

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

NINETEENTH 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 25, 2011

The House of Representatives was called to order at 1:00 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	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	Hensgens	Richardson
Burford	Hill	Ritchie
Burns, H.	Hines	Robideaux
Burns, T.	Hoffmann	Roy
Burrell	Honore	Schroder
Carmody	Howard	Seabaugh
Carter	Hutter	Simon
Champagne	Huval	Smiley
Chandler	Jackson, M.	Smith, G.
Chaney	Johnson	Smith, J.
Connick	Jones, R.	Smith, P.
Cortez	Jones, S.	St. Germain
Cromer	Katz	Stiaes
Danahay	Kleckley	Talbot
Dixon	LaBruzzo	Templet
Doerge	LaFonta	Thibaut
Downs	Lambert	Thierry
Edwards	Landry	White
	LeBas	Williams

Ellington
Fannin
Foil
Total - 101

Ligi
Little
Lopinto

Willmott
Wooton

The Speaker announced that there were 101 members present and a quorum.

Prayer

Prayer was offered by Franklin D. Caldwell, Sr., Pastor of the Oasis Worship Center of Alexandria.

Pledge of Allegiance

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

Naomi Cordill 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 24, 2011, was adopted.

**Petitions, Memorials, and
Communications**

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

Message from the Senate

SENATE BILLS

May 25, 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. 76 and 154

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. 76—

BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 38:2211(A)(12) and to enact R.S. 38:2225.5, relative to contracts by public entities; to provide for certain restrictions; to provide for definitions; to provide for an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 154—

BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 22:1053(A), (B), and (C), relative to health insurance; to provide for coverage of step therapy or fail first protocols; to provide for any health care coverage plan

which includes prescription benefits as part of its policy or contract; to provide for the duration of step therapy or fail first protocol when treatment is deemed ineffective; 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 RESOLUTION NO. 44—
BY REPRESENTATIVE POPE

A RESOLUTION

To commend Clarence and Deetie Richardson of Denham Springs upon the celebration of their fiftieth wedding anniversary on April 21, 2011.

Read by title.

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

HOUSE RESOLUTION NO. 45—
BY REPRESENTATIVES GALLOT AND DOWNS
A RESOLUTION

To commend Connie Elkins Bradford for a long and productive career in education upon her retirement as head of school at Cedar Creek School in Ruston.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 123—
BY REPRESENTATIVE HUVAL AND SENATOR MILLS
A CONCURRENT RESOLUTION

To commend the Breaux Bridge High School boys' track and field team upon winning the 2011 Class 4A state championship.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 124—
BY REPRESENTATIVE CARTER
A CONCURRENT RESOLUTION

To commend Glasgow Middle School eighth grader Scott Wu upon winning the 2011 Raytheon MATHCOUNTS National Competition in Washington, D.C.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 125—
BY REPRESENTATIVE HOFFMANN
A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to revise the Louisiana Educational Assessment Program testing schedule to provide for the administration of

the tests required pursuant to the program as close to the end of the school year as practically possible and to report to the House Committee on Education and the Senate Committee on Education prior to the 2012 Regular Session of the Legislature.

Read by title.

Lies over under the rules.

**House and House Concurrent Resolutions
Lying Over**

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

HOUSE RESOLUTION NO. 43—
BY REPRESENTATIVE PONTI

A RESOLUTION

To repeal House Rule 7.19 of the Rules of Order of the House of Representatives that provides for certain motions and vote requirements relative to an appropriation bill that appropriates one-time money for ordinary recurring expenses.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 121—
BY REPRESENTATIVES CARTER, AUSTIN BADON, BARRAS, BURFORD, TIM BURNS, CARMODY, CHAMPAGNE, CONNICK, CORTEZ, DANAHAY, ELLINGTON, FOIL, HARRISON, HENRY, KLECKLEY, LEGER, LIGI, LOPINTO, LORUSSO, MORRIS, NOWLIN, PEARSON, PUGH, RICHARD, ROY, SCHRODER, SEABAUGH, TALBOT, AND THIBAUT

A CONCURRENT RESOLUTION

To establish an understanding and shared vision between the Board of Regents and the Louisiana Legislature regarding the future of higher education in Louisiana.

Read by title.

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

**Senate Concurrent Resolutions
Lying Over**

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

SENATE CONCURRENT RESOLUTION NO. 5—
BY SENATOR MORRISH AND REPRESENTATIVE DOVE
A CONCURRENT RESOLUTION

To approve the fiscal year 2011-2012 annual plan for integrated coastal protection, as adopted by the Coastal Protection and Restoration Authority.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 18—
BY SENATOR MORRISH
A CONCURRENT RESOLUTION

To urge and request the office of coastal protection and restoration and the Department of Wildlife and Fisheries to jointly study shoreline protection, effects on marine species diversity and habitat quality, and economic and other ecosystem service values of the Sabine Reef.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 38—
BY SENATOR THOMPSON

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Dr. Foster Jay Taylor.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 39—
BY SENATOR GAUTREAU AND REPRESENTATIVE PEARSON
A CONCURRENT RESOLUTION

To commend Mrs. Suzanne D. Adams, retirement benefits administrator for the Louisiana State Employees' Retirement System, on the occasion of her retirement.

Read by title.

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

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

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

SENATE BILL NO. 21—
BY SENATOR RISER

AN ACT

To amend and reenact R.S. 47:305(D)(1)(c) and (p), relative to exemptions from the sales and use taxes of the state; to provide an exemption for certain water; 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. 72—
BY SENATORS MICHOT, ALARIO, APPEL, CROWE, MARTINY, SMITH
AND THOMPSON

AN ACT

To amend and reenact R.S. 51:2461, relative to the Louisiana Quality Jobs Program; to extend the deadline for applications to receive tax credits or rebates; 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. 122—
BY SENATOR AMEDEE

AN ACT

To amend and reenact R.S. 33:1236(30)(b)(i), (iii), (iv), and (vi), relative to the powers of local governing authorities; to authorize the governing authority of Ascension Parish to require and compel property owners to remove debris, wrecked or used motor vehicles, or any other discarded or abandoned items on their property; to authorize the governing authority to adopt ordinances placing any cost incurred for removal of such debris or items on the ad valorem tax bills of the parish; to authorize a collection fee for the sheriff of such parish; to provide relative

to any action brought to contest the placing of such costs on the tax bills; 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. 157—
BY SENATOR AMEDEE

AN ACT

To enact Subpart K of Part VI of Chapter 1 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:300.33, relative to the Lamar-Dixon Expo Center in Ascension Parish; to provide relative to corporate sponsorship and revenue generation; 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. 217—
BY SENATORS LONG AND THOMPSON
AN ACT

To amend and reenact R.S. 25:342(B)(3)(c) through (h), 352(A) and (B)(2)(b), 380.141(A), 380.142(A), (C), and (E), 380.143(B)(4) and (C)(2), 380.144, 380.145(A), (B), (C)(2)(a) and (b)(iii), 380.146, and to enact R.S. 25:380.147, R.S. 36:744(DD) and 801.21, and to repeal R.S. 25:342(B)(3)(i) and 380.143(C)(3) and R.S. 36:209(W)(2) and (Y), relative to the Louisiana Political Museum and Hall of Fame; to transfer all powers, duties, employees, and responsibilities from the jurisdiction of the office of state museums in the Department of Culture, Recreation and Tourism to the Department of State; to provide relative to the governing authority of the museum, including its composition, powers, duties, responsibilities, meetings, employees, and officers; to provide for the adoption of rules, regulations and fees; to provide for receipt and use of funds, property, and self-generated revenue; to provide relative to the authority of the museum with respect to the museum; to provide relative to personnel and budgets of the museum; 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 Municipal, Parochial and Cultural Affairs.

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

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

HOUSE RESOLUTION NO. 9—
BY REPRESENTATIVE PATRICIA SMITH
A RESOLUTION

To urge and request the clerk and the sergeant at arms of the House of Representatives of the Legislature of Louisiana to work collaboratively to develop and implement policies and procedures for the inspection of the contents of mail and packages delivered to House members on the House Floor and to submit jointly, in writing, any recommendations for related legislation with respect to House Rules to the House Committee on House and Governmental Affairs at least sixty days prior to the beginning of the 2012 Regular Session of the Legislature of Louisiana.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

HOUSE RESOLUTION NO. 37—
BY REPRESENTATIVE ROY

A RESOLUTION

To adopt House Rule 6.8(J) of the Rules of Order of the House of Representatives to require the recommitment to the Committee on Administration of Criminal Justice of legislative instruments which establish a new crime or change the nature, elements, definition, or applicable penalties of an existing crime.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

HOUSE CONCURRENT RESOLUTION NO. 4—
BY REPRESENTATIVE NORTON

A CONCURRENT RESOLUTION

To adopt Joint Rule No. 5 of the Joint Rules of the Senate and House of Representatives to require plain language in constitutional amendment ballot language and to require such ballot language to be phrased in the form of a question.

