

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

SEVENTH DAY'S PROCEEDINGS

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

House of Representatives
State Capitol
Baton Rouge, Louisiana

Wednesday, May 4, 2011

The House of Representatives was called to order at 3:00 P.M., by the Honorable Joel Robideaux, Speaker Pro Tempore of the House of Representatives.

Morning Hour

ROLL CALL

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

PRESENT

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

Fannin Little Wooton
Foil Lopinto
Total - 98

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

Prayer

Prayer was offered by Dr. Rodney Wood, President of the Mission Foundation of Baton Rouge.

Pledge of Allegiance

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

Reading of the Journal

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

On motion of Rep. Arnold, the Journal of May 3, 2011, was adopted.

Suspension of the Rules

Rep. Arnold moved the rules be suspended in order to allow the Committee on Education to meet while the House was in session.

Rep. Stiaes objected.

By a vote of 52 yeas and 18 nays, the rules were suspended.

**Petitions, Memorials, and
Communications**

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

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

May 4, 2011

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. 52
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

**ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

May 4, 2011

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

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

Senate Concurrent Resolution No. 4

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

SENATE BILLS

May 4, 2011

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. 62, 69, and 203

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. 62—
BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 4:165(A)(1) and (2), and (B)(1) and (2), relative to the Louisiana State Racing Commission; to provide for funds, purses and awards; and to provide for related matters.

Read by title.

SENATE BILL NO. 69—
BY SENATOR NEVERS

AN ACT

To amend and reenact R.S. 17:3217.1(A) and to enact R.S. 17:3230, relative to postsecondary education; to provide for the creation of the Northshore Technical Community College; to provide with respect to the management, supervision, and operation of the institution; to provide with respect to program offerings; to provide for the awarding of certificates, diplomas, and degrees; to provide for the duties and responsibilities of the Board of Regents and the Board of Supervisors of Community and Technical Colleges; to provide relative to accreditation; to provide reporting requirements; and to provide for related matters.

Read by title.

SENATE BILL NO. 203—
BY SENATORS PETERSON, DORSEY, ERDEY, JACKSON,
MARIONNEAUX, MORRELL, RISER, SHAW AND WILLARD-LEWIS
AN ACT

To enact Subpart BB of Part I of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:120.96, relative to state individual income tax return checkoffs for certain donations; to provide for a method for individuals to donate a portion of any refund due to them to the Louisiana Food Bank Association; to provide for the disposition of such donated monies; to establish the Louisiana Food Bank

Association Fund as a special escrow fund in the state treasury; to provide for the administration and use of monies in the fund; to authorize the treasurer to make certain deposits into the fund; to provide for an effective date; and to provide for related matters

Read by title.

Suspension of the Rules

On motion of Rep. Williams, 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. 25—
BY REPRESENTATIVE WILLIAMS
A RESOLUTION

To express sincere and heartfelt condolences upon the death of Ella Dee Hamilton of Shreveport.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 61—
BY REPRESENTATIVES BARRAS, CHAMPAGNE, AND SAM JONES
AND SENATOR MILLS

A CONCURRENT RESOLUTION

To commend the Catholic High School Lady Panthers softball team upon winning the 2011 Class 3A state championship.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 62—
BY REPRESENTATIVES BARRAS, CHAMPAGNE, AND SAM JONES
AND SENATOR MILLS

A CONCURRENT RESOLUTION

To commend the Catholic High School Lady Panthers gymnastics team upon winning the 2011 state championship.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 63—
BY REPRESENTATIVE MICHAEL JACKSON
A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2012 Regular Session of the Legislature of Louisiana, relative to the individual income tax; to suspend the provisions of R.S. 47:293(9)(a)(xi) which authorize a tax deduction for excess federal itemized personal deductions for residents, and the provisions of R.S. 47:293(10) to the extent that those provisions authorize a tax deduction for excess federal itemized personal deductions for nonresidents.

Read by title.

Lies over under the rules.

Introduction of House Bills and Joint Resolutions

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

HOUSE BILL NO. 328—
BY REPRESENTATIVE ROBIDEAUX
AN ACT

To amend and reenact R.S. 25:283, relative to the Lafayette Parish Law Library Commission; to provide for revenues of the Lafayette Parish Law Library Commission; to increase fees collected for the library; and to provide for related matters.

Read by title.

HOUSE BILL NO. 329—
BY REPRESENTATIVE STIAES
AN ACT

To amend and reenact R.S. 40:2531(B)(7), relative to investigations of law enforcement officers; to provide relative to investigations by the New Orleans Police Department Public Integrity Bureau; to provide for the time period in which investigations shall be conducted; to provide relative to additional evidence; and to provide for related matters.

Read by title.

HOUSE BILL NO. 609—
BY REPRESENTATIVE DIXON
AN ACT

To amend and reenact R.S. 47:293(3)(c) and to enact Subpart Q-5 of Part II-A of Chapter 1 of Subtitle 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:100.126, and R.S. 47:293(3)(d), relative to the individual income tax; to provide relative to the deduction for excess federal itemized personal deductions; to reduce the amount of the deduction which may be claimed in certain tax years; to dedicate revenue relative to the reduction in the amount of the deduction; to provide for the creation of the Higher Education Emergency Fund as a special fund in the state treasury; to provide for the development of an official estimate of certain revenues; to provide for effectiveness; and to provide for related matters.

Read by title.

HOUSE BILL NO. 610—
BY REPRESENTATIVE BURRELL
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2011-2012 to Corrections-Administration for the Adult Services Program for additional GED teachers at the state and private correctional facilities; to provide for an effective date; and to provide for related matters.

Read by title.

HOUSE BILL NO. 611—
BY REPRESENTATIVE FANNIN
AN ACT

To appropriate funds and to make certain reductions in appropriations from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations and reductions for said agencies and purposes for Fiscal Year 2010-2011; and to provide for related matters.

Read by title.

HOUSE BILL NO. 612—
BY REPRESENTATIVE GREENE
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2011-2012 to be used to pay the consent judgment in the suit entitled "Keith Brown v. Louisiana Department of Transportation and Development et al"; and to provide for related matters.

Read by title.

HOUSE BILL NO. 613—
BY REPRESENTATIVE MORRIS
AN ACT

To enact R.S. 33:2738.86, relative to Caddo Parish; to provide relative to the North Caddo Hospital Service District; to authorize the governing authority of the district to levy a sales and use tax, subject to voter approval; to provide for the use of tax proceeds; and to provide for related matters.

Read by title.

HOUSE BILL NO. 614—
BY REPRESENTATIVE RICHARD
AN ACT

To amend and reenact R.S. 47:6028, relative to tax credits; to provide for a refundable income and corporate franchise tax credit for certain overpayments related to the inventory tax credit; to delete certain requirements and limitations; to provide for an effective date; and to provide for related matters.

Read by title.

