railroad crossings; and to provide for related matters.

Read by title.

SENATE BILL NO. 285—

BY SENATOR DONAHUE

AN ACT

To amend and reenact R.S. 17:100.1(C), relative to certain adjudicated students and students in the custody of the office of juvenile justice; to provide that students educated in secure care facilities under the jurisdiction of the office of juvenile justice are provided for and included in the minimum foundation program; to provide for the allocation of state and local minimum foundation program formula funds attributable to such inclusion; and to provide for related matters.

Read by title.

SENATE BILL NO. 301—

BY SENATOR WALSWORTH

AN ACT

To amend and reenact R.S. 23:1553(B)(6) and (7) and (G), relative to the Incumbent Worker Training Program; to provide with respect to the Incumbent Worker Training Account; and to provide for related matters.

Read by title.

SENATE BILL NO. 302—

BY SENATORS APPEL, DONAHUE, DUPLESSIS, MARTINY AND QUINN AND REPRESENTATIVES BOBBY BADON, HENRY BURNS, TIM BURNS, CARTER, CHAMPAGNE, GISCLAIR, GUILLORY, HARDY, HOFFMANN, LIGI AND ROBIDEAU

AN ACT

To enact R.S. 17:10.1(D), relative to the Louisiana school and district accountability system; to provide for the assignment of letter grades to schools and school districts that are reflective of their performance; and to provide for related matters.

Read by title.

SENATE BILL NO. 344—

BY SENATORS DUPLESSIS, APPEL, BROOME, DONAHUE, LAFLEUR, MARTINY AND QUINN AND REPRESENTATIVES BOBBY BADON, HENRY BURNS, TIM BURNS, CARMODY, CHAMPAGNE, CONNICK, GISCLAIR, HARDY, HOFFMANN, KATZ, LABRUZZO, LIGI, NOWLIN, RICHARD, ROBIDEAU, SIMON, SMILEY, WILLIAMS AND WOOTON

AN ACT

To amend and reenact R.S. 17:3982(A)(1)(a) and (2) and (B), and 3992(A)(1) and (2), relative to charter schools; to provide relative to the process for submission, review, and approval of charter school proposals and renewal of charters; to provide relative to the use of local school board facilities and property by a chartering group; and to provide for related matters.

Read by title.

SENATE BILL NO. 346—

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 56:322.2(D)(2) and (G), relative to the use of certain trawls and nets in certain water bodies; to allow for the use of shad gill nets in certain water bodies; and to provide for related matters.

Read by title.

SENATE BILL NO. 384—

BY SENATOR CLAITOR

AN ACT

To amend and reenact R.S. 56:699.6, relative to firearm and hunter education requirement; to provide an exemption for hunters who are under the direct supervision of a parent, step parent, grandparent or step grandparent from having to complete a firearm and hunter education course; and to provide for related matters.

Read by title.

SENATE BILL NO. 385—

BY SENATOR CLAITOR

AN ACT

To enact R.S. 33:9097.8, relative to East Baton Rouge Parish; to create the Broadmoor Crime Prevention and Improvement District; to provide for the purpose, governance, and powers and duties of the district; to provide with respect to the levy of an ad valorem tax within the district; and to provide for related matters.

Read by title.

SENATE BILL NO. 533—

BY SENATORS LAFLEUR AND MICHOT

AN ACT

To enact R.S. 17:8.2, relative to textbooks and other instructional materials; to provide for the inclusion of electronic textbooks and instructional materials on state approved lists of textbooks and materials that may be used in elementary and secondary schools; to encourage the adoption and use of electronic textbooks and instructional materials; to provide relative to the purchase of printed and electronic textbooks and other instructional materials and content; and to provide for related matters.

Read by title.

SENATE BILL NO. 553—

BY SENATOR LAFLEUR

AN ACT

To enact R.S. 17:7(29), relative to the duties, functions, and responsibilities of the State Board of Elementary and Secondary Education; to require the board to develop and adopt an early high school graduation policy; to provide relative to implementation of such policy by local school boards; and to provide for related matters.

Read by title.

