

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

TWENTY-FIRST 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

Tuesday, May 31, 2011

The House of Representatives was called to order at 4:00 P.M., by the Honorable Joel Robideaux, Speaker Pro Tempore of the House of Representatives.

Morning Hour

ROLL CALL

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

PRESENT

Mr. Speaker	Fannin	Lorusso
Abramson	Foil	McVea
Anders	Franklin	Monica
Armes	Geymann	Moreno
Arnold	Gisclair	Morris
Aubert	Greene	Norton
Badon, A.	Guillory	Nowlin
Badon, B.	Guinn	Pearson
Baldone	Hardy	Pope
Barras	Harrison	Pugh
Barrow	Hazel	Richard
Billiot	Hensgens	Richardson
Bishop	Hill	Ritchie
Brossett	Hines	Robideaux
Burford	Hoffmann	Roy
Burns, H.	Honore	Schroder
Burrell	Howard	Seabaugh
Carmody	Huval	Simon
Carter	Jackson, G.	Smiley
Champagne	Jackson, M.	Smith, G.
Chandler	Johnson	Smith, J.
Chaney	Jones, R.	Smith, P.
Connick	Jones, S.	St. Germain
Cortez	Katz	Talbot
Danahay	LaBruzzo	Templet
Dixon	LaFonta	Thibaut
Doerge	Lambert	Thierry
Downs	Landry	White
Edwards	Leger	Williams
Ellington	Little	Willmott
Total - 90		

The Speaker Pro Tempore announced that there were 90 members present and a quorum.

Prayer

Prayer was offered by Rep. Downs.

Pledge of Allegiance

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

Reading of the Journal

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

On motion of Rep. Foil, the Journal of May 26, 2011, was adopted.

On motion of Rep. Foil, the Journal of the Committee of the Whole House of May 26, 2011, was adopted.

**Petitions, Memorials, and
Communications**

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

Message from the Senate

SENATE BILLS

May 31, 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. 73, 83, 164, and 252

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. 73—

BY SENATOR MORRISH

AN ACT

To amend and reenact R.S. 56:435.1.1, relative to oyster harvesting; to provide for oyster harvesting in Calcasieu Lake; to provide for harvest limits; to provide for the issuance of certain permits; to authorize rulemaking authority; to provide terms, conditions, and penalties; and to provide for related matters.

Read by title.

SENATE BILL NO. 83—

BY SENATOR DONAHUE

AN ACT

To amend and reenact R.S. 39:1554(E) and to enact Part IV-A of Chapter 10 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:2271, and Subpart B-1 of Part III of Chapter 17 of Subtitle III of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:1598.1, and R.S.

39:1661(D) and 1671(H), relative to purchasing by certain public entities; to authorize the use of reverse auctions by certain public entities for the purchase of certain materials, supplies, services, products, or equipment; to provide for public notice; to provide for an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 164—
BY SENATOR ERDEY

AN ACT

To amend and reenact R.S. 32:402 (B)(1)(a)(ii)(aa), 402.1(A), (B) and (C), and 407(A)(3), and R.S. 40:1461(A), (C), and (E) and to enact R.S. 40:1461(F) and (G), relative to driver education; to provide relative to licensing of private training and driving instructor schools; to provide relative to the on-road driving skills test; and to provide for related matters.

Read by title.

SENATE BILL NO. 252—
BY SENATOR ERDEY

AN ACT

To enact R.S. 38:1805.1, relative to gravity drainage districts; to authorize the Livingston Parish Gravity Drainage District No. 6 to levy a sales and use tax; to require voter approval of such tax; to provide for the purposes of such tax; to authorize the issuance of bonds; and to provide for related matters.

Read by title.

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

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

HOUSE CONCURRENT RESOLUTION NO. 136—
BY REPRESENTATIVE BROSSETT

A CONCURRENT RESOLUTION

To urge and request the Board of Regents to support the establishment of the Honoré Center for Undergraduate Student Achievement.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 137—
BY REPRESENTATIVES WILLMOTT, MICHAEL JACKSON, RICHARD, AND SIMON

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to continue its reliance on the Medicaid Purchase Plan (MPP) Advisory Council for program outreach, education, review, and guidance.

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. 50—

BY REPRESENTATIVE HARRISON

A RESOLUTION

To urge and request the Board of Regents to study the role, mission, and structure of the Louisiana Universities Marine Consortium and report its findings to the House Committee on Education not later than sixty days prior to the convening of the 2012 Regular Session of the Legislature of Louisiana.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 131—

BY REPRESENTATIVE HARRISON

A CONCURRENT RESOLUTION

To create and form a Human Services Coordinated Transit Work Group, led by the Department of Transportation and Development, with active support and leadership commitment from both public and private stakeholders to improved mobility, optimize efficiencies, and manage costs of transit and paratransit services for both able-bodied and disabled persons.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 132—

BY REPRESENTATIVE MICHAEL JACKSON

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study and make recommendations relative to enhancing air service options to all markets within the state, as well as exploring the feasibility and benefits of the state providing financial assistance or incentives to the air service industry and to report the findings of the study to the House Committee on Transportation, Highways and Public Works, the Senate Committee on Transportation, Highways and Public Works,

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 135—

BY REPRESENTATIVE ROBIDEAUX

A CONCURRENT RESOLUTION

To direct the Louisiana State Employees' Retirement System, the Teachers' Retirement System of Louisiana, the Louisiana School Employees' Retirement System, and the Louisiana State Police Pension and Retirement System to report to the House and Senate Committees on Retirement, prior to the convening of the 2012 Regular Session of the Legislature, the administrative and investment costs incurred by each system and to jointly submit a report on the feasibility of combining the administrative and investment management services of the systems.

Read by title.

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

**Senate Concurrent Resolutions
Lying Over**

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

SENATE CONCURRENT RESOLUTION NO. 37—

BY SENATOR MARTINY

A CONCURRENT RESOLUTION

To direct 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*, 130 S. Ct. 2011 (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.

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

SENATE CONCURRENT RESOLUTION NO. 40—

BY SENATOR CHEEK

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals and the Louisiana Ambulance Alliance to work in collaboration through the Emergency Medical Services Professional Working Group to meet certain goals and to report to the Senate and House committees on health and welfare by February 1, 2012.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 41—

BY SENATOR BROOME

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to continue its reliance on the Medicaid Purchase Plan (MPP) Advisory Council for program outreach, education, review and guidance.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 42—

BY SENATOR LONG AND REPRESENTATIVE NOWLIN

A CONCURRENT RESOLUTION

To commend the St. Mary's High School of Natchitoches baseball team for winning the 2011 Class 1A State Championship.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 43—

BY SENATOR LONG

A CONCURRENT RESOLUTION

To commend the Northwestern State University of Louisiana "Spirit of Northwestern Demon Marching Band" on its one hundredth anniversary.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 49—

BY SENATOR ERDEY

A CONCURRENT RESOLUTION

To urge and request the office of state parks to study the use of golf carts by certain individuals within Louisiana state parks.

Read by title.

On motion of Rep. Pope, 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. 41—

BY SENATOR ALARIO

AN ACT

To amend and reenact R.S. 47:342(3)(b), relative to the occupational license tax; to define contractor for purposes of the occupational license tax in certain parishes; 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.