HOUSE BILL NO. 615—
BY REPRESENTATIVE SIMON
AN ACT

To amend and reenact R.S. 47:6030(A) and (B)(1) and to enact R.S. 47:6030(D)(3), relative to the wind or solar energy systems tax credit; to provide for eligibility for certain geothermal energy systems; to provide for definitions; and to provide for related matters.

Read by title.

HOUSE BILL NO. 616—
BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact R.S. 47:305.1(C)(3)(a) and to enact R.S. 47:305.1(C)(6), relative to sales and use tax; to provide with respect to the exemption for ships and ships' supplies; to add to the exemption certain component parts used in the reconstruction of a vessel; and to provide for related matters.

Read by title.

HOUSE BILL NO. 617—
BY REPRESENTATIVE KATZ
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2011-2012 to be used to pay the consent judgment in the suit entitled "Brown Realty Company of Rayville, Inc., and Shelter Insurance Companies v. State of Louisiana, Department of Transportation and Development"; and to provide for related matters.

Read by title.

HOUSE BILL NO. 618—
BY REPRESENTATIVE ROSALIND JONES
AN ACT

To amend and reenact R.S. 47:293(5), relative to deductions from individual income tax; to provide with respect to the deduction

for hurricane recovery benefits; to provide definitions; and to provide for related matters.

Read by title.

HOUSE BILL NO. 619—

BY REPRESENTATIVE LEGER
AN ACT

To enact Subpart B-46 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.841 through 130.849, relative to economic and community development in Orleans Parish; to create the Louisiana Sports and Entertainment District as a political subdivision of the state; to provide for the boundaries and governance of the district; to provide for the board of commissioners and its authority, powers, duties, and functions; to provide for the levy and collection of taxes and special assessments within the district; to provide for the authority to create subdistricts within the district; to authorize the district to issue and sell bonds and other debt obligations and to finance debt by the pledge of tax increments; and to provide for related matters.

Read by title.

HOUSE BILL NO. 620—

BY REPRESENTATIVE BALDONE
AN ACT

To enact R.S. 47:287.738(H) and 297.13, relative to individual and corporate income taxation; to exclude certain payments received as a result of certain disasters from state individual and corporate income taxation; to provide for effectiveness; and to provide for related matters.

Read by title.

HOUSE BILL NO. 621—

BY REPRESENTATIVE TALBOT
AN ACT

To enact R.S. 47:6038, relative to tax credits; to authorize a tax credit against any Louisiana income or corporation franchise tax for certain donations to certain school tuition organizations; to provide for definitions, requirements, and limitations; to provide for the amount, approval, and issuance of tax credits; to authorize the Department of Revenue to conduct audits; to authorize the promulgation of rules and regulations; to provide for an effective date; and to provide for related matters.

Read by title.

HOUSE BILL NO. 622—

BY REPRESENTATIVE MICHAEL JACKSON
AN ACT

To enact R.S. 30:2067, relative to ad valorem taxes; to authorize a political subdivision within a federal ozone nonattainment area to levy certain taxes; to require adoption of a resolution or ordinance by the local governing authority; to require approval of certain voters; and to provide for related matters.

Read by title.

HOUSE BILL NO. 623—

BY REPRESENTATIVE MICHAEL JACKSON
AN ACT

To enact R.S. 30:2067, relative to sales and use taxes; to authorize a political subdivision within a federal ozone nonattainment area to levy certain taxes; to require adoption of a resolution or ordinance by the local governing authority; to require approval of certain voters; and to provide for related matters.

Read by title.

**House and House Concurrent Resolutions
Lying Over**

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

HOUSE CONCURRENT RESOLUTION NO. 58—

BY REPRESENTATIVE HARRISON
A CONCURRENT RESOLUTION

To direct the disaster recovery unit of the office of community development in the division of administration to allocate funding from their Fiscal Year 2011-2012 appropriation to the South Louisiana Economic Council (SLEC) in the amount of three hundred thousand dollars.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 59—

BY REPRESENTATIVES HENRY, CHAMPAGNE, CORTEZ, LIGI, AND TALBOT
A CONCURRENT RESOLUTION

To direct the LSU Board of Supervisors and the University Medical Center Management Corporation to submit to the legislature a plan of expenditure which shall require a majority vote of both houses of the legislature by mail ballot, House Concurrent Resolution, or Senate Concurrent Resolution prior to the expenditure of any such monies appropriated in any act of the legislature for a new Charity Hospital in New Orleans, also known as the Medical Center of Louisiana at New Orleans.

Read by title.

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

**House Bills and Joint Resolutions on
Second Reading to be Referred**

The following House Bills and Joint Resolutions on second reading to be referred to committees were taken up, read, and referred to committees, as follows:

HOUSE BILL NO. 566—

BY REPRESENTATIVE ROBIDEAUX
AN ACT

To enact R.S. 33:9038.65, relative to the University of Louisiana at Lafayette Improvement District as a special financing and improvement district in the city of Lafayette; to create and provide for the boundaries of the district; to provide for the governance of the district and for the authority, powers, duties, and functions of the governing authority of the district; to authorize the levy and collection of certain taxes within the district; to provide for payment to the district of a certain portion of state sales tax on hotel occupancy collected in the district; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 603—

BY REPRESENTATIVE BURRELL
AN ACT

To amend and reenact Section 2 of Act No. 479 of the 2005 Regular Session of the Legislature, as amended by Act No. 188 of the 2007 Regular Session of the Legislature and R.S.

47:297.6(A)(1)(introductory paragraph), relative to individual income tax credits; to provide relative to the tax credit for the rehabilitation of residential structures; to extend the tax credit to rehabilitated residential structures located in certain districts; to extend the taxable periods in which the tax credit for the rehabilitation of certain residential structures shall be applicable; 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 Ways and Means.

HOUSE BILL NO. 604—

BY REPRESENTATIVE BURRELL
AN ACT

To amend and reenact Section 3 of Act No. 60 of the 2002 Regular Session of the Legislature, as amended by Act No. 12 of the 2004 First Extraordinary Session of the Legislature and Act No. 182 of the 2007 Regular Session of the Legislature and R.S. 47:6019(A)(1)(a) and (2)(a), relative to tax credits; to provide relative to the income and franchise tax credits for costs associated with the rehabilitation of certain historic structures; to extend the tax credit to rehabilitated structures located in certain districts; to extend the taxable periods in which the credit shall be applicable; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 605—

BY REPRESENTATIVE BARROW
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2011-2012 to be used to pay the consent judgment against the state in the suit entitled "William Mothershead v. Matthew Davis; Irby Construction Company; Old Republic Insurance Company and Illinois National Insurance Company"; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 606—

BY REPRESENTATIVE ROBIDEAUX
AN ACT

To enact R.S. 47:305.64(A)(2)(b)(iii), relative to sales and use taxes; to authorize certain qualifying radiation therapy treatment centers to qualify for the sales and use tax exemption; to provide relative to certain definitions; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 608—

BY REPRESENTATIVES FANNIN AND TUCKER AND SENATORS MICHOT AND CHAISSON
AN ACT

To appropriate funds to defray the expenses of the Louisiana Judiciary, including the Supreme Court, Courts of Appeal, District Courts, Criminal District Court of Orleans Parish, and other courts; and to provide for related matters.

