

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

**THIRTY-FIFTH DAY'S PROCEEDINGS**

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

House of Representatives  
State Capitol  
Baton Rouge, Louisiana

Wednesday, May 26, 2010

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

**Morning Hour**

**ROLL CALL**

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

**PRESENT**

Mr. Speaker	Franklin	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	Pope
Barras	Hazel	Pugh
Barrow	Henderson	Richard
Billiot	Henry	Richardson
Brossett	Hill	Richmond
Burford	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.
Chaney	Jones, R.	Smith, J.
Connick	Jones, S.	Smith, P.
Cortez	Katz	St. Germain
Cromer	Kleckley	Stiaes
Danahay	Lambert	Talbot
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		

The Speaker announced that there were 98 members present and a quorum.

**Prayer**

Prayer was offered by Rep. Rosalind Jones.

**Pledge of Allegiance**

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

Dr. Mary Bartholomew of Delgado Community College sang the *National Anthem*.

**Reading of the Journal**

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

On motion of Rep. Brossett, the Journal of May 25, 2010, was adopted.

**Petitions, Memorials, and  
Communications**

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

**Message from the Senate**

**HOUSE CONCURRENT RESOLUTIONS**

May 26, 2010

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

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

House Concurrent Resolution No. 195  
Returned without amendments

House Concurrent Resolution No. 196  
Returned without amendments

House Concurrent Resolution No. 197  
Returned without amendments

House Concurrent Resolution No. 198  
Returned without amendments

House Concurrent Resolution No. 200  
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**SENATE BILLS**

May 26, 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. 132, 293, 366, 567, 788, 798, 801, and 803

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. 132—**  
BY SENATOR MORRELL

AN ACT

To enact R.S. 9:344(E), relative to visitation rights; to prohibit visitation rights of a family member in certain circumstances; to provide for an effective date; and to provide for related matters.

Read by title.

**SENATE BILL NO. 293—**  
BY SENATOR DONAHUE

AN ACT

To enact R.S.39:84.1 and R.S. 42:375.2, relative to agency position attrition analysis in the executive branch of state government; to require the commissioner of administration to establish and implement an agency attrition analysis process; to require the Board of Regents to establish and implement an agency attrition analysis process; to provide for reports to the Commission on Streamlining Government; and to provide for related matters.

Read by title.

**SENATE BILL NO. 366—**  
BY SENATOR MICHOT

AN ACT

To amend and reenact Code of Civil Procedure Art. 45, relative to venue and conflicts between articles; to provide for an effective date; and to provide for related matters.

Read by title.

**SENATE BILL NO. 567—**  
BY SENATOR MORRISH

AN ACT

To amend and reenact R.S. 47:337.33(A)(3)(a) and (B), 337.45(A) and (B), 337.51(A) and (B), 337.53(C), 337.54, 337.61(2) and (3), 337.63(A)(1)(a), and 337.81(A), to enact R.S. 47:337.51.1 and 337.67(C)(3), and to repeal R.S. 47:337.101, relative to the sales and use tax of political subdivisions of the state; to provide for a procedure for mandatory arbitration of issues related to the collection or refund of such tax; and to provide for related matters.

Read by title.

**SENATE BILL NO. 788—**  
BY SENATOR HEBERT

AN ACT

To amend and reenact R.S. 44:4.1(B)(21), and to enact Chapter 8-A of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:711.1 through 711.24, relative to the professional geoscientists; to provide for a board; to provide for meetings; to provide for powers; to provide for records and reports; to provide for requirements; to provide for exemptions; to provide for applications and fees; to provide for examinations; to provide for eligibility; to provide for types of licenses; to provide for issuance of licenses; to provide for expiration and renewal of licenses; to provide for professional

development; to provide for a seal; to provide for disciplinary procedures; to provide for enforcement; and to provide for related matters.

Read by title.

**SENATE BILL NO. 798 (Substitute of Senate Bill No. 517 by Senator Walsworth)—**  
BY SENATOR WALSWORTH

AN ACT

To enact R.S. 17:236.1(G), relative to home study programs; to provide that a high school diploma awarded by an approved home study program shall be recognized by certain educational institutions and governmental entities in the same manner as one awarded by an approved nonpublic school; and to provide for related matters.

Read by title.

**SENATE BILL NO. 801 (Substitute of Senate Bill No. 399 by Senator Riser)—**  
BY SENATOR RISER

AN ACT

To enact R.S. 14:323, relative to the use of tracking devices; to prohibit the tracking of the location or movement of another person without the consent of that person; to provide for definitions; to provide for exceptions; to provide for penalties; and to provide for related matters.

Read by title.

**SENATE BILL NO. 803 (Substitute for Senate Bill No. 773 by Sen. Donahue)—**  
BY SENATORS DONAHUE, CHEEK, B. GAUTREAUX, MOUNT, PETERSON AND NEVERS

AN ACT

To amend and reenact R.S. 44:4.1(B)(15) and to enact Part IX-A of Chapter 1 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:215.1 through 215.6, relative to coroners; to provide for the establishment of a Coroner's Strategic Initiative for a Health Information and Intervention Program within offices of the coroner; to provide for certain services; to provide for consent; to provide for the Coroner's Strategic Initiative for a Health Information and Intervention Program advisory board; to provide for an exception to the public records law; to provide for duties of certain treatment facilities; to provide for limitations of liability; and to provide for related matters.

Read by title.

**Suspension of the Rules**

On motion of Rep. Hutter, 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. 117—**  
BY REPRESENTATIVES HUTTER AND LOPINTO  
A RESOLUTION

To recognize Wednesday, May 26, 2010, as "Delgado Community College Day" at the Louisiana House of Representatives.

Read by title.

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

**Acting Speaker Arnold in the Chair****HOUSE RESOLUTION NO. 118—**

BY REPRESENTATIVES LEGER, HENRY, HUTTER, ROSALIND JONES, SIMON, AND GARY SMITH

**A RESOLUTION**

To commend Tulane University for a tradition of academic excellence and to designate Wednesday, May 26, 2010, as "Tulane University Day at the Louisiana House of Representatives".

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 201—**

BY REPRESENTATIVES WADDELL, MORRIS, BURFORD, HENRY BURNS, BURRELL, CARMODY, DOERGE, GALLOT, JANE SMITH, AND WILLIAMS AND SENATORS ADLEY, CHEEK, JACKSON, LONG, AND SHAW

**A CONCURRENT RESOLUTION**

To commend Forrest Dunn upon his retirement from the Louisiana State Exhibit Museum in Shreveport.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 202—**

BY REPRESENTATIVE WILLMOTT

**A CONCURRENT RESOLUTION**

To urge and request the Healthcare-Acquired Infections Advisory Group to identify the most health-compromising and costly healthcare-acquired infections in Louisiana, to rank them in order of severity and prevalence, to provide health care providers with strategies to combat healthcare-acquired infections, to determine a cost-effective method to use infection information currently reported to the Centers for Disease Control and Prevention (CDC) and Centers for Medicare and Medicaid Services (CMS) and to provide this information in a manner that allows the public access to this data, and to compile these findings in a written report to be submitted to the House and Senate committees on health and welfare no later than February 1, 2011.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 203—**

BY REPRESENTATIVE KATZ

**A CONCURRENT RESOLUTION**

To memorialize the United States Congress to establish the second Sunday in August as "Spirit of '45 Day" to commemorate the sixty-fifth anniversary of the end of World War II.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 204—**

BY REPRESENTATIVE HOFFMANN

**A CONCURRENT RESOLUTION**

To commend the Louisiana State University School of Veterinary Medicine on its accomplishments and contributions and to request that it admit more Louisiana residents who are interested in large animal care to the program and that it report to the legislative education committees by October first each year on its progress.

Read by title.

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

Ordered to the Senate.

**Speaker Tucker in the Chair****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. 13—**

BY SENATOR B. GAUTREAU

**AN ACT**

To amend and reenact R.S. 11:292, 570, 930, 951.3, 952.3, 1378, 1905, 3014, 3051, 3111, 3140, 3198, 3229, 3321(A), 3345, 3389, 3408, 3440, 3470, 3513, 3608(A), 3691, 3770, 3800, and 3823, and R.S. 13:3881(D)(1), relative to garnishment or seizure of pension or retirement benefits; to provide for garnishment or seizure of benefits from public retirement or pension systems, plans, or funds; to provide relative to the applicability of certain court orders to such benefits; to provide for garnishment or seizure of such benefits to pay any fine or restitution, or any costs of incarceration, probation, or parole, ordered for certain felony convictions associated with service as an elected official or public employee; to provide for an effective date; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 312—**

BY SENATOR MORRISH

**AN ACT**

To amend and reenact R.S. 15:571.3(B)(1), relative to diminution of sentence for good behavior; to provide for application; to provide for an effective date; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 406—**

BY SENATOR MCPHERSON

**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 provide for criminal background checks; to provide for certain entities' access to expunged records; 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. 421—**  
BY SENATOR MURRAY

AN ACT

To enact R.S. 22:1052, relative to therapeutic switching of medications under certain circumstances; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 797 (Substitute of Senate Bill No. 29 by Senator Morrell)—**  
BY SENATOR MORRELL

AN ACT

To enact R.S. 47:1992(G), relative to the Orleans Parish Assessor; to provide a procedure for inspection of assessment lists in Orleans Parish; to provide for hearing by board of review; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 799 (Substitute of Senate Bill No. 741 by Senator B. Gautreaux)—**  
BY SENATOR B. GAUTREAU

AN ACT

To enact R.S. 41:1215.3, relative to the leasing of certain state property; to provide for the property description; to provide for terms and conditions; to provide for the uses of the property subject to the lease; 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. 800 (Substitute of Senate Bill No. 779 by Senator Lafleur and Michot and Representative Montoucet)—**  
BY SENATOR LAFLEUR

AN ACT

To amend and reenact Chapter 13 of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:651 through 655, relative to the Council for the Development of French in Louisiana; to statutorily create the council; to provide relative to the council's domicile, purposes, membership, powers, duties, and functions; to provide relative to members' terms and compensation; to provide relative to vacancies; to provide for the appointment of an executive committee and an executive director; to provide for policies and bylaws; 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. 802 (Substitute of Senate Bill No. 618 by Senator McPherson)—**  
BY SENATOR MCPHERSON

AN ACT

To enact R.S. 9:2716, relative to contracts; to provide for automatic renewal of contracts; to provide for disclosure of procedures regarding cancellation of such contracts; to provide for exceptions upon failure to notify consumers; to provide for applicability and exceptions; and to provide for related matters.

Read by title.

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

**Senate Concurrent Resolutions  
Reported by Committee**

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

**SENATE CONCURRENT RESOLUTION NO. 15—**  
BY SENATOR THOMPSON

A CONCURRENT RESOLUTION

To express the support of the Legislature of Louisiana to the Department of Culture, Recreation and Tourism, through the Office of State Parks and Office of Cultural Development, in its efforts to achieve a World Heritage designation for Poverty Point State Historic Site.

Read by title.

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

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

**SENATE CONCURRENT RESOLUTION NO. 83—**  
BY SENATOR DONAHUE

A CONCURRENT RESOLUTION

To urge and request the Senate Committee on Senate and Governmental Affairs and the House Committee on House and Governmental Affairs to meet and function as a joint committee to study and make recommendations relative to the feasibility, desirability, and practicality of state agencies adopting "lean" principles to improve efficiencies, increase overall productivity, eliminate waste, and conserve public funds.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

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

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

**HOUSE BILL NO. 57—**  
BY REPRESENTATIVE DANAHAY

AN ACT

To amend and reenact R.S. 37:3521(B), relative to private investigators; to provide for increased penalties; 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. 57 by Representative Danahay

AMENDMENT NO. 1

On page 1, line 9, after "less than" and before "thousand" change "one" to "two" and after "more than" and before "thousand" change "five" to "ten"

AMENDMENT NO. 2

On page 1, line 10, after "imprisoned" delete the comma "," and delete "with or without hard labor."

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. 171—**

BY REPRESENTATIVE RICHARD  
A JOINT RESOLUTION

Proposing to add Article III, Section 2(A)(3)(c) of the Constitution of Louisiana, to limit the number of matters that a member may introduce during a regular session held in an even-numbered year; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on 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. 171 by Representative Richard

AMENDMENT NO. 1

On page 1, line 2, after "Proposing to" delete "amend Article III, Section 2(A)(4)(b)" and insert "add Article III, Section 2(A)(3)(c)"

AMENDMENT NO. 2

On page 1, delete line 3 and at the beginning of line 4, delete "restrictions during sessions convening in odd-numbered years;" and insert the following:

"limit the number of matters that a member may introduce during a regular session held in an even-numbered year;"

AMENDMENT NO. 3

On page 1, at the beginning of line 10, delete "amend Article III, Section 2(A)(4)(b)" and insert "add Article III, Section 2(A)(3)(c)"

AMENDMENT NO. 4

On page 1, delete lines 14 through 21 and on page 2, delete lines 1 through 10 and insert the following:

"(3) \* \* \*

(c) No member of the legislature shall introduce more than ten matters intended to have the effect of law, including a matter proposing a suspension of law, during a regular session held in an even-numbered year. The following bills shall not be counted in determining the number of matters that a member may introduce for purposes of this Subsubparagraph:

- (i) The general appropriation bill.
- (ii) The bill appropriating funds for the judicial branch.
- (iii) The bill appropriating funds for the legislative branch.
- (iv) The capital outlay bill.