SENATE BILL NO. 68—

BY SENATOR NEVERS

AN ACT

To enact R.S. 33:2570, relative to the positions of fire chief and police chief in the city of Bogalusa; to provide that such positions are in the unclassified service; to provide relative to the appointment, supervision, and discharge of any person in any such position; to provide relative to qualifications; 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. 118—

BY SENATOR MILLS

AN ACT

To enact R.S. 33:2740.40, relative to St. Martin Parish; to create the St. Martinville Downtown Development District within the parish; to provide relative to the boundaries, purpose, and powers and duties of the district; to provide relative to district funding, including the authority to levy taxes; 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 Instruments on Second Reading Returned from the Legislative Bureau

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

SENATE BILL NO. 81—

BY SENATORS MILLS, ALARIO, CHEEK, LAFLEUR, LONG, MICHOT, MURRAY AND NEVERS

AN ACT

To enact R.S. 3:266(23) and 284, relative to establishing a monetary incentive program to promote purchases of Louisiana agricultural products; to authorize the development and establishment of the Louisiana Buy Local Purchase Incentive Program Fund within the state treasury; to authorize an incentive payment for certain purchases of Louisiana

agricultural products by certain restaurant establishments; to provide for the administration of the incentive payment; to provide with respect to financing; to provide for definitions; to provide for certain requirements and termination of the program and fund; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 81 by Senator Mills

AMENDMENT NO. 1

On page 2, line 23, change "meaning" to "meanings"

AMENDMENT NO. 2

On page 3, line 8, following "means" delete the remainder of the line

AMENDMENT NO. 3

On page 3, delete lines 9 and 10 in there entirety and insert "manufactured, planted, cultivated, grown, caught, or harvested in Louisiana, including in Louisiana coastal"

AMENDMENT NO. 4

On page 3, lines 12-13, following "mean" and before "in waters" change "catching or harvesting seafood" to "in regard to seafood, caught or harvested"

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

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

SENATE BILL NO. 89—

BY SENATOR THOMPSON

AN ACT

To amend and reenact R.S. 3:3406(A)(2), 3419(D), the introductory paragraph of 3421, and 3423(D)(1), relative to the Agricultural Commodity Dealer and Warehouse Law; to provide relative to powers of the commissioner; to provide relative to records; to transfer the authority of determining the expenses of the Agricultural Commodity Dealers and Warehouse Fund from the commission to the commissioner; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

Suspension of the Rules

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

House Bills and Joint Resolutions on Third Reading and Final Passage

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

Local and Consent Calendar

HOUSE BILL NO. 98—

BY REPRESENTATIVE RICHARD

AN ACT

To repeal Article VI, Section 29 of the Constitution of 1921, continued as a statute by Article XIV, Section 19 of the Constitution of 1974, Article XIV, Sections 24, 24.2 through 24.9, 24.11 through 24.23, and 31.7, continued as statutes by Article XIV, Section 16(A) of the Constitution of 1974, and Article XVI, Section 6 of the Constitution of 1921, continued as a statute by Article XIV, Sections 16(A) and 32 of the Constitution of 1974 and Part VI of Chapter 2 of Title 33 of the Louisiana Revised Statutes of 1950, comprised of R.S. 33:1271 through 1285, relative to revision of local government laws pursuant to House Concurrent Resolution No. 218 of the 2009 Regular Session of the Legislature; including provisions to repeal certain constitution ancillaries that are no longer effective, including but not limited to provisions superseded by later constitutional provisions or legislative enactments, to repeal provisions for the parish commission form of government, and to direct the Louisiana State Law Institute to redesignate certain provisions of Title 33 of the Louisiana Revised Statutes of 1950, relative to judicial branch functions and local sales taxes to Titles 13 and 47 of the Louisiana Revised Statutes of 1950 respectively; to provide for redesignation of statutes and citations; and to provide for related matters.

Read by title.

Rep. Richard moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Downs	Moreno
Anders	Edwards	Morris
Armes	Fannin	Norton
Arnold	Foil	Nowlin
Aubert	Franklin	Pope
Badon, A.	Geymann	Pugh
Badon, B.	Gisclair	Richard
Baldone	Guillory	Richardson
Barras	Guinn	Robideaux
Barrow	Harrison	Roy
Billiot	Hazel	Schroder
Bishop	Hensgens	Seabaugh
Brossett	Hill	Simon
Burford	Hines	Smiley
Burns, H.	Hoffmann	Smith, G.
Burrell	Honore	Smith, J.

Carmody	Howard	Smith, P.
Carter	Huval	St. Germain
Champagne	Jones, R.	Talbot
Chandler	Jones, S.	Templet
Chaney	Katz	Thierry
Connick	Landry	White
Cortez	Little	Williams
Danahay	Lorusso	Willmott
Dixon	McVea	
Doerge	Monica	
Total - 76		

NAYS

Total - 0

ABSENT

Mr. Speaker	Hutter	Ligi
Burns, T.	Jackson, G.	Lopinto
Cromer	Jackson, M.	Montoucet
Dove	Johnson	Pearson
Ellington	Kleckley	Ponti
Gallot	LaBruzzo	Ritchie
Greene	LaFonta	Stiaes
Hardy	Lambert	Thibaut
Henderson	LeBas	Wooton
Henry	Leger	
Total - 29		

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

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 237—
BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(E) and (H), relative to the jurisdictional amount in dispute for city courts; to increase the jurisdictional amount in dispute for the City Court of Ruston; and to provide for related matters.

Read by title.

Rep. Rosalind Jones moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Doerge	Little
Anders	Downs	Lorusso
Armes	Edwards	McVea
Arnold	Fannin	Monica
Aubert	Foil	Moreno
Badon, A.	Franklin	Norton
Badon, B.	Gisclair	Nowlin
Baldone	Greene	Pope
Barras	Guillory	Pugh
Barrow	Guinn	Richard
Billiot	Harrison	Richardson
Bishop	Hazel	Robideaux
Brossett	Hensgens	Roy
Burford	Hill	Seabaugh
Burns, H.	Hines	Simon

Burrell	Hoffmann	Smith, G.
Carmody	Honore	Smith, P.
Carter	Howard	St. Germain
Champagne	Huval	Templet
Chandler	Jones, R.	Thierry
Chaney	Jones, S.	White
Cortez	Katz	Williams
Danahay	Lambert	Willmott
Dixon	Landry	
Total - 71		

NAYS

Total - 0

ABSENT

Mr. Speaker	Jackson, G.	Pearson
Burns, T.	Jackson, M.	Ponti
Connick	Johnson	Ritchie
Cromer	Kleckley	Schroder
Dove	LaBruzzo	Smiley
Ellington	LaFonta	Smith, J.
Gallot	LeBas	Stiaes
Geymann	Leger	Talbot
Hardy	Ligi	Thibaut
Henderson	Lopinto	Wooton
Henry	Montoucet	
Hutter	Morris	
Total - 34		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 324—
BY REPRESENTATIVE RICHARDSON
AN ACT

To enact R.S. 13:2575.4, relative to the city of Central; to provide relative to administrative adjudication of certain ordinance violations; to provide definitions for certain violations; to provide relative to the types of violations subject to administrative adjudication procedures; and to provide for related matters.

Read by title.