SENATE BILL NO. 713—

BY SENATOR NEVERS

AN ACT

To enact R.S. 17:1814, relative to postsecondary education; to provide limitation of liability for breaches of certain confidential student information submitted to the Board of Regents by nonpublic postsecondary educational institutions; and to provide for related matters.

Read by title.

SENATE BILL NO. 721—

BY SENATOR NEVERS

AN ACT

To enact R.S. 47:1908(F), relative to certain Washington Parish elected officials; to provide an automobile expense allowance for the assessor; and to provide for related matters.

Read by title.

Suspension of the Rules

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

**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. 47—

BY REPRESENTATIVE GALLOT

A RESOLUTION

To amend and readopt House Rule 10.8 of the Rules of Order of the House of Representatives to prohibit a member from changing his vote after the result of the vote has been announced.

Read by title.

On motion of Rep. Gallot, and under a suspension of the rules, the above resolution was referred to the Committee on House and Governmental Affairs, under the rules.

HOUSE RESOLUTION NO. 48—

BY REPRESENTATIVE ELLINGTON

A RESOLUTION

To amend and readopt House Rule 2.3 of the Rules of Order of the House of Representatives to provide for the election of certain officers of the House by confidential ballot.

Read by title.

Lies over under the rules.

HOUSE RESOLUTION NO. 49—

BY REPRESENTATIVE BURFORD

A RESOLUTION

To commend Louisiana State University student Shan Terika Remo upon her receipt of the 2010 Exceptional Research Opportunities Program Award from the Howard Hughes Medical Institute.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 134—

BY REPRESENTATIVES HUTTER, BARROW, CHAMPAGNE, DOERGE, HILL, ROSALIND JONES, KATZ, LANDRY, NORTON, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, STIAES, AND THIERRY AND SENATORS BROOME, CHEEK, DORSEY, DUPLESSIS, JACKSON, MOUNT, PETERSON, AND QUINN

A CONCURRENT RESOLUTION

To commend Frances B. Bennett of Baton Rouge upon her receipt of a 2010 Women of Excellence Award from the Louisiana Legislative Women's Caucus Foundation.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 135—

BY REPRESENTATIVES HUTTER, BARROW, CHAMPAGNE, DOERGE, HILL, ROSALIND JONES, KATZ, LANDRY, NORTON, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, STIAES, AND THIERRY AND SENATORS BROOME, CHEEK, DORSEY, DUPLESSIS, JACKSON, MOUNT, PETERSON, AND QUINN

A CONCURRENT RESOLUTION

To commend Laura F. Lindsay, Ph.D., upon her receipt of a 2010 Women of Excellence Award from the Louisiana Legislative Women's Caucus Foundation.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 136—

BY REPRESENTATIVES HUTTER, BARROW, CHAMPAGNE, DOERGE, HILL, ROSALIND JONES, KATZ, LANDRY, NORTON, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, STIAES, AND THIERRY AND SENATORS BROOME, CHEEK, DORSEY, DUPLESSIS, JACKSON, MOUNT, PETERSON, AND QUINN

A CONCURRENT RESOLUTION

To commend Robelynn H. Abadie of Baton Rouge upon her receipt of a 2010 Women of Excellence Award from the Louisiana Legislative Women's Caucus Foundation.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 137—

BY REPRESENTATIVES HUTTER, BARROW, CHAMPAGNE, DOERGE, HILL, ROSALIND JONES, KATZ, LANDRY, NORTON, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, STIAES, AND THIERRY AND SENATORS BROOME, CHEEK, DORSEY, DUPLESSIS, JACKSON, MOUNT, PETERSON, AND QUINN

A CONCURRENT RESOLUTION

To commend Andree D. Mattix of New Orleans upon her receipt of a 2010 Women of Excellence Award from the Louisiana Legislative Women's Caucus Foundation.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 138—

BY REPRESENTATIVES HUTTER, BARROW, CHAMPAGNE, DOERGE, HILL, ROSALIND JONES, KATZ, LANDRY, NORTON, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, STIAES, AND THIERRY AND SENATORS BROOME, CHEEK, DORSEY, DUPLESSIS, JACKSON, MOUNT, PETERSON, AND QUINN

A CONCURRENT RESOLUTION

To commend Chef Elizabeth Dickson upon her receipt of a 2010 Women of Excellence Award from the Louisiana Legislative Women's Caucus Foundation.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 139—