(v) The omnibus bond authorization bill.

(vi) Appropriation bills supplementing the General Appropriation Act.

(vii) The bill appropriating funds from the Revenue Sharing Fund pursuant to Article VII, Section 26 of this Constitution.

(viii) The bill establishing and reestablishing agency ancillary funds.

(ix) A bill to enact a local or special law which is required to be and has been advertised in accordance with Section 13 of this Article and which is not prohibited by the provisions of Section 12 of this Article."

AMENDMENT NO. 5

On page 2, line 19, after "To" delete the remainder of the line and delete lines 20 and 21 and insert the following:

"limit to ten the number of matters that a legislator may introduce during a regular session held in an even-numbered year, subject to exceptions for certain bills. (Adds Article III, Section 2(A)(3)(c))"

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 287—**

BY REPRESENTATIVE CORTEZ  
AN ACT

To enact R.S. 46:1427, relative to child care facilities and child-placing agencies; to provide with respect to licensure; to provide for an exception for certain religious organizations; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 389—**

BY REPRESENTATIVE LEGER  
AN ACT

To amend and reenact R.S. 33:4071(A) and to repeal R.S. 33:4072, relative to Orleans Parish; to provide relative to the sewerage and water board of New Orleans; to change the membership of the board; to provide relative to the terms and removal of board members; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Original House Bill No. 389 by Representative Leger

# Page 6 HOUSE

35th Day's Proceedings - May 26, 2010

## AMENDMENT NO. 1

On page 1, line 16, after "(b)" delete the remainder of the line and delete line 17 in its entirety and insert "Three members of the New Orleans city council selected by the council. At least one of such members shall be an at-large member of the council."

## AMENDMENT NO. 2

On page 1, delete line 18 in its entirety and at the beginning of line 19, change "(d)" to "(c)"

## AMENDMENT NO. 3

On page 2, at the beginning of line 1, change "(e)" to "(d)"

## AMENDMENT NO. 4

On page 2, delete lines 11 through 20 in their entirety and insert the following:

"Section 3. Notwithstanding any other provision of law to the contrary, all members of the New Orleans city council who are selected to serve on the board on and after the effective date of this Act shall serve during their terms of office. On the effective date of this Act, the term of the at-large member of the council serving on the board who was initially elected to the council on May 20, 2006, shall terminate; however, he shall be eligible to be reselected by the council to serve as a member of the board during his term of office.

Section 4. This Act shall take effect and become operative on the first day of January following an election where a majority of the voters of the city of New Orleans approve an amendment of Article V, Chapter 3, Section 5-301 of the home rule charter of the city to change the composition of the Sewerage and Water Board of New Orleans to provide the identical composition of the board as contained in this Act."

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

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

Under the rules, placed on the regular calendar.

## **HOUSE BILL NO. 1008—** BY REPRESENTATIVE HARRISON AN ACT

To enact R.S. 9:2800.17, relative to property and casualty insurance claims payment; to provide for damages for the diminution in the value of a motor vehicle after an accident; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Insurance to Original House Bill No. 1008 by Representative Harrison

## AMENDMENT NO. 1

On page 1, line 2, after "To" and before "relative" delete "amend and reenact R.S. 22:1892(B)(4)," and insert "enact R.S. 9:2800.17,"

## AMENDMENT NO. 2

On page 1, line 3, change "compensation" to "damages" and after "a" and before "vehicle" insert "motor"

## AMENDMENT NO. 3

On page 1, at the beginning of line 4, delete "that has been repaired"

## AMENDMENT NO. 4

On page 1, line 6, delete "R.S. 22:1892(B)(4) is hereby amended and reenacted" and insert "R.S. 9:2800.17 is hereby enacted"

## AMENDMENT NO. 5

On page 1, delete lines 7 through 20 in their entirety and insert the following:

### "§2800.17. Liability for the diminution in the value of a damaged vehicle

Whenever a motor vehicle is damaged through the negligence of a third-party without being destroyed, and if the owner can prove by a preponderance of the evidence that, if the vehicle were repaired to its preloss condition, its fair market value would be less than its value before it was damaged, the owner of the damaged vehicle shall be entitled to recover as additional damages an amount equal to the diminution in the value of the vehicle. Notwithstanding, the total damages recovered by the owner shall not exceed the fair market value of the vehicle prior to when it was damaged, and the amount paid for the diminution of value shall be considered in determining whether a vehicle is a total loss pursuant to R.S. 32:702."

## AMENDMENT NO. 6

On page 2, delete lines 1 through 14 in their entirety

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

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

Under the rules, placed on the regular calendar.

## **HOUSE BILL NO. 1011—** BY REPRESENTATIVE HARRISON AN ACT

To enact R.S. 22:1892(B)(5), relative to property and casualty insurance claims payment; to provide for the adjustment and settlement of first-party motor vehicle total losses; to provide a definition; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Insurance to Original House Bill No. 1011 by Representative Harrison

## AMENDMENT NO. 1

On page 1, line 17, after "using" and before "the" insert "one of"

## AMENDMENT NO. 2

On page 1, delete lines 18 through 20 and insert the following:

"(a) A fair market value survey conducted using qualified retail automobile dealers in the local market area as resources. If there are no dealers in the local market area, the nearest reasonable market can be used."

AMENDMENT NO. 3

On page 2, line 3, after "factors," insert "including the vehicle's preloss condition."

AMENDMENT NO. 4

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

"(c) A qualified expert appraiser selected and agreed upon by the insured and insurer. The appraiser shall produce a written nonbinding appraisal establishing the actual cash value of the vehicle's preloss condition."

AMENDMENT NO. 5

On page 2, at the beginning of line 7, change "(c)" to "(d)"

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1195—**

BY REPRESENTATIVE LITTLE AND SENATOR WALSWORTH  
AN ACT

To amend and reenact Paragraphs (6) and (15) of Section 5 and Section 6 of Act No. 253 of the 1952 Regular Session of the Legislature, as amended by Act No. 540 of the 1954 Regular Session of the Legislature, Act No. 577 of the 1960 Regular Session of the Legislature, Act No. 271 of the 1964 Regular Session of the Legislature, Act No. 16 of the 1968 1<sup>st</sup> Extraordinary Session of the Legislature, Act No. 23 of the 1972 Regular Session of the Legislature, Act No. 624 of the 1979 Regular Session of the Legislature, Act No. 4 of the 1981 1<sup>st</sup> Extraordinary Session of the Legislature, and Act No. 127 of the 1987 Regular Session of the Legislature, relative to the city of Bastrop; to provide relative to the powers and duties of the city; to remove certain restrictions; to provide relative to penalties for the violation of city ordinances; and to provide for related matters.

Read by title.

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

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

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

**HOUSE BILL NO. 1262—**

BY REPRESENTATIVE MILLS  
AN ACT

To amend and reenact R.S. 37:922(A) and to enact R.S. 37:918(21), relative to the Louisiana State Board of Nursing; to provide for hearings; to provide for records sharing; 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. 1262 by Representative Mills

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 37:922(A)" delete comma "," and delete the remainder of the line and insert "and to enact R.S."

AMENDMENT NO. 2

On page 1, line 3, change "37:922(F) and (G)," to "37:918(21),"

AMENDMENT NO. 3

On page 1, line 4, after "hearings;" delete the remainder of the line and delete line 5 and insert "to provide"

AMENDMENT NO. 4

On page 1, line 6, delete "to provide for reporting;"

AMENDMENT NO. 5

On page 1, line 8, after "Section 1." delete the remainder of the line and delete line 9 and insert the following:

"R.S. 37:922(A) is hereby amended and reenacted and R.S. 37:918(21) is hereby enacted to read as follows:

§918. Duties and powers of the board

The board shall:

\* \* \*

(21) Have the authority to share any information in the custody of the board, including information not subject to the laws relative to public records pursuant to R.S. 44:4(9), with any regulatory or law enforcement agency upon written request of the regulatory or law enforcement agency.

\* \* \*"

AMENDMENT NO. 6

On page 1, delete lines 21 and 22 and delete pages 2 through 4 in their entirety

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. 1363—**

BY REPRESENTATIVE KLECKLEY  
AN ACT

To enact R.S. 33:2481.4 and 2541.1, relative to the municipal police civil service; to authorize the municipal governing authority to create the position of deputy chief of police; to provide that the position is in the unclassified service; to provide relative to the appointment, supervision, and discharge of any person in any such position; to provide relative to the qualifications, duties, and responsibilities for such position; to provide relative to resignation from the position and return to the classified police service; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

# Page 8 HOUSE

35th Day's Proceedings - May 26, 2010

## HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Original House Bill No. 1363 by Representative Kleckley

### AMENDMENT NO. 1

On page 1, line 2, after "service;" delete "to provide" and at the beginning of line 3, delete "that the position of deputy chief of police is in the unclassified service;" and insert "to authorize the municipal governing authority to create the position of deputy chief of police; to provide that the position is in the unclassified service;"

### AMENDMENT NO. 2

On page 1, delete lines 11 through 16 in their entirety and insert the following:

"A. Notwithstanding any other provision of law to the contrary, the governing authority may create, by ordinance, the position of deputy chief of police in accordance with the provisions of this Section. The position shall be in the unclassified service, and the right of selection from a promotional list of qualified applicants as well as the appointment, supervision, and discharge for such position is vested in the chief of police, subject to approval of the appointing authority. In addition, the governing authority shall establish the duties and responsibilities of the deputy chief of police in the ordinance creating the position. Such duties and responsibilities may include direct supervision over all positions in the classified service below the rank of assistant chief of police. The position of deputy chief of police is not the same as the position of assistant chief of police as provided in R.S. 33:2481(A)(1)."

### AMENDMENT NO. 3

On page 1, line 17, change "ten" to "eight"

### AMENDMENT NO. 4

On page 2, delete lines 14 and 15 in their entirety and insert "position of deputy chief of police or is removed without cause, he shall be reemployed to a position in the"

### AMENDMENT NO. 5

On page 2, at the end of line 17, insert "If a deputy chief of police is removed for cause he shall have the same rights as any other employee in the municipal fire and police civil service."

### AMENDMENT NO. 6

On page 2, delete lines 20 through 26 in their entirety and insert the following:

"A. Notwithstanding any other provision of law to the contrary, the governing authority may create, by ordinance, the position of deputy chief of police in accordance with the provisions of this Section. The position shall be in the unclassified service, and the right of selection from a promotional list of qualified applicants as well as the appointment, supervision, and discharge for such position is vested in the chief of police, subject to approval of the appointing authority. In addition, the governing authority shall establish the duties and responsibilities of the deputy chief of police in the ordinance creating the position. Such duties and responsibilities may include direct supervision over all positions in the classified service below the rank of assistant chief of police. The position of deputy chief of police is not the same as the position of assistant chief of police which is in the classified police service pursuant to this Part."

### AMENDMENT NO. 7

On page 2, line 27, change "ten" to "eight"

### AMENDMENT NO. 8

On page 3, delete lines 14 and 15 in their entirety and insert "position of deputy chief of police or is removed without cause, he shall be reemployed to a position in the"

### AMENDMENT NO. 9

On page 3, at the end of line 17, insert "If a deputy chief of police is removed for cause he shall have the same rights as any other employee in the municipal fire and police civil service."

### AMENDMENT NO. 10

On page 3, at the end of line 19, delete "chief of" and at the beginning of line 20, delete "police" and insert "governing authority"

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

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

Under the rules, placed on the regular calendar.

## **HOUSE BILL NO. 1371—**

BY REPRESENTATIVE MILLS

### AN ACT

To enact R.S. 46:153.3.1, relative to medication therapy management; to provide for legislative findings; to provide for consideration of a Medicaid medication therapy management program; to provide for authority for the Department of Health and Hospitals to promulgate rules and regulations if the department implements a Medicaid medication therapy management program to provide for consideration of minimum requirements of the rules and regulations; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

## **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 1371 by Representative Mills

### AMENDMENT NO. 1

On page 1, delete line 3 in its entirety and insert in lieu thereof "legislative findings; to provide for consideration of a Medicaid"

### AMENDMENT NO. 2

On page 1, line 5, after "regulations" delete the remainder of the line and insert in lieu thereof "if the department implements a Medicaid medication therapy management program to provide for consideration of"

### AMENDMENT NO. 3

On page 1, delete line 6 in its entirety

### AMENDMENT NO. 4

On page 1, line 7, after the semicolon ";" delete the remainder of the line



AMENDMENT NO. 5

On page 1, line 8, delete "of the rules and regulations;"

AMENDMENT NO. 6

On page 1, line 11, after "§153.3.1." delete the remainder of the line and insert in lieu thereof "Medicaid medication therapy management"

AMENDMENT NO. 7

On page 2, line 5, after "therapy" insert "management"

AMENDMENT NO. 8

On page 2, line 6, after "reduces" delete "drug" and insert in lieu thereof "health"

AMENDMENT NO. 9

On page 2, delete lines 9 through 11 in their entirety and insert the following:

"(1) "Medicaid medication therapy management" may include the review or modification of medication therapy regimens of patients by a licensed pharmacist, in collaboration with a primary health care provider, and may include the provision of the following services to optimize the therapeutic outcomes of a patient's medication:"

AMENDMENT NO. 10

On page 3, line 19, after "(b)" delete "Performing" and insert in lieu thereof "In collaboration with a health care provider, performing"

AMENDMENT NO. 11

On page 4, line 8, after "results" delete "for" and line 9 in its entirety and insert in lieu thereof "as ordered by the health care provider."