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 Concurrent Resolution No. 4 by Representative Norton

AMENDMENT NO. 2

On page 1, line 8, between "language" and "constitutional" change "in" to "for"

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

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

HOUSE CONCURRENT RESOLUTION NO. 86—
BY REPRESENTATIVE HUTTER

A CONCURRENT RESOLUTION

To urge and request the Louisiana Coalition Against Domestic Abuse to appoint and convene a task force to evaluate existing court-approved domestic abuse intervention programs across the state, to study similar programs in other states to determine responsible, evidence-based best practices in the field of domestic abuse intervention, and to report to the Louisiana Legislature its findings and recommendations relative to the development of minimum standards for domestic abuse intervention programs in this state.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

HOUSE CONCURRENT RESOLUTION NO. 87—
BY REPRESENTATIVE ELLINGTON

A CONCURRENT RESOLUTION

To apply for an amendments convention to be called for the purpose of proposing an amendment to the Constitution of the United States which shall provide that an increase in the federal debt requires approval from a majority of the legislatures of the separate states.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

HOUSE CONCURRENT RESOLUTION NO. 88—
BY REPRESENTATIVES LEGER, LOPINTO, AND WHITE

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to review and evaluate terminology that is currently contained in Louisiana law which refers to persons with disabilities, to propose alternative terminology to be used prospectively by the Legislature of Louisiana when enacting or amending legislation which refers to persons with disabilities, to identify and recommend for substitution terms currently appearing in Louisiana law which convey negative or derogatory perceptions of persons with disabilities, and to recommend replacement terminology for these identified provisions.

Read by title.

Reported favorably by the Committee on Health and Welfare.

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

HOUSE CONCURRENT RESOLUTION NO. 91—
BY REPRESENTATIVE LIGI

A CONCURRENT RESOLUTION

To urge and request the Board of Ethics to develop a procedure to certify persons and programs to deliver education and training regarding the laws within the jurisdiction of the board to public servants and other persons required to receive education and training regarding those laws.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

HOUSE CONCURRENT RESOLUTION NO. 98—
BY REPRESENTATIVES HONORE, LEGER, AND GARY SMITH

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to evaluate Louisiana law for compliance with the United States Supreme Court's ruling in the case of *Graham v. Florida*, 982 So.2d 43 (2010) and to report its findings and recommendations to the Legislature of Louisiana as to whether it is necessary to amend Louisiana's juvenile sentencing laws to comply with the ruling in that case.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

HOUSE CONCURRENT RESOLUTION NO. 105—

BY REPRESENTATIVE SMILEY

A CONCURRENT RESOLUTION

To urge and request that the legislative auditor prepare and issue a report concerning boards and commissions that have failed to comply with the requirements of Chapter 20 of Title 49 of the Louisiana Revised Statutes of 1950.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

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

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

HOUSE BILL NO. 79—

BY REPRESENTATIVE RITCHIE

AN ACT

To amend and reenact R.S. 17:3217.1(C)(1), the heading of Chapter 41 of Title 17 of the Louisiana Revised Statutes of 1950, and 3951(A) and R.S. 36:651(G)(2), relative to secondary education; to provide relative to the name of the High School Redesign Commission; to provide relative to high school redesign with respect to vocational and technical education; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 95—

BY REPRESENTATIVE CHANEY

AN ACT

To enact R.S. 17:221(K), relative to compulsory school attendance; to exempt from the compulsory school attendance law and other related provisions certain students who are at least seventeen years of age and have been issued a Louisiana high school equivalency diploma; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

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

HOUSE BILL NO. 141—

BY REPRESENTATIVES STIAES, ROSALIND JONES, AND PATRICIA SMITH

AN ACT

To amend and reenact R.S. 14:89.2(B)(2) and (C) and R.S. 15:541(24)(a), relative to crime against nature; to amend criminal penalties for crime against nature by solicitation; to

provide with respect to the list of offenses for which an offender shall comply with sex offender registration and notification requirements; 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. 141 by Representative Stiaes

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 14:89.2(B)(2)" delete the remainder of the line and insert "and (C) and R.S. 15:541(24)(a),"

AMENDMENT NO. 2

On page 1, at the beginning of line 3, delete "14:89.2(C),"

AMENDMENT NO. 3

On page 1, line 4, change "remove certain offenses from" to "provide with respect to"

AMENDMENT NO. 4

On page 1, line 8, after "R.S. 14:89.2(B)(2)" and before "hereby" delete "is" and insert "and (C) are"

AMENDMENT NO. 5

On page 1, between lines 17 and 18, insert the following:

"C. A violation of the provisions of ~~Paragraphs (B)(2) and (3)~~ Paragraph (B)(3) of this Section shall be considered a sex offense as defined in R.S. 15:541 and the offender shall be required to register as a sex offender as provided for in Chapter 3-B of Title 15 of the Louisiana Revised Statutes of 1950."

AMENDMENT NO. 6

On page 2, line 5, after "(aggravated incest)," insert "R.S. 14:89 (crime against nature),"

AMENDMENT NO. 7

On page 2, line 6, after the comma "," and before "R.S. 14:80" insert "R.S. 14:89.2(B)(3) (crime against nature by solicitation)."

AMENDMENT NO. 8

On page 2, delete lines 28 through 31 in their entirety and insert the following:

"Section 3. The provisions of this Act shall only apply to those persons convicted on or after August 15, 2011."

AMENDMENT NO. 9

On page 3, delete lines 1 and 2 in their entirety

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

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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. 255—

BY REPRESENTATIVE BURRELL

AN ACT

To amend and reenact R.S. 46:2138 and Children's Code Article 1566, relative to domestic abuse assistance; to provide for petitions for protective orders; to authorize assistance by domestic violence advocates; to provide for definitions; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 255 by Representative Burrell

AMENDMENT NO. 1

On page 1, line 4, after "advocates;" and before "and" insert "to provide for definitions;"

AMENDMENT NO. 2

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

"C. For purposes of this Section, "domestic abuse advocate" means an employee or representative of a community based shelter providing services to victims of family violence or domestic abuse."

AMENDMENT NO. 3

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

"C. For purposes of this Article, "domestic abuse advocate" means an employee or representative of a community based shelter providing services to victims of family violence or domestic abuse."

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. 277—

BY REPRESENTATIVES WILLIAMS, ARNOLD, GEYMAN, AND JANE SMITH

AN ACT

To enact R.S. 49:150.1(H), relative to the state capitol complex; to provide for a Ten Commandments monument on the state capitol grounds; to provide that the commissioner of administration shall select a proposal and arrange for installation; to provide for design, construction, and installation of the monument without cost to the state; to provide for content and limitations; to authorize delegation of the commissioner's responsibilities; 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. 277 by Representative Williams

AMENDMENT NO. 1

On page 1, at the end of line 15, after "monument" insert a comma "," and "which shall be among other monuments,"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 285—

BY REPRESENTATIVE DIXON

AN ACT

To amend and reenact R.S. 15:572.8(H)(2)(introductory paragraph), (a), and (b) and (N)(1) and to enact R.S. 15:572.8(Q), relative to compensation for wrongful conviction and imprisonment; to provide for the amount of compensation; to provide for job-skills training; to provide for medical and counseling services; to provide for the Innocence Compensation Fund; to authorize the filing of a supplemental petition; to provide for time limitations; and to provide for related matters.

Read by title.

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

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. 285 by Representative Dixon

AMENDMENT NO. 1

On page 1, line 3, change "R.S. 15:572.8(H)(5) and (6) and (Q)" to "R.S. 15:572.8(Q)"

AMENDMENT NO. 2

On page 1, at the end of line 5, delete "to"

AMENDMENT NO. 3

On page 1, line 6, delete "provide for expungement of the crime;"

AMENDMENT NO. 4

On page 1, line 11, change "R.S. 15:572.8(H)(5) and (6) and (Q) are" to "R.S. 15:572.8(Q) is"

AMENDMENT NO. 5

On page 2, delete lines 10 through 16 in their entirety

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

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

HOUSE BILL NO. 293—
BY REPRESENTATIVE DOVE

AN ACT

To amend and reenact R.S. 44:4.1(B)(33) and to enact R.S. 56:6(34) and 433.1(A)(4), relative to the powers and authority of the Wildlife and Fisheries Commission; to authorize the commission to regulate and permit the taking of certain species of fish; to authorize the commission to require the use of vessel monitoring systems on vessels engaged in commercial harvest from the public oyster seed grounds; 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. 293 by Representative Dove

AMENDMENT NO. 1

On page 2, line 22, after "shall be" change "held in confidentiality" to "confidential"

AMENDMENT NO. 2

On page 2, at the end of line 23, change "Act." to "Law."

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. 326—
BY REPRESENTATIVE RITCHIE

AN ACT

To repeal R.S. 40:2116(D)(7) and (8), relative to nursing home facilities; to repeal eligibility for participation in the bed abeyance program for certain Washington Parish facilities; to repeal the licensing and approval requirements for additional nursing facilities and beds in nursing facilities.

