

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

**FOURTEENTH DAY'S PROCEEDINGS**

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

House of Representatives  
State Capitol  
Baton Rouge, Louisiana  
  
Monday, May 18, 2009

The House of Representatives was called to order at 2:15 P.M., by the Honorable Jim Tucker, Speaker of the House of Representatives.

**Morning Hour**

**ROLL CALL**

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

**PRESENT**

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

Ellington	Ligi	Willmott
Ernst	Little	Wooton
Fannin	Lopinto	
Foil	McVea	
Total - 103		
	<b>ABSENT</b>	

St. Germain  
Total - 1

The Speaker announced that there were 103 members present and a quorum.

**Prayer**

Prayer was offered by Rep. Rosalind Jones.

**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. Brossett, the reading of the Journal was dispensed with.

On motion of Rep. Brossett, the Journal of May 15, 2009, was adopted.

**Petitions, Memorials and  
Communications**

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

**Louisiana House of Representatives**

May 14, 2009

Dear Mr. Speaker:

Please accept this letter of resignation from the Louisiana House of Representatives. This resignation is effective 1:59 p.m., on Friday, May 15, 2009.

Sincerely,

Elbert Lee Guillory

Sworn to before me, this 14<sup>th</sup> day of May, 2009

Alfred W. Speer, Clerk 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. 44—**

BY REPRESENTATIVES GALLOT, ABRAMSON, ANDERS, ARMES, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BARROW, BILLIOT, BROSSETT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, CROMER, DANAHAY, DIXON, DOERGE, DOVE, DOWNS, EDWARDS, ELLINGTON, ERNST, FANNIN, FOIL, FRANKLIN, GEYMAN, GISCLAIR, GREENE, MICKEY GUILLORY, GUINN, HARDY, HARRISON, HAZEL, HENDERSON, HENRY, HILL, HINES, HOFFMANN, HONEY, HOWARD, HUTTER, GIROD JACKSON, MICHAEL JACKSON, JOHNSON, ROSALIND JONES, SAM JONES, KATZ, KLECKLEY, LABRUZZO, LAFONTA, LAMBERT, LANDRY, LEBAS, LEGER, LIGI, LITTLE, LOPINTO, MCVEA, MILLS, MONICA, MONTOUCET, MORRIS, NORTON, NOWLIN, PEARSON, PERRY, PETERSON, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RICHMOND, RITCHIE, ROBIDEAUX, ROY, SCHRODER, SIMON, SMILEY, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN,

STIAES, TALBOT, TEMPLET, THIBAUT, TUCKER, WADDELL, WHITE, WILLIAMS, WILLMOTT, AND WOOTON  
A RESOLUTION

To commend Coach Billy Montgomery, former state representative, upon being named Mr. Louisiana Basketball by the Louisiana Association of Basketball Coaches.

Read by title.

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

**HOUSE RESOLUTION NO. 45—**

BY REPRESENTATIVE WILLIAMS  
A RESOLUTION

To recognize Wednesday, May 20, 2009, as YMCA Day at the Louisiana State Capitol and to commend the volunteers and members of the state's YMCAs.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 121—**

BY REPRESENTATIVE DOVE  
A CONCURRENT RESOLUTION

To recognize Monday, May 18, 2009, as Coastal Day at the Louisiana Legislature.

Read by title.

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

Ordered to the Senate.

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

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

**Motion**

On motion of Rep. Richmond, the Committee on House and Governmental Affairs was discharged from further consideration of House Bill No. 574.

**HOUSE BILL NO. 574—**

BY REPRESENTATIVES RICHMOND AND HARDY  
AN ACT

To enact R.S. 13:587.4 and 1344, relative to specialized divisions or sections of state district courts; to authorize any district court by vote of the judges to adopt specialized divisions or sections having specified subject matter jurisdiction; to authorize a division or section to provide for an expedited docket for violent crimes involving a dangerous weapon or homicides; to create a homicide section in the Criminal District Court for the parish of Orleans; to authorize the district attorney's office to request an expedited docket for cases involving crimes of violence committed with a dangerous weapon and homicides; to provide for assignment of a judge to a Homicide Section of the Criminal District Court for the parish of Orleans; to provide for cases to be assigned to a homicide section; to authorize the judges en banc to assign other crimes committed using a firearm to the homicide section; to provide for transfer of cases; to provide for expedited handling of pretrial writs and appeals from the homicide section; and to provide for related matters.