AMENDMENT NO. 12

On page 4, delete lines 16 through 22 in their entirety and insert the following:

"C. The Department of Health and Hospitals shall consider implementing a medication therapy management program which may provide certain medication therapy management services to qualified Medicaid recipients.

D. The department shall consider the following provisions when analyzing whether to implement a Medicaid medication therapy management program:"

AMENDMENT NO. 13

On page 4, line 27, after "which" delete "shall" and insert in lieu thereof "may"

AMENDMENT NO. 14

On page 5, delete lines 11 through 13 in their entirety and insert the following:

"E. Nothing in this Section shall be construed to give pharmacists who are performing medication therapy management services the authority to write prescriptions or change, alter, or adjust prescription medication without the order of a physician, exercise independent medical judgment, diagnose, request laboratory tests, provide patient care independently, or otherwise engage in the practice of medicine.

F. The department may promulgate and publish rules and regulations pursuant to this Section in accordance with the Administrative Procedure Act if the department elects to implement a Medicaid medication therapy management program."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1399—**

BY REPRESENTATIVE DOWNS  
AN ACT

To enact R.S. 17:3048.1(Y), relative to academic standards for a Taylor Opportunity Program for Students award; to provide relative to the minimum high school grade point average required for certain students to be eligible for an Opportunity Award; to provide applicability; to provide effectiveness; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Education.

The substitute was read by title as follows:

**HOUSE BILL NO. 1491 (Substitute for House Bill No. 1399 by Representative Downs)—**

BY REPRESENTATIVE DOWNS  
AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(e)(introductory paragraph), (iii), (vi), (viii), (xii), and (xiii), relative to academic standards for a Taylor Opportunity Program for Students award; to provide relative to the high school core curriculum requirements for certain students to be eligible for an Opportunity, Performance, or Honors award; to provide applicability; to provide effectiveness; to provide an effective date; and to provide for related matters.

Read by title.

On motion of Rep. Austin Badon, the substitute was adopted and became House Bill No. 1491 by Rep. Downs, on behalf of the Committee on Education, as a substitute for House Bill No. 1399 by Rep. Downs.

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

**HOUSE BILL NO. 1490 (Substitute for House Bill No. 200 by Representative Connick)—**

BY REPRESENTATIVES CONNICK, GISCLAIR, LABRUZZO, LIGI, LOPINTO, LORUSSO, AND TALBOT AND SENATOR QUINN  
AN ACT

To enact R.S. 38:2212.8 and Chapter 24 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:2181 and 2182, relative to procurement; to allow for the prohibition of certain convicted felons from participating in the contract and procurement process; and to provide for related matters.

Read by title.

On motion of Rep. Fannin, 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:

# Page 10 HOUSE

35th Day's Proceedings - May 26, 2010

## SENATE BILL NO. 21—

BY SENATOR MURRAY AND REPRESENTATIVE STIAES  
A JOINT RESOLUTION

Proposing to amend Article VII, Section 18(G)(5) and Article VII, Section 20(A)(10) of the Constitution of Louisiana, relative to ad valorem property tax exemptions and assessments; to authorize an extension of the homestead exemption or a special assessment level on property damaged or destroyed in certain disasters or emergencies and provide for claiming the extension; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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. 21 by Senator Murray

#### AMENDMENT NO. 1

On page 1, line 2, change "Section 18(G)(5) and Article VII, Section" to "Sections 18(G)(5) and"

#### AMENDMENT NO. 2

On page 1, line 11, change "Section 18(G)(5) and Article VII, Section" to "Sections 18(G)(5) and"

#### AMENDMENT NO. 3

On page 1, line 15, change "(G) \* \* \*" to "(G)(+) Special Assessment Level."

#### AMENDMENT NO. 4

On page 1, between lines 15 and 16, insert "(1)"

#### AMENDMENT NO. 5

On page 2, at the beginning of line 14, change "must" to "shall"

#### AMENDMENT NO. 6

On page 2, at the end of line 16, change "Item" to "Subsubparagraph"

#### AMENDMENT NO. 7

On page 2, line 21, delete "either"

#### AMENDMENT NO. 8

On page 2, line 24, change "disaster or in a legal" to "disaster, or in a"

#### AMENDMENT NO. 9

On page 2, line 25, change "homeowner's insurer or insurers" to "insurer of the property"

#### AMENDMENT NO. 10

On page 2, line 26, delete "directly"

#### AMENDMENT NO. 11

On page 3, line 1, delete "legal"

#### AMENDMENT NO. 12

On page 3, line 2, change "or insurers of the damaged property, all" to "of the damaged property."

#### AMENDMENT NO. 13

On page 3, line 4, change "Subitem" to "Item" and at the beginning of line 5, change "Item" to "Subsubparagraph"

#### AMENDMENT NO. 14

On page 3, line 5, delete "on a case-by-case basis"

#### AMENDMENT NO. 15

On page 3, at the end of line 6 and at the beginning of line 7, change "under circumstances" to "as"

#### AMENDMENT NO. 16

On page 3, line 22, change "Item" to "Subsubparagraph"

#### AMENDMENT NO. 17

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

#### AMENDMENT NO. 18

On page 4, line 3, change "disaster or is filed and pending in a legal" to "disaster, or in a filed and pending"

#### AMENDMENT NO. 19

On page 4, line 4, change "homeowner's insurer or insurers" to "insurer of the property"

#### AMENDMENT NO. 20

On page 4, line 6, delete "the homeowner's"

#### AMENDMENT NO. 21

On page 4, line 7, change "showing the homeowner has a legal" to "that the homeowner has a"

#### AMENDMENT NO. 22

On page 4, line 8, change "or insurers of the damaged property, all" to "of the damaged property."

#### AMENDMENT NO. 23

On page 4, line 9, change "Subitem" to "Item"

#### AMENDMENT NO. 24

On page 4, at the beginning of line 10, change "Item" to "Subsubparagraph"

#### AMENDMENT NO. 25

On page 4, at the end of line 11 and at the beginning of line 12, change "under circumstances" to "as"

AMENDMENT NO. 26

On page 4, line 24, change "that has been destroyed or is" to "destroyed or"

AMENDMENT NO. 27

On page 4, delete line 28 in its entirety and insert "or in a claim or action against the insurer of the property; to"

AMENDMENT NO. 28

On page 5, line 2, change "under circumstances" to "as"

AMENDMENT NO. 29

On page 5, line 3, change "Section 18(G)(5) and Article VII, Section" to "Sections 18(G)(5) and"

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. 21 by Senator Murray

AMENDMENT NO. 1

On page 2, line 9, following "this" and before "." change "Subparagraph" to "Subsubparagraph"

AMENDMENT NO. 2

On page 2, line 15, following "this" and before "." change "Subparagraph" to "Subsubparagraph"

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. 159—**  
BY SENATOR MURRAY

AN ACT

To authorize and provide for a cooperative endeavor agreement for use of certain state property in Orleans Parish with the city of New Orleans; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Appropriations to Reengrossed Senate Bill No. 159 by Senator Murray

AMENDMENT NO. 1

On page 1, line 10, after "complex" and before the period "." insert "in exchange for consideration proportionate to the appraised value of the property"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 184—**  
BY SENATOR N. GAUTREAUX  
AN ACT

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

Read by title.

Reported favorably by the Committee on Appropriations.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 256—**  
BY SENATOR CHAISSON  
AN ACT

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

Read by title.

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. 256 by Senator Chaisson

AMENDMENT NO. 1

On page 1, line 7, change "such" to "the"

AMENDMENT NO. 2

On page 1, line 9, change "provide for agreements" to "prohibit the filing or maintaining of certain actions"

AMENDMENT NO. 3

On page 3, line 28, after "seller" delete the remainder of the line and insert "not retaining a legal or equitable interest in the receivables sold."

# Page 12 HOUSE

35th Day's Proceedings - May 26, 2010

## AMENDMENT NO. 4

On page 4, at the end of line 5, delete "Louisiana"

## AMENDMENT NO. 5

On page 4, line 10, change "so long as" to "provided that"

## AMENDMENT NO. 6

On page 4, line 12, change "such" to "contractually agree that the"

## AMENDMENT NO. 7

On page 4, at the beginning of line 26, delete "company's" and after "interchanges" and before "need" insert "of the company"

## AMENDMENT NO. 8

On page 5, line 1, change "located in this state" to "subject to the scope of this Part as provided by R.S. 9:3131.4(A)"

## AMENDMENT NO. 9

On page 5, line 5, change "buyer" to "seller"

## AMENDMENT NO. 10

On page 5, line 6, change "ownership whatsoever" to "interest in the receivables sold"

## AMENDMENT NO. 11

On page 5, line 15, delete "Louisiana"

## AMENDMENT NO. 12

On page 5, line 20, change "disavowed, refuted or called into question" to "disavowed or refuted"

## AMENDMENT NO. 13

On page 6, line 17, after "subsequently" delete the remainder of the line and at the beginning of line 18, delete "question" and insert "disavowed or refuted"

## AMENDMENT NO. 14

On page 8, delete lines 1 through 11 in their entirety and insert "to implicitly amend or repeal any provision of the UCC, including but not limited to R.S. 10:1-201(35), 9-102(72)(D), 9-109(e), 9-301, 9-307, 9-310(a), 9-312(a), 9-317 through 9-339, 9-406, 9-501, and 9-607(a)(1)."

## AMENDMENT NO. 15

On page 8, at the beginning of line 12, change "C." to "B."

## AMENDMENT NO. 16

On page 8, line 18, change "Agreements to be in writing" to "Prohibition of actions"

## AMENDMENT NO. 17

On page 8, at the end of line 20, delete "seller's"

## AMENDMENT NO. 18

On page 8, line 21, after "unless" and before "forth" delete "the agreement is in writing, sets" and insert "there is an agreement in writing setting"

## AMENDMENT NO. 19

On page 8, line 22, after "and" and before "is" insert "the agreement"

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. 263—** BY SENATOR CLAITOR

### AN ACT

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

Read by title.

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. 283—** BY SENATOR MARTINY

### AN ACT

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

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Ways and Means to Engrossed Senate Bill No. 283 by Senator Martiny

## AMENDMENT NO. 1

On page 2, at the end of line 5, delete the comma "," and insert a period "." and delete lines 6 through 10 in their entirety, and at the beginning of line 11, delete "schedule." and insert the following:

"The contract shall include the method of compensation to be paid, which shall be either by an hourly rate for services or a specific fee. The hourly rate shall not exceed the attorney general's fee schedule. If the method of compensation is a fee, it shall not exceed ten percent of the amount collected, which percentage shall be calculated on the total amount collected inclusive of any monies due as a result of a fine, bond, tax, license fee, or any other payment to be collected.

The compensation due to the private attorney or agency shall be payable to the tax recipient body by the taxpayer."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 299—**

BY SENATOR DONAHUE

AN ACT

To enact R.S. 39:32(L) and R.S. 49:308.6, relative to state government services; to provide for a cost recovery budget request form; to provide for distribution of the form; to provide for an annual evaluation of certain fees; to provide relative to the development of a plan and schedule relative to the review of fees; to provide for an annual review and report of the

Reported with amendments by the Committee on Appropriations.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Appropriations to Reengrossed Senate Bill No. 299 by Senator Donahue

**AMENDMENT NO. 1**

On page 3, line 15, after "shall" and before "include" insert "be performed by House and Senate staff and shall"

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. 299 by Senator Donahue

**AMENDMENT NO. 1**

On page 3, line 16, following "specifically" and before "revenue" change "look at" to "consider"

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

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 407—**

BY SENATORS MCPHERSON, ADLEY, BROOME, HEITMEIER, LAFLEUR, NEVERS AND SHAW AND REPRESENTATIVE NORTON

AN ACT

To amend and reenact R.S. 32:409.1(A)(6)(c)(iii), relative to drivers' licenses and application or special certificate applications; to delete authority to impose a record check fee on an applicant for a Class "D" chauffeur's license or a Class "E" personal vehicle driver's license; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 525—**

BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 47:1520(A)(1)(e), relative to electronic filing of tax returns; to authorize the Secretary of the Department of Revenue to require electronically filed returns and reports by professional athletic teams and professional athletes for the administration of the Sports Facility Assistance Fund; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 680—**

BY SENATOR SHAW

AN ACT

To amend and reenact R.S. 47:287.614(A) and 287.651(A), relative to the due date of corporation income tax returns and payments for nonprofit organizations; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

Reported without amendments by the Legislative Bureau.

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

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

**SENATE BILL NO. 721—**

BY SENATOR NEVERS

AN ACT

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

Read by title.

Reported favorably by the Committee on Ways and Means.

Reported without amendments by the Legislative Bureau.