Rep. Richardson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Ellington	Monica
Anders	Fannin	Moreno
Armes	Foil	Morris
Arnold	Franklin	Norton
Aubert	Gisclair	Nowlin
Badon, A.	Greene	Pope
Badon, B.	Guillory	Pugh
Baldone	Guinn	Richard
Barras	Harrison	Richardson
Barrow	Hazel	Ritchie
Billiot	Hensgens	Robideaux
Bishop	Hill	Roy
Brossett	Hines	Schroder

Page 6 HOUSE

21st Day's Proceedings - May 31, 2011

Burford	Hoffmann	Seabaugh
Burns, H.	Honore	Simon
Burrell	Howard	Smiley
Carmody	Huval	Smith, G.
Carter	Jones, R.	Smith, J.
Champagne	Jones, S.	Smith, P.
Chandler	Katz	St. Germain
Chaney	LaBruzzo	Talbot
Connick	Lambert	Templet
Cortez	Landry	Thierry
Danahay	Leger	White
Doerge	Little	Williams
Downs	Lorusso	Willmott
Edwards	McVea	

NAYS

Total - 0

ABSENT

Mr. Speaker	Henry	Lopinto
Burns, T.	Hutter	Montoucet
Cromer	Jackson, G.	Pearson
Dixon	Jackson, M.	Ponti
Dove	Johnson	Stiaes
Gallot	Kleckley	Thibaut
Geymann	LaFonta	Wooton
Hardy	LeBas	
Henderson	Ligi	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 327—
BY REPRESENTATIVES ROY AND HAZEL
AN ACT

To amend and reenact R.S. 33:2740.46(B)(2), relative to the city of Alexandria; to provide relative to the Alexandria Central Economic Development District; to extend the boundaries of the district; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Doerge on behalf of the Legislative Bureau to Engrossed House Bill No. 327 by Representative Roy

AMENDMENT NO. 1

On page 2, line 4, following "in" and before "4" change "section" to "Section"

AMENDMENT NO. 2

On page 2, line 18, following "proceed" and before "29" change "n." to "N."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Edwards	McVea
Anders	Ellington	Monica
Arnes	Fannin	Moreno
Aubert	Foil	Morris
Badon, A.	Franklin	Norton
Badon, B.	Geymann	Nowlin
Baldone	Gisclair	Pope
Barras	Greene	Pugh
Barrow	Guillory	Richard
Billiot	Guinn	Richardson
Bishop	Hazel	Robideaux
Brossett	Hensgens	Schroder
Burford	Hill	Seabaugh
Burns, H.	Hines	Simon
Burrell	Hoffmann	Smiley
Carmody	Honore	Smith, G.
Carter	Howard	Smith, J.
Champagne	Huval	Smith, P.
Chandler	Jones, R.	St. Germain
Chaney	Jones, S.	Talbot
Connick	Katz	Thierry
Cortez	LaBruzzo	White
Danahay	Landry	Williams
Dixon	Leger	Willmott
Doerge	Little	
Downs	Lorusso	

Total - 76

NAYS

Total - 0

ABSENT

Mr. Speaker	Hutter	Montoucet
Arnold	Jackson, G.	Pearson
Burns, T.	Jackson, M.	Ponti
Cromer	Johnson	Ritchie
Dove	Kleckley	Roy
Gallot	LaFonta	Stiaes
Hardy	Lambert	Templet
Harrison	LeBas	Thibaut
Henderson	Ligi	Wooton
Henry	Lopinto	

Total - 29

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 336—
BY REPRESENTATIVE GUINN
AN ACT

To amend and reenact R.S. 33:4581(B), relative to the boundaries of the Flyway Byway Commission; to add territory in Cameron Parish to the district; and to provide for related matters.

Read by title.

Rep. Guinn moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Ellington	Monica
Anders	Fannin	Moreno
Armes	Foil	Morris
Arnold	Franklin	Norton
Aubert	Geymann	Nowlin
Badon, A.	Gisclair	Pope
Badon, B.	Greene	Pugh
Baldone	Guillory	Richard
Barras	Guinn	Richardson
Barrow	Harrison	Ritchie
Billiot	Hazel	Robideaux
Bishop	Hensgens	Roy
Brossett	Hill	Schroder
Burford	Hines	Seabaugh
Burns, H.	Hoffmann	Simon
Burrell	Honore	Smiley
Carmody	Howard	Smith, G.
Carter	Huval	Smith, J.
Champagne	Jones, R.	Smith, P.
Chandler	Jones, S.	St. Germain
Chaney	Katz	Talbot
Connick	LaBruzzo	Templet
Cortez	Lambert	Thierry
Danahay	Landry	White
Dixon	Leger	Williams
Doerge	Little	Willmott
Downs	Lorusso	
Edwards	McVea	
Total - 82		

NAYS

Total - 0

ABSENT

Mr. Speaker	Hutter	Lopinto
Burns, T.	Jackson, G.	Montoucet
Cromer	Jackson, M.	Pearson
Dove	Johnson	Ponti
Gallot	Kleckley	Stiaes
Hardy	LaFonta	Thibaut
Henderson	LeBas	Wooton
Henry	Ligi	
Total - 23		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 456—
BY REPRESENTATIVE MORENO
AN ACT**

To enact R.S. 51:1783(10) and (11) and 1784(D), relative to the La. Enterprise Zone Act; to provide for definitions; to extend the La. Enterprise Zone Act to include transit-oriented multifamily developments which meet certain criteria; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Moreno to Engrossed House Bill No. 456 by Representative Moreno

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 51:1783(10) and (11) and 1784(D)," to "R.S. 51:1783(10), (11), and (12) and 1787(C),"

AMENDMENT NO. 2

On page 1, line 7, change "R.S. 51:1783(10) and (11) and 1784(D)" to "R.S. 51:1783(10), (11), and (12) and 1787(C)"

AMENDMENT NO. 3

On page 1, between lines 12 and 13, insert the following:

"(10) "Multifamily residential housing" means a minimum of ninety and a maximum of one hundred seventy-five attached dwelling units providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation."

AMENDMENT NO. 4

On page 1, line 13, change "(10)" to "(11)"

AMENDMENT NO. 5

On page 1, line 16, change "(11)" to "(12)" and at the end of the line insert a comma "₂"

AMENDMENT NO. 6

On page 1, delete lines 17 through 19 in their entirety and insert in lieu thereof the following:

"consisting of at least fifty percent multifamily residential housing and at least thirty percent commercial or retail facilities, on a single contiguous site, all or part of which is located within one-quarter mile of a multimodal transit center, with at least ten million dollars in capital expenditures for new construction or conversion of existing structures."

AMENDMENT NO. 7

On page 1, delete lines 21 and 22 in their entirety and insert in lieu thereof the following:

"§1787. Incentives

* * *

C. A transit-oriented development shall be eligible for the contract provided for in Subsection A of this Section only if all of the following conditions are met:

(1) Advance notification for the development is filed with the department after June 30, 2011, and before January 1, 2012.

(2) Construction of the development begins no later than one hundred eighty days after the project beginning date stated on the advance notification.

(3) The development and the business applying for enterprise zone incentives meet all other requirements of the Enterprise Zone Program.