Read by title.

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

Motion

On motion of Rep. Brossett, the Committee on Appropriations was discharged from further consideration of House Bill No. 145.

HOUSE BILL NO. 145—

BY REPRESENTATIVE BROSSETT
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2011- 2012 to be used to pay the judgment in the suit entitled "Theresa Victor, Individually and on behalf of the estate of Timothy Victor v. Custom Bus Charters, Inc.; Reliance Insurance Company; Frank Bedell; Casino Magic Corporation; ABC Insurance Company (as insurer of Casino Magic Corporation); and State of Louisiana through the Department of Transportation" consolidated with "Leila Marie Tassin, wife of/and Irving C. Tassin, Jr. v. Frank Bedell, Custom Bus Charters, Inc. represented by its president, Donna BeGovich, Casino Magic and the insurers of Frank Bedell, Custom Bus Charters, Inc. and Casino Magic"; to provide for interest; to provide for court costs; and to provide for related matters.

Read by title.

Motion

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

**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. 132—

BY REPRESENTATIVE CHANDLER
AN ACT

To amend and reenact R.S. 40:1730.23(A) and 1730.39(B) and (C) and to enact R.S. 40:1730.39(D) and (E), relative to the office of state fire marshal; to provide for an exception to the enforcement of building codes by municipalities and parishes; to provide for the administration and enforcement authority of the office of state fire marshal; to define enforcement; to authorize the state fire marshal to grant alternatives upon appeal; to define fire protection systems; to authorize the state fire marshal to issue orders for violations; to provide for the enforcement of the Louisiana Industrialized Building Act; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Original House Bill No. 132 by Representative Chandler

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 40:1730.23(A)" delete the comma "," and delete "1730.28(A)(1),"

Page 6 HOUSE

7th Day's Proceedings - May 4, 2011

AMENDMENT NO. 2

On page 1, line 5, after "parishes;" delete the remainder of the line

AMENDMENT NO. 3

On page 1, line 6, delete "state uniform construction code;"

AMENDMENT NO. 4

On page 1, line 13, delete the comma "," and delete "1730.28(A)(1),"

AMENDMENT NO. 5

On page 2, delete lines 24 through 28 in their entirety

AMENDMENT NO. 6

On page 3, delete lines 1 through 8 in their entirety

AMENDMENT NO. 7

On page 3, line 21, after "provided" delete "a minimum acceptable" and insert in lieu thereof "an equivalent"

AMENDMENT NO. 8

On page 3, line 22, after "life safety" and before "is achieved" insert "and property protection"

AMENDMENT NO. 9

On page 3, line 23, after "(2)" and before "power" delete "The" and insert in lieu thereof "Except as provided in R.S. 40:1730.29, the"

AMENDMENT NO. 10

On page 3, at the beginning of line 27, change "(3)" to "(3)(a)"

AMENDMENT NO. 11

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

"(b) For the purposes of this Section, "high rise" shall mean high rise buildings as provided in R.S. 40:1641 et seq."

AMENDMENT NO. 12

On page 4, line 5, after "shall have" and before "authority" insert "exclusive"

AMENDMENT NO. 13

On page 4, line 8, after "provided" delete "a minimum acceptable" and insert in lieu thereof "an equivalent" and after "life safety" and before "is" insert "and property protection"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 174—

BY REPRESENTATIVE HENRY BURNS
AN ACT

To enact R.S. 32:408(B)(7), relative to commercial driver's licenses; to provide for a waiver of certain requirements for certain commercial drivers; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 187—

BY REPRESENTATIVE BOBBY BADON
AN ACT

To amend and reenact R.S. 40:1321(H), relative to sex offenders; to prohibit certain sex offenders from obtaining a special identification card without charge; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 228—

BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 47:462(B)(3)(a) and (6) and (C), 475, and 508(F), relative to truck registration taxes or fees; to modify registration tax or fee schedule for trucks of certain weights; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 228 by Representative St. Germain

AMENDMENT NO. 1

On page 2, line 7, delete "10,000" and insert "6,000" and after "\$", delete "28.00" and insert "10.00"

AMENDMENT NO. 2

On page 2, between lines 11 and 12, insert the following:

"6,001 to 10,000 \$28.00"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 253—

BY REPRESENTATIVE CHAMPAGNE
AN ACT

To amend and reenact R.S. 32:415.1(A)(1)(introductory paragraph), (c), and (f) and (C), relative to driver's license suspensions and revocations; to provide for economic and medical hardship license application procedures; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 273—
BY REPRESENTATIVE HUTTER
AN ACT

To enact R.S. 40:1730.23(F), relative to the state uniform construction code; to authorize the use of an affidavit to meet the requirement of windblown debris storm shutters; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

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

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

HOUSE BILL NO. 362—
BY REPRESENTATIVE SIMON
AN ACT

To amend and reenact R.S. 37:155(A)(4)(f) and (5), relative to architects; to provide for exemptions to the licensing and registration requirement for architects; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Original House Bill No. 362 by Representative Simon

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 37:155(A)(4)(c) and (f)(i) and (ii) and (5)," to "R.S. 37:155(A)(4)(f) and (5),"

AMENDMENT NO. 2

On page 1, line 6, change "R.S. 37:155(A)(4)(c) and (f)(i) and (ii) and (5)" to "R.S. 37:155(A)(4)(f) and (5)"

AMENDMENT NO. 3

On page 1, delete lines 15 through 21 in their entirety

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 383—
BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 40:1749.12(4), 1749.13(B)(2) and (5), 1749.14(B) and (C)(1)(b)(iii) and (v), 1749.15, and 1749.20(C) and to enact R.S. 40:1749.12(15) and 1749.20(D), relative to the

Louisiana Underground Utilities and Facilities Damage Prevention Law; to define "emergency"; to define "agricultural excavator"; to provide for a delay period following notification before the commencement of any excavation or demolition activity; to specify who shall receive a notice of intent to excavate; to define the period of time that markings shall be deemed good; to require certification of immediate action in a notice of emergency excavation; to provide for violations; to provide for penalties; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Original House Bill No. 383 by Representative Arnold

AMENDMENT NO. 1

On page 1, line 2, change "1749.14(C)(1)(b)(iii)" to "1749.14(B) and (C)(1)(b)(iii)"

AMENDMENT NO. 2

On page 1, line 7, after "activity;" and before "to define" insert "to specify who shall receive a notice of intent to excavate;"

AMENDMENT NO. 3

On page 1, line 11, change "1749.14(C)(1)(b)(iii) and (v)," to "1749.14(B) and (C)(1)(b)(iii) and (v),"

AMENDMENT NO. 4

On page 1, line 19, after "property" delete the remainder of the line and insert a comma " , "

AMENDMENT NO. 5

On page 1, at the beginning of line 20, delete "utility services,"

AMENDMENT NO. 6

On page 2, between lines 24 and 25, insert the following:

"B. A regional notification center receiving a notice of intent to excavate shall notify all member operators having underground utilities or facilities in or near the site of the proposed excavation, except for the operator who provided the notice of intent unless the operator requested to receive such notification. All member operators shall furnish the regional notification center with current emergency contact or notification information, including twenty-four hour telephone numbers."

