

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

TWENTY-THIRD 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

Thursday, May 6, 2010

The House of Representatives was called to order at 2:00 P.M., by the Honorable Joel Robideaux, Speaker Pro Tempore of the House of Representatives.

Morning Hour

ROLL CALL

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

PRESENT

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

Fannin	Lorusso	Willmott
Foil	McVea	Wooton
Total - 102		

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

Prayer

Prayer was offered by Rev. Jim Rentz, Minister of Healing Place Church in Baton Rouge.

Angela Perry sang the *Lord's Prayer*.

Pledge of Allegiance

Rep. Carmody 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. Jane Smith, the reading of the Journal was dispensed with.

On motion of Rep. Jane Smith, the Journal of May 5, 2010, was adopted.

**Petitions, Memorials, and
Communications**

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

Message from the Senate

SENATE BILLS

May 6, 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. 25, 240, 247, and 527

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. 25—
BY SENATOR CROWE

AN ACT

To amend and reenact R.S. 33:4574.1(A)(1)(b) and 4574.1.1(C)(1) and R.S. 47:301(14)(c), relative to tax exemptions and exclusions of political subdivisions of the state; to exclude or exempt from certain taxes certain agreements to occupy for a certain time period accommodation, space, or lot which is in an overnight camping facility or trailer park; and to provide for related matters.

Read by title.

SENATE BILL NO. 240—
BY SENATOR MURRAY

AN ACT

To enact R.S. 17:1990(C)(2)(a)(iii), relative to the Recovery School District; to allow the Orleans Parish School Board to deduct certain costs from the amount of local revenues that it would otherwise be required to transfer to the district; to require a

report accounting for such excluded monies; and to provide for related matters.

Read by title.

SENATE BILL NO. 247—
BY SENATOR ALARIO

AN ACT

To enact R.S. 33:9080.4, a bill relative to Jefferson Parish; to create the Esprit at Stonebridge Neighborhood Improvement District; to provide for district boundaries, purpose, governance, and funding, including the levy of a parcel fee; to provide relative to the powers and duties of the district and its governing board; and to provide for related matters.

Read by title.

SENATE BILL NO. 527—
BY SENATORS BROOME AND THOMPSON
AN ACT

To enact R.S. 17:252(D), relative to student behavior and discipline; to provide relative to the model master plan for improving behavior and discipline within schools; to require certain classroom management training be provided to certain school personnel; and to provide for related matters.

Read by title.

Suspension of the Rules

On motion of Rep. Burrell, 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. 61—
BY REPRESENTATIVE BURRELL
A RESOLUTION

To express sincere and heartfelt condolences upon the death of James Washington, Sr.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 153—
BY REPRESENTATIVE DOVE
A CONCURRENT RESOLUTION

To recognize Tuesday, May 11, 2010, as Coastal Day at the Louisiana Legislature

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 154—
BY REPRESENTATIVE LOPINTO
A CONCURRENT RESOLUTION

To commend Jim Funk, president and chief executive officer of the Louisiana Restaurant Association.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 155—
BY REPRESENTATIVES CHAMPAGNE AND PATRICIA SMITH
A CONCURRENT RESOLUTION

To direct the office of the legislative auditor to conduct a detailed performance study and audit of the Board of Pardons and the Board of Parole regarding the efficiency of the operations of each board and the feasibility of combining the two boards into one board, and to report its findings to the Legislature of Louisiana prior to the convening of the 2012 Regular Session of the Legislature.

Read by title.

Lies over under the rules.

**House and House Concurrent Resolutions
Lying Over**

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

HOUSE CONCURRENT RESOLUTION NO. 150—
BY REPRESENTATIVE WILLIAMS
A CONCURRENT RESOLUTION

To direct the Department of Social Services to assess efforts to date in Louisiana to promote healthy food choices among recipients of Supplemental Nutrition Assistance Program (SNAP) benefits, and to collaborate with certain stakeholders to develop a report to the House and Senate committees on health and welfare addressing findings and recommendations for enhancing the nutrition and health of SNAP participants.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 151—
BY REPRESENTATIVE MICHAEL JACKSON
A CONCURRENT RESOLUTION

To direct the Department of Health and Hospitals and the Office of Group Benefits to study the feasibility of Federally Qualified Health Centers providing group health insurance coverage for employees of those centers.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 152—
BY REPRESENTATIVE TUCKER
A CONCURRENT RESOLUTION

To direct the public postsecondary education management boards and the Board of Regents to publish, including on their respective websites, certain performance and cost data relative to public postsecondary education in Louisiana.

Read by title.

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

**Senate Concurrent Resolutions
Lying Over**

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

SENATE CONCURRENT RESOLUTION NO. 68—

BY SENATOR MORRELL

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study the admission and expulsion criteria in charter schools and the impact of that criteria on at-risk and special needs students.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 69—

BY SENATOR PETERSON

A CONCURRENT RESOLUTION

To urge and request the state of Louisiana, through the Department of Health and Hospitals and the Department of Economic Development, Louisiana State University, Xavier University, Tulane University, United States Department of Veterans Affairs, Board of Trustees for the New Orleans University Medical Center, and the Greater New Orleans Biosciences Economic Development District to execute a community benefits agreement.

Read by title.

On motion of Rep. Abramson, 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. 56—

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

AN ACT

To amend and reenact R.S. 14:80(D), 81.1(E)(3), (4), (5) and (6), and 86 and to enact R.S. 14:40.3(C)(4), 46.2(B)(4), 46.3(D)(3), 81(H)(3), 81.1(E)(7), 81.2(G), and 81.3(B)(4) and R.S. 15:539.1, relative to criminal offenses; to provide for forfeiture of certain property used in the commission of certain crimes; to provide for forfeiture procedure; to provide for exempt property; to provide for allocation of proceeds; 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. 65—

BY SENATOR AMEDEE

AN ACT

To amend and reenact R.S. 49:214.24(C), relative to the coastal zone boundary; to authorize the inclusion of all or any portions of the parishes of Ascension or Iberville into the coastal zone; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 81—

BY SENATORS MARTINY AND THOMPSON

AN ACT

To amend and reenact R.S. 14:95.2(C)(4) and R.S. 40:1379.3(C)(10) and (N)(11), relative to concealed handguns; to provide for prohibitions on statewide concealed handgun permits; to provide exception in criminal acts; to provide for certain qualifications; 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. 170—

BY SENATOR N. GAUTREAUX

AN ACT

To enact R.S. 56:1702, relative to state parks; to provide for the Palmetto Island State Park; to provide for certain agreements for the operation and maintenance of such state park; to provide terms, conditions, and requirements; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 261—

BY SENATOR NEVERS

AN ACT

To amend and reenact R.S. 48:1805(B)(2), relative to the Zachary Taylor Parkway Commission; to provide relative to the term a member appointed to the commission may serve; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 473—

BY SENATOR LONG

AN ACT

To amend and reenact R.S. 56:649.4, relative to nonresident combination lifetime hunting and fishing licenses; to provide for the purchase of certain combination licenses for veterans who have been wounded or disabled; to provide requirements, terms, and conditions; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 474—

BY SENATOR CROWE

AN ACT

To amend and reenact R.S. 32:414(T)(1), relative to child restraint systems; to provide for certain notifications; to provide for affidavits under certain circumstances; to provide for suspensions of licenses under certain circumstances; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 564—

BY SENATOR JACKSON

AN ACT

To repeal Paragraphs 32(b), (c), (d), (e), and (f) of Article 14, Section 32 of the 1921 Constitution of Louisiana, as amended, continued as a statute pursuant to Article XIV, Section 16 of the

1974 Constitution of Louisiana, relative to the Caddo Parish Jail Site Fund; to abolish the fund; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 568—
BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 17:53(A) and (B), relative to required training and instruction of school board members; to authorize school board members to obtain training and instruction at certain conferences; to require verification of attendance; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 638—
BY SENATOR CLAITOR

AN ACT

To amend and reenact R.S. 40:5.11(G), and to enact R.S. 40:5.11(H), relative to the water fluoridation program; to provide notice to consumers of water originating from public water systems under certain circumstances; to prohibit the use of certain chemicals within certain fluoridated water systems; to provide for penalties; and to provide for related matters.

Read by title.

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

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

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

HOUSE RESOLUTION NO. 47—
BY REPRESENTATIVES GALLOT, BARRAS, CROMER, GEYMAN, ROSALIND JONES, LIGI, RICHARD, SMILEY, AND JANE SMITH
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.

Reported favorably by the Committee on House and Governmental Affairs.

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

HOUSE CONCURRENT RESOLUTION NO. 55—
BY REPRESENTATIVES MORRIS, CONNICK, GEYMAN, LANDRY, LIGI, LORUSSO, PONTI, PUGH, RICHARD, SMILEY, AND JANE SMITH
A CONCURRENT RESOLUTION

To urge and request the legislative auditor to undertake a detailed performance study of postsecondary education in Louisiana, and to report his findings to the Legislature of Louisiana prior to the convening of the 2011 Regular Session.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

On motion of Rep. Gallot, 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. 106—
BY REPRESENTATIVE LOPINTO
AN ACT

To enact R.S. 15:587.1.1, relative to criminal history information; to provide with respect to criminal history information of persons with supervisory or disciplinary authority over children; to authorize prospective employees and independent contractors; to receive a certified copy of their criminal history information; to provide for portability of such information; to provide for definitions; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 106 by Representative Lopinto

AMENDMENT NO. 1

On page 1, line 4, after "employees" and before "to" insert "and independent contractors;"

AMENDMENT NO. 2

On page 1, line 5, after "such information;" and before "and" insert "to provide for definitions;"

AMENDMENT NO. 3

On page 1, at the beginning of line 10, insert "A."

AMENDMENT NO. 4

On page 1, line 12, after "children" and before "in" insert "in a child care facility"

AMENDMENT NO. 5

On page 1, line 12, after "R.S. 15:587.1," and before "the" insert "or to an independent contractor who performs work in a child care facility,"

AMENDMENT NO. 6

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

"B. For purposes of this Section, "independent contractor" means any person who renders professional, therapeutic, or enrichment services such as educational consulting, athletic, or artistic services within a child care facility, whose services are not integral to either the operation of the child care facility or to the care and supervision of children. Independent contractors may include but are not limited to dance instructors, gymnastic or sports instructors, computer instructors, speech therapists, licensed health care professionals, state-certified teachers employed through a local school board, art instructors, and other outside contractors. A person shall not be deemed an independent contractor if he is considered an employee or statutory employee of the child care facility pursuant to Chapter 10 of Title 23 of the Louisiana Revised Statutes of 1950."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 151—
BY REPRESENTATIVE CARMODY
AN ACT

To amend and reenact R.S. 17:158(A)(3), to authorize the Bossier Parish School Board and the Caddo Parish School Board to transport to school any student who resides one mile or less from the school; to provide conditions and limitations; to provide an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

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

HOUSE BILL NO. 180—
BY REPRESENTATIVES ROY AND POPE
AN ACT

To amend and reenact R.S. 15:587.1(B) and R.S. 44:9(F), (G), and (I) and to enact R.S. 15:587(A)(1)(f), relative to criminal records; to amend provisions regarding criminal background checks; to provide entities with access to criminal history information; to provide for the type of information available to those entities; to provide for confidentiality; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 180 by Representative Roy

AMENDMENT NO. 1

On page 1, delete lines 14 through 19 in their entirety and insert the following:

"(f)(i) If the request for information and records is made to the bureau by any eligible criminal justice agency, the office of the attorney general, any district attorney's office, or any person or entity requesting criminal records information pursuant to R.S. 15:587.1, the bureau shall include in its report to the requesting entity the date of the arrest and a notation that the individual's record contains information which has been expunged and that the bureau may be contacted by the requesting entity in order to obtain further information regarding the expunged material.

(ii) The bureau shall establish policies and procedures by which the agencies enumerated in this Paragraph may be furnished with the expunged information. The established policies and procedures shall not require the requesting entity to personally appear at the office of the bureau in order to obtain access to the expunged information.

(iii) The requesting entity, upon receiving the expunged information, shall maintain the confidentiality of the information as provided by law and the expunged information shall not be deemed a public record.

(iv) The information may be used or admitted as evidence in any court proceeding or employment or disciplinary hearing in which the receiving agency is an authorized participant."

AMENDMENT NO. 2

On page 2, delete lines 1 and 2 in their entirety

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

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

HOUSE BILL NO. 420—
BY REPRESENTATIVE LEGER
AN ACT

To amend and reenact R.S. 17:3995(A)(1) through (3), relative to charter school funding; to provide relative to the use of certain local revenues for computing and allocating the per pupil amount provided to all charter schools; to provide exceptions; to remove provisions requiring certain minimum per pupil funding amounts pursuant to the most recent legislatively approved minimum foundation program formula; to provide an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 420 by Representative Leger

AMENDMENT NO. 1

On page 1, line 4, after "schools;" and before "to remove" insert "to provide exceptions;"

AMENDMENT NO. 2

On page 2, at the beginning of line 9, change "(b)" to "(b)(i)"

AMENDMENT NO. 3

On page 2, line 9, after "during the" and before "year" change "current" to "prior"

AMENDMENT NO. 4

On page 2, line 10, after "sources" change the comma "," to a colon ":" and delete the remainder of the line and delete lines 11 and 12 in their entirety

AMENDMENT NO. 5

On page 2, at the beginning of line 13, change "(i)" to "(aa)"

AMENDMENT NO. 6

On page 2, at the beginning of line 14, change "(ii)" to "(bb)"

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AMENDMENT NO. 7

On page 2, at the beginning of line 15, change "(iii) to "(cc)"

AMENDMENT NO. 8

On page 2, between lines 15 and 16, insert the following:

"(ii) For the purposes of this Subparagraph, local revenues shall exclude any portion which has been specifically dedicated by the legislature or by voter approval to capital outlay or debt service.

(iii) For the purposes of this Subparagraph, local revenues of the Orleans Parish School Board also shall exclude the amounts set forth in R.S. 17:1990(C)(2)(a)(iii) until such provisions relative to the specified amounts expire.

(c) The provisions of this Paragraph permitting the calculation of the per pupil amount to be provided to a Type 1, 2, 3, or 4 charter school to exclude any portion of local revenues specifically dedicated by the legislature or by voter approval to capital outlay or debt service, shall be applicable only to a charter school housed in a facility or facilities provided by the district in which the charter school is located."

AMENDMENT NO. 9

On page 2, line 18, after "projected" and before "local" insert "prior year"

AMENDMENT NO. 10

On page 2, line 20, after "actual" and before "year" change "current" to "prior"

AMENDMENT NO. 11

On page 3, between lines 8 and 9, insert the following:

"Section 2. The provisions of R.S. 17:3995(A)(1)(b)(iii) as contained in this Act shall become effective if Senate Bill No. 240 of the 2010 Regular Session is enacted and becomes effective."

AMENDMENT NO. 12

On page 3, at the beginning of line 9, change "Section 2." to "Section 3."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 421— BY REPRESENTATIVE MICHAEL JACKSON AN ACT

To amend and reenact R.S. 17:221(B), relative to school attendance by certain students; to provide relative to the authority of a city, parish, or other local public school board to deny admission or readmission to school of certain students; to provide limitations; to delete provisions relative to a pilot program regarding school attendance; to provide an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 433—

BY REPRESENTATIVE HARDY

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, adopt, and provide for the implementation of a uniform grading scale for use in public schools; to provide for enforcement; to provide for a task force to provide recommendations; to provide for rules and regulations; to provide for effectiveness; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 433 by Representative Hardy

AMENDMENT NO. 1

On page 2, between lines 14 and 15, insert the following:

"(13) Louisiana Association of Public Charter Schools.

(14) Southern Poverty Law Center.

(15) Louisiana Student Financial Assistance Commission.

(16) Louisiana High School Athletic Association."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 462—

BY REPRESENTATIVE MILLS

AN ACT

To amend and reenact Code of Criminal Procedure Article 648(A)(2), relative to procedures after a determination of mental capacity or incapacity; to provide for treatment after a determination of mental capacity or incapacity; to provide with respect to inpatient and outpatient treatment for persons charged with certain crimes; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 462 by Representative Mills

AMENDMENT NO. 1

On page 1, line 2, change "Article 648(A)(2)(a)," to "Article 648(A)(2),"

AMENDMENT NO. 2

On page 1, delete lines 4 through 8 in their entirety and insert the following:

"treatment after a determination of mental capacity or incapacity; to provide with respect to inpatient and outpatient treatment for persons charged with certain crimes; and to provide for related matters."