* * *

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

AMENDMENT NO. 8

On page 2, delete lines 1 through 4 in their entirety

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Ellington	Moreno
Anders	Fannin	Morris
Armes	Foil	Norton
Arnold	Franklin	Nowlin
Aubert	Geymann	Pope
Badon, A.	Gisclair	Pugh
Badon, B.	Greene	Richard
Baldone	Guillory	Richardson
Barras	Guinn	Ritchie
Barrow	Harrison	Robideaux
Billiot	Hazel	Roy
Bishop	Hensgens	Schroder
Brossett	Hill	Seabaugh
Burford	Hines	Simon
Burns, H.	Hoffmann	Smiley
Burrell	Honore	Smith, G.
Carmody	Howard	Smith, J.
Carter	Huval	Smith, P.
Champagne	Jones, S.	St. Germain
Chandler	Katz	Talbot
Chaney	LaBruzzo	Templet
Connick	LaFonta	Thibaut
Cortez	Landry	Thierry
Danahay	Leger	White
Dixon	Little	Williams
Doerge	Lorusso	Willmott
Downs	McVea	
Edwards	Monica	
Total - 82		

NAYS

Total - 0

ABSENT

Mr. Speaker	Hutter	Ligi
Burns, T.	Jackson, G.	Lopinto
Cromer	Jackson, M.	Montoucet
Dove	Johnson	Pearson
Gallot	Jones, R.	Ponti
Hardy	Kleckley	Stiaes
Henderson	Lambert	Wooton
Henry	LeBas	
Total - 23		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 613—
BY REPRESENTATIVE MORRIS
AN ACT

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

Read by title.

Rep. Morris moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Anders	Downs	LaBruzzo
Armes	Edwards	LaFonta
Arnold	Ellington	Leger
Aubert	Fannin	Lorusso
Badon, A.	Foil	Monica
Badon, B.	Franklin	Moreno
Baldone	Gisclair	Morris
Billiot	Greene	Norton
Bishop	Guillory	Nowlin
Brossett	Guinn	Pope
Burford	Hardy	Richard
Burrell	Harrison	Richardson
Carmody	Hensgens	Robideaux
Carter	Hill	Roy
Champagne	Hines	Smith, G.
Chandler	Hoffmann	Smith, P.
Chaney	Honore	St. Germain
Connick	Howard	Talbot
Cortez	Huval	Thibaut
Danahay	Jones, R.	White
Dixon	Jones, S.	Williams
Doerge	Katz	
Total - 65		

NAYS

Abramson	Pugh	Templet
Geymann	Schroder	Thierry
Hazel	Seabaugh	Willmott
Landry	Simon	
Little	Smith, J.	
Total - 13		

ABSENT

Mr. Speaker	Henry	Lopinto
Barras	Hutter	McVea
Barrow	Jackson, G.	Montoucet
Burns, H.	Jackson, M.	Pearson
Burns, T.	Johnson	Ponti
Cromer	Kleckley	Ritchie
Dove	Lambert	Smiley
Gallot	LeBas	Stiaes
Henderson	Ligi	Wooton
Total - 27		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Regular Calendar

HOUSE BILL NO. 638 (Substitute for House Bill No. 218 by Representative White) —

BY REPRESENTATIVES WHITE, ARMES, GISCLAIR, HARDY, RICHARD, RICHARDSON, GARY SMITH, JANE SMITH, AND ST. GERMAIN

AN ACT

To enact R.S. 32:667.1, relative to tests for suspected drunken drivers; to provide for the seizure and suspension of drivers' licenses upon arrest for vehicular homicide; to provide for procedures; to provide for the period of the suspension; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative White to Engrossed House Bill No. 638 by Representative White

AMENDMENT NO. 1

On page 2, line 13, after "court" delete the remainder of the line

AMENDMENT NO. 2

On page 2, at the beginning of line 14, delete "this Subsection," and insert "determines that the test provided for in Paragraph (2) of this Subsection indicates the presence of alcohol, an abused substance, a controlled dangerous substance or any other substance which causes impairment."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative White to Engrossed House Bill No. 638 by Representative White

AMENDMENT NO. 1

On page 2, line 9, after "arrested" and before "and" delete "pursuant to the provisions of R.S. 32:681"

AMENDMENT NO. 2

On page 2, at the end of line 12, add "The scope of the hearing shall be limited to the issues provided for in this Paragraph."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Fannin	Monica
Anders	Foil	Moreno
Armes	Geymann	Morris
Arnold	GISclair	Pearson
Aubert	Greene	Pope
Badon, B.	Guillory	Pugh
Baldone	Guinn	Richard
Barras	Hardy	Richardson
Billiot	Harrison	Ritchie
Burford	Hazel	Robideaux
Burns, H.	Hensgens	Roy
Burrell	Hill	Schroder
Carmody	Hines	Seabaugh
Carter	Hoffmann	Simon
Champagne	Howard	Smiley
Chandler	Huval	Smith, G.
Chaney	Jackson, M.	Smith, J.
Connick	Jones, S.	St. Germain
Cortez	Katz	Talbot
Danahay	LaBruzzo	Templet
Dixon	Lambert	Thibaut
Doerge	Landry	Thierry
Downs	Little	White
Edwards	Lorusso	Williams
Ellington	McVea	Willmott
Total - 75		

NAYS

Badon, A.	Franklin	Leger
Barrow	Jones, R.	Norton
Brossett	LaFonta	Smith, P.
Total - 9		

ABSENT

Mr. Speaker	Henry	Ligi
Bishop	Honore	Lopinto
Burns, T.	Hutter	Montoucet
Cromer	Jackson, G.	Nowlin
Dove	Johnson	Ponti
Gallot	Kleckley	Stiaes
Henderson	LeBas	Wooton
Total - 21		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 639 (Substitute for House Bill No. 584 by Representative Smiley) —

BY REPRESENTATIVE SMILEY

AN ACT

To amend and reenact R.S. 3:3552(A), R.S. 17:3162, 3163(B)(2), (3), and (4), 3164(A)(1) and (2)(b)(i) and (F)(2), 3165(C) and (D)(1), and 3167(D), R.S. 34:3101(B)(7), 3106(A), 3107, 3108(A), 3109(C)(9), 3112(G), 3113(B), 3115(A), and 3116(B), (C), and (D), R.S. 36:504(A)(9) and 509(L), R.S. 47:337.22(B) and 337.23(A)(2), (B), (C)(introductory paragraph), (D), (F), (G), (I)(1)(b), and (J), and R.S. 48:1093(introductory paragraph), 1101.1(B)(2)(a), and 1161 and to repeal Subpart M of Part II of Chapter 4 of Subtitle I of Title 11 of the Louisiana Revised Statutes of 1950, comprised of R.S. 11:301 through 309, R.S. 17:3166(A)(1) and 3167(A) and (B), Chapter 23 of Title 25 of the Louisiana Revised Statutes of 1950, comprised of R.S. 25:1011 through 1016, Chapter 33 of Title 25 of the