AMENDMENT NO. 7

On page 3, line 20, after "required" and before "R.S. 40:1749.13" delete "under" and insert "pursuant to"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 470—
BY REPRESENTATIVE HENRY BURNS
AN ACT

To amend and reenact R.S. 32:429.2(B) and to enact R.S. 32:707.2(C)(4), 707.6, and 728(10) and (11), relative to motor vehicle titles; to establish an expedited motor vehicle title receipt procedure; to provide for fees charged for receipt of an expedited motor vehicle title; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 470 by Representative Henry Burns

AMENDMENT NO. 1

On page 3, line 2, after "agent", delete "or office of motor vehicle office"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 505—
BY REPRESENTATIVE CHAMPAGNE
AN ACT

To amend and reenact R.S. 32:378.2(H), relative to ignition interlock devices; to require ignition interlock device reports to be submitted electronically to certain entities; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 505 by Representative Champagne

AMENDMENT NO. 1

On page 1, line 12, after "least", delete "semiannually" and insert "monthly"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 507—
BY REPRESENTATIVES LANDRY AND NORTON
AN ACT

To amend and reenact R.S. 32:408(B)(3)(f) and 414.2(E)(2)(introductory paragraph) and (c), relative to commercial driver's license holders; to prohibit certain persons from operating school buses; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 534—
BY REPRESENTATIVE CARTER
AN ACT

To amend and reenact R.S. 22:1457(A)(2), R.S. 32:402(B)(1)(a)(ii)(bb), 402.1(A)(introductory paragraph), (1), (2)(introductory paragraph), (a), (g), and (h), 407(A)(2)(a), (4), and (6), 408(A)(4)(a), 408.1(introductory paragraph), (2), 416, 417(A), 422, 422.1, R.S. 40:1461(A) and (C), R.S. 47:305.26 and 479.1 and to repeal R.S. 17:270, 271, and 271.1, R.S. 32:402.1(A)(3)(a) and (b), (B), and (C) and 402.2, relative to driver's education programs; to consolidate all driver's education programs and instruction under the Department of Public Safety and Corrections, public safety services; to remove all driver's education programs and instruction from the Department of Education; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 536—
BY REPRESENTATIVE SIMON
AN ACT

To amend and reenact the heading of Part V of Chapter 8 of Title 40 of the Louisiana Revised Statutes of 1950, R.S. 40:1731, 1732(2), (3), (4), (7), and (9), 1733 through 1736, 1737(A), 1738(A) and (B), 1740, 1741, 1742(A)(1) and (3), 1742.1, and 1742.2(A)(1) and to repeal R.S. 40:1739, relative to building codes; to provide for the purpose; to provide for definitions; to provide for the Americans with Disabilities Act standards; to require ADA standards accessibility in public and private buildings; to provide with respect to the use of parking spaces; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

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

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

HOUSE BILL NO. 607 (Substitute for House Bill No. 183 by Representative Arnold) —
 BY REPRESENTATIVE ARNOLD
 AN ACT

To amend and reenact R.S. 9:3530(F), relative to consumer credit transactions; to authorize a lender to charge a fee for electronic lien and title services or E.L.T. fee; to prohibit an E.L.T. fee from being considered as interest or being included in the calculation of interest; and to provide for related matters.

Read by title.

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

Under the rules, placed on the regular calendar.

House and House Concurrent Resolutions on Third Reading for Final Consideration

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

HOUSE CONCURRENT RESOLUTION NO. 15—
 BY REPRESENTATIVE THIBAUT
 A CONCURRENT RESOLUTION

To authorize and direct the Louisiana State Law Institute to study all laws relative to conventional, legal, and judicial mortgages and liens in order to create a purchase money special mortgage and to make recommendations on or before January 1, 2013, as to the advisability of revising state laws in order to create a purchase money special mortgage and to resolve any resulting conflicts between the laws relative to conventional, legal, and judicial mortgages and liens.

Read by title.

Rep. Thibaut moved the adoption of the resolution.

By a vote of 73 yeas and 0 nays, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 28—
 BY REPRESENTATIVE ABRAMSON
 A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study agreements to voluntarily extend liberative prescriptive periods and to make specific recommendations for authorizing agreements to extend liberative prescriptive periods.

Read by title.

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

Ordered to the Senate.

Speaker Tucker in the Chair

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:

Local and Consent Calendar

HOUSE BILL NO. 4—
 BY REPRESENTATIVE MONToucET
 AN ACT

To enact R.S. 15:255(O), relative to witness fees to off-duty law enforcement officers in the City Court of Crowley; to authorize the city of Crowley to adopt an ordinance to use surplus fees in the fund to equip the police department of the city of Crowley; and to provide for related matters.

Read by title.

Rep. Montoucet moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	McVea
Anders	Geymann	Montoucet
Arnold	Gisclair	Moreno
Aubert	Greene	Morris
Badon, B.	Guillory	Norton
Baldone	Harrison	Nowlin
Barrow	Hazel	Pearson
Billiot	Henderson	Ponti
Bishop	Henry	Pope
Brossett	Hines	Pugh
Burford	Honore	Richard
Burns, H.	Howard	Richardson
Burns, T.	Hutter	Robideaux
Burrell	Huval	Seabaugh
Carter	Jackson, M.	Simon
Champagne	Johnson	Smiley
Chandler	Jones, R.	Smith, G.
Chaney	Jones, S.	Smith, P.
Cortez	Katz	St. Germain
Cromer	Kleckley	Stiaes
Danahay	LaBruzzo	Talbot
Dixon	Lambert	Templet
Doerge	Landry	Thibaut
Dove	Leger	Thierry
Ellington	Ligi	White
Fannin	Little	Williams
Foil	Lopinto	Willmott
Franklin	Lorusso	Wooton

NAYS

Total - 0

ABSENT

Abramson	Edwards	LeBas
Armes	Guinn	Monica
Badon, A.	Hardy	Ritchie
Barras	Hill	Roy
Carmody	Hoffmann	Schroder
Connick	Jackson, G.	Smith, J.
Downs	LaFonta	

Total - 20

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Page 10 HOUSE

7th Day's Proceedings - May 4, 2011

HOUSE BILL NO. 5—

BY REPRESENTATIVE WHITE

AN ACT

To amend and reenact R.S. 11:2185, relative to sheriff and deputy sheriffs; to authorize a sheriff or a deputy sheriff to purchase his firearm upon retirement; to provide for certain criteria; and to provide for related matters.