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. 388—
BY REPRESENTATIVES MONICA, ELLINGTON, AND HARRISON

AN ACT

To enact R.S. 18:1266, relative to presidential electors; to enter into an interstate compact titled as the "Agreement Among the States

to Elect the President by National Popular Vote" on behalf of the state of Louisiana; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 391—
BY REPRESENTATIVES TUCKER AND LIGI
A JOINT RESOLUTION

Proposing to amend Article IV, Section 22(A), Article VII, Sections 10.1(C)(1) and (3) and (D)(1)(introductory paragraph) and 10.4(B)(1), (3), and (4), and Article VIII, Sections 5 and 16, to add Part IV of Article XIV, to be comprised of Section 41, and to repeal Article VIII, Sections 6, 7, 7.1, 8(B), and 12 of the Constitution of Louisiana to provide for the governance of public postsecondary education; to create the Louisiana Postsecondary Education Board of Trustees; to abolish the Board of Regents and the postsecondary education management boards and transfer their powers, duties, and responsibilities to the board of trustees; to provide relative to the operation and management of public hospitals by the board of trustees; to provide relative to creation of new institutions of postsecondary education; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 391 by Representative Tucker

AMENDMENT NO. 1

On page 1, line 2, between "Sections" and "10.1(C)(1)" insert "2.1,"

AMENDMENT NO. 2

On page 1, line 3, after "(D)(1)(introductory paragraph)" insert a comma ","

AMENDMENT NO. 3

On page 1, line 11, change "creation of new" to "tuition and mandatory fees charged by"

AMENDMENT NO. 4

On page 2, line 21, delete "Section" and insert "Sections 2.1,"

AMENDMENT NO. 5

On page 2, line 21, after "(D)(1)(introductory paragraph)" insert a comma ","

AMENDMENT NO. 6

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

"§2.1. Fees and Civil Fines; Limitation

Section 2.1.(A) Any Except as provided in Paragraphs (B) and (C) of this Section, any new fee or civil fine or increase in an existing fee or civil fine imposed or assessed by the state or any board, department, or agency of the state shall require the enactment of a law by a two-thirds vote of the elected members of each house of the legislature.

(B) The provisions of Paragraph (A) of this Section shall not apply to any department which is constitutionally created and headed by an officer who is elected by majority vote of the electorate of the state.

(C) Any new tuition or mandatory fee amount or increase in an existing tuition or mandatory fee amount at a public institution of postsecondary education shall require the enactment of a law by the legislature.

* * *

AMENDMENT NO. 7

On page 5, line 8, after "The board" delete "should" and insert "shall"

AMENDMENT NO. 8

On page 6, at the end of line 19, insert "and then only by law enacted by two-thirds of the elected members of each house."

AMENDMENT NO. 9

On page 9, at the end of line 16, delete the period "." and insert "and to provide that tuition increases at public colleges and universities require an Act passed by a majority vote of the legislature rather than a two-thirds vote of the legislature."

AMENDMENT NO. 10

On page 9, line 18, between "VII, §§" and "10.1(C)(1)" insert "2.1,"

AMENDMENT NO. 11

On page 9, line 19, after "(D)(1)(introductory paragraph)" insert a comma ","

Rep. Austin Badon moved the adoption of the amendments.

Rep. Jane Smith objected.

Rep. Jane Smith asked for and obtained a division of the question.

Acting Speaker Carmody in the Chair

Motion

On motion of Rep. Tucker, Amendment Nos. 2, 5, 7, 8, and 11 were adopted.

Point of Order

Rep. Arnold asked for a ruling from the Chair as to whether Amendment Nos. 1, 3, 4, 6, 9, and 10 were germane to the bill.

Ruling of the Chair

The Chair ruled that Amendment Nos. 1, 3, 4, 6, 9, and 10 were not germane to the bill.

Appeal of the Ruling of the Chair

Rep. Stiaes appealed the ruling of the Chair.

Rep. Tucker objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Geymann	Montoucet
Abramson	Gisclair	Moreno
Anders	Greene	Morris
Arnold	Guillory	Norton
Badon, B.	Guinn	Nowlin
Baldone	Hardy	Pearson
Barras	Harrison	Ponti
Billiot	Hazel	Pope
Burford	Henry	Richard
Burns, H.	Hensgens	Richardson
Burns, T.	Hill	Ritchie
Carmody	Hines	Robideaux
Carter	Hoffmann	Schroder
Champagne	Honore	Seabaugh
Chandler	Howard	Simon
Chaney	Hutter	Smiley
Connick	Huval	Smith, G.
Cortez	Johnson	Smith, J.
Cromer	Jones, R.	Talbot
Danahay	Katz	Templet
Dixon	LaBruzzo	Thibaut
Doerge	Lambert	Thierry
Dove	Landry	White
Downs	Ligi	Williams
Edwards	Little	Willmott
Ellington	Lopinto	Wooton
Fannin	Lorusso	
Foil	McVea	
Total - 82		

NAYS

Badon, A.	Franklin	Smith, P.
Barrow	Gallot	Stiaes
Brossett	Jackson, M.	
Burrell	LaFonta	
Total - 10		

ABSENT

Arnes	Jones, S.	Pugh
Aubert	Kleckley	Roy
Bishop	LeBas	St. Germain
Henderson	Leger	
Jackson, G.	Monica	
Total - 13		

The Chair was sustained.

Amendment Nos. 1, 3, 4, 6, 9, and 10 were withdrawn.

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

HOUSE BILL NO. 401—

BY REPRESENTATIVES HUTTER, DOERGE, ROSALIND JONES, AND
PATRICIA SMITH AND SENATOR BROOME
AN ACT

To amend and reenact R.S. 14:35.3(C), (D)(introductory paragraph) and (1), and (K), relative to domestic abuse battery; to increase penalties for first and second offenses of domestic abuse battery; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 414—

BY REPRESENTATIVES LOPINTO AND MORENO
AN ACT

To amend and reenact Code of Criminal Procedure Articles 880 and 892(B)(1)(introductory paragraph) and (c) and R.S. 15:571.3(A)(1), (B)(1)(a), (2), and (3), and (C), 571.4, 571.5(A), 574.9(E), 828(B), and 833.1(E), to enact R.S. 15:571.3(B)(4), and to repeal Code of Criminal Procedure Article 890.1 and R.S. 15:571.6 and 571.8, relative to diminution of sentence and parole eligibility; to provide for the receipt of credit for prior custody; to provide for inclusion of the Uniform Sentencing Commitment Order in documents accompanying post-sentence sheriff's statement; to provide with respect to the earning of diminution of sentence for certain offenses; to provide for the reorganization of certain provisions of law regarding diminution of sentence; to provide for applicability; to authorize diminution of sentence for certain offenses; to provide for the forfeiture of earned credits toward the reduction of the projected good time parole supervision date; to provide for the forfeiture of credit for time served in actual custody; to provide for the earning of additional credits toward the reduction of the projected good time parole supervision date; 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. 414 by Representative Lopinto

AMENDMENT NO. 1

On page 1, line 3, and on page 2, line 1, after "paragraph)" and before "and" insert "and (c)"

AMENDMENT NO. 2

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

AMENDMENT NO. 3

On page 1, at the beginning of line 5, delete "892(B)(1)(d) and"

AMENDMENT NO. 4

On page 2, lines 2 and 3, delete "and Code of Criminal Procedure 892(B)(1)(d) is hereby enacted"

AMENDMENT NO. 5

On page 2, delete lines 25 through 28 in their entirety and add the following:

"(c) ~~The name and address of the judge and of the district attorney who participated in the trial.~~ A copy of the Uniform Sentencing Commitment Order in the format authorized by the Louisiana Supreme Court which shall include the name and address of the judge, the district attorney, and the defense attorney who participated in the sentencing trial."

AMENDMENT NO. 6

On page 3, line 1, after "(C)" delete the comma "," and delete the remainder of the line

AMENDMENT NO. 7

On page 3, at the beginning of line 2, delete "574.9(E), 828(B), and 833.1(E)"

AMENDMENT NO. 8

On page 4, line 3, delete "one and one half day" and insert "of one and one half days"

AMENDMENT NO. 9

On page 4, line 4, after "sentence" and before the period "." insert a comma "," and "including time spent in custody with good behavior prior to sentence for the particular sentence imposed as authorized by the provisions of Code of Criminal Procedure Article 880."

AMENDMENT NO. 10

On page 7, between lines 14 and 15, insert the following:

"Section 3. R.S. 15:571.4, 571.5(A), 574.9(E), 828(B), and 833.1(E) are hereby amended and reenacted to read as follows:"

AMENDMENT NO. 11

On page 7, line 29, change "or" to "and"

AMENDMENT NO. 12

On page 8, line 25, change "two hundred fifty" to "five hundred forty"

AMENDMENT NO. 13

On page 11, line 8, change "Section 3." to "Section 4."

AMENDMENT NO. 14

On page 11, delete line 10 in its entirety and add the following:

"Section 5. The provisions of Section 2 of this Act shall only apply to those persons sentenced on"

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. 416—
BY REPRESENTATIVE LOPINTO
AN ACT

To amend and reenact R.S. 15:574.4(A)(1), relative to parole eligibility; to provide for parole eligibility for certain offenders after serving a certain portion of the criminal sentence; to provide for exceptions; 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. 416 by Representative Lopinto

AMENDMENT NO. 1

On page 1, line 17, after "first" and before "felony" delete "or second"

AMENDMENT NO. 2

On page 1, line 19, after "a" and before "felony" change "third" to "second"

AMENDMENT NO. 3

On page 1, line 20, after "servng" and before "percent" change "fifty" to "thirty-three and one-third"

AMENDMENT NO. 4

On page 2, line 1, after "of a" and before "or" change "fourth" to "third"

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.