Louisiana Revised Statutes of 1950, comprised of R.S. 25:1301 through 1307, Chapter 35 of Title 25 of the Louisiana Revised Statutes of 1950, comprised of R.S. 25:1321 through 1325, R.S. 28:311 through 313, R.S. 29:735.4, R.S. 34:3102(2), 3104, and 3105, R.S. 36:4(B)(1)(o), (S), and (T), 4.1(D)(17), and 509(M), Part V-B of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:211 through 216, Chapter 26 of Title 42 of the Louisiana Revised Statutes of 1950, comprised of R.S. 42:1481 through 1485, R.S. 46:1941.8(A)(3)(b), R.S. 47:337.22(C) and 337.23(H), R.S. 48:1092.1 , and R.S. 51:943, relative to boards, commissions, authorities, districts, and like entities; to provide relative to the functional organization of state government by abolishing certain boards, commissions, authorities, and like entities; to transfer certain powers and responsibilities; to remove references to certain abolished entities; to remove references to, provisions for, and the powers, functions, and duties of the Commission on Public Retirement, the Compensation Review Commission, the Emergency/Disaster Medicine Review Panel, the Louisiana Governor's Mansion Commission, the Hurricane Katrina Memorial Commission, the Louisiana Wetlands Conservation and Hurricane Protection Tourist Center Commission, the Mississippi River Bridge Authority, the Small Business Entrepreneurship Commission, the Louisiana Technology Innovations Council, the Uniform Electronic Local Return and Remittance Advisory Committee, and the Youth Enhanced Services Consortium; the Offshore Terminal Authority, and the Statewide Articulation and Transfer Council; to provide for transfer of some of the powers, functions, and duties of some of the above-referenced entities; to provide for certain technical corrections regarding placement of boards and commissions in the Executive Reorganization Act; to provide relative to membership on the Louisiana Soybean and Grain Research and Promotion Board; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Doerge on behalf of the Legislative Bureau to Engrossed House Bill No. 639 by Representative Smiley

AMENDMENT NO. 1

On page 5, line 27, following "Section 8." and before "are hereby" change "R.S. 51:943 and R.S. 36:4.1(D)(17)" to "R.S. 36:4.1(D)(7) and R.S. 51:943"

AMENDMENT NO. 2

On page 6, line 19, delete "no later than January 1, 2005,"

AMENDMENT NO. 3

On page 9, line 8, change "them" to "him"

AMENDMENT NO. 4

On page 10, line 1, following "is the" and before "intention" insert "sole"

AMENDMENT NO. 5

On page 10, line 1, following "Section" and before "to provide" delete "only"

AMENDMENT NO. 6

On page 13, line 10, following "under" and before "for the" change "Section 3112.1" to "R.S. 34:3112.1"

AMENDMENT NO. 7

On page 18, line 2, following "including" and before "but" delete ","

AMENDMENT NO. 8

On page 18, line 2, following "to" and before "admissions" delete ","

AMENDMENT NO. 9

On page 18, line 15, following "degrees" and before "transfer" change "that" to "who"

AMENDMENT NO. 10

On page 21, line 25, following "and" and before "members" change "two" to "four"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Smiley to Engrossed House Bill No. 639 by Representative Smiley

AMENDMENT NO. 1

On page 1, line 5, after "509(L)," delete the remainder of the line and delete line 6 and insert "and R.S."

AMENDMENT NO. 2

On page 1, at the end of line 18, delete "R.S." and on line 19, delete "47:337.22(C) and 337.23(H),"

AMENDMENT NO. 3

On page 2, line 11, after "Council," delete the remainder of the line and on line 12, delete "and Remittance Advisory Committee,"

AMENDMENT NO. 4

On page 6, delete lines 5 through 29 and delete pages 7 through 10 and on page 11, delete lines 1 through 3

AMENDMENT NO. 5

On page 11, at the beginning of line 5, change "Section 11." to "Section 10."

AMENDMENT NO. 6

On page 11, at the beginning of line 8, change "Section 12.(A)" to "Section 11.(A)"

AMENDMENT NO. 7

On page 16, at the beginning of line 10, change "Section 13.(A)" to "Section 12.(A)"

AMENDMENT NO. 8

On page 21, at the beginning of line 17, change "Section 14." to "Section 13."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative St. Germain to Engrossed House Bill No. 639 by Representative Smiley

AMENDMENT NO. 1

On page 1, line 4, change "3113(B)," to "3112.1(A)(8) and (C), 3113(B), (E), (G), (H), and (J)(4),"

AMENDMENT NO. 2

On page 1, line 5, after "R.S. 36:504(A)(9)" insert a comma and change "and 509(L)," to "509(L), and 913(A),"

AMENDMENT NO. 3

On page 1, line 14, change "R.S. 34:3102(2), 3104, and 3105," to "R.S. 34:3102(2) and (15), 3104, 3105, and 3113(F),"

AMENDMENT NO. 4

On page 11, at the beginning of line 9, change "3113(B)," to "3112.1(A)(8) and (C), 3113(B), (E), (G), (H), and (J)(4),"

AMENDMENT NO. 5

On page 11, line 24, after "disbursements of the" delete "board;" and insert "authority;"

AMENDMENT NO. 6

On page 12, at the end of line 4, delete "their" and insert "its"

AMENDMENT NO. 7

On page 12, line 7, after "pleasure of the" delete "board." and insert "governor."

AMENDMENT NO. 8

On page 12, at the end of line 16, change the period "." to a comma "," and insert "which shall be reasonable in light of fees charged by the authority to provide for its administrative costs attributable to the authority development program."

AMENDMENT NO. 9

On page 13, at the end of line 15, insert "of the Department of Transportation and Development"

AMENDMENT NO. 10

On page 14, at the beginning of line 19, change "executive director" to "authority"

AMENDMENT NO. 11

On page 14, delete lines 23 through 27 and insert the following:

"§3112.1. Additional authorization to issue revenue bonds and notes

A. Power to issue revenue bonds and notes. Without reference to any other provisions of the constitution and of the laws of Louisiana and as a grant of power in addition to the authority to issue

bonds contained in Section 3112 of this Chapter and to carry out the purposes of this Chapter and promote industrial development in the state, the authority is authorized, with approval of the State Bond Commission, to issue its revenue bonds and notes, herein collectively called revenue bonds, as hereinafter provided, to finance or assist in the financing of the development, acquisition, and/or construction of deepwater ports and offshore terminal facilities licensed by the Secretary of Transportation of the United States of America pursuant to the Deepwater Port Act of 1974, as the same may be amended or supplemented from time to time, and to be emplaced within the coastal waters of Louisiana or seaward thereof and all directly related storage facilities and all functionally related and subordinate facilities and equipment therefor located offshore or onshore. The revenue bonds shall be authorized, secured, and have the details and characteristics set out hereunder.

* * *

(8) Nonliability of officers. ~~No member of the board or~~ Neither the executive director, any officer of the authority, nor the secretary of the Department of Transportation and Development ~~and no nor~~ any officer or member of the State Bond Commission ~~or nor~~ any person executing such revenue bonds shall be liable personally on such bonds.

* * *

C. Construction of Section. The powers and rights conferred by this Section shall be in addition and supplemental to the powers and rights conferred by any other general or special law. This Section does and shall be construed to provide a complete and additional method for the doing of the things authorized thereby. Neither the making of contracts nor the issuance of revenue bonds or refunding revenue bonds or other obligations pursuant to the provisions of this Section need comply with the requirements of any other state law applicable to the making of contracts and the issuance of the revenue bonds or other obligations for the financing of any revenue bond project or projects undertaken pursuant to this Section, except as herein provided. In accordance with Title 36 of the Louisiana Revised Statutes of 1950, the secretary of the Department of Transportation and Development is vested with and is hereby granted the right, power, and authority to do, perform, and exercise for and on behalf of the authority ~~and its board of commissioners~~, all acts and things required to be done and performed in connection with the authorization and issuance of revenue bonds under this Section. No proceedings, notice, or approval shall be required for the issuance of any revenue bonds or any instrument as security therefor, except as provided in this Section. The provisions of this Section shall be liberally construed for the accomplishment of its purposes.