BY REPRESENTATIVES HUTTER, BARROW, CHAMPAGNE, DOERGE, HILL, ROSALIND JONES, KATZ, LANDRY, NORTON, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, STIAES, AND THIERRY AND SENATORS BROOME, CHEEK, DORSEY, DUPLESSIS, JACKSON, MOUNT, PETERSON, AND QUINN

A CONCURRENT RESOLUTION

To commend Whitney Dawn Breaux upon her receipt of a 2010 Women of Excellence Award from the Louisiana Legislative Women's Caucus Foundation.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 140—

BY REPRESENTATIVES HUTTER, BARROW, CHAMPAGNE, DOERGE, HILL, ROSALIND JONES, KATZ, LANDRY, NORTON, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, STIAES, AND THIERRY AND SENATORS BROOME, CHEEK, DORSEY, DUPLESSIS, JACKSON, MOUNT, PETERSON, AND QUINN

A CONCURRENT RESOLUTION

To commend Rachele Ammond upon her receipt of a 2010 Women of Excellence Award from the Louisiana Legislative Women's Caucus Foundation.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 141—

BY REPRESENTATIVE MONICA

A CONCURRENT RESOLUTION

To proclaim May 16 through May 22, 2010, as "Safe Boating Week" in Louisiana.

Read by title.

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

Ordered to the Senate.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Administration of Criminal Justice

April 28, 2010

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Administration of Criminal Justice to submit the following report:

House Bill No. 6, by Thierry
Reported favorably, with recommendation that it be recommitted to the Committee on Appropriations. (14-0)

House Bill No. 16, by Wooton
Reported favorably. (12-0) (Regular)

House Bill No. 27, by Hardy
Reported with amendments, with recommendation that it be recommitted to the Committee on Appropriations. (13-0)

House Bill No. 30, by Wooton
Reported favorably. (13-0) (Local & Consent)

House Bill No. 43, by Hardy
Reported favorably. (13-0) (Regular)

House Bill No. 60, by Wooton
Reported with amendments. (12-0) (Regular)

House Bill No. 68, by Burns, Henry
Reported with amendments. (8-3) (Regular)

House Bill No. 141, by Wooton
Reported favorably. (12-0) (Regular)

House Bill No. 158, by Wooton
Reported with amendments. (12-0) (Regular)

House Bill No. 556, by Wooton
Reported favorably. (8-3-1) (Regular)

House Bill No. 990, by Thierry
Reported with amendments. (14-0) (Regular)

House Bill No. 1260, by Hazel
Reported favorably. (14-0) (Local & Consent)

House Bill No. 1272, by Burns, Henry
Reported with amendments. (10-0) (Regular)

ERNEST D. WOOTON
Chairman

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

April 28, 2010

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Health and Welfare to submit the following report:

House Bill No. 616, by Barrow
Reported with amendments, with recommendation that it be recommitted to the Committee on Appropriations. (12-0)

House Bill No. 1364, by McVea
Reported with amendments, with recommendation that it be recommitted to the Committee on Appropriations. (15-0)

KAY KELLOGG KATZ
Chairman

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

April 28, 2010

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on House and Governmental Affairs to submit the following report:

House Bill No. 37, by Smith, Gary
Reported favorably. (16-0) (Regular)

House Bill No. 239, by Kleckley
Reported with amendments. (16-0) (Regular)

House Bill No. 593, by Pugh
Reported with amendments. (16-0) (Regular)

House Bill No. 949, by Baldone
Reported with amendments. (17-0) (Regular)

House Bill No. 951, by Billiot
Reported with amendments. (16-0) (Regular)

House Bill No. 1216, by Gallot
Reported by substitute. (15-0) (Regular)

House Bill No. 1301, by Pearson
Reported favorably. (18-0) (Regular)

House Bill No. 1307, by Jones, Rosalind
Reported favorably. (16-0) (Regular)

RICHARD "RICK" GALLOT, JR.
Chairman

**Report of the Committee on
Insurance**

April 28, 2010

To the Speaker and Members of the House of Representatives:

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

House Bill No. 447, by Pearson
Reported with amendments. (10-0) (Regular)