AMENDMENT NO. 3

On page 1, line 10, change "C.Cr.P. Art. 648(A)(2)(a)" to "Code of Criminal Procedure Article 648(A)(2)"

AMENDMENT NO. 4

On page 2, delete lines 1 through 14 in their entirety and insert the following:

"(2)(a) ~~If~~ Except as otherwise provided for in Item (b) of this Subparagraph, if the person is charged with a felony, ~~or a misdemeanor classified as an offense against the person, or with a misdemeanor violation of R.S. 14:35.3,~~ and is considered by the court to be likely to commit crimes of violence, and the court determines that his mental capacity is likely to be restored within ninety days as a result of treatment, the court may order immediate jail-based treatment by the Department of Health and Hospitals not to exceed ninety days; ~~otherwise,~~ Otherwise, if his capacity cannot be restored within ninety days and inpatient treatment is recommended, the court shall commit the defendant to the Feliciana Forensic Facility.

(b) If a person is charged with a felony violation of the Uniform Controlled Dangerous Substances Law, except for violations of R.S. 40:966(D) and (F) and R.S. 40:967(F)(1)(b) and (c), (2), and (3), and the court determines that his mental capacity cannot be restored within ninety days, the court shall release the person for outpatient competency restoration or other appropriate treatment.

(c) If a person is charged with a misdemeanor classified as an offense against a person, except for a misdemeanor violation of R.S. 14:35.3, and the court determines that his mental capacity cannot be restored within ninety days, the court shall release the person for outpatient competency restoration or other appropriate treatment.

(~~b~~) (d) If a defendant committed to the Feliciana Forensic Facility is held in a parish jail for one hundred eighty days after the court's determination that he lacks the mental capacity to proceed, the court shall order a status conference to be held with the defense and the district attorney present, and for good cause shown and on motion of the defendant or the district attorney or on the court's own motion, the court shall order a contradictory hearing to determine whether there has been a change in the defendant's condition or other circumstances sufficient to warrant a modification of the previous order.

(~~c~~) (e) If a defendant committed to the Feliciana Forensic Facility is held in a parish jail for one hundred eighty days after the initial status conference provided in Item (b) of this Subparagraph, the court shall order a contradictory hearing to determine whether to release the defendant or to order the appropriate authorities to institute civil commitment proceedings pursuant to R.S. 28:54. The defendant shall remain in custody pending such civil commitment proceedings. If the defendant is civilly committed to a treatment facility pursuant to Title 28 of the Louisiana Revised Statutes of 1950, the director of the institution designated for the patient's treatment shall, in writing, notify the court and the district attorney when the patient is to be discharged or conditionally discharged, as long as the charges are pending."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 496—

BY REPRESENTATIVE SMILEY

AN ACT

To amend and reenact R.S. 44:4.1(B)(1), to enact Chapter 10-A of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:1381 through 1430.13, and to repeal Chapters 10 and 14 of Title 3 of the Louisiana Revised Statutes of 1950, comprised of R.S. 3:1311 through 1373 and 1891 through 1907, relative to the Louisiana Feed Commission and the Fertilizer Commission; to provide for the merger of the Louisiana Feed Commission and the Fertilizer Commission; to provide for membership, duties, and responsibilities; to provide for the Louisiana Agricultural Liming Materials Law, and to provide for related matters.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed House Bill No. 496 by Representative Smiley

AMENDMENT NO. 1

On page 9, line 19, delete "letters"

AMENDMENT NO. 2

On page 12, line 4, following "order" insert "issued"

AMENDMENT NO. 3

On page 13, line 10, following "be" and before "notified" delete "so"

AMENDMENT NO. 4

On page 13, line 17, following "premises" and before "including" insert a comma " , "

AMENDMENT NO. 5

On page 13, line 18, following "transport" insert a comma " , "

AMENDMENT NO. 6

On page 14, line 3, following "the" change "sample concerned." to "the official sample analyzed."

AMENDMENT NO. 7

On page 14, line 12, before "withdrawn" delete "so"

AMENDMENT NO. 8

On page 15, line 4, following "issued" insert "by the commissioner"

AMENDMENT NO. 9

On page 15, line 12, before "shipment" change "of" to "or"

AMENDMENT NO. 10

On page 17, line 13, following "fee" delete "to the commission"

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AMENDMENT NO. 11

On page 17, line 27, following "submitted" insert "to the commission"

AMENDMENT NO. 12

On page 23, line 2, following "cause" and before "action" change "for" to "of"

AMENDMENT NO. 13

On page 41, line 24, following "Subsection" and before "of" change "H" to "G"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 549—

BY REPRESENTATIVE BALDONE
AN ACT

To enact Code of Criminal Procedure Article 233, relative to criminal procedure; to authorize the use of electronic signatures of offenders; to provide for the collection of electronic signatures; to provide for definitions; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

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

HOUSE BILL NO. 562—

BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact R.S. 14:34.6, relative to the crime of disarming a peace officer; to provide for the elements of the crime of disarming a peace officer; to provide for definitions; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

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

HOUSE BILL NO. 607—

BY REPRESENTATIVE ROY
AN ACT

To amend and reenact R.S. 15:1504(A) and to enact R.S. 6:333(F)(17) and R.S. 15:1507(H)(6), relative to adult protective services; to provide that banks, their affiliates, and other financial institutions are mandatory reporters regarding adult abuse, neglect, or exploitation; to require banks, their affiliates, or any other financial institutions to provide the adult protection agency with financial records; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice with recommendation that it be recommitted to the Committee on Commerce.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 607 by Representative Roy

AMENDMENT NO. 1

On page 1, line 2, after "enact" and before "R.S. 15:1507(H)(6)" insert "R.S. 6:333(F)(17) and"

AMENDMENT NO. 2

On page 1, line 3, after "that" and before "financial" insert "banks, their affiliates, and other"

AMENDMENT NO. 3

On page 1, line 4, after "require" and before "financial" insert "banks, their affiliates, or any other"

AMENDMENT NO. 4

On page 1, line 12, after "practitioner," and before "financial" delete "and any" and insert "and any bank, its affiliate, and any other"

AMENDMENT NO. 5

On page 2, line 1, after "Any" and before "financial" insert "bank and its affiliates or any other"

AMENDMENT NO. 6

On page 2, line 4, after "Any" and before "financial" insert "bank and its affiliates or any other"

AMENDMENT NO. 7

On page 2, after line 8, insert the following:

"Section 2. R.S. 6:333(F)(17) is hereby enacted to read as follows:

§333. Disclosure of financial records; reimbursement of costs

* * *

F. The following disclosures by a bank or any affiliate are hereby specifically authorized and, except as otherwise provided in this Subsection, nothing in this Section shall prohibit, restrict, or otherwise apply to:

* * *

(17) The disclosure of information, records, or documents including mandatory reporting by a bank or any affiliate to the adult protection agency concerning the suspected abuse, neglect, or exploitation of an adult as required by the provisions of R.S. 15:1501 et seq.

* * *"

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

On motion of Rep. Wooton, the above bill, as amended, was ordered engrossed and recommitted to the Committee on Commerce.

HOUSE BILL NO. 648—BY REPRESENTATIVE SAM JONES
AN ACT

To repeal R.S. 17:221(E), relative to school attendance; to repeal provisions relative to permitting children of certain ages to withdraw from school under specified circumstances.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 685—BY REPRESENTATIVE SAM JONES
AN ACT

To amend and reenact R.S. 17:221(I), relative to school attendance; to provide relative to the enrollment of certain students in adult education programs that are approved by the State Board of Elementary and Secondary Education; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 685 by Representative Sam Jones

AMENDMENT NO. 1

On page 1, line 2, after "attendance; to" delete the remainder of the line and at the beginning of line 3, delete "age at which" and insert "provide relative to the enrollment of"

AMENDMENT NO. 2

On page 1, line 3, after "students" and before "in" delete "may enroll"

AMENDMENT NO. 3

On page 1, line 4, after "Education" insert a semicolon ";" and delete the remainder of the line and at the beginning of line 5, delete "attending school;"

AMENDMENT NO. 4

On page 1, line 11, after "I." and before "Nothing" insert "(1)"

AMENDMENT NO. 5

On page 1, line 11, after "prohibit" delete the remainder of the line and on line 12 delete "seventeen years of age and who meets" and insert "the following students who meet"

AMENDMENT NO. 6

On page 1, line 14, after "program" change the period "." to a colon ":" and delete "A" and insert the following:

"(a) A student who is at least seventeen years of age.

(b) A student who is incarcerated in an adult correctional facility.

(c) A student who is the parent of a child in his legal care and custody, provided that such enrollment and attendance is ordered by a court of competent jurisdiction."

AMENDMENT NO. 7

On page 1, at the beginning of line 15, before "parent," insert "(2) A"

AMENDMENT NO. 8

On page 1, line 15, after "attendance of" and before "who" delete "a child" and insert "such a student"

AMENDMENT NO. 9

On page 1, line 16, delete "at least seventeen years of age but under age eighteen and who is"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 927—BY REPRESENTATIVE GALLOT
AN ACT

To enact R.S. 44:9(A)(5), relative to the expungement of certain criminal records; to authorize the expungement of certain misdemeanor conviction records under certain circumstances; to provide relative to the motion for expungement; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 927 by Representative Gallot

AMENDMENT NO. 1

On page 1, line 13, after "ordinance" and before "or" insert a comma "," and insert "a traffic violation,"

AMENDMENT NO. 2

On page 1, at the end of line 18, insert the following:

"Notwithstanding the provisions of Code of Criminal Procedure Article 892.1 or 894, or any other provision of law to the contrary regarding the set aside of a conviction or the dismissal of a prosecution, an expungement shall occur only once with respect to any person during a five-year period, except in the case of a misdemeanor offense of operating a vehicle while intoxicated which may occur only once with respect to any person during a ten-year period."

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

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

Under the rules, placed on the regular calendar.

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HOUSE BILL NO. 984—

BY REPRESENTATIVE ABRAMSON
AN ACT

To amend and reenact R.S. 40:2135 and to enact R.S. 40:2133(A)(3) and (4), relative to ambulatory surgical centers; to expand the definition of "ambulatory surgical center"; to require a license by the Department of Health and Hospitals; to provide for promulgation of rules, regulations, and minimum standards; to provide for an effective date; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Health and Welfare.

The substitute was read by title as follows:

HOUSE BILL NO. 1473 (Substitute for House Bill No. 984 by Representative Abramson)—

BY REPRESENTATIVE ABRAMSON
AN ACT

To enact R.S. 40:2133(C), 2133.1, and 2136(C), relative to ambulatory surgical centers; to provide for a definition of a use agreement; to provide authorization for ambulatory surgical centers to enter into use agreements; to provide for promulgation of rules, regulations, and minimum standards; and to provide for related matters.

Read by title.

On motion of Rep. Katz, the substitute was adopted and became House Bill No. 1473 by Rep. Abramson, on behalf of the Committee on Health and Welfare, as a substitute for House Bill No. 984 by Rep. Abramson.

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

HOUSE BILL NO. 985—

BY REPRESENTATIVES WHITE AND BARROW
AN ACT

To amend and reenact R.S. 40:2173(A), (B)(7), (E), and (F), 2844(B)(introductory paragraph) and (1), (C)(1) and (2), 2845(A)(1) and (D), and R.S. 44:4.1(B)(24) and to enact R.S. 40:2173(B)(8) and (9), 2844(B)(21), (22), and (23), 2845(A)(6) and (7), (E), and (F), and 2845.1, relative to the Louisiana Emergency Response Network; to provide for requirements for trauma centers; to provide for membership of the LERN board; to provide for powers and functions of the LERN board; to provide for a statewide trauma registry; to provide for confidentiality requirements for the statewide trauma registry; to provide authority to develop stroke and STEMI systems; to create a LERN fund; to provide authority for publishing materials; to provide for public records exceptions; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed House Bill No. 985 by Representative White

AMENDMENT NO. 1

On page 3, at the end of line 23, change "Emergency Medical Services" to "EMS"

AMENDMENT NO. 2

On page 5, at the end of line 23, delete "Part" and delete line 24 and insert "Chapter."

AMENDMENT NO. 3

On page 5, line 28, after "Patient and" change "other" to "peer review"

AMENDMENT NO. 4

On page 5, line 28, after "data or information" delete the remainder of the line and at the beginning of line 29, delete "transmitted to the department," and insert "submitted or transmitted pursuant to this Chapter to the trauma registry,"

AMENDMENT NO. 5

On page 6, line 4, after "shall be" delete "privileged," and delete lines 5 and 6 and insert the following:

"confidential and exempt from the provisions of law relative to public records as provided in R.S. 44:4.1(B)(24)."

AMENDMENT NO. 6

On page 6, between lines 15 and 16, insert asterisks "* * *"

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

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

HOUSE BILL NO. 1191—

BY REPRESENTATIVE TALBOT
AN ACT

To enact R.S. 22:4, relative to the sale of health insurance policies and subscriber agreements; to authorize establishment of an interstate compact governing such sales across state lines; to provide for legislative delegation of the commissioner of insurance as the representative of this state for such compact; to provide for the purposes of such compact; to allow health insurance issuers and health maintenance organization to offer and issue selected individual policies and subscriber agreements in this state if such entity is licensed and in good standing in its state of origin; to establish requirements for such entities, including disclosure, membership in the Louisiana Life and Health Insurance Guaranty Association, notice of imminent insolvency, and compliance with the regulatory assessment and premium tax payment requirements of this state; to provide for a termination date; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Insurance.

The substitute was read by title as follows:

HOUSE BILL NO. 1474 (Substitute for House Bill No. 1191 by Representative Talbot)—

BY REPRESENTATIVE TALBOT
AN ACT

To enact R.S. 22:1016, relative to the sale and purchase of health insurance coverage; to provide for public policy; to prohibit any resident of this state from being required to purchase health insurance coverage; to authorize the attorney general to initiate litigation relative to such prohibition; and to provide for related matters.

Read by title.

On motion of Rep. Kleckley, the substitute was adopted and became House Bill No. 1474 by Rep. Talbot, on behalf of the Committee on Insurance, as a substitute for House Bill No. 1191 by Rep. Talbot.

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

HOUSE BILL NO. 1210—
BY REPRESENTATIVE SCHRODER
AN ACT

To enact Part V-A of Chapter 5 of Title 22 of the Revised Statutes of 1950, comprised of R.S. 22:1711.1 through 1711.20 and to repeal Part V of Chapter 5 of Title 22 of the Revised Statutes of 1950, comprised of R.S. 22:1691 through 1708, relative to public adjusters; to provide for the purpose and scope of the licensing of public adjusters; to provide for definitions; to provide for specific licensing requirements; to provide for applications for a license; to provide for a resident license; to establish a public adjuster examination; to provide for exemptions from examinations; to provide for licensure; to provide for license denial, nonrenewal, or revocation; to provide for the issuance of bonds or letters of credit; to establish continuing education requirements; to provide for public adjuster fees; to provide for contracts between public adjusters and insureds; to establish escrow or trust accounts for acceptance of or holding funds; to require record retention; to provide for standards of conduct of public adjusters; to provide for reporting of actions; to provide for the promulgation of rules by the commissioner of insurance; to provide for severability; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Insurance.

The substitute was read by title as follows:

HOUSE BILL NO. 1475 (Substitute for House Bill No. 1210 by Representative Schroder)—
BY REPRESENTATIVE SCHRODER
AN ACT

To amend and reenact R.S. 22:1703(A), relative to public adjuster fees; to require public adjuster contracts to be in writing and signed by the parties; to authorize a public adjuster to charge a certain percentage fee for their services; and to provide for related matters.

Read by title.

On motion of Rep. Kleckley, the substitute was adopted and became House Bill No. 1475 by Rep. Schroder, on behalf of the Committee on Insurance, as a substitute for House Bill No. 1210 by Rep. Schroder.