* * *

§3113. Environmental protection plan

* * *

B. The environmental protection plan shall be formulated by the ~~three directors, as herein defined, with the advice and consent of the board of commissioners of the authority~~ executive director subject to approval of the secretary of the Department of Transportation and Development.

* * *

E. The environmental protection plan may be amended at any time in accordance with the provisions of the Louisiana Administrative Procedure Act, to reflect changes in the authority development program. Initiation for changes may come from ~~any of the three directors~~ the executive director or any interested person.

* * *

G. The environmental protection plan shall be an integral part of the authority development program. Costs incurred to develop the initial plan, or any amendments to it, shall be considered an internal cost of the authority development program and shall be considered a cost to the same extent that economic, engineering or promotional programs are considered costs. ~~The three directors~~ executive director, subject to approval of the secretary of the Department of Transportation and Development, shall agree on the appropriate level of funding for the developing of the authority environmental protection plan, prepare any amendments thereto, and carry out the requirements of the plan. To the extent possible, federal funds shall be sought to assist in this effort.

H. The best talent available shall be sought to perform the studies and surveys necessary to develop an environmental protection plan and carry out its requirements in accordance with this ~~chapter~~ Chapter. To the extent possible, university-based, public and private researchers in Louisiana shall be utilized. In all cases, the research in support of the environmental protection plan shall be coordinated by ~~agreement of the three directors~~ the executive director. The results of all research done in support of the environmental protection plan shall be open to the public and available to any interested person.

* * *

J. The environmental protection plan shall:

* * *

(4) Present details of how the operational aspects of the authority development program will be conducted so as to minimize environmental problems, including but not limited to a monitoring program by appropriate public or private persons selected by the ~~board of commissioners~~ secretary of the Department of Transportation and Development; establishment of constructional and operational guidelines for environmental protection; strong enforcement provisions and mechanisms to ~~insure~~ ensure cleanup of accidental spills by technical means, with evidence of financial responsibility to ~~insure~~ ensure performance of the cleanup, and compliance with the enforcement provisions of the environmental protection plan. The plan shall consider the circumstances which may justify the temporary cessation of the port activities."

AMENDMENT NO. 12

On page 15, delete line 18, and insert "secretary of the Department of Natural Resources or his designee charged with the development of the coastal zone management plan."

AMENDMENT NO. 13

On page 16, line 1, change "36:509(L) is" to "36:509(L) and 913(A) are"

AMENDMENT NO. 14

On page 16, between lines 7 and 8, insert the following:

"§913. Transfer; certain appointing authority retained

A. The agencies transferred by the provisions of R.S. ~~36:509(L) and 629(D)~~ 36:629(D) shall be transferred as provided in this Part except that each agency so transferred shall continue to appoint its own director and assistant director or personnel to fill comparable positions as provided by law.

* * *

AMENDMENT NO. 15

On page 16, line 8, change "R.S. 34:3102(2), 3104, and 3105," to "R.S. 34:3102(2) and (15), 3104, 3105, and 3113(F)"

On motion of Rep. St. Germain, the amendments were adopted.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Edwards to Engrossed House Bill No. 639 by Representative Smiley

AMENDMENT NO. 1

On page 1, delete lines 2 and 3 and insert "To amend and reenact R.S. 3:3552(A), R.S. 34:3101(B)(7),"

AMENDMENT NO. 2

On page 1, line 9, after "through 309," delete the remainder of the line and on line 10, delete "and (B),"

AMENDMENT NO. 3

On page 2, delete line 13 and on line 14, delete "Council;" and insert "and the Offshore Terminal Authority;"

AMENDMENT NO. 4

On page 16, after line 8, delete the remainder of the page and delete pages 17 through 20 and on page 21, delete lines 1 through 15

AMENDMENT NO. 5

On page 21, at the beginning of line 17, change "Section 14." to "Section 12."

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

Speaker Tucker in the Chair

Suspension of the Rules

On motion of Rep. Katz, 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.

Motion

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

HOUSE BILL NO. 32—
BY REPRESENTATIVE FANNIN
AN ACT

To provide for the establishment and reestablishment of agency ancillary funds, to be specifically known as internal service funds, auxiliary accounts, or enterprise funds for certain state institutions, officials, and agencies; to provide for appropriation of funds; and to regulate the administration of said funds.

Read by title.

Rep. Fannin moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Foil	Lorusso
Anders	Franklin	Monica
Armes	Geymann	Moreno
Arnold	Gisclair	Morris
Aubert	Guillory	Norton
Badon, A.	Guinn	Pearson
Badon, B.	Hardy	Pugh
Baldone	Harrison	Richard
Barras	Hazel	Richardson
Billiot	Hensgens	Ritchie
Bishop	Hill	Robideaux
Brossett	Hines	Roy
Burford	Hoffmann	Schroder
Burns, H.	Honore	Seabaugh
Burrell	Howard	Simon
Carmody	Huval	Smiley
Carter	Jackson, G.	Smith, G.
Champagne	Jackson, M.	Smith, J.
Chandler	Johnson	Smith, P.
Chaney	Jones, R.	St. Germain
Connick	Jones, S.	Talbot
Cortez	Katz	Templet
Danahay	LaBruzzo	Thibaut
Doerge	LaFonta	Thierry
Downs	Lambert	White
Edwards	Landy	Williams
Ellington	Leger	Willmott
Fannin	Little	
Total - 84		

NAYS

Total - 0

ABSENT

Abramson	Greene	Lopinto
Barrow	Henderson	McVea
Burns, T.	Henry	Montoucet
Cromer	Hutter	Ponti
Dixon	Kleckley	Richard
Dove	LeBas	Stiaes
Gallot	Ligi	Wooton
Total - 21		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 34—
BY REPRESENTATIVE BROSETT
AN ACT

To enact R.S. 29:726.3, relative to the Louisiana Homeland Security and Emergency Assistance and Disaster Act; to provide for the development, operation, and maintenance of a critical incident planning and mapping system; to provide for responsibilities of the Governor's Office of Homeland Security and Emergency Preparedness; to require that certain entities provide critical information to be included in the system; to provide definitions; and to provide for related matters.

Read by title.