Speaker Tucker in the Chair

HOUSE BILL NO. 423—
BY REPRESENTATIVES HOWARD AND SMILEY
AN ACT

To amend and reenact R.S. 49:214.6.3(B)(5), relative to wetlands mitigation; to authorize the acquisition of property for wetlands mitigation associated with the Comite River Diversion Project, Amite River and Tributaries, Louisiana project under certain conditions; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources and Environment to Original House Bill No. 423 by Representative Howard

AMENDMENT NO. 1

On page 2, line 4, after "R.S. 9:1271, et seq." add the following:

"Persons from whom property is acquired for such mitigation purposes shall be allowed to avail themselves of the applicable provisions of R.S. 31:149 and R.S. 9:2795, for the sale of property, or any right or servitude thereof, made pursuant to this Paragraph. However, any mineral rights reserved under R.S. 31:149 shall except and exclude any and all rights to use the surface of the above-described property for any purpose including the right to enter upon or over the surface of said property for the purpose of exploration, development, production, or removal of minerals and shall be subject to the condition that no exploration, development, production, or removal of minerals of any kind may be conducted upon the property or in a manner that may impact or interfere with the use of the property for mitigation purposes."

AMENDMENT NO. 2

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

"However, whether or not full ownership, excluding any reservations of mineral rights permitted under this Paragraph, is acquired for such mitigation purposes, the acquiring authority shall grant to any property owner from whom only a portion of his property has been acquired for such purpose, authority to traverse such formerly owned property in order to gain access to the Comite River. Such servitude of passage shall be limited to property owners who transfer a portion of their property for mitigation purposes. Such servitude of passage shall be heritable and subject to transfer."

AMENDMENT NO. 3

On page 2, delete lines 14 through 28 in their entirety and on page 3, delete lines 1 through 2 in their entirety and insert in lieu thereof the following:

"(c) If it is necessary to acquire the mitigation land in full ownership, excluding any reservation of mineral rights permitted under this Paragraph, a conservation servitude shall be imposed on such land for the purpose of retaining or protecting fish and wildlife mitigation lands, ecosystems, restorations, and other environmental purposes, unless it is determined by the state agency or other authority acting as the nonfederal sponsor of the Comite River Diversion Project, Amite River and Tributaries, Louisiana that the imposition of such conservation servitude would interfere with the mitigation requirements of the project, project agreements, or applicable state or federal, laws, rules, or regulations. Further, any conservation servitude established under this Paragraph shall grant and be subject to the servitude of passage provided for in Subparagraph (b) of this Paragraph, and shall be subject to a permanent easement, servitude, right-of-way, or right-of-use as necessary to facilitate the principal purpose of acquisition of the property, including but not limited to the operation, maintenance, repair, replacement, restoration, and rehabilitation of the mitigation area by the state or any of its political subdivisions, or the federal government pursuant to state or federal law.

(d) No funds of the state nor of any political subdivision or political corporation of the state shall be used nor provided to the United States or any of its agencies, by contract, agreement, a required contribution of a project cost-share or otherwise, for the expropriation of property for the purpose of compensatory mitigation

of wetlands or other natural habitat, as authorized or required by state or federal law, to offset, compensate, or replace actual or anticipated damages to or loss of wetlands or other natural habitat caused by the Comite River Diversion Project, Amite River and Tributaries, Louisiana unless the use of such expropriation is specifically approved in writing by the state agency or other authority acting as the nonfederal sponsor of the Comite River Diversion Project, Amite River and Tributaries, Louisiana and there has been a determination by such agency or authority that the following conditions exist:

(i) Expropriation proceedings are necessary for the purpose of providing clear title to the property to be acquired.

(ii) When the acquiring authority can not amicably acquire the property from an otherwise willing seller because the property owner has rejected an offer of at least the amount of the highest appraisal obtained on behalf of the acquiring authority, and use of the expropriation process is necessary to obtain a judicial determination of the just compensation to be paid for the property to be expropriated."

AMENDMENT NO. 4

On page 3, line 3, change "(d)" to "(e)"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 440—

BY REPRESENTATIVE BURFORD
AN ACT

To amend and reenact R.S. 40:2120.4(B)(1) and 2120.5(A) and (D), relative to home- and community-based service providers; to provide for the addition of accreditation requirements to certain licensing standards; to provide for fulfillment of licensing requirements by the submission of proof of certification or accreditation from certain nationally recognized entities; to require proof of contact with an accreditation organization or a documented plan for seeking accreditation in the initial application for licensure; to authorize two-year audit cycles for certain agencies or providers; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Health and Welfare.

The substitute was read by title as follows:

HOUSE BILL NO. 642 (Substitute for House Bill No. 440 by Representative Burford) —

BY REPRESENTATIVE BURFORD
AN ACT

To amend and reenact R.S. 37:1031(A)(introductory paragraph) and (D), 1033(A)(3) and (4), (B), (D)(1), (F), and (H) and 1034(3), and R.S. 40:2120.4(B)(1), 2120.5(D), and 2179(C), to enact R.S. 37:1031(A)(5) and (E) and R.S. 40:2119, and to repeal R.S. 37:1033(G), relative to home- and community-based providers; to provide for the applicability of statutory provisions governing direct service workers; to provide for appropriate training of direct service workers; to provide for the termination of authorization of direct service workers to perform certain procedures; to require the department to develop a comprehensive plan regarding the quality of services provided to individuals receiving home- and community-based services; to provide for licensure procedures and requirements applicable to granting deemed status to home- and community-based

providers; to extend the application of state laws governing direct service workers to all direct service workers regardless of the type of compensation; and to provide for related matters.

Read by title.

On motion of Rep. Katz, the substitute was adopted and became House Bill No. 642 by Rep. Burford, on behalf of the Committee on Health and Welfare, as a substitute for House Bill No. 440 by Rep. Burford.

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

HOUSE BILL NO. 454—

BY REPRESENTATIVE HARRISON
AN ACT

To amend and reenact R.S. 17:500.2(A)(1), 1176, 1202(A)(1), and 1206.2(A)(1), relative to the granting of certain types of leave by a city, parish, or other local public school board; to provide relative to the requirement that the board grant certain sabbatical leave requests; to provide relative to the requirement that the board permit certain employees to take extended sick leave; to provide exceptions to such requirements; to provide an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 454 by Representative Harrison

AMENDMENT NO. 1

On page 1, line 9, after "the" delete the remainder of the line and insert "Education Reform Act".

AMENDMENT NO. 2

On page 2, line 1, between "(b)" and "city," delete "A" and insert "For Fiscal Year 2011-2012 and Fiscal Year 2012-2013, a"

AMENDMENT NO. 3

On page 2, at the end of line 6, after "year," insert the following:

"However, the school board shall honor any approved leave that it approved prior to the date the minimum foundation program formula is approved by the legislature."

AMENDMENT NO. 4

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

"(c)(i) Notwithstanding the provisions of Subparagraph (b) of this Paragraph, in the case of a catastrophic illness or injury, a school board shall comply with the provisions of Subparagraph (a) of this Paragraph."

(ii) For the purposes of this Subparagraph, "catastrophic illness or injury" means a life-threatening, chronic, or incapacitating condition affecting an employee or a member of an employee's immediate family, as verified by a licensed physician."

AMENDMENT NO. 5

On page 2, line 17, after "B," and before "city," delete "A" and insert "For Fiscal Year 2011-2012 and Fiscal Year 2012-2013, a"

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AMENDMENT NO. 6

On page 2, at the end of line 22, after "year," insert the following:

"However, the school board shall honor any approved leave that it approved prior to the date the minimum foundation program formula is approved by the legislature."

AMENDMENT NO. 7

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

"C. (1) Notwithstanding the provisions of Subsection B of this Section, in the case of a catastrophic illness or injury, a school board shall comply with the provisions of Subsection A of this Section."

(2) For the purposes of this Subsection, "catastrophic illness or injury" means a life-threatening, chronic, or incapacitating condition affecting an employee or a member of an employee's immediate family, as verified by a licensed physician."

AMENDMENT NO. 8

On page 3, line 3, between "(b)" and "city," delete "A" and insert "For Fiscal Year 2011-2012 and Fiscal Year 2012-2013, a"

AMENDMENT NO. 9

On page 3, at the end of line 8, after "year," insert the following:

"However, the school board shall honor any approved leave that it approved prior to the date the minimum foundation program formula is approved by the legislature."

AMENDMENT NO. 10

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

"(c)(i) Notwithstanding the provisions of Subparagraph (b) of this Paragraph, in the case of a catastrophic illness or injury, a school board shall comply with the provisions of Subparagraph (a) of this Paragraph."

(ii) For the purposes of this Subparagraph, "catastrophic illness or injury" means a life-threatening, chronic, or incapacitating condition affecting an employee or a member of an employee's immediate family, as verified by a licensed physician."

AMENDMENT NO. 11

On page 3, line 17, between "(b)" and "city," delete "A" and insert "For Fiscal Year 2011-2012 and Fiscal Year 2012-2013, a"

AMENDMENT NO. 12

On page 3, at the end of line 22, after "year," insert the following:

"However, the school board shall honor any approved leave that it approved prior to the date the minimum foundation program formula is approved by the legislature."