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

HOUSE BILL NO. 1226—
BY REPRESENTATIVE SMILEY
AN ACT

To amend and reenact R.S. 3:559.3, 559.6, 559.8(A), (B), and (C)(introductory paragraph), 559.9(A) and (E), 559.11, 559.12(13), and 559.13(C), (D), and (F), R.S. 17:427.4(A)(2)(c) and (d), (B), and (C), 2902(1) through (3), 2912(A)(introductory paragraph) and (B)(introductory paragraph), and 2913, R.S. 30:2000.2(7) through (10), 2000.3(B), and 2345, R.S. 33:9039.56(B), and 9039.125(B), R.S. 36:101(C)(3)(a)(ii), R.S. 37:3241, R.S. 39:333.1(E) and the heading of Chapter 3-A of Title 39 of the Louisiana Revised Statutes of 1950, R.S. 40:1235(A)(3) through (6), and 1235.1(B)(1), R.S. 46:2356(A)(1) and (9) and (B), R.S. 51:938.1(D)(8), and R.S. 56:411(B) and 415 and to repeal R.S. 3:559.4, 559.5, 559.7, and 559.14, R.S. 6:1371 through 1375, Chapter 8-A of Title 15 of

the Louisiana Revised Statutes of 1950, comprised of R.S. 15:1231 through 1237, R.S. 17:427.4(A)(2)(e) and (D) through (G), 2902(4), and 2911, Chapter 4-A of Title 25 of the Louisiana Revised Statutes of 1950, comprised of R.S. 25:315 through 318, R.S. 30:2000.2(11) and 2000.8, R.S. 36:109(H), 259(D), (M), (V), and (II), 478(G), 509(F)(6) and (7) and (U), 629(R), 769(F)(1) and (3), and 919.7, R.S. 37:3214(15) and 3242, Chapter 12 of Title 38 of the Louisiana Revised Statutes of 1950, comprised of R.S. 38:2431 through 2439, Part XXXI of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, comprised of R.S. 38:3087.281 through 3087.295, R.S. 39:452 through 456, Chapter 3-D of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:465.1 through 465.8, Chapter 3-E of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:466.1 through 466.7, R.S. 39:1407, and R.S. 39:1409, R.S. 40:5.12, 1235(A)(7), 1300.241, 1300.242, 2009.24, Part XII of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:2198 through 2198.6, and 2529, Chapter 26 of Title 42 of the Louisiana Revised Statutes of 1950, comprised of R.S. 42:1481 through 1485, R.S. 46:2352(7)(c), Chapter 27 of Title 48 of the Louisiana Revised Statutes of 1950, comprised of R.S. 48:2041 through 2046, and Chapter 54 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:3111 through 3115, relative to boards, commissions, authorities, districts, and like entities; to abolish certain inactive boards, commissions, authorities, and like entities; to remove references to certain abolished entities; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Music Commission, the Aquaculture Coordinating Council, the Financial Literacy and Education Commission, the Advisory Panel on the Louisiana Teachers' Homebuyer Program, the Louisiana Geography Education Initiative Program Council, the Atchafalaya Basin Advisory Committee, the Louisiana Advisory Committee on Midwifery, the Lincoln Parish Reservoir Authority, the School Health Advisory Board, the Ambulance Standards Committee, the Women's Health Commission, the Silver Alert Steering Committee, the Compensation Review Commission, the State Building Authority, State Bond and Building Commission, the Capital Construction and Improvement Commission, the Louisiana School Asbestos Abatement Commission, the South Central Regional Transportation Authority, the Rural Health Care Authority, the Regional Transit Authority, the Nursing Home Quality and Efficiency Board, the Commission on Law Enforcement Services for the Elderly, and the Interpreter Certification Board, and the Louisiana Infrastructure Bank; to provide for transfer of some of the powers, functions, and duties of some of the above referenced entities; to provide for certain technical corrections regarding placement of boards and commissions in the Executive Reorganization Act; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 1226 by Representative Smiley

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line and delete line 3 and at the beginning of line 4 delete "559.12(13), and 559.13(D)," and insert "R.S. 3:559.3, 559.6, 559.8(A), (B), and (C)(introductory paragraph), 559.9(A) and (E), 559.11, 559.12(13), and 559.13(C), (D), and (F),"

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AMENDMENT NO. 2

On page 1, delete line 6, and insert "2913, R.S. 30:2000.2(7) through (10), 2000.3(B), and 2345, R.S. 33:9039.56(B), and 9039.125(B), R.S. 36:101(C)(3)(a)(ii), R.S."

AMENDMENT NO. 3

On page 1, line 7, delete "37:2862, 2865(C), and 3241," and insert "37:3241, R.S. 39:333.1(E) and the heading of Chapter 3-A of Title 39 of the Louisiana Revised Statutes of 1950,"

AMENDMENT NO. 4

On page 1, delete lines 8 and 9, and at the beginning of line 10, delete "559.5," and insert "46:2356(A)(1) and (9) and (B), R.S. 51:938.1(D)(8), and R.S. 56:411(B) and 415 and to repeal R.S. 3:559.4, 559.5, 559.7, and 559.14,"

AMENDMENT NO. 5

On page 1, line 10, between "1375," and "R.S. 17:427.4(A)(2)(e)" insert "Chapter 8-A of Title 15 of the Louisiana Revised Statutes of 1950, comprised of R.S. 15:1231 through 1237,"

AMENDMENT NO. 6

On page 1, line 11, between "and 2911," and "R.S. 30:2000.2(11)" insert "Chapter 4-A of Title 25 of the Louisiana Revised Statutes of 1950, comprised of R.S. 25:315 through 318,"

AMENDMENT NO. 7

On page 1, line 11, delete "R.S. 33:2006 through 2008,"

AMENDMENT NO. 8

On page 1, delete line 12, and at the beginning of line 13, delete "2862(13), 2864, 3241(15)" and insert "36:109(H), 259(D), (M), (V), and (II), 478(G), 509(F)(6) and (7) and (U), 629(R), 769(F)(1) and (3), and 919.7, R.S. 37:3214(15)"

AMENDMENT NO. 9

On page 1, line 13, change "R.S. 38:3087.281 through 3087.295" to "Chapter 12 of Title 38 of the Louisiana Revised Statutes of 1950, comprised of R.S. 38:2431 through 2439, Part XXXI of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, comprised of R.S. 38:3087.281 through 3087.295, R.S. 39:452 through 456, Chapter 3-D of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:465.1 through 465.8, Chapter 3-E of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:466.1 through 466.7, R.S. 39:1407, and R.S. 39:1409"

AMENDMENT NO. 10

On page 1, line 14, between "1300.242," and "and 2529," insert "2009.24, Part XII of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:2198 through 2198.6,"

AMENDMENT NO. 11

On page 1, line 16, change "47:337.22(C) and 337.23(H)," to "46:2352(7)(c), Chapter 27 of Title 48 of the Louisiana Revised Statutes of 1950, comprised of R.S. 48:2041 through 2046, and"

AMENDMENT NO. 12

On page 1, line 17, after "through 3115," delete the remainder of the line and delete line 18, and insert "relative to boards, commissions,"

AMENDMENT NO. 13

On page 2, line 2, change "Catfish Promotion and Research Board," to "Louisiana Music Commission,"

AMENDMENT NO. 14

On page 2, delete line 6 and at the beginning of line 7, delete "Advisory Committee on Polysomnography, the"

AMENDMENT NO. 15

On page 2, delete line 11, and insert "State Building Authority, State Bond and Building Commission, the Capital Construction and Improvement Commission, the Louisiana School Asbestos Abatement Commission, the South Central Regional Transportation Authority, the Rural Health Care Authority, the Regional Transit Authority, the Nursing Home Quality and Efficiency Board, the Commission on Law Enforcement Services for the Elderly, and the Interpreter Certification Board, and the"

AMENDMENT NO. 16

On page 2, line 12, after "Bank;" delete the remainder of the line and at the beginning of line 13, delete "Force;"

AMENDMENT NO. 17

On page 2, delete lines 18 and 19 and insert the following:

"Louisiana Music Commission

Section 1.(A) R.S. 33:9039.56(B) and 9039.125(B) are hereby amended and reenacted to read as follows:

§9039.56. Cooperation with state agencies

* * *

B. The commission shall establish a liaison with the Department of Culture, Recreation and Tourism, and the office of state police, and the Louisiana Music Commission and inform such entities of filming and television production activity in Northeast Louisiana and seek their cooperation in assisting such activity.

* * *

§9039.125. Cooperation with state agencies

* * *

B. The district, through the board, shall establish a liaison with the Department of Culture, Recreation and Tourism, the office of state police, local governments, and law enforcement, and the Louisiana Music Commission and inform such entities of filming and television production activity in the district and seek their cooperation in assisting such activity.

* * *

(B) R.S. 36:101(C)(3)(a)(ii) is hereby amended and reenacted to read as follows:

§101. Department of Economic Development; creation; domicile; composition; purposes and functions

* * *

C.

* * *

(3)(a) However, the department shall be prohibited from employing, appointing, or assigning any of the following persons to positions within the department for a period of two years following the termination of their public service as any of the following:

* * *

(ii) An appointee or employee of the executive branch of state government who was subject to Senate confirmation and who was appointed or employed as of March 26, 2001. However, officers and employees of the Department of Economic Development, ~~the Louisiana Music Commission~~, and the office of film and video within the Department of Culture, Recreation and Tourism shall be exempted from this Subparagraph.

* * *

(C) R.S. 51:938.1(D)(8) is hereby amended and reenacted to read as follows:

§938.1. Office of entertainment industry development created

* * *

D. The office shall promote the development of the digital media, music, film, and television industries within this state and may engage in the following activities:

* * *

(8) Establish a partnership with the Department of Culture, Recreation and Tourism ~~and the Louisiana Music Commission~~ that provides for collaboration between the office of entertainment industry development, ~~the Louisiana Music Commission~~, and the Department of Culture, Recreation and Tourism to advance, through strategic initiatives, Louisiana's cultural economy.

* * *

(D) Chapter 4-A of Title 25 of the Louisiana Revised Statutes of 1950, comprised of R.S. 25:315 through 318, and R.S. 36:109(H) are hereby repealed in their entirety."

AMENDMENT NO. 18

On page 2, line 21, after "Section 2.(A)" delete the remainder of the line and delete line 22 and at the beginning of line 23, delete "and 559:13(D)" and insert the following:

R.S. 3:559.3, 559.6, 559.8(A), (B), and (C)(introductory paragraph), 559.9(A) and (E), 559.11, 559.12(13), and 559.13(C), (D), and (F)"

AMENDMENT NO. 19

On page 2, delete line 27, and insert the following:

"(1) "Aquaculture" means the producing, raising, managing, harvesting, or marketing of aquatic livestock under controlled conditions.

(2) "Aquatic livestock" means ~~finfish species and crawfish domestic aquatic, nongame, native, freshwater organisms produced, raised, managed, or harvested within or from a constructed impoundment in compliance with rules and regulations adopted pursuant to this Part. "Aquatic livestock" shall not include those species of fish excluded from this Part by R.S. 3:559-14.~~

(3) "Aquatic producer" means any person engaged in producing, raising, managing, harvesting, or marketing aquatic livestock.

(4) "Commissioner" means the Louisiana commissioner of agriculture and forestry."

AMENDMENT NO. 20

On page 3, delete line 12

AMENDMENT NO. 21

On page 3, line 13, after "Powers" insert "of the commissioner"

AMENDMENT NO. 22

On page 3, delete lines 20 through 22

AMENDMENT NO. 23

On page 3, at the beginning of line 23, delete "(3)" and insert "(2)"

AMENDMENT NO. 24

On page 3, at the end of line 23, delete "requiring" and at the beginning of line 24, delete "licenses and permits" and insert "licensing and permitting"

AMENDMENT NO. 25

On page 3, at the beginning of line 26, delete "(4)" and insert "(3)"

AMENDMENT NO. 26

On page 4, at the beginning of line 1, delete "(5)" and insert "(4)"

AMENDMENT NO. 27

On page 4, at the beginning of line 7, delete "(6) Adopt" and insert "(5) To adopt"

AMENDMENT NO. 28

On page 4, at the beginning of line 13, delete "(7) Administer" and insert "(6) To administer"

AMENDMENT NO. 29

On page 4, at the beginning of line 15, delete "(8) Collect" and insert "(7) To collect"

AMENDMENT NO. 30

On page 4, at the beginning of line 17, delete "(9) Issue" and insert "(8) To issue"

AMENDMENT NO. 31

On page 4, at the beginning of line 19 delete "(10) Conduct" and insert "(9) To conduct"

AMENDMENT NO. 32

On page 4, at the beginning of line 22, delete "(11) Seek" and insert "(10) To seek"

AMENDMENT NO. 33

On page 4, at the beginning of line 25, delete "(12) Institute" and insert "(11) To institute"

AMENDMENT NO. 34

On page 4, at the beginning of line 28, delete "(13) Issue" and insert "(12) To issue"

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AMENDMENT NO. 35

On page 5, delete lines 3 through 28 and delete pages 6 and 7 and on page 8, delete lines 1 through 7

AMENDMENT NO. 36

On page 8, delete line 18, and insert the following:

"B. Prior to approval and issuance of any license, the Department of Agriculture and Forestry and the Department of Wildlife and Fisheries shall jointly inspect each facility subject to the license to determine that aquatic livestock at the facility are in compliance with the rules and regulations adopted pursuant to this Part."

AMENDMENT NO. 37

On page 8, line 19, after "by the" delete "departments" and insert "department"

AMENDMENT NO. 38

On page 8, between lines 22 and 23, insert the following

§559.9. Inspections; investigations; confidentiality

A. The department may conduct an investigation if it has reason to believe that a violation of this Part or the rules or regulations adopted pursuant to this Part may occur or has occurred. In connection with any such investigation, the department may issue subpoenas to compel the attendance of witnesses or the production of documents and records anywhere in the state. The subpoenas shall be served as provided for the service of subpoenas under the Administrative Procedure Act.

* * *

E. The Department of Agriculture and Forestry and the Department of Wildlife and Fisheries are is authorized to jointly inspect each facility licensed pursuant to R.S. 3:559.8 to determine that the aquatic livestock and the facility are in compliance with the rules and regulations adopted pursuant to this Part. The two departments shall enter into a memorandum of understanding to delineate the procedures for such inspections.

* * *

AMENDMENT NO. 39

On page 8, at the beginning of line 26, change "commissioner" to "department"

AMENDMENT NO. 40

On page 9, between lines 15 and 16, insert the following:

"C. In addition to any penalty that may be imposed under Subsection A or B of this Section, any person who operates a facility requiring a license from which eggs, larvae, juveniles, or adults of aquatic livestock or their waste or unpurified water escape or are released may be required to reimburse the state or appropriate state agency or agencies department any cost incurred by them in the destroying, removing, containing, or monitoring of the release or discharge. It shall be an affirmative defense that the release or discharge was an act of nature or sabotage if the aquatic producer operating the facility held, at the time of the release or discharge, a valid unsuspended license listing the facility. No affirmative defense shall be available to an aquatic producer if, at the time of the release or discharge, he was unlicensed, or if his license was suspended, or if the facility from which the release or discharge came was not listed

on his license, or if he was producing, managing, harvesting, or marketing aquatic livestock that had not been determined to be suitable for aquaculture pursuant to this Part."

AMENDMENT NO. 41

On page 9, at the end of line 22, delete "This" and delete lines 23 through 27

AMENDMENT NO. 42

On page 9, after line 28, insert the following:

"F. Any action brought for civil violation shall not preclude criminal prosecution for the same violation of this Part or rules and regulations promulgated hereunder. Any violation of rules or regulations promulgated by the Wildlife and Fisheries Commission pursuant to R.S. 3:559.7(D) shall be a class two violation as defined by R.S. 56:32.

(B) R.S. 56:411(B) and 415 are hereby amended and reenacted to read as follows:

§411. Legislative findings and purpose

* * *

B. For the purposes of this Subpart the following definitions shall apply:

(1) "Aquaculture" means any activity associated with the possession, propagation, culture, management, transport, or marketing of domesticated aquatic organisms in a controlled environment. The provisions of this Paragraph and this Subpart shall not apply to farm-raised catfish or farm-raised crawfish aquatic livestock.

(2) "Aquatic livestock" means native, freshwater, aquatic organisms but does not include freshwater game fish as defined in R.S. 56:8 nor federally protected organisms.