Rep. Brossett moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Foil	McVea
Anders	Franklin	Monica

Armes	Geymann	Moreno
Arnold	Gisclair	Morris
Aubert	Guillory	Norton
Badon, A.	Guinn	Pearson
Badon, B.	Hardy	Pope
Baldone	Harrison	Pugh
Barras	Hazel	Richard
Barrow	Hensgens	Richardson
Billiot	Hill	Ritchie
Bishop	Hines	Robideaux
Brossett	Hoffmann	Roy
Burns, H.	Honore	Schroder
Burrell	Howard	Seabaugh
Carmody	Huval	Simon
Carter	Jackson, G.	Smiley
Champagne	Jackson, M.	Smith, G.
Chandler	Johnson	Smith, J.
Chaney	Jones, R.	Smith, P.
Connick	Jones, S.	St. Germain
Cortez	Katz	Talbot
Danahay	LaBruzzo	Templet
Dixon	LaFonta	Thibaut
Doerge	Lambert	Thierry
Downs	Landy	White
Edwards	Leger	Williams
Ellington	Little	Willmott
Fannin	Lorusso	
Total - 86		

NAYS

Total - 0

ABSENT

Abramson	Henderson	Montoucet
Burford	Henry	Nowlin
Burns, T.	Hutter	Ponti
Cromer	Kleckley	Stiaes
Dove	LeBas	Wooton
Gallot	Ligi	
Greene	Lopinto	
Total - 19		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 94—
BY REPRESENTATIVES KATZ, ABRAMSON, BARROW, DOERGE, HILL,
MICHAEL JACKSON, JOHNSON, LABRUZZO, LEBAS, NOWLIN, SIMON,
AND WILLMOTT
AN ACT

To amend and reenact R.S. 33:1563(H), R.S. 43:34, and R.S. 46:1431(A) and (C)(3), relative to the Missing and Exploited Children Information Clearinghouse of this state; to provide for administrative authority; to authorize the promulgation of rules; and to provide for related matters.

Read by title.

Rep. Katz moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Foil	Lorusso
Anders	Franklin	McVea
Armes	Geymann	Monica
Arnold	Gisclair	Moreno
Aubert	Guillory	Morris

Badon, B.	Guinn	Norton
Baldone	Hardy	Nowlin
Barras	Harrison	Pearson
Barrow	Hazel	Pope
Billiot	Hensgens	Pugh
Brossett	Hill	Richard
Burford	Hines	Richardson
Burns, H.	Hoffmann	Ritchie
Burrell	Honore	Robideaux
Carmody	Howard	Schroder
Carter	Huval	Seabaugh
Champagne	Jackson, G.	Simon
Chandler	Jackson, M.	Smiley
Chaney	Johnson	Smith, G.
Connick	Jones, R.	Smith, J.
Cortez	Jones, S.	Smith, P.
Danahay	Katz	St. Germain
Dixon	LaBruzzo	Talbot
Doerge	LaFonta	Templet
Downs	Lambert	Thierry
Edwards	Landry	White
Ellington	Leger	Williams
Fannin	Little	Willmott
Total - 84		

NAYS

Total - 0

ABSENT

Abramson	Greene	Lopinto
Badon, A.	Henderson	Montoucet
Bishop	Henry	Ponti
Burns, T.	Hutter	Roy
Cromer	Kleckley	Stiaes
Dove	LeBas	Thibaut
Gallot	Ligi	Wooton
Total - 12		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 125—

BY REPRESENTATIVES FOIL, CARTER, HONORE, AND MICHAEL JACKSON

AN ACT

To amend and reenact R.S. 27:92(B)(2)(b) and to enact R.S. 27:92(D), relative to the collection and disposition of fees from the conduct of gaming activities on a riverboat; to dedicate a portion of fees collected from certain riverboats operating within East Baton Rouge Parish; to establish the East Baton Rouge Parish Higher Education Improvement Fund as a special treasury fund; and to provide for related matters.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Foil gave notice of his intention to call House Bill No. 125 from the calendar on Wednesday, June 1, 2011.

HOUSE BILL NO. 639 (Substitute for House Bill No. 584 by Representative Smiley) —

BY REPRESENTATIVE SMILEY

AN ACT

To amend and reenact R.S. 3:3552(A), R.S. 17:3162, 3163(B)(2), (3), and (4), 3164(A)(1) and (2)(b)(i) and (F)(2), 3165(C) and

(D)(1), and 3167(D), R.S. 34:3101(B)(7), 3106(A), 3107, 3108(A), 3109(C)(9), 3112(G), 3113(B), 3115(A), and 3116(B), (C), and (D), R.S. 36:504(A)(9) and 509(L), R.S. 47:337.22(B) and 337.23(A)(2), (B), (C)(introductory paragraph), (D), (F), (G), (I)(1)(b), and (J), and R.S. 48:1093(introductory paragraph), 1101.1(B)(2)(a), and 1161 and to repeal Subpart M of Part II of Chapter 4 of Subtitle 1 of Title 11 of the Louisiana Revised Statutes of 1950, comprised of R.S. 11:301 through 309, R.S. 17:3166(A)(1) and 3167(A) and (B), Chapter 23 of Title 25 of the Louisiana Revised Statutes of 1950, comprised of R.S. 25:1011 through 1016, Chapter 33 of Title 25 of the Louisiana Revised Statutes of 1950, comprised of R.S. 25:1301 through 1307, Chapter 35 of Title 25 of the Louisiana Revised Statutes of 1950, comprised of R.S. 25:1321 through 1325, R.S. 28:311 through 313, R.S. 29:735.4, R.S. 34:3102(2), 3104, and 3105, R.S. 36:4(B)(1)(o), (S), and (T), 4.1(D)(17), and 509(M), Part V-B of Chapter 1 of Subtitle 1 of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:211 through 216, Chapter 26 of Title 42 of the Louisiana Revised Statutes of 1950, comprised of R.S. 42:1481 through 1485, R.S. 46:1941.8(A)(3)(b), R.S. 47:337.22(C) and 337.23(H), R.S. 48:1092.1, and R.S. 51:943, relative to boards, commissions, authorities, districts, and like entities; to provide relative to the functional organization of state government by abolishing certain boards, commissions, authorities, and like entities; to transfer certain powers and responsibilities; to remove references to certain abolished entities; to remove references to, provisions for, and the powers, functions, and duties of the Commission on Public Retirement, the Compensation Review Commission, the Emergency/Disaster Medicine Review Panel, the Louisiana Governor's Mansion Commission, the Hurricane Katrina Memorial Commission, the Louisiana Wetlands Conservation and Hurricane Protection Tourist Center Commission, the Mississippi River Bridge Authority, the Small Business Entrepreneurship Commission, the Louisiana Technology Innovations Council, the Uniform Electronic Local Return and Remittance Advisory Committee, and the Youth Enhanced Services Consortium; the Offshore Terminal Authority, and the Statewide Articulation and Transfer Council; to provide for transfer of some of the powers, functions, and duties of some of the above-referenced entities; to provide for certain technical corrections regarding placement of boards and commissions in the Executive Reorganization Act; to provide relative to membership on the Louisiana Soybean and Grain Research and Promotion Board; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Norton to Engrossed House Bill No. 639 by Representative Smiley

AMENDMENT NO. 1

On page 1, line 15, after "(T)," and before "and 509(M)," delete "4.1(D)(17),"

AMENDMENT NO. 2

On page 1, line 19, after "337.23(H)," and before "R.S. 48:1092.1," and insert "and

AMENDMENT NO. 3

On page 1, line 19, after "48:1092.1," and before "relative" delete "and R.S. 51:943,"

AMENDMENT NO. 4

On page 2, line 10, after "Authority," and before "the" delete "the Small Business Entrepreneurship Commission,"

AMENDMENT NO. 5

On page 5, delete lines 26 and 27 in their entirety

Rep. Norton moved the adoption of the amendments.

Rep. Harrison objected.