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

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

**Senate Bills on Second Reading  
Reported by Committee**

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

**SENATE BILL NO. 676—**  
BY SENATOR HEBERT

AN ACT

To amend and reenact R.S. 22:1984 and R.S. 44:4.1(B)(10), relative to examination and investigation of insurers and regulated entities; to provide for financial and market analysis of insurers and regulated entities; to provide for penalties; to provide for confidentiality; to provide for standards and procedures; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Insurance to Engrossed Senate Bill No. 676 by Senator Hebert

AMENDMENT NO. 1

On page 1, line 15, after "Title 22" insert "of the Louisiana Revised Statutes of 1950"

AMENDMENT NO. 2

On page 2, line 26, change "working" to "work"

AMENDMENT NO. 3

On page 3, line 19, change "someone else" to "any other person"

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

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

**Suspension of the Rules**

On motion of Rep. Robideaux, 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. 391—**  
BY REPRESENTATIVE ROBIDEAUX AND SENATOR B. GAUTREAUX  
A JOINT RESOLUTION

Proposing to amend Article III, Section 2(A)(2), Article X, Section 29(C), and Article XIII, Section 1(A) of the Constitution of Louisiana, relative to Acts of the legislature relative to public retirement systems; to provide relative to the prefiling deadline for retirement legislation; to provide relative to the public notice requirement for retirement legislation; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Robideaux to Engrossed House Bill No. 391 by Representative Robideaux

AMENDMENT NO. 1

On page 1, line 2, after "Section 2(A)(2)" delete the comma "," and delete "Article X, Section 29(C)."

AMENDMENT NO. 2

On page 1, line 3, after "Louisiana" delete the comma "," and insert "and to repeal Article X, Section 29(C)."

AMENDMENT NO. 3

On page 1, line 5, after "legislation;" delete "to provide relative to" and insert "to repeal"

AMENDMENT NO. 4

On page 2, delete lines 13 through 29 in their entirety and on page 3, at the beginning of line 1 change "Section 3." to "Section 2."

AMENDMENT NO. 5

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

"Section 3. Be it further resolved by the Legislature of Louisiana, two-thirds of the members elected to each house concurring, that there shall be submitted to the electors of the state of Louisiana, for their approval or rejection in the manner provided by law, a proposal to repeal Article X, Section 29(C) of the Constitution of Louisiana."

AMENDMENT NO. 6

On page 4, line 7, after "to" delete the remainder of the line and delete lines 8 through 10 in their entirety and insert the following:

"remove the public notice requirements regarding such bills. (Amends Article III, Section 2(A)(2) and Article XIII, Section 1(A); Repeals Article X, Section 29(C))"

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	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
Burrell	Jackson G.	Simon
Carmody	Jackson M.	Smiley
Carter	Johnson	Smith, G.
Champagne	Jones, R.	Smith, J.
Chaney	Katz	Smith, P.
Cortez	Kleckley	St. Germain
Cromer	Lambert	Stiaes

Danahay	Landry	Talbot
Dixon	LeBas	Thibaut
Doerge	Leger	Thierry
Dove	Ligi	Waddell
Downs	Little	White
Edwards	Lorusso	Williams
Ellington	McVea	Willmott
Foil	Mills	Wooton
Franklin	Monica	
Gallot	Montoucet	
Total - 91		

NAYS

Total - 0

ABSENT

Abramson	Fannin	LaFonta
Burns, T.	Geymann	Lopinto
Chandler	Jones, S.	Ponti
Connick	LaBruzzo	Templet
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. Robideaux 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. Champagne requested the House consent to record her vote on final passage of House Bill No. 391 as yea, which consent was unanimously granted.

**HOUSE BILL NO. 666—**  
BY REPRESENTATIVE NOWLIN  
AN ACT

To amend and reenact R.S. 47:337.13.1, relative to tax collection; to provide relative to the authority of local collectors to employ private counsel; to authorize the recovery of attorney fees under certain circumstances; to provide for certain limitations; to provide for an effective date; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Waddell on behalf of the Legislative Bureau to Engrossed House Bill No. 666 by Representative Nowlin

AMENDMENT NO. 1

On page 2, line 25, following "shall" and before "to" change "only apply" to "apply only"

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Nowlin to Engrossed House Bill No. 666 by Representative Nowlin

AMENDMENT NO. 1

On page 2, at the end of line 21, after "a" delete "collection action," and delete line 22 in its entirety and insert the following:

"dispute, contest, or other controversy involving the determination of sales and use tax due shall be"

AMENDMENT NO. 2

On page 2, line 25, change "Section" to "Subsection"

AMENDMENT NO. 3

On page 3, line 1, after "within" delete "fifteen days of the filing of a suit," and insert "thirty days of the service of process."

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Montoucet
Abramson	Geymann	Morris
Anders	Gisclair	Norton
Armes	Greene	Nowlin
Arnold	Guillory	Pearson
Aubert	Guinn	Perry
Badon, A.	Hardy	Pope
Badon, B.	Harrison	Pugh
Baldone	Hazel	Richard
Barras	Henderson	Richardson
Barrow	Henry	Richmond
Billiot	Hill	Ritchie
Brossett	Hines	Robideaux
Burford	Hoffmann	Roy
Burns, H.	Howard	Schroder
Burns, T.	Hutter	Simon
Carmody	Jackson G.	Smiley
Carter	Jackson M.	Smith, G.
Champagne	Johnson	Smith, J.
Chaney	Jones, R.	Smith, P.
Connick	Jones, S.	St. Germain
Cortez	Katz	Stiaes
Cromer	Kleckley	Talbot
Danahay	Lambert	Thibaut
Dixon	Landry	Thierry
Doerge	Leger	Waddell
Dove	Ligi	White
Downs	Little	Williams
Edwards	Lorusso	Willmott
Ellington	McVea	Wooton
Foil	Mills	
Franklin	Monica	
Total - 94		

NAYS

LeBas  
Total - 1

ABSENT

Burrell	LaBruzzo	Ponti
Chandler	LaFonta	Templet
Fannin	Lopinto	
Total - 8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Nowlin 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. Champagne requested the House consent to record her vote on final passage of House Bill No. 666 as yea, which consent was unanimously granted.

**HOUSE BILL NO. 667—**  
BY REPRESENTATIVE NOWLIN  
AN ACT

To enact R.S. 47:337.28.1, relative to collection of local sales and use tax; to prohibit certain arbitrary assessments by tax collectors; to define arbitrary assessment; to authorize the recovery of litigation costs under certain circumstances; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Nowlin to Engrossed House Bill No. 667 by Representative Nowlin

AMENDMENT NO. 1

On page 1, line 12, after "with" and before "R.S." delete "either"

AMENDMENT NO. 2

On page 1, line 15, after "determined" and before "to" insert "by a court of competent jurisdiction"

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Franklin	Monica
Abramson	Gallot	Montoucet
Anders	Geymann	Morris
Armes	Gisclair	Norton
Arnold	Greene	Nowlin
Aubert	Guinn	Pearson
Badon, A.	Hardy	Perry
Badon, B.	Harrison	Pope
Baldone	Hazel	Pugh
Barras	Henderson	Richard
Barrow	Henry	Richardson
Billiot	Hill	Ritchie
Brossett	Hines	Robideaux
Burford	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, R.	Smith, P.
Chaney	Jones, S.	St. Germain
Connick	Katz	Stiaes
Cortez	Kleckley	Talbot

Cromer	Lambert	Thibaut
Danahay	Landry	Thierry
Dixon	LeBas	Waddell
Doerge	Ligi	White
Dove	Little	Williams
Downs	Lopinto	Willmott
Edwards	Lorusso	Wooton
Ellington	McVea	
Foil	Mills	

Total - 94

NAYS

Total - 0

ABSENT

Chandler	LaBruzzo	Ponti
Fannin	LaFonta	Richmond
Guillory	Leger	Templet
Total - 9		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Nowlin 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. 754—**  
BY REPRESENTATIVES SCHRODER, CHAMPAGNE, CONNICK, DANAHAY, ELLINGTON, HARRISON, LABRUZZO, LIGI, MORRIS, PEARSON, RICHARD, SMILEY, STIAES, AND TALBOT AND SENATOR MICHOT

A JOINT RESOLUTION

Proposing to add Article X, Section 31 of the Constitution of Louisiana, to provide relative to certain pay increases for persons in state service; to prohibit certain pay increases during certain times; to provide for penalties; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Rep. Schroder moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Ellington	Lorusso
Abramson	Fannin	McVea
Anders	Foil	Morris
Armes	Geymann	Nowlin
Badon, B.	Gisclair	Pearson
Baldone	Greene	Perry
Barras	Guinn	Pope
Burford	Harrison	Pugh
Burns, H.	Hazel	Richard
Burns, T.	Henry	Richardson
Carmody	Hines	Robideaux
Champagne	Howard	Schroder
Chaney	Katz	Simon
Connick	Kleckley	Smiley
Cortez	Landry	Smith, J.
Cromer	LeBas	Smith, P.
Danahay	Leger	Talbot
Dixon	Ligi	Waddell
Dove	Little	White
Downs	Lopinto	
Total - 59		



NAYS

Aubert	Henderson	Richmond
Badon, A.	Hill	Ritchie
Barrow	Jackson G.	Roy
Billiot	Jackson M.	Smith, G.
Brossett	Johnson	St. Germain
Burrell	Jones, R.	Thibaut
Carter	Jones, S.	Thierry
Doerge	Lambert	Williams
Edwards	Mills	Willmott
Franklin	Monica	Wooton
Gallot	Montoucet	
Hardy	Norton	
Total - 34		

ABSENT

Arnold	Hutter	Stiaes
Chandler	LaBruzzo	Templet
Guillory	LaFonta	
Hoffmann	Ponti	
Total - 10		

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

Motion to reconsider pending.

**Explanation of Vote**

Rep. Hutter disclosed a possible conflict of interest and recused herself from casting her vote on the final passage of the above bill.

**HOUSE BILL NO. 1324—**  
BY REPRESENTATIVE RICHMOND  
AN ACT

To repeal R.S. 38:301(C)(2)(e), relative to compensation in expropriation proceedings; and to repeal certain procedures for obtaining compensation in expropriation proceedings.

Read by title.

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

Dixon	Landry	Thibaut
Doerge	LeBas	Thierry
Dove	Leger	Waddell
Downs	Ligi	White
Edwards	Little	Williams
Ellington	Lopinto	Willmott
Foil	Lorusso	Wooton

Total - 96

NAYS

Total - 0

ABSENT

Chandler	LaFonta	Templet
Fannin	Ponti	
LaBruzzo	Robideaux	
Total - 7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Richmond 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. 1453—**  
BY REPRESENTATIVE JOHNSON  
AN ACT

To enact R.S. 40:1299.39(A)(1)(a)(iv)(dd) and 1299.41(K), relative to medical malpractice; to exclude health care providers performing elective abortions from coverage under the Medical Malpractice Act and the Medical Malpractice Act for State Services; and to provide for related matters.

Read by title.

**Motion**

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

**Notice of Intention to Call**

Pursuant to House Rule No. 8.26(A), Rep. Johnson gave notice of his intention to call House Bill No. 1453 from the calendar on Thursday, June 3, 2010.

**HOUSE BILL NO. 1485 (Substitute for House Bill No. 635 by Representative Mills)—**  
BY REPRESENTATIVE MILLS  
AN ACT

To enact Part XXIV-C of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1299.64.1 through 1299.64.6, relative to Louisiana Physician Order for Scope of Treatment; to provide for the Louisiana Physician Order for Scope of Treatment program and form; to provide for definitions; to provide for the promulgation of rules and regulations; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Waddell on behalf of the Legislative Bureau to Engrossed House Bill No. 1485 by Representative Mills

AMENDMENT NO. 1

On page 8, line 29, change "(1)" to "(I)"

# Page 18 HOUSE

35th Day's Proceedings - May 26, 2010

## AMENDMENT NO. 2

On page 9, line 1, change "(2)" to "(II)"

## AMENDMENT NO. 3

On page 9, line 2, change "(3)" to "(III)"

## AMENDMENT NO. 4

On page 9, line 3, change "(4)" to "(IV)"

## AMENDMENT NO. 5

On page 9, line 5, change "A." to "(aaa)"

## AMENDMENT NO. 6

On page 9, line 6, change "B." to "(bbb)"

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

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

### **ROLL CALL**

The roll was called with the following result:

#### **YEAS**

Mr. Speaker	Ellington	Lorusso
Abramson	Foil	McVea
Anders	Franklin	Mills
Armes	Gallot	Monica
Arnold	Gisclair	Montoucet
Aubert	Greene	Morris
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	Robideaux
Burns, T.	Hoffmann	Roy
Burrell	Howard	Schroder
Carmody	Hutter	Simon
Carter	Jackson G.	Smith, G.
Champagne	Jackson M.	Smith, J.
Chaney	Johnson	Smith, P.
Connick	Jones, R.	St. Germain
Cortez	Jones, S.	Stiaes
Cromer	Katz	Talbot
Danahay	Kleckley	Thibaut
Dixon	Landry	Thierry
Doerge	LeBas	Waddell
Dove	Leger	Williams
Downs	Little	Willmott
Edwards	Lopinto	Wooton

Total - 90

#### **NAYS**

Total - 0

#### **ABSENT**

Chandler	Lambert	Smiley
Fannin	Ligi	Templey
Geymann	Norton	White
LaBruzzo	Ponti	
LaFonta	Ritchie	

Total - 13

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

### **Consent to Correct a Vote Record**

Rep. Thierry requested the House consent to record her vote on final passage of House Bill No. 1485 as yea, which consent was unanimously granted.