(3) "Domesticated aquatic organism" shall specifically include all domesticated fish as defined in R.S. 56:8 and any fish approved by the department through the promulgation of the list of approved aquatic organisms under the Administrative Procedure Act.

* * *

§415. ~~Crawfish and catfish~~ Exemption: aquatic livestock farmers

A. The provisions of this Subpart shall not apply to the production and harvesting of ~~catfish or crawfish~~ aquatic livestock in private ponds, or to the transporting of ~~crawfish or catfish~~ aquatic livestock from a private pond to the first point of sale, or to the sale to the first purchaser of ~~crawfish or catfish~~ aquatic livestock which are produced and harvested in private ponds.

B. The Wildlife and Fisheries Commission and the Department of Wildlife and Fisheries shall not have jurisdiction over any activities or transactions exempted by this Section. The Department of Agriculture and Forestry shall have jurisdiction over activities exempted by this Section."

AMENDMENT NO. 43

On page 10, line 1, change "(B) R.S. 3:559.3(9), 559.4, 559.5" to "(C) R.S. 3:559.4, 559.5, 559.7, and 559.14"

AMENDMENT NO. 44

On page 12, delete lines 24 through 29 and delete pages 13 and 14, and on page 15 delete lines 1 through 27 and insert the following:

"Commission on Law Enforcement Services for the Elderly

Section 7. Chapter 8-A of Title 15 of the Louisiana Revised Statutes of 1950, comprised of R.S. 15:1231 through 1237, is hereby repealed in its entirety.

Interpreter Certification Board

Section 8.(A) R.S. 46:2356(A)(1) and (9) and (B) are hereby amended and reenacted to read as follows:

§2356. Denial, suspension, or revocation of a certificate

A. The commission may deny application by an applicant or may deny renewal of, suspend, or revoke an interpreter's certificate, and/or discipline a certified interpreter for any of the following causes:

(1) Conviction of a felony or any offense involving moral turpitude in any court if the acts for which the interpreter or applicant was convicted are found by the ~~Interpreter Certification Board~~ commission to have a direct bearing on whether the interpreter or applicant should be entrusted to serve the public in the capacity of an interpreter. Crimes having a direct bearing include but are not limited to criminal conduct such as crimes of violence, burglary, theft, forgery, bribery, perjury, and those related to controlled dangerous substances.

* * *

(9) Intentionally harassing, abusing, or intimidating any member of the ~~Interpreter Certification Board~~ or the commission, any candidate for certification, or any supportive staff member, either physically or verbally.

* * *

B. If the commission decides to deny an applicant or to deny, suspend, or revoke the certificate of an applicant or certificate holder, or take other disciplinary action ~~based on a recommendation by the Interpreter Certification Board~~, the executive director of the commission shall notify the applicant or certificate holder in writing by registered mail and include the following:

(1) The reason for the proposed denial, suspension, revocation, probation, or disqualification.

(2) Notification that he may request a hearing or on submission of documentary evidence, appeal and request that the ~~board~~ commission reconsider its decision without a hearing.

(3) Notification that the appeal regarding the commission's decision shall be received by the executive director of the commission not later than thirty days from the date of the notification of the ~~board's~~ commission's decision. If an appeal is not received, the applicant or certificate holder shall be deemed to have waived a hearing and is not contesting the proposed action.

* * *

(B) R.S. 36:478(G) and R.S. 46:2352(7)(c) are hereby repealed in their entirety.

Nursing Home Quality and Efficiency Board

Section 9. R.S. 40:2009.24 is hereby repealed in its entirety."

AMENDMENT NO. 45

On page 17, line 21, between "Section 11." and "R.S." insert "Part XXXI of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, comprised of "

AMENDMENT NO. 46

On page 17, line 21, after "3087.295" insert a comma ","

AMENDMENT NO. 47

On page 21, delete lines 6 through 29, delete pages 22 through 25, and on page 26, delete lines 1 through 5 and insert the following:

"State Bond and Building Commission and the Capital Construction and Improvement Commission

Section 17.(A) R.S. 39:333.1(E) and the heading of Chapter 3-A of Title 39 of the Louisiana Revised Statutes of 1950 are hereby amended and reenacted to read as follows:

§333.1. Office of state comptroller merged and consolidated into the division of administration

* * *

E. In addition, whenever the state comptroller is designated to serve as the member of any board, commission or committee, such designation hereafter shall apply to the commissioner of administration who shall serve in his stead on ~~the following boards, commissions or committees, including but not limited to: (1) State Advisory Board (La. Const. Art. VI, §22(e)); (2) Louisiana Fiscal Authority (R.S. 17:2251); (3) Capital Construction and Improvement Commission (R.S. 39:465.1); (4) State Bond and Building Commission (R.S. 39:452); (5) State Bond Commission (R.S. 39:1401); (6) State Police Retirement Board (R.S. 40:1422); (7) State Archives and Records Commission (R.S. 44:401); and (8) Governor's Inaugural Committee (R.S. 49:171) any board, commission, or committee.~~

* * *

CHAPTER 3-A. ~~STATE BOND AND BUILDING COMMISSION~~
BOND SECURITY AND REDEMPTION FUND

* * *

(B) R.S. 36:769(F)(1) and (3) and R.S. 39:452 through 456, Chapter 3-D of Title 39 of the Louisiana Revised Statutes of 1050, comprised of R.S. 39:465.1 through 465.8, Chapter 3-E of Title 39 of the Louisiana Revised Statutes of 1050, comprised of R.S. 39:466.1 through 466.7, ~~R.S. 39:1407, and R.S. 39:1409~~ are hereby repealed in their entirety."

AMENDMENT NO. 48

On page 26, delete lines 9 through 11 and insert the following:

"State Building Authority

Section 19. Chapter 12 of Title 38 of the Louisiana Revised Statutes of 1950, comprised of R.S. 38:2431 through 2439, is hereby repealed in its entirety.

Louisiana School Asbestos Abatement Commission

Section 20. R.S. 30:2345 is hereby amended and reenacted to read as follows:

§2345. ~~Louisiana School Asbestos Abatement Commission~~
Implementation

A. ~~The Louisiana School Asbestos Abatement Commission is hereby created and shall consist of twelve members, one representative to be selected by each of the following:~~

- ~~(1) Attorney General.~~
- ~~(2) Department of Education.~~
- ~~(3) Division of Administration.~~
- ~~(4) Board of Regents.~~
- ~~(5) Louisiana School Boards Association.~~
- ~~(6) Safe Building Alliance.~~
- ~~(7) Louisiana Association of Educators.~~
- ~~(8) Louisiana AFL-CIO.~~
- ~~(9) Association of School Superintendents.~~
- ~~(10) Louisiana Catholic Conference.~~
- ~~(11) A parish school board selected by the Louisiana School Board Association.~~
- ~~(12) The secretary of the Department of Environmental Quality.~~

~~B. The commission shall recommend rules and regulations concerning asbestos abatement to the Department of Environmental Quality. The department shall promulgate school asbestos abatement rules and regulations in accordance with the Administrative Procedure Act.~~

~~C. The secretary of the Department of Environmental Quality shall call the commission into session within thirty days after the effective date of this Chapter. The commission shall elect its officers from among its membership.~~

~~D. If, by January 1, 1986, the commission has not recommended asbestos abatement rules and regulations, then the secretary shall promulgate such rules no later than March 1, 1986. The commission shall dissolve no later than January 1, 1986.~~

~~E. A. The building owner shall select the method of abatement to be used from those set forth in the definition of abatement contained in Section 2342 R.S. 30:2342 or from such other methods as may be approved by the regulations adopted pursuant hereto, provided that any method selected must be used in the manner that regulations adopted pursuant hereto may require.~~

~~F. B. No school, which has commenced abatement work at a particular site prior to the effective date of regulations or standards adopted or imposed hereunder, shall be required by this Chapter, or by regulations or standards adopted or imposed hereunder, to conduct a different type of abatement at the same site unless levels of airborne asbestos fibers at that site exceed an abatement action level established by the regulations adopted pursuant to this Chapter which are applicable to all school buildings.~~

South Central Regional Transportation Authority

Section 21. Chapter 27 of Title 48 of the Louisiana Revised Statutes of 1950, comprised of R.S. 48:2041 through 2046, is hereby repealed in its entirety.

Rural Health Care Authority

Section 22. R.S. 36:259(D) and Part XII of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:2198 through 2198.6, are hereby repealed in their entirety.

Regional Transit Authority

Section 23. R.S. 36:509(F)(6) and (7) are hereby repealed in their entirety."

AMENDMENT NO. 49

On page 26, at the beginning of line 12, change "Section 20." to "Section 24."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1256—
BY REPRESENTATIVE CROMER AND SENATOR DONAHUE
AN ACT

To enact R.S. 56:1847(64), relative to the natural and scenic rivers program; to add Bayou Liberty in St. Tammany Parish; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources and Environment.

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

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

HOUSE BILL NO. 1258—
BY REPRESENTATIVE HARRISON
AN ACT

To amend and reenact R.S. 30:2157(B) and 2157.1(A), (B), (C), and (E) and to enact R.S. 30:2014(A)(3), relative to providing for permits, licenses, registrations, variances, or compliant schedules issued by the Department of Environmental Quality; to provide for emergency response standards; to provide for certification of certain abilities of local fire departments; to provide for the emergency response standards of certain solid waste facilities; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Natural Resources and Environment.

The substitute was read by title as follows:

HOUSE BILL NO. 1476 (Substitute for House Bill No. 1258 by Representative Harrison)—
BY REPRESENTATIVE HARRISON
AN ACT

To enact R.S. 30:2154(B)(9) and to repeal R.S. 30:2157 and 2157.1, relative to providing for permits, licenses, registrations, variances, or compliant schedules issued by the Department of Environmental Quality; to provide for emergency response standards; to provide for certification of certain abilities of local fire departments; to provide for the emergency response standards of certain solid waste facilities; and to provide for related matters.

Read by title.

On motion of Rep. Dove, the substitute was adopted and became House Bill No. 1476 by Rep. Harrison, on behalf of the Committee on Natural Resources and Environment, as a substitute for House Bill No. 1258 by Rep. Harrison.

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

HOUSE BILL NO. 1265—

BY REPRESENTATIVE ARMES

AN ACT

To authorize and provide for the transfer or lease of certain state property in Vernon Parish from the Department of Transportation and Development to the Vernon Parish Police Jury; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources and Environment.

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

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

HOUSE BILL NO. 1266—

BY REPRESENTATIVE BARRAS

AN ACT

To authorize and provide for the transfer or lease of certain state property in Iberia Parish from the division of administration to Dr. John Hebert; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources and Environment.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources and Environment to Original House Bill No. 1266 by Representative Barras

AMENDMENT NO. 1

On page 1, line 14, change "on-ninth" to "one-ninth"

AMENDMENT NO. 2

On page 1, line 19, change "183" to "1883"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1276—

BY REPRESENTATIVES HARDY, AUBERT, BARRAS, BILLIOT, HENRY BURNS, TIM BURNS, CARMODY, CARTER, CHAMPAGNE, DOWNS, GUILLORY, HOFFMANN, LABRUZZO, LEGER, LIGI, MILLS, POPE, PUGH, RICHARD, RICHARDSON, JANE SMITH, PATRICIA SMITH, TALBOT, TEMPLET, THIBAUT, AND WHITE AND SENATORS ALARIO, APPEL, BROOME, LONG, MARTINY, MORRELL, MOUNT, AND WALSWORTH

AN ACT

To amend and reenact R.S. 17:493(A) and (C) and to enact R.S. 17:491.3 and 3996(B)(24), relative to school bus operators; to require a school bus operator to report his arrest for specified offenses involving operating a vehicle; to provide relative to guidelines, procedures, and timelines for such reporting; to provide relative to administration; to provide definitions; to provide applicability; to provide relative to the failure of the operator to report; to provide effectiveness; to provide an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1309—

BY REPRESENTATIVE HOWARD

AN ACT

To amend and reenact R.S. 33:3815.3(A), (B), (C), and (F) and R.S. 34:844(A) and (B), relative to drinking water protection; to prohibit certain activity in areas adjacent to drinking water intakes; to provide for restricted areas and water intake zones; to provide for the authority of waterworks districts and local political subdivisions; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources and Environment.

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

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

HOUSE BILL NO. 1311—

BY REPRESENTATIVE GUILLORY

AN ACT

To authorize and provide for the transfer or lease of certain state property in St. Landry Parish to the city of Eunice from the division of administration; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources and Environment.

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

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

HOUSE BILL NO. 1313—

BY REPRESENTATIVE DIXON

AN ACT

To amend and reenact R.S. 17:442, relative to teacher tenure; to require each superintendent of a public school system to provide certain information to a teacher employed in the system who acquires permanent status as a teacher; to provide for legislative findings; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 1313 by Representative Dixon

AMENDMENT NO. 1

On page 1, line 10, after "qualified" and before "teacher" insert "and effective"

AMENDMENT NO. 2

On page 1, line 13, after "quality" and before "teachers" insert a comma "," and insert "effective"

AMENDMENT NO. 3

On page 2, line 6, after "the" and before "that" delete "board" and insert "superintendent of the school system"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1322—
BY REPRESENTATIVES BARROW, BOBBY BADON, BILLIOT, HENRY BURNS, GISCLAIR, LAMBERT, AND WILLIAMS
AN ACT

To enact R.S. 30:2415(H), relative to recycling; to require certain state agencies to adopt solid waste reduction and recycling programs; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources and Environment.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources and Environment to Original House Bill No. 1322 by Representative Barrow

AMENDMENT NO. 1

On page 1, line 3, after "programs;" delete the remainder of the line and at the beginning of line 4, delete "division of administration;"

AMENDMENT NO. 2

On page 1, line 13, after "compliance," delete the remainder of the line and delete lines 14 and 15 in their entirety

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1336—
BY REPRESENTATIVE BARRAS
AN ACT

To amend and reenact R.S. 34:852.2(5), 852.3(A) as enacted by Act No. 508 of the 2009 Regular Session of the Legislature, and 852.13 and to repeal R.S. 34:852.3(A) as enacted by Act No. 319 of the 2007 Regular Session of the Legislature, relative to vessel hull identification numbers; to provide for assigning hull identification numbers to certain vessels by the Department of Wildlife and Fisheries; to provide for the authority to promulgate rules and regulations; to provide for eligibility as a manufacturer; to provide for record keeping and inspections; to provide for fees; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources and Environment.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources and Environment to Original House Bill No. 1336 by Representative Barras

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 34:852.2(5)" insert a comma "," and "852.3(A) as enacted by Act No. 508 of the 2009 Regular Session of the Legislature,"

AMENDMENT NO. 2

On page 1, line 2, after "852.13" insert "and to repeal "R.S. 34:852.3(A) as enacted by Act No. 319 of the 2007 Regular Session of the Legislature"

AMENDMENT NO. 3

On page 1, line 9, after "R.S. 34:852.2(5)" insert a comma "," and "852.3(A) as enacted by Act No. 508 of the 2009 Regular Session of the Legislature,"

AMENDMENT NO. 4

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

"* * *

§852.3. Certificate of title authorized

A. Upon the implementation of this Part, any person who purchases or possesses either of the following to be principally operated on the waters of this state and not held as inventory for sale or lease or a manufacturer eligible for hull number assignment pursuant to R.S. 34:852.13(B) who manufactures either of the following held as inventory may apply to the department for a certificate of title for the following:

(1) A vessel valued in excess of two thousand five hundred dollars and required to be numbered and transferred for the first time on or after July 1, 2008.

(2) An outboard motor transferred for the first time on or after January 1, 2011."