AMENDMENT NO. 13

On page 3, between lines 22 and 23, insert the following:

"(c)(i) Notwithstanding the provisions of Subparagraph (b) of this Paragraph, in the case of a catastrophic illness or injury, a school board shall comply with the provisions of Subparagraph (a) of this Paragraph."

(ii) For the purposes of this Subparagraph, "catastrophic illness or injury" means a life-threatening, chronic, or incapacitating condition affecting an employee or a member of an employee's immediate family, as verified by a licensed physician."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 471— BY REPRESENTATIVE GUILLORY AN ACT

To amend and reenact R.S. 40:1299.28 and to enact R.S. 40:1299.27.1, relative to lead-free pipes, fittings, fixtures, solder, or flux; to provide for the use, introduction into commerce, and sale of certain pipes, fittings, fixtures, solder, or flux; to require lead-free pipes, fittings, fixtures, solder, or flux; to provide for exclusions; to provide for labeling; to provide for definitions; to provide for the authority of the Department of Health and Hospitals; to provide for enforcement; to provide for an effective date; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources and Environment to Original House Bill No. 471 by Representative Guillory

AMENDMENT NO. 1

On page 1, line 7, after "enforcement," insert "to provide for an effective date;"

AMENDMENT NO. 2

On page 1, line 12, after "A," insert "(1)"

AMENDMENT NO. 3

On page 1, at the beginning of line 16, change "B. (1)" to "(2)"

AMENDMENT NO. 4

On page 2, at the beginning of line 1, change "(2)" to "(3)"

AMENDMENT NO. 5

On page 2, delete lines 2 through 7, and insert the following:

"(a) Pipes, pipe fittings, plumbing fittings, or fixtures, including backflow preventers, that are used exclusively for nonpotable services such as manufacturing, industrial processing, irrigation, outdoor watering, or any other uses where the water is not anticipated to be used for human consumption."

(b) Toilets, bidets, urinals, fill valves, flushometer valves, tub fillers, shower valves, showers, safety shower flushes, service saddles, or water distribution main gate valves that are two inches in diameter or larger."

(c) Materials purchased or acquired by public water systems prior to July 1, 2013."

AMENDMENT NO. 6

On page 2, at the beginning of line 8, change "C." to "B."

AMENDMENT NO. 7

On page 2, line 9, change "manufacture" to "manufacturer"

AMENDMENT NO. 8

On page 2, line 10, after "that is" insert "not"

AMENDMENT NO. 9

On page 2, at the beginning of line 14, change "D.(1)" to "C."

AMENDMENT NO. 10

On page 2, delete lines 25 through 29 in their entirety and on page 3 delete lines 1 and 2 in their entirety.

AMENDMENT NO. 11

On page 3, at the beginning of line 3, change "E." to "D."

AMENDMENT NO. 12

On page 3, at the beginning of line 6, change "F." to "E."

AMENDMENT NO. 13

On page 3, at the end of line 23, insert the following:

"The state health officer's responsibility with respect to objects sold or placed into commerce in violation of R.S. 40:1299.27.1 is limited to those instances where the state officer or his personnel are notified of such violation."

AMENDMENT NO. 14

On page 3, after line 26, insert "Section 2. This Act shall become effective on January 1, 2013."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 558—
BY REPRESENTATIVE JOHNSON
AN ACT

To enact R.S. 18:1485(G) and 1505.2(H)(8); relative to campaign finance; to provide relative to contribution limitations under certain circumstances; to provide relative to certain reporting requirements and authority to file reports under certain circumstances; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on House and Governmental Affairs.

The substitute was read by title as follows:

HOUSE BILL NO. 643 (Substitute for House Bill No. 558 by Representative Johnson) —
BY REPRESENTATIVE JOHNSON
AN ACT

To enact R.S. 18:1485(G) and Part VIII of Chapter 11 of Title 18 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 18:1551 through 1555, relative to campaign finance; to provide for certain reporting requirements and authority to file reports under certain circumstances; to provide certain special provisions applicable under certain specific circumstances when a candidate is deceased; to provide relative to contribution limitations under certain circumstances; and to provide for related matters.

Read by title.

On motion of Rep. Gallot, the substitute was adopted and became House Bill No. 643 by Rep. Johnson, on behalf of the Committee on House and Governmental Affairs, as a substitute for House Bill No. 558 by Rep. Johnson.

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

HOUSE BILL NO. 568—
BY REPRESENTATIVE KATZ
AN ACT

To amend and reenact R.S. 46:1421, relative to child care facilities and child-placing agencies; to provide for violations and penalties; to require the Department of Health and Hospitals to adopt rules and regulations providing for notice and appeal procedures; to require a child care facility or child-placing agency to furnish a bond for an appeal; to authorize the Department of Health and Hospitals to institute civil court actions to collect fines; to create the Child Care Licensing Trust Fund; to provide for the use and administration of the fund; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Health and Welfare.

The substitute was read by title as follows:

HOUSE BILL NO. 644 (Substitute for House Bill No. 568 by Representative Katz)
BY REPRESENTATIVE KATZ
AN ACT

To enact R.S. 46:1430, relative to child care facilities and child-placing agencies; to provide for violations and penalties in lieu of revocation; to require the Department of Children and Family Services to adopt rules and regulations providing for notice and appeal procedures; to authorize the department to institute civil court actions to collect fines; to create the Child Care Licensing Trust Fund; to provide for the use and administration of the fund; to provide an effective date; and to provide for related matters.

Read by title.

On motion of Rep. Katz, the substitute was adopted and became House Bill No. 644 by Rep. Katz, on behalf of the Committee on Health and Welfare, as a substitute for House Bill No. 568 by Rep. Katz.

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

HOUSE BILL NO. 572—
BY REPRESENTATIVE BARROW
AN ACT

To enact R.S. 32:295.3.1, relative to motor vehicles; to require certain day care centers to have a child safety alarm installed in vehicles it uses to transport children; to require that an owner or

director of a day care center ensure proper maintenance and good working order of child safety alarms; to provide definitions; to require the Department of Children and Family Services to promulgate rules and procedures requiring the installation of child safety alarms in vehicles owned and operated by a day care center and used to transport children; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare with recommendation that it be recommitted to the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 572 by Representative Barrow

AMENDMENT NO. 1

On page 1, line 2, after "vehicles;" delete the remainder of the line and delete line 3 in its entirety and insert in lieu thereof "to require certain day care centers to have a child safety alarm installed in vehicles it uses to transport children; to require that an owner or director of a day care center ensure proper maintenance and good working order of child safety alarms; to provide definitions;"

AMENDMENT NO. 2

On page 1, line 4, after "Services to" delete the remainder of the line and delete line 5 in its entirety and at the beginning of line 6 delete "monitoring requirements" and insert in lieu thereof "promulgate rules and procedures requiring the installation of child safety alarms in vehicles owned and operated by a day care center and used to transport children"

AMENDMENT NO. 3

On page 1, line 9, after "§295.3.1" and before "day care" delete "Motor vehicles used to transport children;" and insert in lieu thereof "Child safety alarms in motor vehicles used to transport children;"

AMENDMENT NO. 4

On page 1, delete lines 11 through 17 in their entirety and insert the following:

"A. Day care centers as defined in R.S. 46:1403 that participate at certain levels in the Quality Start Child Care Rating System shall have a child safety alarm installed in any vehicle owned or operated by the day care center that is used to transport children to or from the day care center. The installation of the child safety alarm shall be completed by a person or business that is approved by the manufacturer of the child safety alarm.

B. An owner or director of a day care center who is required pursuant to this Section to have a child safety alarm installed in a vehicle owned or operated by the day care center shall ensure that the child safety alarm is properly maintained and in good working order each time the vehicle is used for transporting children to or from a day care center.

C. For the purposes of this Section, the following definitions shall apply:

(1) "Child safety alarm" shall mean an ignition-based alarm system that voice prompts the driver of certain vehicles owned or

operated by a day care center to inspect the vehicle for children before exiting the vehicle."

(2) "Vehicle" shall mean a vehicle owned or operated by the day care center, its owner, operator, or employees that is used to transport children to and from the day care center and that has a seating capacity of six or more passengers in addition to the driver.

AMENDMENT NO. 5

On page 1, line 18, change "B." to "D." and after "shall" and before "rules" delete "amend its" and insert "promulgate"

AMENDMENT NO. 6

On page 1, line 19, after "and" and before "applicable" delete "procedures" and insert "procedures, no later than May 31, 2012."

AMENDMENT NO. 7

On page 1, line 19, after "System to" delete the remainder of the line and insert "require the installation of child safety alarms in vehicles owned or operated by a day care center owner, operator, or employee that are used to transport children to or from day care centers before day care centers are allowed to participate at certain levels in the Quality Start Child Care Rating System."

AMENDMENT NO. 8

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

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

Rep. Katz moved the above bill, as amended, be ordered engrossed and recommitted to the Committee on Transportation, Highways and Public Works.

Rep. Barrow made a substitute motion to engross the bill, as amended, and pass it to its third reading.

Rep. Katz objected.

By a vote of 34 yeas and 54 nays, the House refused to engross the bill, as amended, and pass it to third reading.

On motion of Rep. Katz, the bill, as amended, was ordered engrossed and recommitted to the Committee on Transportation, Highways, and Public Works.