Read by title.

Rep. White moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. Speaker, Anders, Arnold, Aubert, Badon, B., Baldone, Barras, Billiot, Brossett, Burford, Burns, H., Burrell, Carter, Champagne, Chandler, Chaney, Cortez, Cromer, Danahay, Dixon, Doerge, Downs, Edwards, Ellington, Fannin, Franklin, Gallot, Total - 81

NAYS

Total - 0

ABSENT

Table with 3 columns of names: Abramson, Armes, Badon, A., Barrow, Bishop, Burns, T., Carmody, Connick, Total - 23

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 28—

BY REPRESENTATIVES EDWARDS, BOBBY BADON, AND GISCLAIR

AND SENATORS ADLEY, MARIONNEAUX, AND MURRAY

AN ACT

To enact R.S. 36:784(A)(8)(d), (e), and (f), relative to the Veterans' Honor Medal Program; to provide relative to the application for Honor Medals; to provide for methods of distribution of Honor Medals; to require delivery of medals within a specified period of time in certain circumstances; 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

Table with 3 columns of names: Mr. Speaker, Anders, Arnold, Aubert, Badon, B., Baldone, Barras, Billiot, Brossett, Burford, Burns, H., Burrell, Carmody, Carter, Champagne, Chandler, Chaney, Cortez, Danahay, Dixon, Doerge, Dove, Downs, Edwards, Ellington, Fannin, Foil, Franklin, Gallot, Total - 87

NAYS

Total - 0

ABSENT

Table with 3 columns of names: Abramson, Armes, Badon, A., Barrow, Bishop, Burns, T., Total - 17

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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.

Consent to Correct a Vote Record

Rep. Hazel requested the House consent to record his vote on final passage of House Bill No. 28 as yea, which consent was unanimously granted.

HOUSE BILL NO. 38—

BY REPRESENTATIVE RITCHIE
AN ACT

To enact R.S. 13:2072.1, relative to court costs in the City Court of Bogalusa; to provide for additional court costs in misdemeanor and traffic matters; to provide for the collection and use of the funds; and to provide for related matters.

Read by title.

Rep. Ritchie moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	Lorusso
Anders	Foil	McVea
Arnold	Franklin	Montoucet
Aubert	Gallot	Moreno
Badon, B.	Geymann	Morris
Baldone	Gisclair	Norton
Barras	Greene	Nowlin
Barrow	Guillory	Ponti
Billiot	Guinn	Pope
Bishop	Hardy	Pugh
Brossett	Harrison	Richard
Burford	Hill	Richardson
Burns, H.	Hines	Ritchie
Burrell	Hoffmann	Robideaux
Carmody	Honore	Seabaugh
Carter	Howard	Simon
Champagne	Hutter	Smith, G.
Chandler	Jackson, M.	Smith, J.
Chaney	Johnson	Smith, P.
Cortez	Jones, R.	St. Germain
Danahay	Katz	Stiaes
Dixon	Kleckley	Templet
Doerge	LaBruzzo	Thibaut
Dove	Leger	Thierry
Downs	Ligi	Williams
Edwards	Little	Willmott
Ellington	Lopinto	Wooton
Total - 81		

NAYS

Smiley
Total - 1

ABSENT

Abramson	Henry	Monica
Armes	Huval	Pearson
Badon, A.	Jackson, G.	Roy
Burns, T.	Jones, S.	Schroder
Connick	LaFonta	Talbot
Cromer	Lambert	White
Hazel	Landry	
Henderson	LeBas	
Total - 22		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 52—

BY REPRESENTATIVE HENDERSON
AN ACT

To enact R.S. 13:2501.1(N), relative to court costs in the Traffic Court of New Orleans; to provide for an increase in court costs; to provide for use of the funds; and to provide for related matters.

Read by title.

Rep. Henderson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Anders	Gisclair	McVea
Arnold	Guillory	Montoucet
Badon, B.	Guinn	Moreno
Baldone	Hardy	Norton
Billiot	Harrison	Nowlin
Bishop	Hazel	Ponti
Brossett	Henderson	Pugh
Burns, H.	Honore	Richardson
Carter	Hutter	Smith, G.
Chandler	Huval	St. Germain
Chaney	Johnson	Stiaes
Danahay	Jones, R.	Thibaut
Dixon	Katz	Thierry
Downs	Kleckley	White
Ellington	Leger	Wooton
Fannin	Little	
Franklin	Lopinto	
Total - 49		

NAYS

Mr. Speaker	Howard	Simon
Aubert	Landry	Smiley
Burford	Ligi	Talbot
Carmody	Lorusso	Templet
Cromer	Morris	Williams
Geymann	Pearson	Willmott
Henry	Schroder	
Hines	Seabaugh	
Total - 22		

ABSENT

Abramson	Dove	LaFonta
Armes	Edwards	Lambert
Badon, A.	Foil	LeBas
Barras	Gallot	Monica
Barrow	Greene	Pope
Burns, T.	Hill	Richard
Burrell	Hoffmann	Ritchie
Champagne	Jackson, G.	Robideaux
Connick	Jackson, M.	Roy
Cortez	Jones, S.	Smith, J.
Doerge	LaBruzzo	Smith, P.
Total - 33		

The Chair declared the above bill failed to pass.

Motion to reconsider pending.

HOUSE BILL NO. 407—
BY REPRESENTATIVES WHITE AND POPE AND SENATOR ERDEY
AN ACT

To enact R.S. 13:996.68, relative to the Twenty-First Judicial District Court in Livingston Parish; to establish a judicial building fund; to provide for ownership and control of the fund; to provide for costs of court; to provide for a service charge per filing in civil matters; to provide for recordation fees; to provide for dedication, purposes, and disbursement of such funds; to provide for the reduction of fees in certain circumstances; to authorize cooperative endeavor agreements; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Doerge on behalf of the Legislative Bureau to Engrossed House Bill No. 407 by Representative White

AMENDMENT NO. 1

On page 3, line 12, following "may" and before "be" delete "only"