AMENDMENT NO. 5

On page 2, after line 24, insert the following:

"Section 2. R.S. 34:852.3(A) as enacted by Act No. 319 of the 2007 Regular Session of the Legislature is hereby repealed in its entirety."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1354—
BY REPRESENTATIVE HILL
AN ACT

To amend and reenact R.S. 56:632(A), 632.5(A), and 632.7 and to enact R.S. 56:632.5.1, relative to the reptile and amphibian wholesale/retail dealer's license; to require such license for a person to possess or sell certain nonindigenous or poisonous snakes or constrictors; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources and Environment.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources and Environment to Original House Bill No. 1354 by Representative Hill

AMENDMENT NO. 1

On page 2, line 11, change "twelve" to "six"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1470 (Substitute for House Bill No. 938 by Representative Michael Jackson)—
BY REPRESENTATIVE MICHAEL JACKSON

AN ACT

To enact R.S. 32:1306.1 and 1306.2, relative to motor vehicles; to authorize an increased fee for inspection and maintenance programs in the nonattainment zone; to permit local option elections in parishes in the nonattainment zone; to provide relative to the conduct of such elections and the costs thereof; to exempt certain parishes; to create a fund within the state treasury; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 1471 (Substitute for House Bill No. 1117 by Representative Greene)—
BY REPRESENTATIVE GREENE

AN ACT

To enact R.S. 47:2323(D), relative to ad valorem taxation; to require consideration of the income approach for valuation of certain unoccupied residential immovable property; and to provide for related matters.

Read by title.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1472 (Substitute for House Bill No. 1351 by Representative Nowlin)—
BY REPRESENTATIVES NOWLIN AND THIBAUT

AN ACT

To amend and reenact R.S. 12:407 and 418(B)(1), relative to certain corporations; to provide with respect to electric cooperatives; to provide relative to dissolution; to provide procedures for shareholder voting; to provide for mail or proxy voting; to provide for prospective application; to provide for an effective date; 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.

**Senate Instruments on Second Reading
Returned from the Legislative Bureau**

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

SENATE BILL NO. 3—
BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 13:5107(D)(2), relative to service of citation and process; to clarify dismissal of a suit for failure to request service; 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 Senate Bill No. 3 by Senator Martiny

AMENDMENT NO. 1

On page 1, delete lines 9 through 14 in their entirety and insert the following:

"D.

* * *

AMENDMENT NO. 2

On page 2, delete lines 3 through 8 in their entirety and insert asterisks "* * *"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 39—
BY SENATOR MCPHERSON AND REPRESENTATIVE ST. GERMAIN

AN ACT

To amend and reenact R.S. 48:231(A), relative to the state highway system and the final highway construction program; to provide with respect to the duties of the Joint Highway Priority Construction Committee; and to provide for related matters.

Read by title.

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

Reported without amendments by the Legislative Bureau.

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

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

SENATE BILL NO. 46—
BY SENATOR APPEL

AN ACT

To amend and reenact Code of Civil Procedure Art. 4907(B), relative to procedure in parish and city courts; to provide relative to the delay for applying for a new trial; 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 Senate Bill No. 46 by Senator Appel

AMENDMENT NO. 1

On page 1, line 2, change "Art." to "Article"

AMENDMENT NO. 2

On page 1, line 6, change "Art." to "Article"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 77—
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 48:2074 (D)(2) and (7), relative to the Louisiana Transportation Authority; to provide that the chairman of the Senate Committee on Transportation, Highways and Public Works is chairman of the board; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Engrossed Senate Bill No. 77 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 48:2074(D)(2)" and before "and" insert ", (6)"

AMENDMENT NO. 2

On page 1, line 4, after "Works" delete the remainder of the line and insert the following:

"and the chairman of the House Committee on Transportation, Highways and Public works shall rotate as chairman of the board; and to provide for related"

AMENDMENT NO. 3

On page 1, line 7, after "R.S. 48:2074(D)(2)" and before "and" insert ", (6)"

AMENDMENT NO. 4

On page 2, delete lines 3 through 5 in their entirety and insert the following:

"(6) The chairman of the House Committee on Transportation, Highways and Public Works or his designee, who shall serve as chairman on a two-year rotating basis with the chairman of the Senate Committee on Transportation, Highways and Public Works.

(7) The Chairman of the Senate Committee on Transportation, Highways and Public Works Committee or his designee, who shall serve on a two-year rotating basis with the chairman of the House Committee on Transportation, Highways and Public Works."

AMENDMENT NO. 5

On page 2, after line 6, add the following:

"Section 2. The chairman of the Senate Committee on Transportation, Highways and Public Works shall serve as chairman beginning on January 1, 2011 and ending on December 31, 2012. The chairman of the House Committee on Transportation, Highways and Public Works shall serve as chairman beginning on January 1, 2013 and ending on December 31, 2014. This two-year rotation shall continue unless otherwise provided by law."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 169—
BY SENATOR WALSWORTH
AN ACT

To enact R.S. 8:502.3, relative to the funeral merchandise trust fund; to provide for exemption from seizure of merchandise trust fund monies; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

Reported without amendments by the Legislative Bureau.

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

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

SENATE BILL NO. 189—
BY SENATOR MURRAY
AN ACT

To amend and reenact R.S. 13:4405 and R.S. 35:199(A)(2)(a) and (b), relative to notarial instruments; to remove requirements that acts of sale or other acts evidencing a transfer of immovable property situated in the parish of Orleans be filed with the assessor; to provide for an effective date; 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 Reengrossed Senate Bill No. 189 by Senator Murray

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 35:199(A)(2)(a) and (b)" to "R.S. 35:199(A)(2)(b)"

AMENDMENT NO. 2

On page 2, line 4, change "R.S. 35:199(A)(2)(a) and (b)" to "R.S. 35:199(A)(2)(b)"

AMENDMENT NO. 3

On page 2, delete lines 13 through 16 in their entirety and insert the following:

"(2) * * *"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 343—

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact Code of Civil Procedure Articles 283, 3061, 3228, and 3396.18(B), and R.S. 9:1514(A)(1), (2) and (4) and (B), 1551(B), 1552(C) and (D), 2156(C)(10), 2157, 2431(7) and 3839, and R.S. 23:638, and R.S. 33:1501, 4545.23, 4546.16, and R.S. 47:55(2), 1673, and 2451; and to repeal Code of Civil Procedure Articles 2951, 2953 and 2954, and R.S. 6:653.4(F), 765(C), and 767(E), and R.S. 8:814, and R.S. 9:1552(E), 2432 through 2439, and 2449(C), and R.S. 12:603(F), and R.S. 40:33(H); all relating to inheritance taxes; 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 Senate Bill No. 343 by Senator Marionneaux

AMENDMENT NO. 1

On page 3, line 13, change "such" to "the"

AMENDMENT NO. 2

On page 3, line 14, change "such" to "the"

AMENDMENT NO. 3

On page 3, line 26, change "such" to "the"

AMENDMENT NO. 4

On page 3, line 29, change "said" to "the"

AMENDMENT NO. 5

On page 4, line 4, change "such" to "the"

AMENDMENT NO. 6

On page 4, line 7, change "such" to "a"

AMENDMENT NO. 7

On page 4, line 8, change "such" to "the"

AMENDMENT NO. 8

On page 4, line 10, change "the major child or children" to "a major child"

AMENDMENT NO. 9

On page 4, line 11, change "such" to "the"

AMENDMENT NO. 10

On page 4, line 13, change "such" to "a"

AMENDMENT NO. 11

On page 4, line 14, change "such" to "the"

AMENDMENT NO. 12

On page 4, line 23, change "In event of such payment, the" to "The"

AMENDMENT NO. 13

On page 4, at the beginning of line 24, change "it" to "payment"

AMENDMENT NO. 14

On page 5, line 14, change "\$500" to "five hundred dollars"

AMENDMENT NO. 15

On page 5, line 19, delete "contained"

AMENDMENT NO. 16

On page 5, line 20, delete "Louisiana" and at the end of the line, change "Such" to "The"

AMENDMENT NO. 17

On page 5, line 21, delete "Louisiana"

AMENDMENT NO. 18

On page 5, line 25, change "such affidavits" to "an affidavit"

AMENDMENT NO. 19

On page 6, line 1, delete "Louisiana"

AMENDMENT NO. 20

On page 6, line 4, change "without inventory or appraisal or advertisement or judicial" to "without inventory, appraisal, advertisement, or judicial"

AMENDMENT NO. 21

On page 6, line 5, delete "to such persons" and after "upon" and before "terms" change "such" to "the"

AMENDMENT NO. 22

On page 6, at the beginning of line 6, change "such price as said" to "a price the"

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AMENDMENT NO. 23

On page 6, line 19, change "said" to "the"

AMENDMENT NO. 24

On page 7, line 1, change "Sub-part" to "Subpart"

AMENDMENT NO. 25

On page 7, line 23, change "such" to "the"

AMENDMENT NO. 26

On page 7, line 24, delete "such"

AMENDMENT NO. 27

On page 7, line 26, change "such" to "the"

AMENDMENT NO. 28

On page 7, line 29, change "that such other person claims to be entitled to such" to "claiming to be entitled to the"

AMENDMENT NO. 29

On page 8, line 3, change "such trustee or such" to "the trustee or"

AMENDMENT NO. 30

On page 8, at the beginning of line 4, change "said" to "the"

AMENDMENT NO. 31

On page 8, line 5, change "his or her" to "the" and delete "such"

AMENDMENT NO. 32

On page 8, at the beginning of line 8, change "such" to "the"

AMENDMENT NO. 33

On page 8, at the end of line 12, change "such" to "a"

AMENDMENT NO. 34

On page 8, line 25, change "Such" to "The"

AMENDMENT NO. 35

On page 10, line 10, change "said" to "the"

AMENDMENT NO. 36

On page 10, line 11, change the semicolon ";" to a period "." and delete "or"

AMENDMENT NO. 37

On page 10, line 13, change the semicolon ";" to a period "." and delete "or"

AMENDMENT NO. 38

On page 10, line 17, change the semicolon ";" to a period "." and delete "or"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 377— BY SENATOR MORRELL

AN ACT

To amend and reenact Code of Evidence Art. 804(B)(7), relative to hearsay exceptions; to provide for the burden of proof to introduce evidence; 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 Senate Bill No. 377 by Senator Morrell

AMENDMENT NO. 1

On page 1, line 2, change "Art." to "Article"

AMENDMENT NO. 2

On page 1, line 6, change "Art." to "Article"

AMENDMENT NO. 3

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

"wrongdoing hearsay exception shall establish, by a preponderance of the evidence, that the party against whom the statement is offered, engaged or acquiesced in the wrongdoing."

AMENDMENT NO. 4

Delete page 2 in its entirety

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 437— BY SENATOR APPEL

AN ACT

To amend and reenact R.S. 9:2772(H)(2), relative to contracts; to provide for recovery of attorney fees and court costs in certain circumstances; 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 Senate Bill No. 437 by Senator Appel

AMENDMENT NO. 1

On page 1, line 10, change "H.(1)" to "H."

AMENDMENT NO. 2

On page 1, line 11, delete "such"

AMENDMENT NO. 3

On page 1, line 13, change "non-residential contracts" to "an action commenced after the expiration of the five-year period provided by this Section."

AMENDMENT NO. 4

On page 1, line 14, after "faith" delete the remainder of the line and at the beginning of line 15, delete "prescriptive period"

AMENDMENT NO. 5

On page 1, line 15 change "that party" to "the party who made the allegation"

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 437 by Senator Appel

AMENDMENT NO. 1

On page 1, line 16, following "proven" and before "then" delete "to have occurred"

AMENDMENT NO. 2

On page 1, line 17, and before "the" change "committing" to "that has committed"

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 514—

BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 40:1299.44(A)(2), (5), and (6) and (D)(1)(c) and (2)(b)(iii), relative to the Patient's Compensation Fund and the Patient's Compensation Fund Oversight Board; to provide with respect to exemption of the board and fund from rate regulation by the commissioner of insurance; to provide relative to the annual surcharge, including the manner of its determination; to provide relative to retention of monies in the fund; to provide with respect to composition of the board and to otherwise provide with respect to its authority; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 616—

BY SENATOR MCPHERSON

AN ACT

To enact R.S. 32:61(A)(3) and R.S. 32:63(C); and to repeal R.S. 32:62, relative to speed limits on highways of this state; to authorize increases of the maximum speed on highways; and to provide for related matters.

Read by title.

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

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 617—

BY SENATOR MCPHERSON

AN ACT

To enact R.S. 32:392.1, relative to motor vehicles; to prohibit impoundment in certain circumstances; 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 Reengrossed Senate Bill No. 617 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 8, after "contrary, a" delete the remainder of the line, and at the beginning of line 9, delete "or motorcycle" and insert "motor vehicle"

AMENDMENT NO. 2

On page 1, line 12, after "noncompliance" and before "and" insert "if for a violation of R.S. 32:863.1, or a citation or violation ticket"

AMENDMENT NO. 3

On page 2, line 2, after "impound a" delete the remainder of the line and at the beginning of line 3, delete "van, recreational vehicle, or motorcycle" and insert "motor vehicle"

AMENDMENT NO. 4

On page 2, line 3, after "violation" insert ", when the motor vehicle involves a violation of Title 14 or Part X of Chapter 40 of the"

Revised Statutes of Louisiana of 1950, the motor vehicle or its contents is an instrument of a crime or has evidentiary value, or when the operator is operating a motor vehicle under suspension or revocation of his driver's license"

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 617 by Senator McPherson

AMENDMENT NO. 1

In House Committee Amendment No.4 proposed by the House Committee on Transportation, Highways, and Public Works, on line 12 change "Part X of Chapter 40" to "Part X of Chapter 4 of Title 40"

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 689—
BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 37:212(C), relative to the practice of law; to provide for the definition of "practice of law"; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

Reported without amendments by the Legislative Bureau.

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

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

Suspension of the Rules

On motion of Rep. Roy, 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. 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.

Motion

On motion of Rep. Hardy, the bill was returned to the 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.

Motion

On motion of Rep. Leger, the bill was returned to the 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.

Rep. Montoucet moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Gisclair	Mills
Anders	Greene	Monica
Arnold	Guillory	Montoucet
Aubert	Guinn	Norton
Badon, A.	Hardy	Nowlin
Badon, B.	Harrison	Pearson
Baldone	Hazel	Perry
Billiot	Henderson	Ponti
Brossett	Henry	Pope
Burns, H.	Hill	Pugh
Burns, T.	Hines	Richard
Burrell	Hoffmann	Richardson
Carmody	Howard	Richmond
Carter	Hutter	Robideaux
Champagne	Jackson G.	Schroder
Chandler	Jackson M.	Smiley
Chaney	Johnson	Smith, G.
Connick	Jones, S.	Smith, J.
Cortez	Katz	Smith, P.
Cromer	Kleckley	St. Germain
Danahay	LaBruzzo	Talbot
Dixon	Lambert	Templet
Doerge	Landry	Thibaut
Dove	Leger	Thierry
Downs	Ligi	Waddell
Fannin	Little	White
Foil	Lopinto	Williams
Franklin	Lorusso	Willmott
Gallot	McVea	Wooton

Total - 87

NAYS

Burford Roy
 Morris Simon
 Total - 4

ABSENT

Mr. Speaker Edwards LaFonta
 Arnes Ellington LeBas
 Barras Geymann Ritchie
 Barrow Jones, R. Stiaes
 Total - 12

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

The title of the above bill was read and adopted.

Rep. Montoucet 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. Austin Badon requested the House consent to correct his vote on final passage of House Bill No. 940 from nay to yea, which consent was unanimously granted.

Consent to Correct a Vote Record

Rep. Danahay requested the House consent to record his vote on final passage of House Bill No. 940 as yea, which consent was unanimously granted.

Consent to Correct a Vote Record

Rep. Hines requested the House consent to correct his vote on final passage of House Bill No. 940 from nay to yea, which consent was unanimously granted.

Consent to Correct a Vote Record

Rep. Leger requested the House consent to correct his vote on final passage of House Bill No. 940 from nay to yea, which consent was unanimously granted.

Consent to Correct a Vote Record

Rep. Burrell requested the House consent to record his vote on final passage of House Bill No. 940 as yea, which consent was unanimously granted.