**HOUSE BILL NO. 1486 (Substitute for House Bill No. 926 by Representative Little)—**  
BY REPRESENTATIVES MORRIS AND CARMODY AND SENATOR ADLEY

#### **AN ACT**

To enact Chapter 9-B of Title 30 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 30:961 through 963, relative to the use of surface water; to provide for definitions; to provide for cooperative endeavor agreements to withdraw running surface water; to provide for findings and purpose; to provide for requirements for cooperative endeavor agreements to withdraw running surface water; to provide for the authority of the secretary of the Department of Natural Resources; to provide for legislative intent; 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. 1486 by Representative Morris

#### AMENDMENT NO. 1

On page 2, line 22, following "Article VII" and before "Section 14" insert ",,"

#### AMENDMENT NO. 2

On page 3, line 1, following "evaluation" and before "the" insert " ,"

#### AMENDMENT NO. 3

On page 4, line 24, and before "ascribed" change "meaning" to "meanings"

#### AMENDMENT NO. 4

On page 4, line 26, following "Running surface waters" and before "the" change "mean" to "means"

#### AMENDMENT NO. 5

On page 6, line 8, following "Chapter" and before "of" change "9-C" to "9-B"

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

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

### **ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Franklin	Monica
Abramson	Gallot	Montoucet
Anders	Geymann	Morris
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 G.	Simon
Champagne	Johnson	Smiley
Chaney	Jones, R.	Smith, G.
Connick	Jones, S.	Smith, J.
Cortez	Katz	Smith, P.
Cromer	Kleckley	St. Germain
Danahay	Lambert	Stiaes
Dixon	Landry	Thibaut
Doerge	LeBas	Thierry
Dove	Leger	Waddell
Downs	Little	White
Edwards	Lopinto	Williams
Ellington	Lorusso	Willmott
Foil	McVea	Wooton

Total - 90

NAYS

Total - 0

ABSENT

Armes	Jackson M.	Ponti
Arnold	LaBruzzo	Talbot
Chandler	LaFonta	Templet
Fannin	Ligi	
Gisclair	Mills	

Total - 13

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Morris 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. 1487 (Substitute for House Bill No. 1128 by Representative Leger)—**

BY REPRESENTATIVE LEGER

AN ACT9

To amend and reenact R.S.17:3981(4), 3982(A)(1)(a), 3983(A)(3)(c), and 3991(B)(14) and to enact R.S. 3991(B)(24) and 3996(B)(24) and (25), relative to charter schools; to provide relative to the duties and responsibilities of the State Board of Elementary and Secondary Education when reviewing and approving a proposed charter; to provide relative to the duties and responsibilities of a local school board when reviewing and approving a proposed charter; to provide relative to charter requirements; to provide relative to certain exemptions granted charter schools from statutory mandates or other statutory requirements that are applicable to public schools; to provide effective dates; and to provide for related matters.

Read by title.

Rep. Leger moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Geymann	Mills
Abramson	Gisclair	Monica
Aubert	Greene	Montoucet
Badon, A.	Guillory	Morris
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	Robideaux
Carmody	Howard	Roy
Carter	Hutter	Schroder
Champagne	Jackson G.	Simon
Chaney	Jackson M.	Smiley
Connick	Johnson	Smith, G.
Cortez	Jones, R.	Smith, J.
Cromer	Jones, S.	Smith, P.
Danahay	Katz	St. Germain
Dixon	Kleckley	Stiaes
Doerge	Lambert	Talbot
Dove	Landry	Thibaut
Downs	LeBas	Waddell
Edwards	Leger	White
Ellington	Ligi	Williams
Foil	Little	Willmott
Franklin	Lopinto	Wooton
Gallot	Lorusso	

Total - 89

NAYS

Total - 0

ABSENT

Anders	Fannin	Ponti
Armes	LaBruzzo	Ritchie
Arnold	LaFonta	Templet
Burrell	McVea	Thierry
Chandler	Norton	

Total - 14

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 707—**

BY REPRESENTATIVE HOFFMANN

AN ACT

To enact R.S. 37:3415.10, relative to real estate appraisal management companies; to establish an application fee for licensure as a real estate management company; to establish a fee for renewal of a real estate management company license; to establish delinquent renewal fees; and to provide for related matters.

Called from the calendar.

Read by title.

Page 20 HOUSE

35th Day's Proceedings - May 26, 2010

Rep. Hoffmann moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Anders, Ellington, Monica; Aubert, Foil, Nowlin; Badon, B., Franklin, Pearson; Baldone, Gisclair, Pope; Barras, Guillory, Pugh; Barrow, Harrison, Richard; Billiot, Henderson, Richardson; Brossett, Hines, Richmond; Burford, Hoffmann, Schroder; Burns, H., Howard, Simon; Burns, T., Jackson G., Smiley; Burrell, Jackson M., Smith, G.; Carmody, Jones, R., Smith, J.; Carter, Katz, Smith, P.; Champagne, Landry, St. Germain; Chaney, LeBas, Stiaes; Connick, Leger, Thierry; Danahay, Little, Waddell; Dixon, Lopinto, Williams; Dove, Lorusso, Wooton; Downs, McVea; Edwards, Mills; Total - 64

NAYS

Table with 3 columns of names: Abramson, Hardy, Perry; Armes, Hazel, Robideaux; Cortez, Henry, Roy; Geymann, Hutter, Talbot; Greene, Johnson; Guinn, Kleckley

ABSENT

Table with 3 columns of names: Mr. Speaker, Hill, Norton; Arnold, Jones, S., Ponti; Badon, A., LaBruzzo, Ritchie; Chandler, LaFonta, Templet; Cromer, Lambert, Thibaut; Doerge, Ligi, White; Fannin, Montoucet, Willmott; Gallot, Morris; Total - 23

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. Thierry requested the House consent to record her vote on final passage of House Bill No. 707 as yea, which consent was unanimously granted.

HOUSE BILL NO. 923—

BY REPRESENTATIVE LEGER

AN ACT

To enact R.S. 17:100.10(H), relative to the Public School Facilities Financing Act; to provide with respect to the Recovery School District; to provide for use of outside legal counsel for certain purposes; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Tucker to Engrossed House Bill No. 923 by Representative Leger

AMENDMENT NO. 1

On page 1, at the beginning of line 9, change "H." to "H.(1)"

AMENDMENT NO. 2

On page 1, after line 11, add the following:

"(2) Notwithstanding the provisions of R.S. 39:1494, outside counsel contracted pursuant to the provisions of this Subsection shall be selected through the request for proposal process as provided in R.S. 39:1503."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. Speaker, Foil, Lorusso; Abramson, Gallot, McVea; Armes, Geymann, Mills; Badon, B., Gisclair, Nowlin; Baldone, Greene, Perry; Barras, Guillory, Pope; Barrow, Guinn, Pugh; Billiot, Hardy, Richard; Brossett, Harrison, Richardson; Burford, Hazel, Richmond; Burns, H., Hill, Ritchie; Burns, T., Hines, Robideaux; Burrell, Hoffmann, Roy; Carmody, Howard, Schroder; Carter, Hutter, Simon; Champagne, Jackson G., Smith, G.; Chaney, Jackson M., Smith, J.; Connick, Johnson, Smith, P.; Cortez, Jones, R., St. Germain; Danahay, Katz, Stiaes; Dixon, Kleckley, Talbot; Doerge, LeBas, Thibaut; Dove, Leger, Thierry; Downs, Ligi, Waddell; Edwards, Little, Willmott; Ellington, Lopinto, Wooton; Total - 78

NAYS

Table with 1 column of names: Landry; Total - 1

ABSENT

Table with 3 columns of names: Anders, Henderson, Morris; Arnold, Henry, Norton; Aubert, Jones, S., Pearson; Badon, A., LaBruzzo, Ponti; Chandler, LaFonta, Smiley; Cromer, Lambert, Templet; Fannin, Monica, White; Franklin, Montoucet, Williams; Total - 24

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**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.

Called from the calendar.

Read by title.

**Motion**

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

**HOUSE BILL NO. 1013—**  
BY REPRESENTATIVE RICHMOND  
AN ACT

To enact R.S. 13:621.41(J) and 1343(C), relative to the Forty-First Judicial District Court and the Criminal District Court for the parish of Orleans; to provide for the implementation of the workforce development sentencing pilot project program for the reentry division of the Forty-First Judicial District Court and the reentry division of the Criminal District Court for the parish of Orleans; to provide for conditions and procedures; to provide for applicability; and to provide for related matters.

Called from the calendar.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Richmond to Engrossed House Bill No. 1013 by Representative Richmond

AMENDMENT NO. 1

On page 1, line 19, change "Inmate" to "Offender"

AMENDMENT NO. 2

On page 2, line 2, change "Inmate" to "Offender"

AMENDMENT NO. 3

On page 2, line 24, change "Inmate" to "Offender"

AMENDMENT NO. 4

On page 4, line 2, change "Inmate" to "Offender"

AMENDMENT NO. 5

On page 4, line 7, change "Inmate" to "Offender"

AMENDMENT NO. 6

On page 4, line 11, change "Inmate" to "Offender"

AMENDMENT NO. 7

On page 4, line 23, change "Inmate" to "Offender"

AMENDMENT NO. 8

On page 4, line 26, change "Inmate" to "Offender"

AMENDMENT NO. 9

On page 5, line 19, change "Inmate" to "Offender"

AMENDMENT NO. 10

On page 6, line 26, change "Inmate" to "Offender"

AMENDMENT NO. 11

On page 7, line 3, change "Inmate" to "Offender"

AMENDMENT NO. 12

On page 7, line 7, change "Inmate" to "Offender"

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Ellington	Lorusso
Abramson	Foil	McVea
Anders	Gallot	Mills
Armes	Geymann	Monica
Aubert	Gisclair	Nowlin
Badon, A.	Greene	Perry
Badon, B.	Guillory	Pugh
Baldone	Hardy	Richard
Barras	Harrison	Richardson
Barrow	Hazel	Richmond
Billiot	Hill	Ritchie
Brossett	Hines	Robideaux
Burns, H.	Hoffmann	Roy
Burrell	Howard	Simon
Carmody	Hutter	Smith, G.
Carter	Jackson G.	Smith, J.
Champagne	Jackson M.	Smith, P.
Chaney	Johnson	St. Germain
Connick	Jones, R.	Stiaes
Cortez	Katz	Talbot
Danahay	Kleckley	Thibaut
Dixon	LeBas	Thierry
Doerge	Leger	Waddell
Dove	Ligi	Williams
Downs	Little	Willmott
Edwards	Lopinto	
Total - 77		

NAYS

Burford	Landry	Wooton
Burns, T.	Pope	
Guinn	Schroder	
Total - 7		

ABSENT

Arnold	Jones, S.	Pearson
Chandler	LaBruzzo	Ponti

Page 22 HOUSE

35th Day's Proceedings - May 26, 2010

Cromer	LaFonta	Smiley
Fannin	Lambert	Templet
Franklin	Montoucet	White
Henderson	Morris	
Henry	Norton	
Total - 19		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Richmond 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. 1055—**  
BY REPRESENTATIVE RICHMOND  
AN ACT

To amend and reenact R.S. 17:221(I) and R.S. 36:649(D), to enact R.S. 17:1871(B)(8) and 3217.1(D), and to repeal R.S. 17:14, relative to adult education; to provide for the school attendance of certain students in adult education programs; to eliminate the division of adult and community education within the Department of Education; to transfer the responsibility for the provision of adult education programs from the State Board of Elementary and Secondary Education to the Board of Supervisors of Community and Technical Colleges and to provide with respect thereto; to provide for the powers, duties, and functions of the Board of Supervisors of Community and Technical Colleges; to provide for an effective date of such transfer; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Richmond moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Franklin	Mills
Abramson	Geymann	Montoucet
Anders	Gisclair	Morris
Armes	Greene	Nowlin
Aubert	Guillory	Perry
Badon, A.	Guinn	Pope
Badon, B.	Hardy	Pugh
Baldone	Hazel	Richard
Barras	Hill	Richardson
Barrow	Hines	Richmond
Billiot	Hoffmann	Ritchie
Brossett	Howard	Robideaux
Burford	Hutter	Roy
Burns, H.	Jackson G.	Schroder
Burns, T.	Jackson M.	Simon
Burrell	Johnson	Smiley
Carmody	Jones, R.	Smith, G.
Carter	Jones, S.	Smith, J.
Champagne	Katz	Smith, P.
Chaney	Kleckley	St. Germain
Connick	Lambert	Stiaes
Cortez	Landry	Talbot
Danahay	LeBas	Thibaut
Dixon	Leger	Thierry
Doerge	Ligi	Waddell
Downs	Little	White
Edwards	Lopinto	Willmott
Ellington	Lorusso	Wooton
Foil	McVea	
Total - 86		

**NAYS**

Total - 0

**ABSENT**

Arnold	Harrison	Norton
Chandler	Henderson	Pearson
Cromer	Henry	Ponti
Dove	LaBruzzo	Templet
Fannin	LaFonta	Williams
Gallot	Monica	
Total - 17		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Richmond 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.