HOUSE BILL NO. 587—

BY REPRESENTATIVE LABRUZZO
AN ACT

To amend and reenact R.S. 14:32.5(A) and R.S. 40:1299.35.0, to enact R.S. 40:1299.35.1(11) and to repeal R.S. 40:1299.30(A), (B), and (E), relative to abortion; to revise the definition of feticide; to repeal certain conditions relative to prohibition of abortion; to repeal federally funded Medicaid trigger to prohibition of abortion; to repeal exception for certain contraceptive measures, drugs, or chemicals administered prior to the time pregnancy could be determined; to provide for legislative intent; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Health and Welfare.

The substitute was read by title as follows:

HOUSE BILL NO. 645 (Substitute for House Bill No. 587 by Representative LaBruzzo) —BY REPRESENTATIVE LABRUZZO
AN ACT

To amend and reenact R.S. 14:32.5(A) and R.S. 40:1299.30, 1299.33(D), 1299.34.5, 1299.35.0, 1299.35.1(2), (4), (6), (8), and (9), and 1299.35.3, to enact R.S. 40:1299.35.1(1)(d), and to repeal R.S. 40:1299.35.2, 1299.35.4, 1299.35.7, and 1299.35.12, relative to abortion; to revise the definition of feticide; to repeal certain provisions relative to the prohibition of abortion; to repeal the federally funded Medicaid trigger to the prohibition of abortion; to modify certain definitions; to remove certain requirements relative to discrimination for refusal to participate in abortion; to provide with respect to the use of public funds; to modify legislative intent; to repeal provisions relative to abortions performed by physicians, the determination of viability, and ultrasound tests; to provide relative to the born-alive protection provision; to repeal provisions relative to the abortion after viability and the second attendant physician requirement; to repeal provisions relative to an abortion sought after rape or incest; to repeal certain medical emergency provisions; to provide an effective date; and to provide for related matters.

Read by title.

On motion of Rep. Katz, the substitute was adopted and became House Bill No. 645 by Rep. LaBruzzo, on behalf of the Committee on Health and Welfare, as a substitute for House Bill No. 587 by Rep. LaBruzzo.

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

HOUSE BILL NO. 589—BY REPRESENTATIVES CHANEY AND DOWNS
AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(e)(introductory paragraph), (viii) and (x), 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.

Reported favorably by the Committee on Education.

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

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

HOUSE BILL NO. 640 (Substitute for House Bill No. 430 by Representative Billiot) —BY REPRESENTATIVE BILLIOT
AN ACT

To amend and reenact R.S. 38:213, 225(A)(1)(a) and (2) and (D), and 226 and to enact R.S. 38:321.1, relative to levee districts and flood control structures; to restrict access upon a levee or flood control structure in certain circumstances; to provide for penalties; to provide exceptions for access upon public levees or flood control structures; to provide relative to the obstruction of levees; to provide for the authority for a board or commission having jurisdiction over a levee to issue or renew permits or letters of no objection; to authorize a levee district or levee drainage district to purchase certain items through an existing public contract of another political subdivision; and to provide for related matters.

Read by title.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 641 (Substitute for House Bill No. 544 by Representative Rosalind Jones) —BY REPRESENTATIVE ROSALIND JONES
AN ACT

To amend and reenact R.S. 47:301(4)(h) and 302(K)(5) and to enact R.S. 47:301(4)(m), relative to sales and use tax; to provide with respect to dealers; to provide for certain definitions; to provide a method for reporting and remitting taxes by certain dealers; and to provide for related matters.

Read by title.

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

Under the rules, placed on the regular calendar.

Motion

On motion of Rep. Norton, the Committee on Appropriations was discharged from further consideration of House Bill No. 465.

HOUSE BILL NO. 465—BY REPRESENTATIVE NORTON
AN ACT

To amend and reenact Children's Code Article 612(A)(2), relative to child abuse; to provide that a preliminary investigation shall include an immediate assessment of certain visitation orders; to require the Department of Children and Family Services to request a temporary restraining order if it determines that any previous ordered visitation would put the child's health and safety at risk; and to provide for related matters.

Read by title.

Motion

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

Acting Speaker Arnold in the Chair**Motion**

Rep. Barrow moved that the Committee on Transportation, Highways and Public Works be discharged from further consideration of House Bill No. 572.

Rep. Katz objected.

Suspension of the Rules

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

Suspension of the Rules

Rep. Norton moved to suspend the rules to allow for additional debate time.

Rep. Lopinto objected.

By a vote of 34 yeas and 54 nays, the rules were not suspended.

Rep. Barrow insisted on her motion that the Committee on Transportation, Highways, and Public Works be discharged from further consideration of House Bill No. 572.

By a vote of 31 yeas and 56 nays, the House refused to discharge House Bill No. 572 from the Committee on Transportation, Highways, and Public Works.

Reconsideration

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

HOUSE BILL NO. 307—
BY REPRESENTATIVE JOHNSON
AN ACT

To amend and reenact R.S. 37:1323(A)(1) and (2) and (C)(1) and (2) and to enact R.S. 37:1323(G), relative to licensure of certain clinical laboratory personnel; to provide for qualifying certification examinations; and to provide for related matters.

Read by title.

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

Returned to the calendar under the rules.

Special Order of the Day

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

Speaker Tucker in the Chair

HOUSE BILL NO. 1—
BY REPRESENTATIVE FANNIN
AN ACT

Making appropriations for the ordinary expenses of the executive branch of state government, pensions, public schools, public roads, public charities, and state institutions and providing with respect to the expenditure of said appropriations.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Fannin to Engrossed House Bill No. 1 by Representative Fannin

AMENDMENT NO. 1

On page 13, delete lines 27 through 31 in their entirety

AMENDMENT NO. 2

On page 27, line 50, change "\$3,004,983" to "\$1,709,983"

AMENDMENT NO. 3

On page 32, between lines 6 and 7 insert the following:

"The commissioner of administration is authorized and directed to adjust the means of finance contained in the Act for this department by reducing the appropriation out of the State General Fund (Direct

by \$36,219. Additionally, and to the extent necessary, other means of finance shall be adjusted accordingly."

AMENDMENT NO. 4

On page 34, delete lines 22 through 26 in their entirety

AMENDMENT NO. 5

On page 34, delete lines 49 through 51 in their entirety and on page 35, delete lines 1 and 2 in their entirety

AMENDMENT NO. 6

On page 35, delete lines 25 through 29 in their entirety

AMENDMENT NO. 7

On page 36, delete lines 1 through 5 in their entirety

AMENDMENT NO. 8

On page 36, delete lines 28 through 32 in their entirety

AMENDMENT NO. 9

On page 44, between lines 45 and 46, insert the following:

"Payable out of the State General Fund by Interagency Transfers to the Civil Law Program for litigation expenses related to the Deepwater Horizon Event \$ 15,000,000"

AMENDMENT NO. 10

On page 114, between lines 41 and 42, insert the following:

"Provided, however, that the commissioner of administration is authorized and directed to adjust the means of finance for this agency by reducing the appropriation out of the State General Fund by Statutory Dedications out of the Overcollections Fund by \$1,000,000. Additionally, and to the extent necessary, the commissioner of administration is authorized and directed to adjust other means of finance accordingly. Further, such funds shall be reduced from expenditures related to the Coordinated Care Networks medicaid managed care programs."

AMENDMENT NO. 11

On page 118, between lines 17 and 18, insert the following:

"Provided, however, that the commissioner of administration is authorized and directed to adjust the means of finance for this agency by reducing the appropriation out of the State General Fund by Statutory Dedications out of the Overcollections Fund by \$81,046,909. Additionally, and to the extent necessary, the commissioner of administration is authorized and directed to adjust other means of finance accordingly. Further, such funds shall be reduced from expenditures related to the Coordinated Care Networks medicaid managed care programs."

AMENDMENT NO. 12

On page 118, line 24, change "\$279,204,600" to "\$240,945,467"

AMENDMENT NO. 13

On page 118, line 25, change "\$631,443,166" to "\$544,917,127"

AMENDMENT NO. 14

On page 118, line 26, change "\$910,647,766" to "\$785,862,594"

AMENDMENT NO. 15

On page 118, delete lines 27 through 30 in their entirety

AMENDMENT NO. 16

On page 130, between lines 23 and 24, insert the following:

"Provided, however, that the commissioner of administration is authorized and directed to adjust the means of finance for this agency by reducing the appropriation out of the State General Fund by Statutory Dedications out of the Overcollections Fund by \$10,536,429. Additionally, and to the extent necessary, the commissioner of administration is authorized and directed to adjust other means of finance accordingly."