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.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Roy to Engrossed House Bill No. 850 by Representative Roy

AMENDMENT NO. 1

On page 1, at the beginning of line 4, after "deposits;" and before "to" insert "to provide for the form of the deposit;"

AMENDMENT NO. 2

On page 1, line 15, after "purchases." and before "A" insert the following:

"The deposit shall be made in a form approved by the tax collector."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Roy to Engrossed House Bill No. 850 by Representative Roy

AMENDMENT NO. 1

On page 1, line 13, after "deposit" delete the remainder of the line and from the beginning of line 14, delete "of the required minimum bid" and insert a comma "," and insert "not to exceed one thousand dollars."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Franklin	McVea
Anders	Gallot	Mills
Arnold	Gisclair	Monica
Aubert	Greene	Norton
Badon, A.	Guillory	Nowlin
Badon, B.	Guinn	Pearson
Baldone	Hardy	Perry
Barras	Harrison	Pope
Barrow	Hazel	Pugh
Billiot	Henderson	Richard
Brossett	Henry	Richardson
Burford	Hill	Richmond
Burns, H.	Hines	Ritchie
Burns, T.	Hoffmann	Robideaux
Burrell	Howard	Roy
Carmody	Hutter	Schroder
Carter	Jackson M.	Simon
Champagne	Johnson	Smith, G.
Chandler	Jones, S.	Smith, J.
Chaney	Katz	Smith, P.
Connick	Kleckley	St. Germain
Cortez	LaBruzzo	Stiaes
Danahay	LaFonta	Talbot
Dixon	Lambert	Templet
Doerge	Landry	Thibaut
Dove	Leger	Thierry
Downs	Ligi	Waddell
Ellington	Little	Williams
Fannin	Lopinto	Willmott
Foil	Lorusso	Wooton
Total - 90		

NAYS

Total - 0

ABSENT

Mr. Speaker	Jackson G.	Ponti
Armes	Jones, R.	Smiley
Cromer	LeBas	White
Edwards	Montoucet	
Geymann	Morris	
Total - 13		

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. 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.

Motion

On motion of Rep. Richmond, the bill was returned to the 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.

Motion

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

Rep. Foil moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Mr. Speaker	Cromer	Jones, R.
Armes	Geymann	
Billiot	Jackson G.	
Total - 7		

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. 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.

Rep. Williams moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 94

NAYS

Total - 0

ABSENT

Mr. Speaker	Geymann	Leger
Anders	Jackson M.	Little
Armes	Jones, R.	Ritchie

Total - 9

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 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.

Rep. Greene moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Franklin	McVea
Anders	Gallot	Mills
Arnold	Gisclair	Monica
Aubert	Greene	Montoucet
Badon, A.	Guinn	Norton
Badon, B.	Hardy	Nowlin
Barras	Harrison	Perry
Barrow	Hazel	Ponti
Billiot	Henderson	Pugh
Brossett	Henry	Richardson
Burford	Hill	Richmond
Burns, H.	Hines	Robideaux
Burns, T.	Hoffmann	Roy
Burrell	Hutter	Simon
Carmody	Jackson G.	Smith, G.
Carter	Jackson M.	Smith, J.
Chandler	Johnson	Smith, P.
Chaney	Jones, S.	Stiaes
Connick	Kleckley	Talbot
Cortez	LaBruzzo	Templet
Danahay	LaFonta	Thibaut
Dixon	Lambert	Thierry
Doerge	Landry	Waddell
Dove	LeBas	White
Downs	Leger	Williams
Edwards	Ligi	Willmott
Ellington	Little	Wooton
Fannin	Lopinto	
Foil	Lorusso	

Total - 85

NAYS

Cromer	Pearson	Schroder
Katz	Pope	Smiley

Total - 6

ABSENT

Mr. Speaker	Geymann	Morris
Armes	Guillory	Richard
Baldone	Howard	Ritchie
Champagne	Jones, R.	St. Germain

Total - 12

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

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 the use of wireless telephones while driving; to prohibit text messaging and e-mailing while driving; to provide for penalties; 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. 1235 by Representative Austin Badon

AMENDMENT NO. 1

On page 1, line 17, following "device" and before "for" delete "except"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Downs to Engrossed House Bill No. 1235 by Representative Austin Badon

AMENDMENT NO. 1

On page 3, line 2, after "dollars.", delete "All"

AMENDMENT NO. 2

On page 3, delete lines 3 and 4 in their entirety

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Arnold to Engrossed House Bill No. 1235 by Representative Austin Badon

AMENDMENT NO. 1

On page 1, line 4, after "driving" insert "to provide for a secondary offense;"

AMENDMENT NO. 2

On page 2, between lines 27 and 28, insert the following:

"C. A law enforcement officer shall enforce the provisions of this Section only as a secondary action when the officer detains a driver for an alleged violation of another provision of this Chapter."

AMENDMENT NO. 3

On page 2, line 28, change "C." to "D."

Rep. Arnold moved the adoption of the amendments.

Rep. Austin Badon objected.

By a vote of 43 yeas and 42 nays, the amendments were adopted.

Motion

Rep. Hardy moved the previous question be ordered on the entire subject matter, which motion was agreed to.

Rep. Austin Badon moved to reconsider the motion by which the previous question was adopted, which motion was agreed to.

Motion

On motion of Rep. Austin Badon, the bill, as amended, was returned to the 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.

Called from the calendar.

Read by title.

Suspension of the Rules

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Smiley to Engrossed House Bill No. 863 by Representative Stiaes

AMENDMENT NO. 1

On page 1, at the end of line 3, insert "to provide for collection of fines:"

AMENDMENT NO. 2

On page 2, after line 13, insert the following:

"D. Seventy-five percent of all fines collected for violations of this Section shall be transferred to the Transportation Trust Fund. Twenty-five percent of all fines collected for violation of this section shall be transferred to the entity which issued the citation".

Point of Order

Rep. Michael Jackson asked for a ruling from the Chair as to whether the House Rules require the bill be recommitted to the Committee on Appropriations if the amendments proposed by Rep. Smiley are adopted.

Ruling of the Chair

The Chair ruled that the House Rule 6.8(E) does not require the bill be recommitted to the Committee on Appropriations if the amendments are adopted.

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Arnold to Engrossed House Bill No. 863 by Representative Stiaes

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 32:300.8" to "R.S.300.5(D) and 300.8" and after "relative to", insert "commercial"

AMENDMENT NO. 2

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

AMENDMENT NO. 3

On page 1, line 6, after "R.S. 32:300.8 is" to "R.S.300.5(D) and 300.8 are"

AMENDMENT NO. 4

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

AMENDMENT NO. 5

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

"§300.5. Use of certain wireless telecommunications devices for text messaging prohibited

* * *

D. The provisions of this Section shall not apply to persons operating a commercial motor vehicle as defined by R.S. 32:401(5).

* * *

AMENDMENT NO. 6

On page 1, line 7, after "§300.8", " insert" "Commercial motor" and delete "Motor"

AMENDMENT NO. 7

On page 1, line 10, after "operating a", insert "commercial"

AMENDMENT NO. 8

On page 1, line 11, after "vehicle" insert a comma "," and ", as defined by 32:401(5),"

Rep. Arnold moved the adoption of the amendments.

Rep. Barrow objected.

By a vote of 50 yeas and 36 nays, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Doerge	Monica
Anders	Downs	Montoucet
Arnold	Franklin	Pope
Aubert	Guillory	Pugh
Badon, A.	Hardy	Richardson
Barras	Henry	Richmond
Billiot	Hill	Ritchie
Brossett	Hines	Robideaux
Burns, T.	Hutter	Smith, P.
Burrell	Jackson G.	St. Germain

Carter	Jackson M.	Stiaes
Champagne	Lambert	Talbot
Chaney	Landry	Thierry
Connick	LeBas	Williams
Cortez	Ligi	Willmott
Danahay	Lorusso	
Dixon	Mills	
Total - 49		

NAYS

Abramson	Foil	Morris
Armes	Gallot	Nowlin
Badon, B.	Gisclair	Pearson
Baldone	Greene	Perry
Barrow	Guinn	Richard
Burford	Hazel	Roy
Burns, H.	Howard	Schroder
Carmody	Johnson	Simon
Chandler	Jones, S.	Smiley
Cromer	Katz	Smith, J.
Dove	LaBruzzo	Waddell
Edwards	Little	White
Ellington	Lopinto	Wooton
Fannin	McVea	
Total - 41		

ABSENT

Geymann	Kleckley	Smith, G.
Harrison	LaFonta	Templet
Henderson	Leger	Thibaut
Hoffmann	Norton	
Jones, R.	Ponti	
Total - 13		

The Chair declared the above bill failed to pass.

Motion to reconsider pending.

HOUSE BILL NO. 1251—

BY REPRESENTATIVES CONNICK, CHAMPAGNE, CORTEZ, FANNIN, GEYMANN, 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.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Connick gave notice of his intention to call House Bill No. 1251 from the calendar on Tuesday, May 11, 2010.

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.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative McVea to Engrossed House Bill No. 1285 by Representative McVea

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 47:463.141" and before the comma "," insert "and R.S. 56:10(B)(14)"

AMENDMENT NO. 2

On page 1, at the end of line 3, insert "to create the "Rare and Endangered Species Account";"

AMENDMENT NO. 3

On page 2, line 15, after "Species" delete "Fund" and insert "Account"

AMENDMENT NO. 4

On page 2, after line 21, insert the following:

"Section 2. R.S. 56:10(B)(14) is hereby enacted to read as follows:

§10. Annual report to governor; estimate of proposed expenditures; particular funds; warrants; vouchers; surplus funds

* * *

B.

* * *

(14) There is hereby created within the Conservation Fund a special account known as the "Rare and Endangered Species Account", which shall consist of revenues collected from the sale of the "Rare and Endangered Species" special prestige license plate provided for in R.S. 47:463.141(E), donations, and from any other source which may specify deposit to this account. The revenues in the account shall be subject to the same requirements as other revenues in the Conservation Fund. All expenditures and allocations of funds from this account shall be used solely for the purpose of conserving, restoring, and enhancing the rare and endangered species habitats in Louisiana.

* * *

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Greene	Norton
Anders	Guillory	Nowlin
Armes	Guinn	Pearson
Arnold	Hardy	Perry
Aubert	Harrison	Ponti
Badon, B.	Hazel	Pope
Baldone	Henderson	Pugh
Barras	Henry	Richard

Barrow	Hill	Richardson
Billiot	Hoffmann	Richmond
Burns, H.	Howard	Robideaux
Burns, T.	Hutter	Roy
Carmody	Jackson G.	Schroder
Carter	Jackson M.	Simon
Champagne	Johnson	Smith, G.
Chandler	Jones, S.	Smith, J.
Chaney	Kleckley	Smith, P.
Connick	LaBruzzo	St. Germain
Cortez	LaFonta	Stiaes
Cromer	Lambert	Talbot
Danahay	Landry	Templet
Dixon	LeBas	Thibaut
Doerge	Ligi	Thierry
Dove	Lopinto	Waddell
Ellington	Lorusso	White
Fannin	McVea	Willmott
Foil	Monica	Wooton
Franklin	Montoucet	
Gisclair	Morris	
Total - 85		

NAYS

Total - 0

ABSENT

Mr. Speaker	Edwards	Leger
Badon, A.	Gallot	Little
Brossett	Geymann	Mills
Burford	Hines	Ritchie
Burrell	Jones, R.	Smiley
Downs	Katz	Williams
Total - 18		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. McVea 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. 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.

Rep. Tucker moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Montoucet
Abramson	Gisclair	Morris
Anders	Greene	Norton
Armes	Guillory	Nowlin
Arnold	Guinn	Pearson
Aubert	Hardy	Perry
Badon, A.	Harrison	Pope
Badon, B.	Hazel	Pugh

Baldone	Henderson	Richard
Barras	Henry	Richardson
Barrow	Hill	Richmond
Billiot	Hines	Ritchie
Brossett	Hoffmann	Robideaux
Burford	Howard	Roy
Burns, H.	Hutter	Schroder
Burns, T.	Jackson G.	Simon
Burrell	Jackson M.	Smiley
Carmody	Johnson	Smith, G.
Carter	Jones, S.	Smith, J.
Champagne	Katz	Smith, P.
Chandler	Kleckley	St. Germain
Chaney	LaFonta	Stiaes
Cortez	Lambert	Talbot
Cromer	Landry	Templet
Danahay	LeBas	Thibaut
Dixon	Leger	Thierry
Doerge	Ligi	Waddell
Downs	Little	White
Edwards	Lopinto	Williams
Ellington	Lorusso	Willmott
Fannin	McVea	Wooton
Foil	Mills	
Franklin	Monica	

Total - 97

NAYS

Total - 0

ABSENT

Connick	Geymann	LaBruzzo
Dove	Jones, R.	Ponti

Total - 6

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.

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.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Ellington to Engrossed House Bill No. 1464 by Representative Ellington

AMENDMENT NO. 1

On page 1, delete lines 18 through 20 in their entirety and on page 2, delete lines 1 through 4 in their entirety

AMENDMENT NO. 2

On page 2, line 5, change "C." to "B."

AMENDMENT NO. 3

On page 2, at the end of line 6, change "agreement." to "franchise."

AMENDMENT NO. 4

On page 2, line 12, change "D." to "C."

AMENDMENT NO. 5

On page 3, line 4, after "consecutive" delete "business"

AMENDMENT NO. 6

On page 3, line 6, change "E." to "D."

AMENDMENT NO. 7

On page 4, line 1, change "F." to "E."

AMENDMENT NO. 8

On page 4, delete line 5 in its entirety and insert in lieu thereof "F. As required by this Section, the manufacturer."

AMENDMENT NO. 9

On page 4, line 19, change "H." to "G."

AMENDMENT NO. 10

On page 5, line 3, after "marine product" delete "or product"

AMENDMENT NO. 11

On page 5, delete lines 12 through 21 in their entirety and insert in lieu thereof the following:

"H. Upon termination of the franchise, the marine dealer shall submit a final inventory of marine products and parts on hand to the manufacturer, distributor, or wholesaler by certified mail, return receipt requested, or commercial delivery service with verification of receipt. If a manufacturer, distributor, or wholesaler fails or refuses to repurchase as required by this Section within thirty days of the receipt of the inventory, without just cause, the manufacturer, distributor, or wholesaler shall be subjected to a penalty of the marine dealer's reasonable attorney fees, court costs, and interest on the inventory value of returnable marine products and parts required to be purchased computed at the legal interest rate per annum from the thirty-first day, as long as such repurchase is not made."

AMENDMENT NO. 12

On page 5, line 22, change "J." to "I."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Gallot	Montoucet
Anders	Gisclair	Morris
Arnes	Greene	Norton
Arnold	Guillory	Nowlin
Aubert	Guinn	Pearson
Badon, A.	Hardy	Perry
Badon, B.	Harrison	Ponti
Baldone	Hazel	Pope
Barras	Henderson	Pugh

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Barrow	Henry	Richard
Billiot	Hill	Richardson
Brossett	Hines	Richmond
Burford	Hoffmann	Ritchie
Burns, H.	Howard	Robideaux
Burns, T.	Hutter	Roy
Burrell	Jackson G.	Schroder
Carmody	Jackson M.	Simon
Carter	Johnson	Smiley
Champagne	Jones, S.	Smith, G.
Chandler	Katz	Smith, J.
Chaney	Kleckley	Smith, P.
Connick	LaBruzzo	St. Germain
Cortez	LaFonta	Stiaes
Danahay	Lambert	Talbot
Dixon	Landry	Templet
Doerge	LeBas	Thibaut
Dove	Ligi	Thierry
Downs	Little	Waddell
Edwards	Lopinto	White
Ellington	Lorusso	Williams
Fannin	McVea	Willmott
Foil	Mills	Wooton
Franklin	Monica	

Total - 98

NAYS

Total - 0

ABSENT

Mr. Speaker
Cromer
Total - 5

Geymann
Jones, R.
Leger

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Ellington 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. 16—

BY REPRESENTATIVE WOOTON
AN ACT

To amend and reenact R.S. 40:1379.3(D)(2), relative to concealed handgun permits; to provide with respect to the training of persons applying for a concealed handgun permit; to provide for the certification of concealed handgun permit instructors; and to provide for related matters.

Read by title.