House Bill No. 1047, by St. Germain
Reported with amendments. (8-0) (Regular)

CHARLES E. "CHUCK" KLECKLEY
Chairman

**Report of the Committee on
Natural Resources and Environment**

April 28, 2010

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Natural Resources and Environment to submit the following report:

House Bill No. 45, by Lambert
Reported favorably. (12-0) (Regular)

House Bill No. 545, by Baldone
Reported favorably. (13-1) (Regular)

House Bill No. 597, by St. Germain
Reported with amendments. (13-0) (Regular)

House Bill No. 599, by Ellington
Reported by substitute. (12-0) (Regular)

House Bill No. 641, by Henderson
Reported favorably. (11-0) (Local & Consent)

House Bill No. 642, by Henderson
Reported favorably. (12-0) (Local & Consent)

House Bill No. 644, by Henderson
Reported with amendments. (13-0-1) (Regular)

House Bill No. 656, by Gisclair
Reported with amendments. (11-0-1) (Regular)

House Bill No. 692, by Wooton
Reported favorably. (11-0-1) (Local & Consent)

House Bill No. 693, by Wooton
Reported favorably. (9-0-1) (Local & Consent)

House Bill No. 695, by Wooton
Reported with amendments. (10-0-1) (Regular)

House Bill No. 712, by Wooton
Reported with amendments. (11-0-1) (Regular)

House Bill No. 875, by Harrison
Reported with amendments. (13-0-1) (Regular)

House Bill No. 887, by St. Germain
Reported favorably. (13-0) (Local & Consent)

House Bill No. 888, by St. Germain
Reported favorably. (13-0) (Local & Consent)

House Bill No. 890, by Harrison
Reported favorably. (14-0-1) (Local & Consent)

House Bill No. 953, by Lambert
Reported favorably. (11-0) (Local & Consent)

House Bill No. 1288, by Guinn
Reported with amendments. (12-0) (Regular)

House Bill No. 1346, by Dove
Reported favorably. (14-0-1) (Local & Consent)

GORDON E. DOVE, SR.
Chairman

Privileged Report of the Committee on Enrollment

April 28, 2010

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. 44—

BY REPRESENTATIVE PERRY
A RESOLUTION

To express sincere and heartfelt condolences upon the death of Steve Racca of Hackberry.

HOUSE RESOLUTION NO. 45—

BY REPRESENTATIVE ST. GERMAIN
A RESOLUTION

To commend Susan Jackson of LSU upon winning her third NCAA National Championship title and being named Gymnast of the Year.

HOUSE RESOLUTION NO. 46—

BY REPRESENTATIVES ROSALIND JONES AND LEGER
A RESOLUTION

To commend the New Leaders Council of Louisiana on their very first graduation ceremony.

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

April 28, 2010

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. 123—

BY REPRESENTATIVES HAZEL, ABRAMSON, ANDERS, ARMES, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BARROW, BILLIOT, BROSSETT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, CROMER, DANAHAY, DIXON, DOERGE, DOVE, DOWNS, EDWARDS, ELLINGTON, FANNIN, FOIL, FRANKLIN, GALLOT, GEYMAN, GISCLAIR, GREENE, GUILLORY, GUINN, HARDY, HARRISON, HENDERSON, HENRY, HILL, HINES, HOFFMANN, HOWARD, HUTTER, GIROD JACKSON, MICHAEL JACKSON, JOHNSON, ROSALIND JONES, SAM JONES, KATZ, KLECKLEY, LABRUZZO, LAFONTA, LAMBERT, LANDRY, LEBAS, LEGER, LIGI, LITTLE, LOPINTO, LORUSSO, MCVEA, MILLS, MONICA, MONTOUCET, MORRIS, NORTON, NOWLIN, PEARSON, PERRY, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RICHMOND, RITCHIE, ROBIDEAUX, ROY, SCHRODER, SIMON, SMILEY, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, STIAES, TALBOT, TEMPLET, THIBAUT, THIERRY, TUCKER, WADDELL, WHITE, WILLIAMS, WILLMOTT, AND WOOTON

A CONCURRENT RESOLUTION

To express sincere condolences upon the death of Dr. Robert Walton Johnson of Marksville.