Called from the calendar.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Richmond to Reengrossed House Bill No. 947 by Representative Richmond

AMENDMENT NO. 1

On page 1, line 5, change "recommendations" to "actions"

AMENDMENT NO. 2

On page 2, line 3, change "recommendations" to "actions"

AMENDMENT NO. 3

On page 2, at the beginning of line 4, change "recommendations" to "actions"

AMENDMENT NO. 4

On page 2, after "The" and before "of" change "recommendations" to "actions"

AMENDMENT NO. 5

On page 2, line 5, change "recommendation" to "action"

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Abramson	Dixon	LeBas
Anders	Edwards	Mills
Armes	Franklin	Richmond
Aubert	Gallot	Smith, G.
Badon, A.	Gisclair	Smith, P.
Badon, B.	Henderson	St. Germain
Baldone	Hines	Stiaes
Barrow	Jackson G.	Thierry
Brossett	Jackson M.	Williams
Burrell	Jones, R.	Wooton
Total - 30		

**NAYS**

Mr. Speaker	Guillory	Monica
Barras	Guinn	Morris
Billiot	Hardy	Nowlin
Burford	Harrison	Pearson
Burns, H.	Hazel	Pope
Burns, T.	Henry	Pugh
Carmody	Hill	Richard
Carter	Hoffmann	Richardson
Champagne	Howard	Robideaux
Chaney	Hutter	Roy
Connick	Johnson	Schroder
Cortez	Jones, S.	Simon
Cromer	Katz	Smiley
Danahay	Kleckley	Smith, J.
Doerge	Lambert	Talbot
Dove	Landry	Thibaut
Downs	Ligi	Waddell
Fannin	Little	White
Foil	Lopinto	Willmott
Geymann	Lorusso	
Greene	McVea	
Total - 61		

**ABSENT**

Arnold	LaFonta	Perry
Chandler	Leger	Ponti
Ellington	Montoucet	Ritchie
LaBruzzo	Norton	Templet
Total - 12		

The Chair declared the above bill failed to pass.

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

**HOUSE BILL NO. 1372—**  
BY REPRESENTATIVE LEBAS

**AN ACT**

To amend and reenact R.S. 37:1477(B)(7), relative to the Louisiana State Board of Home Inspectors; to provide for an inspection report fee; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. LeBas moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Edwards	Mills
Abramson	Ellington	Monica
Anders	Fannin	Montoucet
Armes	Foil	Pugh
Aubert	Franklin	Richardson
Badon, B.	Gisclair	Ritchie
Baldone	Guillory	Roy
Barras	Harrison	Schroder
Barrow	Hazel	Simon
Billiot	Henderson	Smith, G.
Brossett	Hoffmann	Smith, J.
Burford	Howard	Smith, P.
Burns, H.	Jackson M.	St. Germain
Burrell	Johnson	Stiaes
Carmody	Jones, S.	Talbot
Carter	Katz	Thibaut
Champagne	LeBas	Thierry
Chaney	Leger	Waddell
Dixon	Ligi	Williams
Doerge	Little	Willmott
Dove	Lopinto	Wooton
Downs	Lorusso	
Total - 65		

**NAYS**

Badon, A.	Hill	Pearson
Burns, T.	Hines	Perry
Connick	Hutter	Pope
Cromer	Jackson G.	Richard
Danahay	Kleckley	Robideaux
Gallot	Lambert	Smiley
Geymann	Landry	White
Guinn	Morris	
Henry	Nowlin	
Total - 25		

**ABSENT**

Arnold	Jones, R.	Ponti
Chandler	LaBruzzo	Richmond
Cortez	LaFonta	Templet
Greene	McVea	
Hardy	Norton	
Total - 13		

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

**Acting Speaker Dixon in the Chair**

**HOUSE BILL NO. 1479 (Substitute Bill for HB 1425 by Representative Monica)—**  
BY REPRESENTATIVE MONICA

**AN ACT**

To amend and reenact R.S. 32:384 (D) and (E)(1)(b) and to enact R.S. 32: 384(E)(1)(d) and (F), relative to trailers and towed vehicles; to require trailers with a certain gross weight capacity to be equipped with a safety device; to provide for applicability; and to provide for related matters.

Called from the calendar.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Waddell on behalf of the Legislative Bureau to Engrossed House Bill No. 1479 by Representative Monica

Page 24 HOUSE

35th Day's Proceedings - May 26, 2010

AMENDMENT NO. 1

On page 1, line 8, following "(F)" and before "hereby" change "is" to "are"

AMENDMENT NO. 2

On page 2, delete lines 5 and 6, and insert "\* \* \*"

AMENDMENT NO. 3

On page 2, delete line 8, and insert "\* \* \*"

AMENDMENT NO. 4

On page 2, line 16, following "shall" and before "to" change "only be applicable" to "be applicable only"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Landry to Engrossed House Bill No. 1479 by Representative Monica

AMENDMENT NO. 1

On page 2, line 12, after "trailers" and before "used" insert "when the trailer is not in motion on a public road or highway and is"

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

Speaker Tucker in the Chair

Rep. Monica 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.

NAYS

Table listing names of representatives who voted 'NAYS' in three columns.

Table listing names of representatives who were present in three columns.

ABSENT

Table listing names of representatives who were absent in three columns.

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1483 (Substitute for House Bill No. 1360 by Representative Wooton)

BY REPRESENTATIVE WOOTON

AN ACT

To amend and reenact R.S. 22:1924(A)(1) and to enact R.S. 22:1924(A)(3), relative to insurance fraud; to provide definitions; to establish penalties for knowingly and willfully committing health care fraud; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Wooton moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of representatives who voted 'YEAS' in three columns.



Downs	Little	Williams
Edwards	Lopinto	Willmott
Ellington	Lorusso	Wooton
Foil	McVea	

Total - 92

NAYS

Total - 0

ABSENT

Arnold	Jackson M.	Ponti
Chandler	LaBruzzo	Richmond
Fannin	LaFonta	Templet
Guinn	Norton	

Total - 11

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.

### Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 292: Reps. Greene, Gallot, and Danahay.

### Suspension of the Rules

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

### Senate Bills and Joint Resolutions on Third Reading and Final Passage

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

#### Regular Calendar

**SENATE BILL NO. 36—**  
BY SENATORS THOMPSON, LONG, NEVERS, RISER, SMITH AND WALSWORTH

AN ACT

To enact R.S. 3:2093(10) and 2095.1, relative to the Louisiana Board of Animal Health; to require the board to adopt rules and regulations establishing standards governing the care and well-being of bovine, equine, ovine, caprine, porcine, and poultry; to prohibit local ordinances, laws, subdivision restrictions or regulations establishing standards applicable to the care and well-being of bovine, equine, ovine, caprine, porcine, and poultry; and to provide for related matters.

Read by title.

Rep. Anders moved the final passage of the bill.

#### ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Monica
Abramson	Geymann	Montoucet
Anders	Gisclair	Morris
Armes	Greene	Nowlin

Aubert	Guillory	Pearson
Badon, B.	Hardy	Perry
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
Burrell	Hutter	Schroder
Carmody	Jackson G.	Simon
Carter	Johnson	Smiley
Champagne	Jones, R.	Smith, G.
Chaney	Jones, S.	Smith, J.
Connick	Katz	Smith, P.
Cortez	Kleckley	St. Germain
Cromer	Lambert	Stiaes
Danahay	Landry	Talbot
Dixon	LeBas	Thibaut
Doerge	Leger	Thierry
Dove	Ligi	Waddell
Downs	Little	White
Edwards	Lopinto	Williams
Ellington	Lorusso	Willmott
Foil	McVea	Wooton
Franklin	Mills	

Total - 92

NAYS

Total - 0

ABSENT

Arnold	Guinn	Norton
Badon, A.	Jackson M.	Ponti
Chandler	LaBruzzo	Templet
Fannin	LaFonta	

Total - 11

The Chair declared the above bill was finally passed.

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

### SENATE BILL NO. 40—

BY SENATOR LONG

AN ACT

To repeal R.S. 13:997, relative to the Natchitoches Parish Law Library Commission; to abolish such commission; to transfer the property, assets, and revenues of the commission to the Tenth Judicial District Court; and to provide for related matters.

Read by title.

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

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Nowlin to Engrossed Senate Bill No. 40 by Senator Long

#### AMENDMENT NO. 1

On page 1, line 2, after "13:997" delete the comma "," and insert "and Act No. 492 of the 1962 Regular Session of the Legislature,"

#### AMENDMENT NO. 2

On page 1, line 7, after "13:997" delete the remainder of the line and insert "and Act No. 492 of the 1962 Regular Session of the Legislature are hereby repealed in their entirety."

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Gallot	Mills
Abramson	Geymann	Monica
Armes	Gisclair	Montoucet
Aubert	Greene	Morris
Badon, A.	Guillory	Nowlin
Badon, B.	Hardy	Perry
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
Burrell	Hutter	Simon
Carmody	Jackson G.	Smiley
Carter	Johnson	Smith, G.
Champagne	Jones, R.	Smith, J.
Chaney	Jones, S.	Smith, P.
Connick	Katz	St. Germain
Cortez	Kleckley	Stiaes
Cromer	Lambert	Talbot
Danahay	Landry	Thibaut
Dixon	LeBas	Thierry
Doerge	Leger	Waddell
Dove	Ligi	White
Downs	Little	Williams
Edwards	Lopinto	Willmott
Foil	Lorusso	Wooton
Franklin	McVea	
Total - 89		

**NAYS**

Total - 0

**ABSENT**

Anders	Guinn	Pearson
Arnold	Jackson M.	Ponti
Chandler	LaBruzzo	Schroder
Ellington	LaFonta	Templet
Fannin	Norton	
Total - 14		

The Chair declared the above bill was finally passed.

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

**SENATE BILL NO. 105—**  
BY SENATOR RISER

**AN ACT**

To enact R.S. 49:191(5)(b) and to repeal R.S. 49:191(3)(g), relative to the Louisiana Workforce Commission; to provide for the re-creation of the Louisiana Workforce Commission and the statutory entities made a part of the commission by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Read by title.

Rep. Dixon moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Abramson	Franklin	Mills
Anders	Gallot	Monica
Armes	Geymann	Montoucet
Aubert	Gisclair	Morris
Badon, A.	Greene	Nowlin
Badon, B.	Guillory	Perry
Baldone	Hardy	Pope
Barras	Harrison	Pugh
Barrow	Hazel	Richard
Billiot	Henderson	Richardson
Brossett	Henry	Richmond
Burford	Hill	Ritchie
Burns, H.	Hines	Robideaux
Burns, T.	Hoffmann	Roy
Burrell	Howard	Simon
Carmody	Hutter	Smiley
Carter	Jackson G.	Smith, G.
Champagne	Johnson	Smith, J.
Chaney	Jones, R.	Smith, P.
Connick	Jones, S.	St. Germain
Cortez	Katz	Talbot
Cromer	Kleckley	Thibaut
Danahay	Landry	Thierry
Dixon	LeBas	Waddell
Doerge	Leger	White
Dove	Ligi	Williams
Downs	Little	Willmott
Edwards	Lopinto	Wooton
Ellington	Lorusso	
Foil	McVea	
Total - 88		

**NAYS**

Total - 0

**ABSENT**

Mr. Speaker	Jackson M.	Pearson
Arnold	LaBruzzo	Ponti
Chandler	LaFonta	Schroder
Fannin	Lambert	Stiaes
Guinn	Norton	Templet
Total - 15		

The Chair declared the above bill was finally passed.

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

**Consent to Correct a Vote Record**

Rep. Barrow requested the House consent to correct her vote on final passage of Senate Bill No. 105 from nay to yea, which consent was unanimously granted.

**SENATE BILL NO. 118—**  
BY SENATOR LONG

**AN ACT**

To amend and reenact Code of Civil Procedure Article 4843(F), relative to city courts; to increase the civil jurisdictional amount in dispute in the city court of Winnfield; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Rosalind Jones to Engrossed Senate Bill No. 118 by Senator Long

AMENDMENT NO. 1

On page 1, line 2, change "4843(F)" to "4843(E) and (F)"

AMENDMENT NO. 2

On page 1, line 3, after "Winnfield" and before the semicolon ";", insert "and the city court of Monroe"

AMENDMENT NO. 3

On page 1, line 6, change "4843(F) is" to "4843(E) and (F) are"

AMENDMENT NO. 4

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

"E. In the City Court of Abbeville, the City Court of Baker, the City Court of Bogalusa, the City Court of Bunkie, the City Court of Eunice, the City Court of Kaplan, the City Court of Lake Charles, the City Court of Marksville, ~~the City Court of Monroe~~, the City Court of Natchitoches, a city court in New Orleans, the City Court of Opelousas, the City Court of Plaquemine, the City Court of Port Allen, the City Court of Ruston, the City Court of Shreveport, the City Court of Sulphur, the City Court of Winnsboro, and the City Court of Zachary, the civil jurisdiction is concurrent with the district court in cases where the amount in dispute, or the value of the property involved, does not exceed twenty-five thousand dollars."

AMENDMENT NO. 5

On page 1, line 11, after "~~and~~ the" and before "City" insert "City Court of Monroe, the"

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Greene to Engrossed Senate Bill No. 118 by Senator Long

AMENDMENT NO. 1

On page 1, line 2, change "Article 4843(F)" to "Article 4843(D), (F), and (G)"

AMENDMENT NO. 2

On page 1, line 3, after "Winnfield" and before the semi-colon ";", insert "and the city court of Baton Rouge"

AMENDMENT NO. 3

On page 1, line 6 change "Article 4843(F) is" to Article 4843(D), (F), and (G) are"

AMENDMENT NO. 4

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

"D. In ~~the City Court of Baton Rouge~~ and the City Court of Houma, the civil jurisdiction is concurrent with the district court in cases where the amount in dispute, or the value of the property involved, does not exceed twenty thousand dollars.