Rep. Wooton moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Franklin	Montoucet
Abramson	Gallot	Morris
Anders	Gisclair	Pearson
Armes	Greene	Perry
Arnold	Guillory	Ponti
Aubert	Guinn	Pope
Badon, A.	Harrison	Pugh
Badon, B.	Hazel	Richard
Baldone	Henderson	Richardson
Barras	Henry	Richmond

Barrow	Hill	Ritchie
Billiot	Hines	Robideaux
Brossett	Hoffmann	Roy
Burns, H.	Howard	Schroder
Burns, T.	Hutter	Simon
Burrell	Jackson G.	Smiley
Carmody	Jackson M.	Smith, G.
Carter	Johnson	Smith, J.
Champagne	Jones, S.	Smith, P.
Chandler	Kleckley	St. Germain
Chaney	LaBruzzo	Stiaes
Connick	LaFonta	Talbot
Cortez	Lambert	Templet
Danahay	Landry	Thibaut
Dixon	LeBas	Thierry
Doerge	Ligi	Waddell
Dove	Little	White
Downs	Lopinto	Williams
Edwards	Lorusso	Willmott
Ellington	McVea	Wooton
Fannin	Mills	
Foil	Monica	

Total - 94

NAYS

Total - 0

ABSENT

Burford	Hardy	Leger
Cromer	Jones, R.	Norton
Geymann	Katz	Nowlin

Total - 9

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Wooton 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. 37—

BY REPRESENTATIVE GARY SMITH
AN ACT

To amend and reenact R.S. 44:36(D), relative to public records; to reduce the time required for the Department of Public Safety and Corrections to retain records regarding adult offenders; and to provide for related matters.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Gary Smith gave notice of his intention to call House Bill No. 37 from the calendar on Tuesday, May 11, 2010.

HOUSE BILL NO. 43—

BY REPRESENTATIVE HARDY
AN ACT

To amend and reenact R.S. 17:405(A)(1)(b) and (i) and (C)(1), R.S. 40:981.3(A), (B), and (D) and 1058.10(A) and (C)(1), relative to drug free zones; to expand the area of drug free zones; and to provide for related matters.

Read by title.

Rep. Hardy 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	Gisclair	Morris
Arnold	Greene	Perry
Aubert	Guillory	Ponti
Badon, A.	Guinn	Pope
Badon, B.	Hardy	Pugh
Baldone	Harrison	Richard
Barras	Hazel	Richardson
Barrow	Henderson	Richmond
Billiot	Henry	Ritchie
Brossett	Hill	Robideaux
Burns, H.	Hines	Roy
Burns, T.	Hoffmann	Schroder
Burrell	Howard	Simon
Carmody	Hutter	Smiley
Carter	Jackson G.	Smith, G.
Champagne	Johnson	Smith, J.
Chandler	Jones, S.	St. Germain
Chaney	Katz	Stiaes
Connick	Kleckley	Talbot
Cortez	LaBruzzo	Templet
Danahay	LaFonta	Thibaut
Dixon	Lambert	Thierry
Doerge	Landry	Waddell
Dove	LeBas	White
Downs	Ligi	Williams
Edwards	Little	Willmott
Ellington	Lorusso	Wooton
Fannin	McVea	
Foil	Mills	
Total - 91		

NAYS

Jackson M.	Lopinto	Smith, P.
Total - 3		

ABSENT

Mr. Speaker	Geymann	Norton
Burford	Jones, R.	Nowlin
Cromer	Leger	Pearson
Total - 9		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Hardy 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. Michael Jackson requested the House consent to correct his vote on final passage of House Bill No. 43 from yea to nay, which consent was unanimously granted.

Consent to Correct a Vote Record

Rep. Patricia Smith requested the House consent to correct her vote on final passage of House Bill No. 43 from yea to nay, which consent was unanimously granted.

Speaker Tucker in the Chair

HOUSE BILL NO. 45—

BY REPRESENTATIVE LAMBERT
AN ACT

To amend and reenact R.S. 56:320(B)(3), relative to taking of crabs; to remove the requirement for a crab trap to have a float and float line if the trap is placed in an area designated as freshwater; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Lambert to Engrossed House Bill No. 45 by Representative Lambert

AMENDMENT NO. 1

On page 1, at the end of line 3, delete "an" and on line 4, change "area designated as freshwater" to "certain locations of the state"

AMENDMENT NO. 2

On page 1, line 14, after "areas" delete the remainder of the line and insert "north of the northern bank of the Intracoastal Waterway and west of Louisiana Highway 70 and those areas located on the eastern side of the Mississippi River and inland from the saltwater line"

On motion of Rep. Lambert, 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

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

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Downs
Edwards
Ellington
Total - 96

Lopinto
Lorusso
McVea

Williams
Willmott
Wooton

NAYS

Total - 0

ABSENT

Geymann
Hardy
Henry
Total - 7

Jones, R.
Leger
Smiley

Talbot

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Lambert 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. 60—

BY REPRESENTATIVE WOOTON
AN ACT

To amend and reenact R.S. 40:1379.3(A)(1), (B), (C)(introductory paragraph), and (T), relative to concealed handgun permits; to provide for the issuance of Louisiana concealed handgun permits; to provide with respect to the recognition of nonresident concealed handgun permits; to provide for a period of time when previously issued nonresident concealed handgun permits shall be considered valid; 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. 60 by Representative Wooton

AMENDMENT NO. 1

On page 2, line 1, following "shall" and before "to" change "only be issued" to "be issued only"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Abramson
Anders
Armes
Arnold
Aubert
Badon, A.
Badon, B.
Baldone
Barrow
Billiot
Brossett

Gallot
Gisclair
Greene
Hardy
Harrison
Hazel
Henderson
Henry
Hill
Hines
Hoffmann

Monica
Montoucet
Norton
Nowlin
Pearson
Perry
Ponti
Pugh
Richard
Richardson
Richmond

Burford
Burns, H.
Burrell
Carmody
Carter
Chandler
Chaney
Connick
Cortez
Danahay
Dixon
Doerge
Dove
Downs
Edwards
Ellington
Foil
Franklin
Total - 85

Howard
Hutter
Jackson G.
Jackson M.
Johnson
Jones, S.
Katz
Kleckley
LaBruzzo
Landry
LeBas
Leger
Ligi
Little
Lopinto
Lorusso
McVea
Mills

Ritchie
Schroder
Simon
Smiley
Smith, G.
Smith, J.
Smith, P.
Stiaes
Talbot
Thibaut
Thierry
Waddell
White
Williams
Willmott
Wooton

NAYS

Mr. Speaker
Barras
Burns, T.
Champagne
Total - 10

Cromer
Fannin
Gunn
Morris

Roy
St. Germain

ABSENT

Geymann
Guillory
Jones, R.
Total - 8

LaFonta
Lambert
Pope

Robideaux
Templet

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Wooton 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. 68—

BY REPRESENTATIVE HENRY BURNS
AN ACT

To amend and reenact R.S. 40:1379.3(H)(2) and (N)(8) and to enact R.S. 40:1379.3(U), relative to concealed handgun permits; to provide for the adoption of rules and fees; to authorize certain religious organizations to allow concealed handguns to be carried in places of worship pursuant to a valid concealed handgun permit; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 141—

BY REPRESENTATIVE WOOTON
AN ACT

To amend and reenact R.S. 40:1784, relative to applications to possess or transfer certain firearms; to provide for the use of electronic applications approved by the Department of Public Safety and Corrections for the possession or transfer of certain firearms; to provide that applications for the possession or transfer of certain firearms may be filed electronically; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Wooton to Engrossed House Bill No. 141 by Representative Wooton

AMENDMENT NO. 1

On page 1, line 6, after "electronically;" and before "and" insert "to provide that electronic applications are contingent upon purchase of equipment;"

AMENDMENT NO. 2

On page 2, after line 7, insert the following:

"D. The availability of electronic applications as authorized by the provisions of this Section is contingent upon the Department of Public Safety and Corrections receiving adequate funding to acquire, implement, and maintain a computer or database system to support electronic applications."

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

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

Total - 95

NAYS

Total - 0

ABSENT

Badon, B.	Geymann	Robideaux
Burford	Jones, R.	Smiley
Franklin	Norton	
Total - 8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Wooton 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. 158—

BY REPRESENTATIVE WOOTON

AN ACT

To amend and reenact R.S. 40:1379.3(C)(10) and to enact R.S. 40:1379.3(C)(18) and (19), relative to concealed handgun permits; to provide for the qualifications necessary for the issuance of a permit; to provide for a waiting period for reapplication following revocation or denial; and to provide for related matters.

Read by title.

Rep. Wooton moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 96

NAYS

Total - 0

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ABSENT

Burford Jones, R. Nowlin
Geymann Mills
Guinn Norton
Total - 7

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Wooton 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. 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.

Called from the calendar.

Read by title.

Rep. Nowlin moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Foil Lorusso
Anders Gisclair McVea
Armes Guillory Mills
Arnold Hardy Monica
Badon, B. Harrison Montoucet
Baldone Hazel Morris
Barras Henderson Nowlin
Billiot Hill Pearson
Burford Hines Ponti
Burns, H. Howard Pugh
Carmody Hutter Richardson
Carter Jackson G. Ritchie
Chandler Johnson Roy
Chaney Jones, S. Simon
Danahay Katz St. Germain
Doerge Lambert White
Downs Leger Willmott
Edwards Ligi Wooton
Ellington Little
Fannin Lopinto
Total - 58

NAYS

Abramson Gallot Schroder
Badon, A. Greene Smiley
Barrow Henry Smith, J.
Brossett Jackson M. Smith, P.
Burrell Landry Stiaes
Champagne Norton Talbot
Connick Perry Thibaut
Cromer Pope Waddell

Dixon Richard Williams
Dove Richmond
Franklin Robideaux
Total - 31

ABSENT

Aubert Hoffmann LeBas
Burns, T. Jones, R. Smith, G.
Cortez Kleckley Templet
Geymann LaBruzzo Thierry
Guinn LaFonta
Total - 14

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

Consent to Correct a Vote Record

Rep. Hardy requested the House consent to correct his vote on final passage of House Bill No. 1275 from nay to yea, which consent was unanimously granted.

HOUSE BILL NO. 239—
BY REPRESENTATIVE KLECKLEY
AN ACT

To amend and reenact R.S. 44:4.1(B)(10) and to enact R.S. 22:572.1 and 572.2, relative to company- produced insurance anti-fraud plans; to require each authorized insurer and health maintenance organization to produce and maintain such a plan; to provide for minimum requirements of such plans; to provide for the authority of the commissioner of insurance to review, investigate, and order modification of such plans; to authorize summary reports; to provide for confidentiality; to provide for certain statistical reports; and to provide for related matters.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Kleckley gave notice of his intention to call House Bill No. 239 from the calendar on Wednesday, May 12, 2010.

HOUSE BILL NO. 447—
BY REPRESENTATIVE PEARSON
AN ACT

To amend and reenact R.S. 22:881.1, relative to certificates of insurance; to define such certificates and otherwise provide with respect to their issuance and effect; to provide for the responsibilities of the commissioner of insurance relative to such certificates, including approval of forms and enforcement; to provide for prohibitions and penalties; 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. 447 by Representative Pearson

AMENDMENT NO. 1

On page 3, line 19, following "form" and before ":" change "if the form that" to "if that form"

AMENDMENT NO. 2

On page 5, line 17, following "who" and before "violates" change "wilfully" to "willfully"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Aubert	Geymann	Jones, R.
Cortez	Jackson G.	Morris
Total - 6		

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. 545—

BY REPRESENTATIVES BALDONE, BILLIOT, GISCLAIR, HENDERSON, AND SAM JONES

AN ACT

To amend and reenact R.S. 56:325.3(A)(1), relative to commercial taking of spotted sea trout; to provide that the open season for such taking shall close each year when the maximum annual quota is reached; and to provide for related matters.

Read by title.

Rep. Baldone moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Franklin	Mills
Abramson	Gallot	Monica
Anders	Gisclair	Montoucet
Armes	Greene	Morris
Arnold	Guillory	Norton
Aubert	Guinn	Nowlin
Badon, A.	Hardy	Pearson
Badon, B.	Harrison	Perry
Baldone	Hazel	Pope
Barras	Henderson	Pugh
Barrow	Henry	Richard
Billiot	Hill	Richardson
Burford	Hines	Richmond
Burns, H.	Hoffmann	Ritchie
Burns, T.	Howard	Robideaux
Burrell	Hutter	Roy
Carmody	Jackson G.	Schroder
Carter	Jackson M.	Simon
Champagne	Johnson	Smiley
Chandler	Jones, S.	Smith, G.
Chaney	Katz	Smith, J.
Connick	Kleckley	Smith, P.
Cortez	LaBruzzo	St. Germain
Cromer	LaFonta	Stiaes
Danahay	Lambert	Talbot
Dixon	Landry	Templet
Doerge	LeBas	Thibaut
Dove	Leger	Thierry
Downs	Ligi	Waddell
Edwards	Little	White
Ellington	Lopinto	Williams
Fannin	Lorusso	Willmott
Foil	McVea	Wooton
Total - 99		

NAYS

Total - 0

ABSENT

Brossett	Jones, R.
Geymann	Ponti
Total - 4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Baldone 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. 556—

BY REPRESENTATIVE WOOTON
AN ACT

To amend and reenact R.S. 14:95.2(C)(4) and R.S. 40:1379.3(N)(11), relative to firearms; to provide with respect to firearm-free zones; to provide relative to the possession of firearms by concealed handgun permit holders; to retain the prohibition regarding the carrying of concealed handguns at a school; to prohibit the carrying of concealed handguns on any school campus or school bus; and to provide for related matters.

Read by title.

Rep. Wooton moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 96

NAYS

Norton
Total - 1

ABSENT

Aubert	Geymann	LaFonta
Burrell	Jones, R.	Montoucet

Total - 6

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Wooton 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. 593—

BY REPRESENTATIVE PUGH
AN ACT

To amend and reenact R.S. 37:1437(B), (C), (D), and (E) and to enact R.S. 37:1437(F), (G), (H), and (I) and R.S. 44:4(44), relative to licensing requirements for real estate brokers and salespersons; to authorize the Louisiana Real Estate Commission to conduct a criminal history background check on applicants for licensure; to provide an exception to the laws relative to public records for certain information obtained by the commission in connection with such a background check; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 597—

BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 56:322.2(A) and (D)(2), to enact R.S. 56:322.2(C)(3), and to repeal R.S. 56:322.2(G) and (I), relative to commercial take of shad and skipjack; to authorize nighttime taking of shad and skipjack in Iberville Parish and the Atchafalaya Basin; 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. 597 by Representative St. Germain

AMENDMENT NO. 1

On page 1, line 15, following "authorized" and before "in" insert "to do so"

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

Rep. St. Germain moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Foil	Mills
Abramson	Franklin	Monica
Anders	Gallot	Morris
Armes	Gisclair	Nowlin
Arnold	Greene	Pearson
Aubert	Guillory	Perry
Badon, A.	Guinn	Ponti
Badon, B.	Hardy	Pope
Baldone	Harrison	Pugh
Barras	Hazel	Richard
Barrow	Henderson	Richardson
Billiot	Henry	Richmond
Brossett	Hill	Ritchie
Burford	Hines	Robideaux
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, S.	Smith, P.
Chaney	Katz	St. Germain
Connick	Kleckley	Stiaes
Cortez	LaBruzzo	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
Fannin	McVea	
Total - 98		

NAYS

Total - 0

ABSENT

Geymann	LaFonta	Norton
Jones, R.	Montoucet	
Total - 5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. St. Germain 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. 644—
BY REPRESENTATIVES HENDERSON AND HUTTER
AN ACT

To provide for the designation of an area of the public oyster seed grounds for relocation of certain leases; to provide for the leases eligible for such relocation; to provide for restrictions on such leases; to provide for administration of the relocation; and to provide for related matters.

Read by title.

Rep. Henderson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Franklin	McVea
Abramson	Gallot	Mills
Anders	Gisclair	Monica
Armes	Greene	Norton
Arnold	Guillory	Nowlin
Badon, A.	Guinn	Pearson
Badon, B.	Hardy	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	Robideaux
Burrell	Hutter	Roy
Carmody	Jackson G.	Schroder

Carter	Jackson M.	Simon
Champagne	Johnson	Smiley
Chandler	Jones, S.	Smith, G.
Chaney	Katz	Smith, J.
Cortez	Kleckley	Smith, P.
Cromer	LaBruzzo	St. Germain
Danahay	LaFonta	Stiaes
Dixon	Lambert	Talbot
Doerge	Landry	Templet
Dove	LeBas	Thierry
Downs	Leger	Waddell
Edwards	Ligi	White
Ellington	Little	Williams
Fannin	Lopinto	Willmott
Foil	Lorusso	Wooton

Total - 96

NAYS

Total - 0

ABSENT

Aubert	Jones, R.	Thibaut
Connick	Montoucet	
Geymann	Morris	
Total - 7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 656—
BY REPRESENTATIVE GISCLAIR
AN ACT

To amend and reenact R.S. 56:722.1, relative to the Lafourche Parish Game and Fish Commission; to authorize the commission to govern, regulate, and control Lake Long; and to provide for related matters.