HOUSE CONCURRENT RESOLUTION NO. 124—

BY REPRESENTATIVE ARMES
A CONCURRENT RESOLUTION

To urge and request the Sabine River Authority and the Department of Wildlife and Fisheries to work with their Texas counterparts to develop consistent fishing regulations applicable throughout the Toledo Bend Reservoir.

HOUSE CONCURRENT RESOLUTION NO. 125—

BY REPRESENTATIVE ANDERS
A CONCURRENT RESOLUTION

To memorialize the United States Congress to direct the United States Department of Agriculture and the Federal Crop Insurance Corporation to take such actions as are necessary to establish a viable crop insurance program for Louisiana sweet potato farmers.

HOUSE CONCURRENT RESOLUTION NO. 126—

BY REPRESENTATIVE ANDERS
A CONCURRENT RESOLUTION

To encourage state, parish, and local governments to purchase conservation easements from owners of quality agriculture and forestry lands.

HOUSE CONCURRENT RESOLUTION NO. 127—

BY REPRESENTATIVE CROMER
A CONCURRENT RESOLUTION

To memorialize the United States Congress to support passage of and funding of the Agent Orange Equity Act of 2009, H.R. 2254, and to restore the presumption of a service connection for Agent Orange exposure for United States Navy and Air Force veterans who served on the inland waterways and territorial waters and in the airspace of Vietnam, Thailand, Laos, and Cambodia.

HOUSE CONCURRENT RESOLUTION NO. 128—

BY REPRESENTATIVE LEGER
A CONCURRENT RESOLUTION

To urge and request the Louisiana Highway Safety Commission to conduct a study to determine the best way to encourage compliance with seat belt requirements.

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

April 28, 2010

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. 921—
BY REPRESENTATIVE CORTEZ
AN ACT

To authorize and provide for the transfer of certain state property, located in Lafayette Parish, from the Department of Transportation and Development to the city of Youngsville; and to provide for related matters.

HOUSE BILL NO. 1219—
BY REPRESENTATIVE KLECKLEY
AN ACT

To enact R.S. 22:1016, relative to prepaid entities participating in the Louisiana Medicaid Program; to provide for licensure, financial solvency, and regulation of such prepaid entities; 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.

Quorum Call

Rep. Rosalind Jones suggested the absence of a quorum.

ROLL CALL

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

PRESENT

Mr. Speaker	Geymann	Morris
Arnold	Greene	Norton
Brossett	Hazel	Nowlin
Burns, H.	Jackson G.	Pearson
Burns, T.	Johnson	Ponti
Carmody	Jones, R.	Pope
Chandler	Jones, S.	Simon
Chaney	Lambert	Templet
Cortez	Landry	Thierry
Edwards	LeBas	Willmott
Foil	Little	
Total - 32		

ABSENT

Abramson	Gallot	Monica
Anders	Gisclair	Montoucet

Armes	Guillory	Perry
Aubert	Guinn	Pugh
Badon, A.	Hardy	Richard
Badon, B.	Harrison	Richardson
Baldone	Henderson	Richmond
Barras	Henry	Ritchie
Barrow	Hill	Robideaux
Billiot	Hines	Roy
Burford	Hoffmann	Schroder
Burrell	Howard	Smiley
Carter	Hutter	Smith, G.
Champagne	Jackson M.	Smith, J.
Connick	Katz	Smith, P.
Cromer	Kleckley	St. Germain
Danahay	LaBruzzo	Stiaes
Dixon	LaFonta	Talbot
Doerge	Leger	Thibaut
Dove	Ligi	Waddell
Downs	Lopinto	White
Ellington	Lorusso	Williams
Fannin	McVea	Wooton
Franklin	Mills	
Total - 71		

Speaker Tucker announced there were 32 members present.

The Speaker declared the House *inquorate*.

Leave of Absence

Rep. Robideaux - 1 day

Rep. McVea - 1/2 day

Adjournment

On motion of Rep. Brossett, at 8:15 P.M., the House agreed to adjourn until Thursday, April 29, 2010, at 1:00 P.M.

The Speaker of the House declared the House adjourned until 1:00 P.M., Thursday, April 29, 2010.

ALFRED W. SPEER
Clerk of the House