\* \* \*

AMENDMENT NO. 5

On page 1, between lines 14 and 15, insert the following:

"G. In ~~the City Court of Baton Rouge~~," the City Court of Leesville, the City Court of Minden, the City Court of Springhill, and the City Court of Slidell, the civil jurisdiction is concurrent with the district court in cases where the amount in dispute, or the value of the property involved, does not exceed thirty-five thousand dollars."

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Franklin	Lorusso
Abramson	Gallot	McVea
Armes	Geymann	Mills
Aubert	Gisclair	Monica
Badon, A.	Greene	Montoucet
Badon, B.	Guillory	Morris
Baldone	Hardy	Nowlin
Barras	Harrison	Perry
Billiot	Hazel	Pope
Brossett	Henderson	Pugh
Burford	Henry	Richard
Burns, H.	Hill	Richardson
Burns, T.	Hines	Richmond
Burrell	Hoffmann	Ritchie
Carmody	Howard	Robideaux
Carter	Hutter	Roy
Champagne	Jackson G.	Simon
Chaney	Johnson	Smith, G.
Connick	Jones, R.	Smith, J.
Cortez	Jones, S.	Smith, P.
Cromer	Katz	St. Germain
Danahay	Kleckley	Talbot
Doerge	Lambert	Thibaut
Dove	LeBas	Thierry
Downs	Leger	Waddell
Edwards	Ligi	Williams
Ellington	Little	Willmott
Foil	Lopinto	Wooton

Total - 84

NAYS

Landry  
Total - 1

ABSENT

Anders	Guinn	Ponti
Arnold	Jackson M.	Schroder
Barrow	LaBruzzo	Smiley
Chandler	LaFonta	Stiaes
Dixon	Norton	Templet
Fannin	Pearson	White

Total - 18

The Chair declared the above bill was finally passed.

Rep. Nowlin 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.

Page 28 HOUSE

35th Day's Proceedings - May 26, 2010

SENATE BILL NO. 188—  
BY SENATOR AMEDEE

AN ACT

To amend and reenact R.S. 26:82(A)(2), relative to requirements for the issuance of wholesale alcoholic beverage permits; to provide for requirements of delivery equipment; and to provide for related matters.

Read by title.

Rep. Lambert moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Gallot	Mills
Aubert	Gisclair	Monica
Badon, A.	Greene	Montoucet
Badon, B.	Guillory	Pearson
Baldone	Hardy	Perry
Barras	Harrison	Pope
Billiot	Hazel	Pugh
Brossett	Henderson	Richard
Burns, H.	Henry	Richmond
Burns, T.	Hines	Ritchie
Burrell	Hoffmann	Robideaux
Carmody	Howard	Roy
Carter	Hutter	Schroder
Champagne	Johnson	Smiley
Chaney	Jones, R.	Smith, G.
Connick	Jones, S.	Smith, J.
Cortez	Katz	Smith, P.
Cromer	Kleckley	St. Germain
Danahay	Lambert	Talbot
Dixon	Landry	Thibaut
Doerge	LeBas	Thierry
Dove	Leger	Waddell
Downs	Ligi	White
Edwards	Little	Williams
Ellington	Lopinto	Wooton
Foil	Lorusso	
Franklin	McVea	
Total - 79		

NAYS

Burford	Morris
Geymann	Simon
Total - 4	

ABSENT

Mr. Speaker	Guinn	Nowlin
Anders	Hill	Ponti
Armes	Jackson G.	Richardson
Arnold	Jackson M.	Stiaes
Barrow	LaBruzzo	Templet
Chandler	LaFonta	Willmott
Fannin	Norton	
Total - 20		

The Chair declared the above bill was finally passed.

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.

SENATE BILL NO. 260—  
BY SENATOR NEVERS

AN ACT

To amend and reenact R.S. 13:783(D)(7), relative to certain elected officials in St. Tammany Parish, Tangipahoa Parish, and Washington Parish; to provide an automobile expense allowance for the clerk of the district court; and to provide for related matters.

Read by title.

Rep. Edwards moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Dove	Leger
Abramson	Edwards	Little
Anders	Ellington	Lorusso
Aubert	Foil	McVea
Badon, A.	Franklin	Monica
Badon, B.	Gallot	Montoucet
Baldone	Gisclair	Perry
Barras	Guillory	Pope
Barrow	Guinn	Pugh
Billiot	Hardy	Richard
Brossett	Harrison	Richardson
Burford	Henderson	Richmond
Burns, H.	Hill	Ritchie
Burrell	Hines	Simon
Carmody	Hoffmann	Smith, G.
Carter	Howard	Smith, P.
Champagne	Hutter	St. Germain
Chaney	Jackson G.	Stiaes
Connick	Johnson	Thierry
Cromer	Jones, S.	White
Danahay	Kleckley	Williams
Dixon	Lambert	Wooton
Doerge	LeBas	
Total - 68		

NAYS

Greene	Lopinto	Smiley
Hazel	Nowlin	Talbot
Katz	Pearson	Thibaut
Landry	Roy	Willmott
Ligi	Schroder	
Total - 14		

ABSENT

Armes	Geymann	Morris
Arnold	Henry	Norton
Burns, T.	Jackson M.	Ponti
Chandler	Jones, R.	Robideaux
Cortez	LaBruzzo	Smith, J.
Downs	LaFonta	Templet
Fannin	Mills	Waddell
Total - 21		

The Chair declared the above bill was finally passed.

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

**SENATE BILL NO. 301—**

BY SENATOR WALSWORTH

AN ACT

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

Read by title.

Rep. Dixon 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
Aubert	Guillory	Nowlin
Badon, A.	Guinn	Pearson
Badon, B.	Hardy	Perry
Barras	Harrison	Pope
Barrow	Hazel	Pugh
Billiot	Henderson	Richard
Brossett	Henry	Richardson
Burford	Hill	Ritchie
Burns, H.	Hines	Robideaux
Burns, T.	Hoffmann	Roy
Burrell	Howard	Schroder
Carmody	Hutter	Simon
Carter	Jackson G.	Smiley
Champagne	Johnson	Smith, G.
Chaney	Jones, R.	Smith, J.
Connick	Jones, S.	Smith, P.
Cortez	Katz	St. Germain
Cromer	Kleckley	Stiaes
Danahay	Landry	Talbot
Dixon	LeBas	Thibaut
Doerge	Leger	Thierry
Dove	Ligi	Waddell
Downs	Little	White
Edwards	Lopinto	Williams
Ellington	Lorusso	Willmott
Foil	McVea	Wooton

Total - 90

NAYS

Total - 0

ABSENT

Arnold	Jackson M.	Ponti
Baldone	LaBruzzo	Richmond
Chandler	LaFonta	Templet
Fannin	Lambert	
Geymann	Norton	

Total - 13

The Chair declared the above bill was finally passed.

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

**SENATE BILL NO. 605—**

BY SENATOR MARTINY AND REPRESENTATIVES BILLIOT, GISCLAIR, LABRUZZO, LIGI, LOPINTO AND TEMPLET

AN ACT

To amend and reenact R.S. 13:967(C)(1), (J) and (L), to enact R.S. 13:967(M), and to repeal Act No. 77 of the 2009 Regular Session of the Legislature, relative to the Twenty-Fourth Judicial District; to provide for the establishment of an indigent transcript fund; to provide for court reporter fees; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Connick moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Total - 84

NAYS

Total - 0

ABSENT

Arnold	Greene	Ponti
Badon, A.	LaBruzzo	Pope
Burford	LaFonta	Richmond
Burns, T.	LeBas	Smiley
Chandler	McVea	Templet
Downs	Norton	
Fannin	Nowlin	

Total - 19

The Chair declared the above bill was finally passed.

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

**SENATE BILL NO. 639—**  
BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 23:1371(A), (B), and (C), 1371.1(introductory paragraph), 1373(A), 1377(A) and (C)(3), and 1378(A) and (F) and to enact R.S. 23:1371.1(5), (6), and (7) and 1371.2, relative to the Workers' Compensation Second Injury Fund; to provide for a focus on re-employment and retention of employees; to provide for definitions; to provide as to the frequency of meetings of the board; to provide relative to interest earned by the fund; to provide for reimbursement in accordance with the fund; to provide as to when an employer has "knowledge" of a preexisting permanent partial disability; to provide conditions for reimbursement; to provide for reporting to the National Council on Compensation Insurance; to provide with respect to condition diagnoses; and to provide for related matters.

Read by title.

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

Total - 91

NAYS

Total - 0

ABSENT

Chandler	LaFonta	Pugh
Cromer	Lambert	Richmond
Fannin	Norton	Simon
LaBruzzo	Ponti	Templet

Total - 12

The Chair declared the above bill was finally passed.

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

**SENATE BILL NO. 654—**  
BY SENATOR HEBERT

AN ACT

To enact Chapter 34 of Title 13 of the Louisiana Revised Statutes of 1950, comprised of R.S.13:5401, relative to the courts and judicial procedure; to provide authorization for judicial district courts to enter into intergovernmental agreements to jointly operate programs funded by state and federal funds in order to share administrative costs; and to provide for related matters.

Read by title.

Rep. Mills moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Total - 87

NAYS

Total - 0

ABSENT

Arnold	Geymann	Norton
Barras	Greene	Ponti
Burrell	Harrison	Schroder
Chandler	LaBruzzo	Templet
Dove	LaFonta	
Fannin	LeBas	

Total - 16

The Chair declared the above bill was finally passed.

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

**SENATE BILL NO. 38—**  
BY SENATOR MARTINY

AN ACT

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

Read by title.

Rep. Wooton moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Foil	Monica
Abramson	Franklin	Morris
Anders	Gallot	Pearson
Aubert	Geymann	Perry
Badon, A.	Gisclair	Pope
Baldone	Greene	Pugh
Barras	Guinn	Richard
Barrow	Harrison	Richardson
Billiot	Hazel	Ritchie
Brossett	Henderson	Roy
Burns, H.	Henry	Schroder
Burns, T.	Hines	Simon
Burrell	Hoffmann	Smiley
Carmody	Howard	Smith, G.
Chaney	Hutter	Smith, J.
Connick	Jackson G.	Smith, P.
Cortez	Jackson M.	St. Germain
Cromer	Johnson	Stiaes
Danahay	Jones, R.	Talbot
Dixon	Landry	Waddell
Doerge	Leger	White
Dove	Ligi	Willmott
Downs	Little	Wooton
Edwards	Lopinto	
Ellington	Lorusso	
Total - 73		

**NAYS**

Armes	Kleckley	Thibaut
Badon, B.	McVea	Thierry
Burford	Montoucet	Williams
Carter	Nowlin	
Guillory	Richmond	
Total - 13		

**ABSENT**

Arnold	Jones, S.	Mills
Champagne	Katz	Norton
Chandler	LaBruzzo	Ponti
Fannin	LaFonta	Robideaux
Hardy	Lambert	Temple
Hill	LeBas	
Total - 17		

The Chair declared the above bill was finally passed.

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.

**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.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Wooton to Reengrossed Senate Bill No. 81 by Senator Martiny

AMENDMENT NO. 1

On page 1, line 4, change "exception in criminal acts;" to "for exceptions;"

AMENDMENT NO. 2

On page 2, line 10, change "felony offense" to "crime"

AMENDMENT NO. 3

On page 2, delete line 11 in its entirety and insert the following:

"term of one year or greater. A conviction, plea of guilty, or plea of"

AMENDMENT NO. 4

On page 2, at the end of line 13, insert the following:

"However, a person who has been convicted of a violation of 18 USC 491(a) shall be permitted to qualify for a concealed handgun permit if fifteen or more years has elapsed between the date of application and the successful completion or service of any sentence, deferred adjudication, or period of probation or parole."

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	Franklin	Lorusso
Abramson	Gallot	McVea
Anders	Geymann	Mills
Armes	Gisclair	Monica
Aubert	Guillory	Montoucet
Badon, A.	Guinn	Morris
Badon, B.	Hardy	Nowlin
Baldone	Harrison	Pearson
Barras	Hazel	Perry
Barrow	Henderson	Pope
Billiot	Henry	Pugh
Brossett	Hill	Richard
Burford	Hines	Richardson
Burns, H.	Hoffmann	Ritchie
Burns, T.	Howard	Robideaux
Burrell	Hutter	Simon
Carmody	Jackson G.	Smith, G.
Carter	Jackson M.	Smith, J.
Chaney	Johnson	Smith, P.
Connick	Jones, R.	St. Germain
Cortez	Jones, S.	Stiaes
Cromer	Katz	Talbot

Page 32 HOUSE

35th Day's Proceedings - May 26, 2010

Danahay	Kleckley	Thibaut
Dixon	Lambert	Thierry
Doerge	Landry	Waddell
Dove	LeBas	White
Downs	Leger	Williams
Edwards	Ligi	Willmott
Ellington	Little	Wooton
Foil	Lopinto	

Total - 89

NAYS

Total - 0

ABSENT

Arnold	LaBruzzo	Roy
Champagne	LaFonta	Schroder
Chandler	Norton	Smiley
Fannin	Ponti	Templet
Greene	Richmond	

Total - 14

The Chair declared the above bill was finally passed.