Read by title.

Rep. Gisclair moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Franklin	McVea
Abramson	Gallot	Mills
Anders	Gisclair	Monica
Arnold	Greene	Morris
Badon, A.	Guillory	Norton
Badon, B.	Guinn	Nowlin
Baldone	Hardy	Pearson
Barras	Harrison	Perry
Barrow	Hazel	Pope
Billiot	Henderson	Pugh
Brossett	Henry	Richard
Burford	Hill	Richardson
Burns, H.	Hines	Richmond
Burns, T.	Hoffmann	Ritchie
Burrell	Howard	Robideaux
Carmody	Hutter	Schroder
Carter	Jackson G.	Simon
Champagne	Jackson M.	Smiley
Chandler	Johnson	Smith, G.

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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	
Total - 95		

NAYS

Total - 0

ABSENT

Armes	Jones, R.	Roy
Aubert	Montoucet	Wooton
Geymann	Ponti	
Total - 8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Gisclair 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. 695—

BY REPRESENTATIVES WOOTON, HARRISON, AND HUTTER
AN ACT

To enact R.S. 56:437, relative to the sale of oysters; to authorize the sale for raw consumption of oysters which have been harvested from Louisiana waters; and to provide for related matters.

Read by title.

Rep. Wooton moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Franklin	McVea
Abramson	Gallot	Mills
Anders	Gisclair	Monica
Armes	Greene	Norton
Arnold	Guillory	Nowlin
Badon, A.	Guinn	Pearson
Badon, B.	Hardy	Perry
Baldone	Harrison	Ponti
Barras	Hazel	Pope
Barrow	Henderson	Pugh
Brossett	Henry	Richard
Burford	Hill	Richardson
Burns, H.	Hines	Richmond
Burns, T.	Hoffmann	Ritchie
Burrell	Howard	Robideaux
Carmody	Hutter	Schroder
Carter	Jackson G.	Simon
Champagne	Jackson M.	Smiley
Chandler	Johnson	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 - 96

NAYS

Total - 0

ABSENT

Aubert	Jones, R.	Roy
Billiot	Montoucet	
Geymann	Morris	
Total - 7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Wooton 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. Norton requested the House consent to record her vote on final passage of House Bill No. 695 as yea, which consent was unanimously granted.

HOUSE BILL NO. 712—

BY REPRESENTATIVES WOOTON AND HUTTER
AN ACT

To amend and reenact R.S. 56:434(G) and to enact R.S.56:434(H), relative to taking of seed oysters from the public seed grounds; to provide for certain restrictions; and to provide for related matters.

Read by title.

Rep. Wooton moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Franklin	McVea
Abramson	Gallot	Mills
Anders	Gisclair	Monica
Armes	Greene	Norton
Arnold	Guillory	Nowlin
Badon, B.	Guinn	Pearson
Baldone	Hardy	Perry
Barras	Harrison	Ponti
Barrow	Hazel	Pope
Billiot	Henderson	Pugh
Brossett	Henry	Richard
Burford	Hill	Richardson
Burns, H.	Hines	Richmond
Burns, T.	Hoffmann	Ritchie
Burrell	Howard	Robideaux
Carmody	Hutter	Roy
Carter	Jackson G.	Schroder
Champagne	Jackson M.	Simon

Chandler	Johnson	Smiley
Chaney	Jones, S.	Smith, G.
Connick	Katz	Smith, J.
Cortez	Kleckley	Smith, P.
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 - 96

NAYS

Total - 0

ABSENT

Aubert	Jones, R.	St. Germain
Badon, A.	Montoucet	
Geymann	Morris	

Total - 7

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Wooton 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. 875—

BY REPRESENTATIVES HARRISON, BOBBY BADON, BALDONE, BILLIOT, HENRY BURNS, CHAMPAGNE, DOVE, GISCLAIR, GUINN, HENDERSON, LAMBERT, LITTLE, ST. GERMAIN, AND WILLIAMS AND SENATOR N. GAUTREAUX

AN ACT

To amend and reenact R.S. 56:10(B)(1)(b) and 578.12(B) and to enact R.S. 36:610(B)(11) and R.S. 56:494, relative to shrimp; to create the Louisiana Shrimp Task Force within the Department of Wildlife and Fisheries; to provide for its membership; to provide for its powers, duties, functions, and responsibilities; to provide relative to funding; to provide relative to the Shrimp Marketing and Promotion Account and the Shrimp Trade Petition Account; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Harrison to Engrossed House Bill No. 875 by Representative Harrison

AMENDMENT NO. 1

On page 3, line 25, change "Four" to "Three" and change "four" to "three"

AMENDMENT NO. 2

On page 4, delete lines 8 and 9 in their entirety

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 98

NAYS

Total - 0

ABSENT

Cortez	Jones, R.	Smiley
Geymann	Montoucet	

Total - 5

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. 68—

BY REPRESENTATIVE HENRY BURNS
AN ACT

To amend and reenact R.S. 40:1379.3(H)(2) and (N)(8) and to enact R.S. 40:1379.3(U), relative to concealed handgun permits; to provide for the adoption of rules and fees; to authorize certain religious organizations to allow concealed handguns to be carried in places of worship pursuant to a valid concealed handgun permit; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hines to Engrossed House Bill No. 68 by Representative Henry Burns

AMENDMENT NO. 1

On page 1, line 5, after "permit;" and before "and" insert "to provide for exceptions;"

AMENDMENT NO. 2

On page 2, line 13, delete "mosque, or other similar place of worship" and insert "or mosque"

AMENDMENT NO. 3

On page 2, line 15, after "synagogue" delete the remainder of the line and delete line 16 in its entirety and insert "or mosque."

AMENDMENT NO. 4

On page 2, line 18, delete "mosque, or other similar place of worship" and insert "or mosque"

AMENDMENT NO. 5

On page 2, line 22, delete "mosque, or other similar place of worship" and insert "or mosque"

AMENDMENT NO. 6

On page 2, line 24, after "church" and before "shall" insert a comma "," and insert "synagogue, or mosque"

AMENDMENT NO. 7

On page 2, after line 25, insert the following:

"(4) The provisions of this Section shall not be construed to authorize the carrying of a concealed handgun in a church, synagogue, or mosque located on the property of any school or school property, which would otherwise be prohibited by the provisions of R.S. 14:95.2."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Schroder to Engrossed House Bill No. 68 by Representative Henry Burns

AMENDMENT NO. 1

On page 2, after line 25, insert the following:

"(5) Any church, synagogue, or mosque authorizing the carrying of concealed handguns pursuant to the provisions of this Subsection, shall require an additional eight-hour tactical training for those persons wishing to carry concealed handguns in the church, synagogue, or mosque. The training shall be conducted annually."

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

Rep. Henry Burns moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of representatives who voted 'YEAS' in three columns: Abramson, Badon, A., Badon, B., Baldone, Brossett, Burford, Burns, H., Burrell, Carmody, Chaney, Connick, Cortez, Danahay, Dixon, Edwards, Total - 45; Gallot, Greene, Hazel, Henry, Hill, Hines, Hoffmann, Howard, Jackson G., Katz, Kleckley, LaBruzzo, LeBas, Leger, Ligi; Lopinto, Lorusso, Morris, Nowlin, Pearson, Perry, Ponti, Richardson, Schroder, Smith, G., Smith, J., Talbot, Waddell, White, Wooton.

NAYS

Table listing names of representatives who voted 'NAYS' in three columns: Mr. Speaker, Anders, Arnes, Aubert, Barras, Barrow, Burns, T., Carter, Chandler, Doerge, Dove, Downs, Fannin, Total - 39; Foil, Franklin, Gisclair, Hardy, Harrison, Henderson, Hutter, Jackson M., Johnson, Landry, Little, Mills, Monica; Norton, Pope, Ritchie, Robideaux, Roy, Smiley, Smith, P., St. Germain, Stiaes, Thibaut, Thierry, Williams, Willmott.

ABSENT

Table listing names of representatives who were 'ABSENT' in three columns: Arnold, Billiot, Champagne, Cromer, Ellington, Geymann, Guillory, Total - 19; Guinn, Jones, R., Jones, S., LaFonta, Lambert, McVea, Montoucet; Pugh, Richard, Richmond, Simon, Templett.

The Chair declared the above bill failed to pass.

Motion to reconsider pending.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Stiaes gave notice of her intention to call House Bill No. 989 from the calendar on Wednesday, May 12, 2010.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Michael Jackson gave notice of his intention to call House Bill No. 1149 from the calendar on Tuesday, May 11, 2010.

HOUSE BILL NO. 918— BY REPRESENTATIVE PATRICIA SMITH AN ACT

To amend and reenact R.S. 15:571.3(D) and to enact R.S. 15:571.3(E), relative to diminution of sentence for good behavior; to authorize certain inmates to earn good time for

participation in certified treatment and rehabilitation programs; to provide for exceptions; and to provide for related matters.

Called from the calendar.

Read by title.

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

ROLL CALL

The roll was called with the following result:

YEAS

Anders	Ellington	Mills
Badon, A.	Franklin	Norton
Badon, B.	Gallot	Richard
Baldone	Guillory	Richmond
Barrow	Hardy	Ritchie
Brossett	Harrison	Roy
Burrell	Henderson	Smith, P.
Champagne	Hoffmann	St. Germain
Chaney	Jackson G.	Stiaes
Dixon	Jackson M.	Thibaut
Doerge	LaFonta	Thierry
Downs	LeBas	Williams
Edwards	Leger	Wooton
Total - 39		

NAYS

Mr. Speaker	Hazel	Morris
Abramson	Henry	Nowlin
Barras	Hill	Pearson
Billiot	Hines	Perry
Burford	Howardson	Pope
Burns, H.	Hutter	Richardson
Burns, T.	Johnson	Robideaux
Carmody	Katz	Schroder
Chandler	LaBruzzo	Simon
Connick	Lambert	Smiley
Cromer	Landry	Talbot
Danahay	Ligi	Templet
Fannin	Little	Waddell
Gisclair	Lopinto	Willmott
Greene	Lorusso	
Guinn	Monica	
Total - 46		

ABSENT

Armes	Foil	Montoucet
Arnold	Geymann	Ponti
Aubert	Jones, R.	Pugh
Carter	Jones, S.	Smith, G.
Cortez	Kleckley	Smith, J.
Dove	McVea	White
Total - 18		

The Chair declared the above bill failed to pass.

Rep. Lambert 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.

Consent to Correct a Vote Record

Rep. Hutter requested the House consent to record her vote on final passage of House Bill No. 918 as nay, which consent was unanimously granted.

HOUSE BILL NO. 491—
BY REPRESENTATIVE BILLIOT
AN ACT

To enact R.S. 38:346, relative to liability of levee districts or levee and drainage districts; to limit liability for any flood control levees or structures built or designed by the U.S. Army Corps of Engineers under certain conditions; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

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

Suspension of the Rules

On motion of Rep. Michael Jackson, the rules were suspended in order to take up and consider House Bills and Joint Resolutions on Second Reading Reported by Committee at this time.

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

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

**HOUSE BILL NO. 1470 (Substitute for House Bill No. 938 by
Representative Michael Jackson)—**
BY REPRESENTATIVE MICHAEL JACKSON
AN ACT

To enact R.S. 32:1306.1 and 1306.2, relative to motor vehicles; to authorize an increased fee for inspection and maintenance programs in the nonattainment zone; to permit local option elections in parishes in the nonattainment zone; to provide relative to the conduct of such elections and the costs thereof; to exempt certain parishes; to create a fund within the state treasury; and to provide for related matters.

Called from the calendar.

Read by title.

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

Under the rules, placed on the regular calendar.

Suspension of the Rules

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

Reports of Committees

The following reports of committees were received and read:

**Report of the Committee on
Administration of Criminal Justice**

May 6, 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. 207, by Billiot
Reported favorably. (13-0) (Local & Consent)

House Bill No. 524, by Little
Reported favorably. (10-0) (Local & Consent)

House Bill No. 554, by Danahay
Reported favorably. (12-0) (Regular)

House Bill No. 609, by White
Reported favorably. (14-0) (Local & Consent)

House Bill No. 664, by Leger
Reported favorably. (8-5) (Regular)

House Bill No. 740, by Lopinto
Reported favorably. (13-0) (Local & Consent)

House Bill No. 772, by Lopinto
Reported favorably. (13-0) (Local & Consent)

House Bill No. 775, by Simon
Reported favorably. (9-0) (Local & Consent)

House Bill No. 1015, by Baldone
Reported by substitute. (13-0) (Regular)

House Bill No. 1269, by Jackson, Girod
Reported favorably. (10-0) (Local & Consent)

House Bill No. 1335, by Hines
Reported with amendments. (12-1) (Regular)

House Bill No. 1357, by Baldone
Reported favorably. (13-0) (Local & Consent)

House Bill No. 1361, by Wooton
Reported favorably. (13-0) (Local & Consent)

ERNEST D. WOOTON
Chairman

Report of the Committee on Education

May 6, 2010

To the Speaker and Members of the House of Representatives:

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

House Bill No. 925, by Badon, Austin
Reported favorably. (11-3) (Regular)

House Bill No. 1171, by Tucker
Reported with amendments. (16-0) (Regular)

House Bill No. 1344, by Badon, Austin
Reported with amendments. (14-0) (Regular)

House Bill No. 1368, by Smith, Jane
Reported with amendments. (12-3) (Regular)

AUSTIN J. BADON, JR.
Chairman

Report of the Committee on Health and Welfare

May 6, 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. 1450, by Ellington
Reported with amendments. (12-0) (Regular)

KAY KELLOGG KATZ
Chairman

Report of the Committee on House and Governmental Affairs

May 6, 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. 1143, by Gallot
Reported with amendments. (13-0) (Regular)

House Bill No. 1168, by Schroder
Reported favorably. (14-0) (Regular)

House Bill No. 1296, by Schroder
Reported by substitute. (13-0) (Regular)

House Bill No. 1352, by LaBruzzo
Reported with amendments with recommendation to recommit to Appropriations. (15-0)

House Bill No. 1403, by Barras
Reported favorably. (13-0) (Regular)

RICHARD "RICK" GALLOT, JR.
Chairman

Privileged Report of the Committee on Enrollment

May 6, 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. 58—

BY REPRESENTATIVE ST. GERMAIN
A RESOLUTION

To designate May 5, 2010, as "Louisiana Chemical Industry Day"

HOUSE RESOLUTION NO. 59—

BY REPRESENTATIVES MICHAEL JACKSON, BARROW, CARTER, FOIL, GREENE, MCVEA, PONTI, RICHARDSON, PATRICIA SMITH, AND WHITE

A RESOLUTION

To express the sincere and heartfelt condolences of the House of Representatives upon the death of Kirt Bennett of Baton Rouge.

HOUSE RESOLUTION NO. 60—

BY REPRESENTATIVES PEARSON AND CROMER
A RESOLUTION

To express sincere and heartfelt condolences upon the death of George Ernest Reine III of Slidell.

Respectfully submitted,

WAYNE WADDELL
Chairman

The above House Resolutions contained in the report were signed by the Speaker of the House and taken by the Clerk of the

House to the Secretary of State in accordance with the rules of the House.

Suspension of the Rules

On motion of Rep. Mills, the rules were suspended in order to allow the Committees on Appropriations; Commerce; Transportation, Highways and Public Works; and Ways and Means to revise their weekly committee schedules after the deadline provided for in House Rule 14.23.

Adjournment

On motion of Rep. Lopinto, at 6:00 P.M., the House agreed to adjourn until Friday, May 7, 2010, at 9:00 A.M.

The Speaker of the House declared the House adjourned until 9:00 A.M., Friday, May 7, 2010.

ALFRED W. SPEER
Clerk of the House