By a vote of 32 yeas and 51 nays, the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gisclair	Morris
Anders	Guillory	Nowlin
Arnold	Guinn	Pearson
Badon, B.	Hardy	Pope
Baldone	Harrison	Pugh
Barras	Hazel	Richard
Billiot	Hensgens	Richardson
Burford	Hines	Robideaux
Burns, H.	Hoffmann	Schroder
Carmody	Honore	Seabaugh
Carter	Howard	Simon
Champagne	Huval	Smiley
Chandler	Jackson, G.	Smith, G.
Chaney	Jackson, M.	Smith, J.
Connick	Katz	St. Germain
Cortez	LaBruzzo	Talbot
Danahay	Lambert	Templet
Doerge	Landry	Thibaut
Downs	Little	White
Ellington	Lorusso	Williams
Fannin	McVea	Willmott
Foil	Monica	
Geymann	Moreno	
Total - 67		

NAYS

Armes	Dixon	LaFonta
Aubert	Edwards	Leger
Badon, A.	Franklin	Norton
Bishop	Johnson	Roy
Brossett	Jones, R.	Smith, P.
Burrell	Jones, S.	Thierry
Total - 18		

ABSENT

Abramson	Henderson	Lopinto
Barrow	Henry	Montoucet
Burns, T.	Hill	Ponti
Cromer	Hutter	Ritchie
Dove	Kleckley	Stiaes
Gallot	LeBas	Wooton
Greene	Ligi	
Total - 20		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Wooton gave notice of his intention to call House Bill No. 121 from the calendar on Wednesday, June 1, 2011.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Hazel gave notice of his intention to call House Bill No. 287 from the calendar on Wednesday, June 1, 2011.

Suspension of the Rules

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

Introduction of Resolutions, House and House Concurrent

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

HOUSE RESOLUTION NO. 52—
BY REPRESENTATIVE ELLINGTON
A RESOLUTION

To recognize Wednesday, June 1, 2011, as 4-H Day at the Louisiana State Capitol and to commend 4-H members and volunteers throughout the state for their outstanding accomplishments and manifold contributions to their communities.

Read by title.

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

HOUSE RESOLUTION NO. 53—
BY REPRESENTATIVE GISCLAIR
A RESOLUTION

To direct the Louisiana State Uniform Construction Code Council to study and report to the House Committee on Commerce a list of recommended statutory changes to be made to the state uniform construction code to better meet the needs of the citizens of Louisiana.

Read by title.

Lies over under the rules.

HOUSE RESOLUTION NO. 54—
BY REPRESENTATIVE SCHRODER
A RESOLUTION

To commend the Archbishop Hannan High School girls softball team upon winning the 2011 Class 1A title.

Read by title.

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

HOUSE RESOLUTION NO. 55—
BY REPRESENTATIVES CHAMPAGNE AND HENSGENS
A RESOLUTION

To urge and request the Department of Transportation and Development to overlay a certain portion of Louisiana Highways 330 and 14.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 138—

BY REPRESENTATIVE PATRICIA SMITH
A CONCURRENT RESOLUTION

To commend the black pioneers of nursing at Baton Rouge General Hospital and to recognize the special place they hold in the history of the state of Louisiana.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 139—

BY REPRESENTATIVE BARROW
A CONCURRENT RESOLUTION

To recognize Thursday, June 2, 2011, as Red and White Day at the Louisiana Legislature.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 140—

BY REPRESENTATIVE ST. GERMAIN
A CONCURRENT RESOLUTION

To urge and request members of the United States Congress to oppose any legislation allowing an increase in truck weight and size.

Read by title.

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

Ordered to the Senate.

Privileged Report of the Committee on Enrollment

May 31, 2011

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

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

The following House Resolutions have been properly enrolled:

HOUSE RESOLUTION NO. 48—

BY REPRESENTATIVE HONORE
A RESOLUTION

To express sincere and heartfelt condolences upon the death of Carolyn Williams Jacobs of Baton Rouge.

HOUSE RESOLUTION NO. 49—

BY REPRESENTATIVES EDWARDS, ABRAMSON, ANDERS, ARMES, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BARROW, BILLIOT, BISHOP, BROSETT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, CROMER, DANAHAY, DIXON, DOERGE, DOVE, DOWNS, ELLINGTON, FANNIN, FOIL, FRANKLIN, GALLOT, GEYMAN, GISCLAIR, GREENE, GUILLORY, GUINN, HARDY, HARRISON, HAZEL, HENDERSON, HENRY, HENSGENS, HILL, HINES, HOFFMANN, HONORE, HOWARD, HUTTER, HUVAL, GIROD JACKSON, MICHAEL JACKSON, JOHNSON, ROSALIND JONES, SAM JONES, KATZ, KLECKLEY, LABRUZZO, LAFONTA, LAMBERT, LANDRY, LEBAS, LEGER, LIGI, LITTLE, LOPINTO, LORUSSO, MCVEA, MONICA, MONTOUCET, MORENO, MORRIS, NORTON, NOWLIN, PEARSON, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RITCHIE, ROBIDEAUX, ROY, SCHRODER, SEABAUGH,

SIMON, SMILEY, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, STIAES, TALBOT, TEMPLET, THIBAUT, THIERRY, TUCKER, WHITE, WILLIAMS, WILLMOTT, AND WOOTON
A RESOLUTION

To urge and request that all Gulf Coast Claims Facility offices in Louisiana remain open.

HOUSE RESOLUTION NO. 51—

BY REPRESENTATIVE CARTER
A RESOLUTION

To recognize the month of May as National Physical Fitness and Sports Month.

Respectfully submitted,

JEAN DOERGE
Chair

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

Suspension of the Rules

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

House Bill No. 111

Suspension of the Rules

On motion of Rep. Lorusso, the rules were suspended to permit the Committee on Civil Law and Procedure to meet upon adjournment on Wednesday, June 1, 2011, without giving the notice required by House Rule 14.24(A) and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill Nos. 120 and 391

House Concurrent Resolution Nos. 126 and 127

Suspension of the Rules

On motion of Rep. Austin Badon, the rules were suspended to permit the Committee on Education to consider the following legislative instruments without giving the notice required by House Rule 14.24(A):

House Bill No. 448

Suspension of the Rules

On motion of Rep. Smiley, the rules were suspended to permit the Committee on House and Governmental Affairs to consider the following legislative instruments without giving the notice required by House Rule 14.24(A):

House Bill No. 204

Suspension of the Rules

On motion of Rep. McVea, the rules were suspended to permit the Committee on Insurance to meet at 10:00 A.M. on Wednesday, June 1, 2011.

Suspension of the Rules

On motion of Rep. Greene, the rules were suspended to permit the Committee on Ways and Means to meet upon adjournment on Wednesday, June 1, 2011, without giving the notice required by House Rule 14.24(A) and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill Nos. 35, 88, 147, 247, 248, 319, 348, 349, 371, 441, 463, 467, 473, 484, 508, 593, 597, 606, and 632

Leave of Absence

Rep. Stiaes - 1 day

Rep. Montoucet - 1 day

Rep. LeBas - 1 day

Rep. Ligi - 1 day

Adjournment

On motion of Rep. Billiot, at 5:45 P.M., the House agreed to adjourn until Wednesday, June 1, 2011, at 1:00 P.M.

The Speaker of the House declared the House adjourned until 1:00 P.M., Wednesday, June 1, 2011.

ALFRED W. SPEER
Clerk of the House