AMENDMENT NO. 2

On page 3, line 12, following "expended" and before "by" insert "only"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Franklin	Morris
Anders	Gallot	Norton
Arnold	Geymann	Nowlin
Aubert	Gisclair	Pearson
Badon, A.	Greene	Ponti
Badon, B.	Guillory	Pope
Baldone	Guinn	Pugh
Barrow	Hardy	Richard
Billiot	Harrison	Richardson
Bishop	Henry	Ritchie
Brossett	Hill	Robideaux
Burford	Hines	Schroder
Burns, H.	Hoffmann	Seabaugh
Burrell	Honore	Simon
Carmody	Howard	Smiley
Carter	Huval	Smith, G.
Champagne	Johnson	Smith, J.
Chandler	Jones, R.	Smith, P.
Chaney	Katz	St. Germain
Cortez	Kleckley	Stiaes
Danahay	LaBruzzo	Talbot
Dixon	Lambert	Templet
Doerge	Leger	Thibaut

Dove	Ligi	Thierry
Downs	Little	White
Edwards	Lopinto	Williams
Ellington	Lorusso	Willmott
Fannin	McVea	Wooton
Foil	Moreno	
Total - 86		

NAYS

Total - 0

ABSENT

Abramson	Hazel	LaFonta
Armes	Henderson	Landry
Barras	Hutter	LeBas
Burns, T.	Jackson, G.	Monica
Connick	Jackson, M.	Montoucet
Cromer	Jones, S.	Roy
Total - 18		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Regular Calendar

HOUSE BILL NO. 33—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 33:1448(H)(1) and to enact R.S. 33:1448(H)(3), relative to payment of group insurance premiums for persons retired from the Assumption Parish Sheriff's Office; to require service with the Assumption Parish Sheriff's Office for a specified number of years after a specified date; and to provide for related matters.

Read by title.

Rep. St. Germain moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	McVea
Anders	Geymann	Moreno
Arnold	Gisclair	Norton
Aubert	Greene	Nowlin
Badon, A.	Guillory	Pearson
Badon, B.	Guinn	Ponti
Baldone	Hardy	Pope
Barrow	Harrison	Pugh
Billiot	Hazel	Richard
Bishop	Henry	Richardson
Brossett	Hill	Ritchie
Burford	Hines	Robideaux
Burns, H.	Hoffmann	Schroder
Burns, T.	Honore	Seabaugh
Burrell	Howard	Simon
Carmody	Hutter	Smiley
Carter	Huval	Smith, G.
Champagne	Jackson, G.	Smith, J.
Chandler	Johnson	Smith, P.
Chaney	Jones, R.	St. Germain

Cortez	Jones, S.	Stiaes
Danahay	Kleckley	Talbot
Dixon	LaBruzzo	Templet
Doerge	Lambert	Thibaut
Edwards	Landry	Thierry
Ellington	Leger	White
Fannin	Ligi	Williams
Foil	Little	Willmott
Franklin	Lorusso	Wooton
Total - 87		

NAYS

Total - 0

ABSENT

Abramson	Downs	Lopinto
Armes	Henderson	Monica
Barras	Jackson, M.	Montoucet
Connick	Katz	Morris
Cromer	LaFonta	Roy
Dove	LeBas	
Total - 17		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 60—

BY REPRESENTATIVE GUILLORY
AN ACT

To enact R.S. 33:447.8, relative to the mayor's court of the town of Basile; to authorize an increase in court costs for violations of municipal ordinances; and to provide for related matters.

Read by title.

Rep. Guillory moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Franklin	McVea
Anders	Gallot	Montoucet
Arnold	Geymann	Moreno
Aubert	Gisclair	Morris
Badon, A.	Guillory	Norton
Badon, B.	Guinn	Nowlin
Baldone	Hardy	Ponti
Barrow	Harrison	Pope
Billiot	Hazel	Pugh
Bishop	Hill	Richard
Brossett	Hines	Richardson
Burford	Hoffmann	Ritchie
Burns, H.	Honore	Robideaux
Burns, T.	Howard	Seabaugh
Burrell	Hutter	Simon
Carmody	Huval	Smiley
Carter	Jackson, G.	Smith, G.
Champagne	Johnson	Smith, P.
Chandler	Jones, R.	St. Germain
Chaney	Jones, S.	Stiaes
Cortez	Katz	Talbot
Danahay	Kleckley	Templet

Dixon	LaBruzzo	Thibaut
Doerge	Lambert	Thierry
Dove	Landry	White
Downs	Leger	Williams
Edwards	Ligi	Willmott
Ellington	Little	Wooton
Fannin	Lopinto	
Foil	Lorusso	
Total - 88		

NAYS

Pearson
Total - 2

Schroder

ABSENT

Abramson	Greene	LeBas
Armes	Henderson	Monica
Barras	Henry	Roy
Connick	Jackson, M.	Smith, J.
Cromer	LaFonta	
Total - 14		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Guillory 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. 72—

BY REPRESENTATIVE GISCLAIR
AN ACT

To amend and reenact R.S. 33:2341 and 2344(A) and (B)(1) and (2) and to enact R.S. 33:2345(G), relative to the Law Enforcement Executive Management Institute; to require the institute to serve as coordinator for the training of all chiefs of police; to provide for training of nonmunicipal chiefs of police; to provide definitions; and to provide for related matters.

Read by title.

Rep. Gisclair moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Franklin	Montoucet
Anders	Gallot	Moreno
Arnold	Geymann	Morris
Aubert	Gisclair	Norton
Badon, A.	Guillory	Nowlin
Badon, B.	Guinn	Pearson
Baldone	Harrison	Ponti
Barrow	Hazel	Pope
Billiot	Hill	Richard
Bishop	Hines	Richardson
Brossett	Hoffmann	Ritchie
Burford	Honore	Robideaux
Burns, H.	Howard	Schroder
Burns, T.	Hutter	Seabaugh
Burrell	Huval	Simon
Carmody	Jackson, G.	Smiley
Carter	Jackson, M.	Smith, G.
Champagne	Johnson	Smith, J.
Chandler	Jones, R.	Smith, P.
Chaney	Jones, S.	St. Germain

Cortez	Katz	Stiaes
Cromer	Kleckley	Talbot
Danahay	LaBruzzo	Templet
Dixon	Lambert	Thibaut
Doerge	Landry	Thierry
Dove	Leger	White
Downs	Ligi	Williams
Edwards	Little	Willmott
Ellington	Lopinto	Wooton
Fannin	Lorusso	
Foil	McVea	

Total - 91 NAYS

Total - 0 ABSENT

Abramson	Hardy	Monica
Armes	Henderson	Pugh
Barras	Henry	Roy
Connick	LaFonta	
Greene	LeBas	

Total - 13

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Suspension of the Rules

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

House Bills and Joint Resolutions on Second Reading Reported by Committee

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

HOUSE BILL NO. 174—
BY REPRESENTATIVE HENRY BURNS
AN ACT

To enact R.S. 32:408(B)(7), relative to commercial driver's licenses; to provide for a waiver of certain requirements for certain commercial drivers; and to provide for related matters.