AMENDMENT NO. 17

On page 135, line 2, change "\$4,854,356" to "\$4,856,945"

AMENDMENT NO. 18

On page 173, line 11, change "\$3,004,983" to "\$1,709,983"

AMENDMENT NO. 19

On page 176, line 5, change "\$92,345,957" to "\$92,285,957"

AMENDMENT NO. 20

On page 248, between lines 20 and 21, insert the following:

"Payable out of the State General Fund by Statutory Dedications out of the Legislative Capitol Technology Enhancement Fund to the Local Reentry Services Program for prisoners housed in local correctional facilities, notwithstanding any other provision of law to the contrary, and specifically notwithstanding R.S. 24:39

	\$ 1,600,000"
--	---------------

AMENDMENT NO. 21

On page 254, line 20, change "city of Patterson" to "St. Mary Parish Tourist Commission"

AMENDMENT NO. 22

On page 262, after line 50, insert the following:

"Payable out of the State General Fund by Statutory Dedications out of the Legislative Capitol Technology Enhancement Fund for deposit into the Academic Improvement Fund, notwithstanding any other provision of law to the contrary, and specifically notwithstanding R.S. 24:39

	\$ 8,400,000"
--	---------------

AMENDMENT NO. 23

Delete pages 263 and 264 in their entirety

Acting Speaker Arnold in the Chair

Speaker Tucker in the Chair**Motion**

Rep. Edwards moved that the bill be recommitted to the Committee on Appropriations.

Rep. Fannin objected.

By a vote of 44 yeas and 52 nays, the House refused to recommit the bill to the Committee on Appropriations.

Rep. Michael Jackson asked for and obtained a division of the question.

On motion of Rep. Fannin, Amendments Nos. 1 through 9, 12 through 15, and 17 through 23 were adopted.

Rep. Fannin moved the adoption of Amendment No. 10.

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Fannin to Engrossed House Bill No. 1 by Representative Fannin

AMENDMENT NO. 10

On page 114, between lines 41 and 42, insert the following:

"Provided, however, that the commissioner of administration is authorized and directed to adjust the means of finance for this agency by reducing the appropriation out of the State General Fund by Statutory Dedications out of the Overcollections Fund by \$1,000,000. Additionally, and to the extent necessary, the commissioner of administration is authorized and directed to adjust other means of finance accordingly. Further, such funds shall be reduced from expenditures related to the Coordinated Care Networks medicaid managed care programs."

Rep. Katz objected.

By a vote of 56 yeas and 40 nays, Amendment No. 10 was adopted.

Rep. Fannin moved the adoption of Amendment No. 11.

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Fannin to Engrossed House Bill No. 1 by Representative Fannin

AMENDMENT NO. 11

On page 118, between lines 17 and 18, insert the following:

"Provided, however, that the commissioner of administration is authorized and directed to adjust the means of finance for this agency by reducing the appropriation out of the State General Fund by Statutory Deductions out of the Overcollections Fund by \$81,046,909. Additionally, and to the extent necessary, the commissioner of administration is authorized and directed to adjust other means of finance accordingly. Further, such funds shall be reduced from expenditures related to the Coordinated Care Networks medicaid managed care programs."

Rep. Michael Jackson objected.

By a vote of 48 yeas and 51 nays, Amendment No. 11 was rejected.

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Rep. Fannin moved the adoption of Amendment No. 16.

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Fannin to Engrossed House Bill No. 1 by Representative Fannin

AMENDMENT NO. 16

On page 130, between lines 23 and 24, insert the following:

"Provided, however, that the commissioner of administration is authorized and directed to adjust the means of finance for this agency by reducing the appropriation out of the State General Fund by Statutory Dedications out of the Overcollections Fund by \$10,536,429. Additionally, and to the extent necessary, the commissioner of administration is authorized and directed to adjust other means of finance accordingly."

Rep. Abramson objected.

By a vote of 53 yeas and 44 nays, Amendment No. 16 was adopted.

Motion

Rep. Fannin moved to authorize the use of one-time money for ordinary expenses pursuant to House Rule 7.19.

Rep. Geymann objected.

Acting Speaker Arnold in the Chair

Speaker Tucker in the Chair

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

ROLL CALL

The roll was called with the following result:

YEAS

Anders	Downs	Hoffmann
Billiot	Fannin	Huval
Chandler	Guillory	McVea
Doerge	Hill	
Total - 11		

NAYS

Mr. Speaker	Geymann	Moreno
Abramson	Gisclair	Morris
Arnold	Greene	Norton
Aubert	Guinn	Nowlin
Badon, A.	Hardy	Pearson
Badon, B.	Harrison	Ponti
Baldone	Hazel	Pope
Barras	Henderson	Richard
Barrow	Henry	Richardson
Bishop	Hensgens	Ritchie
Brossett	Hines	Robideaux
Burford	Honore	Schroder
Burns, H.	Howard	Seabaugh
Burns, T.	Hutter	Simon
Burrell	Jackson, M.	Smiley
Carmody	Johnson	Smith, G.
Carter	Jones, R.	Smith, J.
Champagne	Jones, S.	Smith, P.
Chaney	Katz	St. Germain

Connick	Kleckley	Stiaes
Cortez	LaBruzzo	Talbot
Cromer	LaFonta	Templet
Danahay	Lambert	Thibaut
Dixon	Landry	Thierry
Dove	LeBas	White
Edwards	Ligi	Williams
Ellington	Little	Willmott
Foil	Lopinto	Wooton
Franklin	Lorusso	
Gallot	Montoucet	

Total - 88

ABSENT

Armes	Leger	Pugh
Jackson, G.	Monica	Roy
Total - 6		

The House refused to authorize the use of one-time money for ordinary expenses pursuant to House Rule 7.19.

Acting Speaker Billiot in the Chair

Speaker Tucker in the Chair

Motion

Rep. Geymann moved to reconsider the vote by which Amendment No. 11 proposed by Rep. Fannin to House Bill No. 1 was rejected.

Rep. Katz objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	Lopinto
Anders	Foil	Lorusso
Arnold	Geymann	Morris
Barras	Greene	Pope
Billiot	Guillory	Richardson
Burford	Hardy	Ritchie
Burns, T.	Harrison	Robideaux
Carmody	Hazel	Seabaugh
Carter	Henderson	Smith, G.
Champagne	Henry	Smith, J.
Chandler	Jones, S.	St. Germain
Chaney	LaBruzzo	White
Connick	Lambert	Williams
Cortez	Landry	Wooton
Danahay	Ligi	
Downs	Little	
Total - 46		

NAYS

Abramson	Gisclair	Montoucet
Aubert	Guinn	Moreno
Badon, A.	Hensgens	Norton
Badon, B.	Hill	Nowlin
Baldone	Hines	Pearson
Barrow	Hoffmann	Ponti
Bishop	Honore	Richard
Brossett	Howard	Schroder
Burns, H.	Hutter	Simon

Burrell	Huval	Smiley
Cromer	Jackson, M.	Smith, P.
Dixon	Johnson	Stiaes
Doerge	Jones, R.	Talbot
Dove	Katz	Templet
Edwards	Kleckley	Thibaut
Ellington	LaFonta	Thierry
Franklin	LeBas	Willmott
Gallot	McVea	
Total - 53		

ABSENT

Armes	Leger	Pugh
Jackson, G.	Monica	Roy
Total - 6		

The House refused to reconsider the vote by which Amendment No. 11 proposed by Rep. Fannin to House Bill No. 1 was rejected.

Motion

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

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

HOUSE CONCURRENT RESOLUTIONS

May 25, 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. 118
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

**ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

May 25, 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 Nos. 45 and 46

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Suspension of the Rules

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

**Senate Concurrent Resolutions
Lying Over**

The following Senate Concurrent Resolutions contained in the message were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 45—

BY SENATOR MURRAY

A CONCURRENT RESOLUTION

To welcome fire fighters from Belgium and members of the Belgium Fire Observers Organization to Louisiana; to acknowledge the bravery, strength, selflessness, courage, and true heroism of all fire fighters; to thank these visiting fire fighters for choosing the New Orleans Fire Department and Louisiana to visit and not only to learn but to share their knowledge and experiences with us; and to thank all fire fighters for the bravery and courage they exhibit on a daily basis, never faltering from the oath and duties they have undertaken.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 46—

BY SENATOR ALARIO AND REPRESENTATIVE BILLIOT

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Hendrix "Brother" Bourgeois Sr.

Read by title.

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

Message from the Senate

SIGNED SENATE CONCURRENT RESOLUTIONS

May 25, 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. 32 and 33

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.

**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. 46—

BY REPRESENTATIVE MICHAEL JACKSON
A RESOLUTION

To commend Berean Seventh-day Adventist Church upon its Homecoming celebration of seventy-five years of fellowship, community life, and service.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 126—

BY REPRESENTATIVE WILLMOTT
A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study and make specific recommendations for legislation to establish procedures and forms for use when a translator is required to draft and execute a testament.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 127—

BY REPRESENTATIVE WILLMOTT
A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study the authority of a testator to designate an attorney to handle legal matters of his estate and to make specific recommendations for legislation relative to R.S. 9:2448.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 128—

BY REPRESENTATIVE SCHRODER
A CONCURRENT RESOLUTION

To urge and request the State Civil Service Commission, the governor through the commissioner of administration in cooperation with statewide elected officials and the Public Service Commission, and the Board of Regents in cooperation with the management boards for public postsecondary education systems expeditiously to develop and implement pay systems and procedures for all state employees, classified and unclassified, that meet certain criteria; to provide for submission thereof to specified legislative committees and for hearings thereon; and to provide for related matters.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 129—

BY REPRESENTATIVE MICHAEL JACKSON
A CONCURRENT RESOLUTION

To direct the Board of Regents to restore its funding of LOUIS, the Louisiana Library Network, to at least the percentage provided for in Fiscal Year 2009-2010 and to express support for LOUIS

as a critical component of the success of the state's public postsecondary education institutions.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 130—

BY REPRESENTATIVE AUSTIN BADON
A CONCURRENT RESOLUTION

To provide for legislative approval of the formula to determine the cost of a minimum foundation program of education in all public elementary and secondary schools as well as to equitably allocate the funds to city, parish, and other local public school systems as developed by the State Board of Elementary and Secondary Education and adopted by the board on February 17, 2011.