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.

**SENATE BILL NO. 376—**

BY SENATORS MORRELL, CROWE AND DORSEY  
AN ACT

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

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Leger to Engrossed Senate Bill No. 376 by Senator Morrell

AMENDMENT NO. 1

On page 2, line 10, after "provisions of" and before "of this Paragraph" change "Subparagraph (a)" to "~~Subparagraph~~ Subparagraphs (a) and (b)"

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Geymann	Monica
Abramson	Gisclair	Montoucet
Anders	Guillory	Morris
Armes	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
Burford	Hoffmann	Robideaux
Burns, H.	Howard	Schroder
Burns, T.	Hutter	Simon

Burrell	Jackson G.	Smiley
Carmody	Jackson M.	Smith, G.
Carter	Johnson	Smith, J.
Champagne	Jones, R.	Smith, P.
Chaney	Jones, S.	St. Germain
Connick	Katz	Stiaes
Cortez	Kleckley	Talbot
Danahay	Lambert	Thibaut
Dixon	Landry	Thierry
Doerge	Leger	Waddell
Dove	Ligi	White
Downs	Little	Williams
Edwards	Lopinto	Willmott
Foil	Lorusso	Wooton
Franklin	McVea	
Gallot	Mills	

Total - 88

NAYS

Total - 0

ABSENT

Arnold	Fannin	Norton
Brossett	Greene	Nowlin
Chandler	LaBruzzo	Ponti
Cromer	LaFonta	Roy
Ellington	LeBas	Templet

Total - 15

The Chair declared the above bill was finally passed.

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

**SENATE BILL NO. 378—**

BY SENATORS MORRELL AND DORSEY  
AN ACT

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

Read by title.

Rep. Leger moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

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



Cortez	Katz	Stiaes
Cromer	Kleckley	Talbot
Danahay	Lambert	Thibaut
Dixon	Landry	Thierry
Doerge	Leger	Waddell
Dove	Ligi	White
Downs	Little	Willmott
Edwards	Lopinto	Wooton
Ellington	Lorusso	
Foil	McVea	
Total - 88		

NAYS

Total - 0

ABSENT

Arnold	Greene	Ponti
Champagne	LaBruzzo	Richmond
Chandler	LaFonta	Roy
Fannin	LeBas	Templet
Gallot	Norton	Williams
Total - 15		

The Chair declared the above bill was finally passed.

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

**Suspension of the Rules**

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

**Petitions, Memorials, and Communications**

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

**Message from the Senate**

**SIGNED SENATE CONCURRENT RESOLUTIONS**

May 26, 2010

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

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

Senate Concurrent Resolution Nos. 14, 23, 55, 89, 91, and 92

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

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

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

**Message from the Senate**

**SIGNED SENATE BILLS AND JOINT RESOLUTIONS**

May 26, 2010

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

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

Senate Bill Nos. 3, 46, 52, 61, 77, 151, 196, 214, 303, 374, 386, 412, 451, 467, 514, 545, 617, 664, 665, 666, 667, and 672

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

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

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

**Acting Speaker Robideaux in the Chair**

**Introduction of Resolutions, House and House Concurrent**

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

**HOUSE CONCURRENT RESOLUTION NO. 205—**

BY REPRESENTATIVE BROSSETT

**A CONCURRENT RESOLUTION**

To memorialize the United States Congress to take such actions as are necessary to adopt and enact the Restoring Ecosystem Sustainability and Protection on the Delta (The RESPOND) Act currently before the congress.

Read by title.

Lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 206—**

BY REPRESENTATIVE KATZ

**A CONCURRENT RESOLUTION**

To urge and request the House Select Committee on Homeland Security and the Senate Select Committee on Homeland Security to meet and function as a joint committee to study and make recommendations regarding air freight security.

Read by title.

Lies over under the rules.

**Reports of Committees**

The following reports of committees were received and read:

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

May 26, 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:

Senate Bill No. 37, by Thompson  
Reported with amendments. (11-0) (Regular)

Senate Bill No. 53, by Gautreaux, N.  
Reported favorably. (12-2) (Regular)

Senate Bill No. 56, by Martiny  
Reported with amendments. (10-0) (Regular)

Senate Bill No. 94, by Murray  
Reported favorably. (14-0) (Local & Consent)

Senate Bill No. 364, by Michot  
Reported favorably. (9-0) (Regular)

Senate Bill No. 685, by Murray  
Reported favorably. (12-0) (Local & Consent)

ERNEST D. WOOTON  
Chairman

The above Senate Bills reported favorably or with amendments  
were referred to the Legislative Bureau.

**Report of the Committee on  
Education**

May 26, 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 Concurrent Resolution No. 148, by Badon, Austin  
Reported favorably. (14-0)

House Bill No. 565, by Hardy  
Reported favorably. (7-4) (Regular)

House Bill No. 996, by Tucker (Joint Resolution)  
Reported by substitute. (16-0) (Regular)

Senate Bill No. 240, by Murray  
Reported with amendments. (12-0) (Regular)

AUSTIN J. BADON, JR.  
Chairman

The above Senate Bills reported favorably or with amendments  
were referred to the Legislative Bureau.

**Privileged Report of the Legislative Bureau**

May 26, 2010

To the Speaker and Members of the House of Representatives:

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

Senate Bill No. 10  
Reported without amendments.

Senate Bill No. 31  
Reported with amendments.

Senate Bill No. 41  
Reported without amendments.

Senate Bill No. 92  
Reported without amendments.

Senate Bill No. 96  
Reported without amendments.

Senate Bill No. 192  
Reported without amendments.

Senate Bill No. 233  
Reported without amendments.

Senate Bill No. 234  
Reported without amendments.

Senate Bill No. 262  
Reported without amendments.

Senate Bill No. 282  
Reported without amendments.

Senate Bill No. 289  
Reported without amendments.

Senate Bill No. 385  
Reported without amendments.

Senate Bill No. 393  
Reported without amendments.

Senate Bill No. 476  
Reported without amendments.

Senate Bill No. 477  
Reported without amendments.

Senate Bill No. 486  
Reported without amendments.

Senate Bill No. 487  
Reported without amendments.

Senate Bill No. 488  
Reported without amendments.

Senate Bill No. 490  
Reported without amendments.

Senate Bill No. 492  
Reported without amendments.

Senate Bill No. 493  
Reported without amendments.

Senate Bill No. 538  
Reported without amendments.

Senate Bill No. 543  
Reported with amendments.

Senate Bill No. 556  
Reported without amendments.

Senate Bill No. 564  
Reported without amendments.

Senate Bill No. 576  
Reported without amendments.

Senate Bill No. 595  
Reported without amendments.

Senate Bill No. 641  
Reported without amendments.

Senate Bill No. 687  
Reported without amendments.

Senate Bill No. 703  
Reported with amendments.

Senate Bill No. 705  
Reported without amendments.

Senate Bill No. 712  
Reported without amendments.

Senate Bill No. 713  
Reported without amendments.

Senate Bill No. 722  
Reported without amendments.

Senate Bill No. 732  
Reported without amendments.

Senate Bill No. 757  
Reported without amendments.

Senate Bill No. 774  
Reported without amendments.

Senate Bill No. 781  
Reported without amendments.

Senate Bill No. 791  
Reported without amendments.

Respectfully submitted,

WAYNE WADDELL  
Chairman

**Privileged Report of the Committee on Enrollment**

May 26, 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. 12—**  
BY REPRESENTATIVE ABRAMSON  
A RESOLUTION

To amend and readopt House Rules 7.16(A) and 10.7 of the Rules of Order of the House of Representatives, relative to fiscal notes; to create and provide for the Fiscal Note Review Committee; to require a member's voting machine to be locked under certain circumstances; and to provide relative to procedure when questions arise regarding the content of a fiscal note on a legislative instrument.

**HOUSE RESOLUTION NO. 39—**  
BY REPRESENTATIVE FANNIN  
A RESOLUTION

To adopt House Rule 11.6(G) of the Rules of Order of the House of Representatives, to provide for the applicability of the requirements for certain entities to submit the appropriation bill supplemental information form to receive funding.

**HOUSE RESOLUTION NO. 116—**  
BY REPRESENTATIVE ABRAMSON  
A RESOLUTION

To commend the Louisiana State University Health Sciences Center School of Allied Health Professions for forty years of exemplary health care education in the professions of audiology, cardiovascular technology, clinical laboratory sciences, occupational therapy, physical therapy, rehabilitation counseling, respiratory therapy, and speech-language pathology.

Respectfully submitted,

WAYNE WADDELL  
Chairman

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

**Privileged Report of the Committee on Enrollment**

May 26, 2010

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

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

The following House Bills have been properly enrolled:

**HOUSE BILL NO. 185—**  
BY REPRESENTATIVE HUTTER  
AN ACT

To amend and reenact R.S. 48:231(A), relative to the state highway system; to provide relative to public hearings in each highway district; to restore the requirement that the Joint Highway Priority Construction Committee conduct public hearings in each highway district; and to provide for related matters.

**HOUSE BILL NO. 547—**  
BY REPRESENTATIVE ARNOLD  
AN ACT

To enact R.S. 9:3530(G), relative to fees charged on a consumer credit transaction; to authorize a federally insured depository institution to charge fees on consumer credit transactions; and to provide for related matters.

**HOUSE BILL NO. 576—**  
BY REPRESENTATIVE MILLS  
AN ACT

To amend and reenact R.S. 3:2731 and 2778 and to repeal R.S. 3:2733 through 2737, relative to the regulation by local authorities of dogs; to provide for the adoption of ordinances; to provide for the imposition of fees and fines; to provide for the disposition of proceeds; to repeal the requirement that license fees be credited to parish school funds; to repeal certain provisions related to home rule charter governments; and to provide for related matters.

**HOUSE BILL NO. 1169—**  
BY REPRESENTATIVE WHITE  
AN ACT

To enact R.S. 30:2060(O), relative to air quality; to provide for toxic air pollution standards and compliance; to provide for rules and regulations; and to provide for related matters.

**HOUSE BILL NO. 1204—**  
BY REPRESENTATIVES EDWARDS, ANDERS, ARMES, ARNOLD, AUBERT, BOBBY BADON, BALDONE, BARRAS, BARROW, BILLIOT, BROSSETT, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, CROMER, DIXON, DOERGE, DOVE, ELLINGTON, FANNIN, GALLOT, GISCLAIR, GUILLORY, GUINN, HARDY, HARRISON, HENDERSON, HENRY, HILL, HINES, HOPFMANN, HOWARD, MICHAEL JACKSON, JOHNSON, ROSALIND JONES, SAM JONES, KATZ, LABRUZZO, LAFONTA, LANDRY, LEBAS, LEGER, LIGL LOPINTO, LORUSSO, MILLS, MONICA, MONTOUCET, NORTON, PEARSON, POPE, PUGH, RICHARD, RICHARDSON, RICHMOND, RITCHIE, ROBIDEAUX, ROY, SCHRODER, SIMON, SMILEY, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, STIAES, TALBOT, TEMPLET, THIBAUT, TUCKER, WADDELL, WILLIAMS, WILLMOTT, AND WOOTON AND SENATORS ADLEY, ERDEY, MCPHERSON, MOUNT, SHAW, AND THOMPSON  
AN ACT

To enact R.S. 47:490.22, relative to military license plates; to provide for the establishment of a military support license plate for military veterans; to provide for the design and issuance of the license plate; to provide relative to fees for the license plate; to authorize the promulgation of rules and regulations; and to provide for related matters.

Respectfully submitted,

WAYNE WADDELL  
Chairman

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

**Suspension of the Rules**

On motion of Rep. Fannin, the rules were suspended to permit the Committee on Appropriations to meet on Thursday, May 27, 2010, and consider the following legislative instruments without giving the notice required by House Rule 14.24(A):

House Bill Nos. 1, 2, 787, and 1358

**Suspension of the Rules**

On motion of Rep. Richmond, the rules were suspended to permit the Committee on Judiciary to consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill No. 1228

Senate Bill Nos. 144 and 520

**Suspension of the Rules**

On motion of Rep. Barrow, the rules were suspended to permit the Committee on Municipal, Parochial and Cultural Affairs to consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill Nos. 1215, 1424, and 1454

Senate Bill Nos. 201, 202, and 707

**Suspension of the Rules**

On motion of Rep. Pearson, the rules were suspended to permit the Committee on Retirement to consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

Senate Bill No. 13

**REVISED STANDING COMMITTEE MEETING SCHEDULE**

Pursuant to House Rule 14.20, the Speaker proposed the following changes to the schedule of committee meetings for the first week in June.

<u>Session Week</u>	<u>Day/Date</u>
Week 10	Memorial Day – 5/31
	No Session – 6/1
	Morning - 6/2
	Afternoon - 6/3
	Weekly - No meeting

**Leave of Absence**

Rep. Ponti - 1 day

Rep. Chandler - 1 day

Rep. Templet - 1/2 day

**Adjournment**

On motion of Rep. Billiot, at 6:00 P.M., the House agreed to adjourn until Thursday, May 27, 2010, at 12:00 P.M.

The Speaker Pro Tempore of the House declared the House adjourned until 12:00 P.M., Thursday, May 27, 2010.

ALFRED W. SPEER  
Clerk of the House