Called from the calendar.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 174 by Representative Henry Burns

AMENDMENT NO. 1

On page 1, line 2, after "enact" change "R.S. 32:408(B)(7)" to "R.S. 32:403.6 and 408(B)(7)"

AMENDMENT NO. 2

On page 1, line 3, after "drivers;" and before "and" insert "to provide for identification cards and hang tags;"

AMENDMENT NO. 3

On page 1, line 6, after "Section 1." change "R.S. 32:408(B)(7) is" to "R.S. 32:403.6 and 408(B)(7) are"

AMENDMENT NO. 4

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

"§403.6. "For Hire" identification cards and hang tags

The office of motor vehicles of the Department of Public Safety and Corrections is hereby authorized to promulgate and adopt rules and regulations to provide for the issuance of "For Hire" identification cards and hang tags. At a minimum the rules shall require that the applicant apply for and possess both the identification card and hang tag. The rules shall also provide for the assessment of a reasonable fee to cover the costs associated with the issuance of the identification card and hang tag. All rules and regulations shall be adopted in accordance with the Administrative Procedure Act and shall be submitted to the House and Senate committees on transportation, highways, and public works for oversight purposes. In addition, the office of motor vehicles shall also be entitled to obtain conviction and arrest records of an applicant seeking a "For Hire" identification card and hang tag, pursuant to R.S. 15:587(H).

* * *

AMENDMENT NO. 5

On page 3, at the end of line 10, insert the following:

"In addition, applicants who are issued a waiver pursuant to this Section are prohibited from driving commercial motor vehicles for public utilities that are regulated by the Louisiana Public Service Commission or the council of the city of New Orleans."

Rep. Henry Burns moved to reject the committee amendments, which motion was agreed to.

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

Under the rules, placed on the regular calendar.

Introduction of House Bills and Joint Resolutions

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

HOUSE BILL NO. 624—
BY REPRESENTATIVE EDWARDS
AN ACT

To amend and reenact R.S. 47:841(B)(5) and 841.1(A) and to repeal R.S. 47:841.1(C)(3), (4), (5), and (6), relative to tobacco taxes; to provide relative to the taxes levied on tobacco; to provide

with respect to the dedications of the avails of certain taxes levied on tobacco; and to provide for related matters.

Read by title.

HOUSE BILL NO. 625—BY REPRESENTATIVE PATRICIA SMITH
AN ACT

To appropriate funds and to make certain reductions in appropriations from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations and reductions for said agencies and purposes for Fiscal Year 2011-2012; to provide for an effective date; and to provide for related matters.

Read by title.

HOUSE BILL NO. 626—BY REPRESENTATIVE ELLINGTON
AN ACT

To enact R.S. 40:1300.144(A)(2)(g), relative to rural hospitals; to provide with respect to medical assistance programs; to allow the payment of a fee for the participation in certain Medicaid reimbursement program; to require the filing of a state plan amendment with the Centers for Medicare and Medicaid Services; and to provide for related matters.

Read by title.

HOUSE BILL NO. 627—BY REPRESENTATIVE GIROD JACKSON
AN ACT

To enact R.S. 47:305.66 and 337.9(D)(31), relative to sales and use tax exemptions; to provide for a state and local sales and use tax exemption for purchases of certain building and construction materials; and to provide for related matters.

Read by title.

HOUSE BILL NO. 628—BY REPRESENTATIVE LEGER
AN ACT

To enact R.S. 17:3351.11(D), relative to tuition and fees at the Louisiana State University Health Sciences Centers; to authorize the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to increase tuition and fee amounts for specified schools of the Louisiana State University Health Sciences Centers; to provide limitations; and to provide for related matters.

Read by title.

HOUSE BILL NO. 629—BY REPRESENTATIVE ELLINGTON
AN ACT

To enact R.S. 22:832.1 and Chapter 55 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:3110 through 3117, relative to tax credits; to establish the Louisiana Entrepreneurial Assistance and Development Program to provide a credit against insurance premium tax for certain venture capital investors; to provide for administration of the program by the Department of Economic Development; to provide for applications and to establish criteria for approval; to establish criteria for investments; to provide for reporting; to provide for other requirements and limitations; and to provide for related matters.

Read by title.

HOUSE BILL NO. 630—BY REPRESENTATIVE RITCHIE
AN ACT

To enact Subpart Q-5 of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:100.126, and R.S. 47:295(E) and 321(L), relative to state revenue; to provide for the extent and applicability of certain exemptions, exclusions, and deductions against certain

state taxes; to provide with respect to certain exemptions, exclusions, and deductions for the individual income tax; to provide with respect to certain exclusions for the state sales and use tax; to establish the Temporary Assistance for Education Fund as a special fund in the state treasury; to provide for the deposit, use, and investment of monies in the fund; to provide for the development of an official estimate of certain revenues; to provide for effectiveness; to authorize rulemaking; and to provide for related matters.

Read by title.

HOUSE BILL NO. 631—BY REPRESENTATIVE TUCKER
AN ACT

To appropriate funds for Fiscal Year 2011-2012 to defray the expenses of the Louisiana Legislature, including the expenses of the House of Representatives and the Senate, of legislative service agencies, and of the Louisiana State Law Institute; to provide for the salary, expenses and allowances of members, officers, staff and agencies of the Legislature; to provide with respect to the appropriations and allocations herein made; and to provide for related matters.

Read by title.

HOUSE BILL NO. 632—BY REPRESENTATIVE HENRY
AN ACT

To amend and reenact R.S. 47:287.95(K) and 606(A)(1)(e), relative to corporation income and franchise tax; to provide for the method of determining certain taxable revenue from broadcasting film or radio programming which is attributable to activity in Louisiana; to provide for definitions; to provide for effectiveness; and to provide for related matters.

Read by title.

HOUSE BILL NO. 633—BY REPRESENTATIVE GREENE
AN ACT

To amend and reenact R.S. 47:31 and to repeal R.S. 47:32(C), 287.11, and 287.12, relative to the state tax imposed on the taxable income of corporations; to repeal the tax; to provide for an effective date; and to provide for related matters.

Read by title.

HOUSE BILL NO. 634—BY REPRESENTATIVE GREENE
AN ACT

To amend and reenact R.S. 47:31 and to repeal R.S. 47:32(A) and (B) and 295, relative to individual income tax; to repeal the state tax imposed on the net income of individuals; to repeal the rate of the tax imposed on the net income of individuals; to provide for an effective date; and to provide for related matters.

Read by title.

Introduction of Resolutions, House and House Concurrent

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

HOUSE CONCURRENT RESOLUTION NO. 64—BY REPRESENTATIVE HOFFMANN
A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Charles G. Alger, a beloved municipal employee and Retired District Chief of the Monroe Fire Department.

Read by title.