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
Ways and Means**

May 25, 2011

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on May 24, 2011, I am directed by your Committee on Ways and Means to submit the following report:

House Bill No. 618, by Jones, Rosalind
Reported favorably. (9-0) (Regular)

HUNTER V. GREENE
Chairman

**Report of the Committee on
Agriculture, Forestry, Aquaculture, and Rural Development**

May 25, 2011

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Agriculture, Forestry, Aquaculture, and Rural Development to submit the following report:

House Bill No. 170, by Smith, Gary
Reported favorably. (9-0) (Local & Consent)

Senate Bill No. 81, by Mills
Reported favorably. (10-0) (Regular)

Senate Bill No. 89, by Thompson
Reported favorably. (11-0) (Regular)

JOHN F. "ANDY" ANDERS
Chairman

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

**Report of the Committee on
Judiciary**

May 25, 2011

To the Speaker and Members of the House of Representatives:

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

House Bill No. 139, by St. Germain
Reported with amendments. (11-0-1) (Regular)

House Bill No. 205, by Cromer
Reported favorably. (11-0-1) (Regular)

House Bill No. 246, by Simon
Reported with amendments. (10-0-1) (Regular)

House Bill No. 361, by Roy
Reported with amendments. (11-0-1) (Regular)

ROSALIND D. JONES
Chairman

**Report of the Committee on
Municipal, Parochial and Cultural Affairs**

May 25, 2011

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Municipal, Parochial and Cultural Affairs to submit the following report:

House Bill No. 92, by Talbot
Reported favorably. (12-0) (Regular)

House Bill No. 321, by Doerge
Reported with amendments, with recommendation that it be recommitted to the Committee on Natural Resources. (7-6)

House Bill No. 322, by Richardson
Reported with amendments. (15-0) (Regular)

House Bill No. 333, by Danahay
Reported favorably. (14-0) (Local & Consent)

House Bill No. 353, by Arnold
Reported with amendments. (14-0) (Regular)

House Bill No. 397, by Huval
Reported favorably. (12-0) (Local & Consent)

House Bill No. 504, by Landry
Reported favorably. (12-0) (Local & Consent)

House Bill No. 581, by Roy
Reported with amendments. (11-2-1) (Regular)

REGINA ASHFORD BARROW
Chairman

**Report of the Committee on
Retirement**

Wednesday, May 25, 2011

To the Speaker and Members of the House of Representatives:

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

House Bill No. 213, by Doerge
Reported favorably. (8-0) (Local & Consent)

House Bill No. 332, by Pearson
Reported with amendments. (8-0) (Regular)

House Bill No. 352, by St. Germain
Reported favorably. (9-0) (Regular)

House Bill No. 478, by Montoucet
Reported with amendments, with recommendation that it be recommitted to the Committee on Appropriations. (8-0)

House Bill No. 530, by Pearson
Reported with amendments. (10-0) (Regular)

J. KEVIN PEARSON
Chairman

Privileged Report of the Committee on Enrollment

May 25, 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. 46—
BY REPRESENTATIVE HARRISON AND SENATORS BROOME, LONG, AND MORRELL

A CONCURRENT RESOLUTION
To urge and request the Department of Insurance to study the practice of credit scoring.

HOUSE CONCURRENT RESOLUTION NO. 93—
BY REPRESENTATIVE HOFFMANN AND SENATORS GAUTREAUX, GUILLORY, MILLS, PERRY, AND THOMPSON

A CONCURRENT RESOLUTION
To memorialize the Congress of the United States to review and consider eliminating provisions of federal law which reduce Social Security benefits for those receiving pension benefits from federal, state, or local government retirement or pension systems, plans, or funds.

HOUSE CONCURRENT RESOLUTION NO. 94—
BY REPRESENTATIVE GARY SMITH AND SENATORS GAUTREAUX, GUILLORY, MILLS, PERRY, AND THOMPSON

A CONCURRENT RESOLUTION
To memorialize the Congress of the United States to review and consider eliminating provisions of federal law which reduce Social Security benefits for those receiving pension benefits from federal, state, or local government retirement or pension systems, plans, or funds.

HOUSE CONCURRENT RESOLUTION NO. 102—
BY REPRESENTATIVES DOVE, BILLIOT, GISCLAIR, HARRISON, HENDERSON, AND ST. GERMAIN AND SENATORS AMEDEE AND CHABERT

A CONCURRENT RESOLUTION
To express the support of the Louisiana Legislature for the request by the secretary of the Department of Wildlife and Fisheries to the United States Secretary of Commerce and the administrator of the Small Business Administration to declare a fisheries disaster in the state of Louisiana as a result of the Mississippi River flooding and the opening of the Morganza and Bonnet Carre spillways.

HOUSE CONCURRENT RESOLUTION NO. 111—
BY REPRESENTATIVES JANE SMITH, HENRY BURNS, AND BURRELL
AND SENATOR ADLEY

A CONCURRENT RESOLUTION

To commend the Bossier High School boys' basketball team upon winning the 2011 Class 4A state championship game.

HOUSE CONCURRENT RESOLUTION NO. 112—
BY REPRESENTATIVE CROMER

A CONCURRENT RESOLUTION

To commend World War II veterans participating in the Louisiana HonorAir program.

HOUSE CONCURRENT RESOLUTION NO. 114—
BY REPRESENTATIVES DOWNS, ANDERS, AND GALLOT AND
SENATORS ADLEY, ALARIO, AMEDEE, APPEL, BROOME, CHABERT,
CHAISSON, CHEEK, CLAITOR, CROWE, DONAHUE, DORSEY, ERDEY,
GAUTREAUX, GUILLORY, HEITMEIER, JACKSON, KOSTELKA,
LAFLEUR, LONG, MARIONNEAUX, MARTINY, MCPHERSON, MICHOT,
MILLS, MORRELL, MORRISH, MOUNT, MURRAY, NEVERS, PERRY,
PETERSON, QUINN, RISER, SHAW, SMITH, THOMPSON, WALSWORTH,
AND WILLARD-LEWIS

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Dr. F. Jay Taylor, former president of Louisiana Tech University.

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.

Privileged Report of the Committee on Enrollment

May 25, 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 Bills have been properly enrolled:

HOUSE BILL NO. 107—
BY REPRESENTATIVES TALBOT, BILLIOT, CONNICK, HENRY,
LABRUZZO, LIGI, LOPINTO, TEMPLET, AND WILLMOTT AND
SENATORS APPEL, MARTINY, MORRELL, AND QUINN

AN ACT

To amend and reenact R.S. 22:1923(introductory paragraph) and to enact R.S. 22:1923(1)(j), relative to fraudulent insurance acts; to define certain activity toward a self-insured governmental entity that maintains a self-insured loss fund or risk pool as such an act; and to provide for related matters.

HOUSE BILL NO. 137—
BY REPRESENTATIVE CORTEZ AND SENATORS LONG AND QUINN

AN ACT

To enact R.S. 22:1567, relative to producer compensation; to authorize producers and certain insurers or policyholders to negotiate any combination of commissions, fees, or fees in lieu of commissions, for certain insurance coverages; and to provide for related matters.

HOUSE BILL NO. 148—
BY REPRESENTATIVE AUBERT

AN ACT

To enact R.S. 22:613(A)(1)(c), relative to domestic insurers; to expand the definition of company-action level event; and to provide for related matters.

HOUSE BILL NO. 259—
BY REPRESENTATIVE KLECKLEY

AN ACT

To amend and reenact R.S. 32:900(B)(2)(c), relative to motor vehicle liability policies; to provide minimum liability limits for property damage under certain circumstances; and to provide for related matters.

HOUSE BILL NO. 398—
BY REPRESENTATIVE ANDERS

AN ACT

To amend and reenact R.S. 22:905(A)(2), relative to life insurance policies; to provide with respect to written notice required before lapsing life policies; to require notice be sent to the insured and assignee; and to provide for related matters.

HOUSE BILL NO. 446—
BY REPRESENTATIVES LITTLE AND ELLINGTON

AN ACT

To amend and reenact R.S. 22:885(D), relative to cancellation of an insurance policy by the insured; to provide for limited applicability of cancellation provisions; to exclude credit property and casualty insurance from cancellation requirements; and to provide for related matters.

Respectfully submitted,

JEAN DOERGE
Chair

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.

Leave of Absence

Rep. Armes - 2 days

Rep. Leger - 2 days

Rep. Girod Jackson - 1 day

Adjournment

On motion of Rep. Billiot, at 6:20 P.M., the House agreed to adjourn until Thursday, May 26, 2011, at 9:00 A.M.

The Speaker of the House declared the House adjourned until 9:00 A.M., Thursday, May 26, 2011.

ALFRED W. SPEER
Clerk of the House