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

Ordered to the Senate.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Administration of Criminal Justice

May 4, 2011

To the Speaker and Members of the House of Representatives:

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

House Bill No. 13, by Gisclair
Reported favorably. (15-0) (Local & Consent)

House Bill No. 49, by Leger
Reported favorably. (13-0) (Regular)

House Bill No. 110, by Wooton
Reported with amendments. (16-0) (Regular)

House Bill No. 121, by Wooton
Reported favorably. (14-0) (Regular)

House Bill No. 122, by Wooton
Reported favorably. (14-0) (Regular)

House Bill No. 125, by Foil
Reported with amendments. (14-0) (Regular)

House Bill No. 131, by Templet
Reported favorably. (13-0) (Regular)

House Bill No. 229, by Hazel
Reported favorably. (13-0) (Regular)

ERNEST D. WOOTON
Chairman

Report of the Committee on Education

May 4, 2011

To the Speaker and Members of the House of Representatives:

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

House Bill No. 537, by Tucker
Reported favorably, with recommendation that it be recommitted to the Committee on Appropriations. (10-5)

House Bill No. 549, by Tucker
Reported with amendments. (14-0) (Regular)

AUSTIN J. BADON, JR.
Chairman

Report of the Committee on Health and Welfare

May 4, 2011

To the Speaker and Members of the House of Representatives:

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

House Bill No. 276, by Montoucet
Reported with amendments. (11-0) (Regular)

House Bill No. 586, by Hoffmann
Reported by substitute. (12-0) (Regular)

KAY KELLOGG KATZ
Chairman

Report of the Committee on House and Governmental Affairs

May 4, 2011

To the Speaker and Members of the House of Representatives:

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

House Bill No. 188, by Hardy
Reported with amendments. (13-0) (Regular)

House Bill No. 284, by Willmott
Reported favorably. (11-0) (Regular)

House Bill No. 449, by Abramson
Reported with amendments. (11-0) (Regular)

House Bill No. 498, by Templet
Reported with amendments. (13-0) (Regular)

RICHARD "RICK" GALLOT, JR.
Chairman

Report of the Committee on Insurance

May 4, 2011

To the Speaker and Members of the House of Representatives:

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

House Bill No. 107, by Talbot
Reported favorably. (9-0) (Regular)

House Bill No. 137, by Cortez
Reported with amendments. (11-0) (Regular)

House Bill No. 168, by Thibaut
Reported by substitute. (9-0) (Regular)

House Bill No. 259, by Kleckley
Reported favorably. (8-0) (Regular)

House Bill No. 400, by Cortez
Reported with amendments. (9-0) (Regular)

House Bill No. 446, by Little
Reported favorably. (8-0) (Regular)

House Bill No. 462, by McVea
Reported with amendments. (9-0) (Regular)

CHARLES E. "CHUCK" KLECKLEY
Chairman

**Report of the Committee on
Natural Resources and Environment**

May 4, 2011

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Natural Resources and Environment to submit the following report:

House Bill No. 58, by Ligi
Reported with amendments. (8-0-1) (Regular)

House Bill No. 77, by Barras
Reported with amendments. (7-0-2) (Regular)

House Bill No. 113, by St. Germain
Reported with amendments. (7-0-2) (Regular)

House Bill No. 201, by Armes
Reported with amendments. (8-0-1) (Regular)

House Bill No. 459, by Abramson
Reported with amendments. (11-0-1) (Regular)

GORDON E. DOVE, SR.
Chairman

**Petitions, Memorials, and
Communications**

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

Message from the Senate

SIGNED SENATE CONCURRENT RESOLUTIONS

May 4, 2011

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. 2, 6, 7, 11, 12, 14, 15, and 17.

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.

Privileged Report of the Committee on Enrollment

May 4, 2011

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. 21—

BY REPRESENTATIVES NORTON, ABRAMSON, ANDERS, ARMES, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BARROW, BILLIOT, BISHOP, BROSSETT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, CROMER, DANAHAY, DIXON, DOERGE, DOVE, DOWNS, EDWARDS, ELLINGTON, FANNIN, FOIL, FRANKLIN, GALLOT, GEYMAN, GISCLAIR, GREENE, GUILLORY, GUINN, HARDY, HARRISON, HAZEL, HENDERSON, HENRY, HILL, HINES, HOFFMANN, HONORE, HOWARD, HUTTER, HUVAL, GIROD JACKSON, MICHAEL JACKSON, JOHNSON, ROSALIND JONES, SAM JONES, KATZ, KLECKLEY, LABRUZZO, LAFONTA, LAMBERT, LANDRY, LEBAS, LEGER, LIGI, LITTLE, LOPINTO, LORUSSO, MCVEA, MONICA, MONTUCET, MORENO, MORRIS, NOWLIN, PEARSON, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RITCHIE, ROBIDEAUX, ROY, SCHRODER, SEABAUGH, SIMON, SMILEY, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, STIAES, TALBOT, TEMPLET, THIBAUT, THIERRY, TUCKER, WHITE, WILLIAMS, WILLMOTT, AND WOOTON

A RESOLUTION

To commend President Barack Obama, commander-in-chief, United States Armed Forces, and United States intelligence officials upon achieving success in the mission to bring Osama bin Laden to justice, to recognize and honor those who lost their lives on September 11, 2001, and members of the armed forces killed while fighting the war on terror, and to express appreciation to those who daily carry out the military, diplomatic, and intelligence initiatives necessary to protect freedom in the world.

HOUSE RESOLUTION NO. 22—

BY REPRESENTATIVE RICHARD
A RESOLUTION

To recognize Tuesday, May 3, 2011, as Louisiana Society of Professional Surveyors Day at the Louisiana State Capitol.

HOUSE RESOLUTION NO. 23—

BY REPRESENTATIVE ST. GERMAIN
A RESOLUTION

To recognize May 4, 2011, as "Louisiana Chemical Industry Day" in the state of Louisiana.

HOUSE RESOLUTION NO. 24—

BY REPRESENTATIVE TUCKER
A RESOLUTION

To commend Mr. and Mrs. Robert Branson upon the celebration of their fiftieth wedding anniversary.

Respectfully submitted,

JEAN DOERGE
Chair

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 4, 2011

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

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

The following House Concurrent Resolutions have been properly enrolled:

HOUSE CONCURRENT RESOLUTION NO. 60—

BY REPRESENTATIVE ROSALIND JONES

A CONCURRENT RESOLUTION

To commend and congratulate the Carroll High School boys basketball team upon winning the Class 3A state championship.

Respectfully submitted,

JEAN DOERGE
Chair

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

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:

House Bill Nos. 393 and 426

Leave of Absence

Rep. Connick - 3 days

Adjournment

On motion of Rep. Billiot, at 5:35 P.M., the House agreed to adjourn until Thursday, May 5, 2011, at 9:00 A.M.

The Speaker of the House declared the House adjourned until 9:00 A.M., Thursday, May 5, 2011.

ALFRED W. SPEER
Clerk of the House