Read by title.

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

Under the rules, placed on the regular calendar.

**Speaker Pro Tempore Peterson in the Chair**

**Motion**

On motion of Rep. Harrison, the Committee on Transportation, Highways and Public Works was discharged from further consideration of House Bill No. 845.

**HOUSE BILL NO. 845—**

BY REPRESENTATIVE HARRISON  
AN ACT

To enact Chapter 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 34:3531 through 3541, relative to a port authority, to create a tri-parish port authority in the parishes of Terrebonne, St. Mary, and Assumption; to provide for the powers, duties, and function of a tri-parish port authority; to provide for port authority jurisdiction; to provide for definitions; and to provide for related matters.

Read by title.

**Motion**

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

**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. 262—**

BY SENATOR MARTINY  
AN ACT

To amend and reenact R.S. 40:531(E) and to repeal Section 2 and Section 3 of Act No. 874 of the 2008 Regular Session of the Legislature, relative to commissioners of local housing authority; to remove requirement of landlord commissioner; 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.

**Reconsideration**

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

**HOUSE BILL NO. 3—**

BY REPRESENTATIVE GREENE  
AN ACT

To enact the Omnibus Bond Authorization Act of 2009, relative to the implementation of a five-year capital improvement program; to provide for the repeal of certain prior bond authorizations; to provide for new bond authorizations; to provide for authorization and sale of such bonds by the State Bond Commission; and to provide for related matters.

Read by title.

On motion of Rep. Greene, 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.

**House and House Concurrent Resolutions on Third Reading for Final Consideration**

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

**Suspension of the Rules**

On motion of Rep. Katz, and under a suspension of the rules, the following resolution was taken up of its regular order at this time.

**HOUSE RESOLUTION NO. 1—**  
BY REPRESENTATIVE KATZ  
A RESOLUTION

To urge and request the Department of Health and Hospitals to study the feasibility of requiring the placement of automated external defibrillators in schools.

Read by title.

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

**Suspension of the Rules**

On motion of Rep. Girod Jackson, 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**  
**Speaker Tucker in the Chair**

**HOUSE BILL NO. 65—**  
BY REPRESENTATIVE GIROD JACKSON  
AN ACT

To amend and reenact R.S. 9:156(7), relative to the Uniform Unclaimed Property Act; to provide relative to the custody of certain unclaimed bank issued checks; and to provide for related matters.

Read by title.

Rep. Girod Jackson moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Fannin	Little
Abramson	Foil	Lopinto
Anders	Franklin	McVea
Armes	Gallot	Mills
Arnold	Geymann	Monica
Aubert	Gisclair	Morris
Badon, A.	Guillory, M.	Norton
Badon, B.	Guinn	Pearson
Baldone	Hardy	Perry
Barras	Harrison	Peterson
Barrow	Hazel	Pope
Billiot	Henderson	Pugh
Brossett	Henry	Richardson
Burns, H.	Hill	Richmond
Burns, T.	Hines	Ritchie
Burrell	Hoffmann	Robideaux
Carmody	Honey	Roy

Carter	Howard	Schroder
Champagne	Hutter	Simon
Chandler	Jackson G.	Smiley
Chaney	Jackson M.	Smith, G.
Connick	Johnson	Smith, J.
Cortez	Jones, R.	Smith, P.
Cromer	Katz	Stiaes
Danahay	Kleckley	Talbot
Dixon	LaBruzzo	Templet
Doerge	LaFonta	Thibaut
Dove	Lambert	Waddell
Downs	Landry	White
Edwards	LeBas	Williams
Ellington	Leger	Willmott
Ernst	Ligi	Wooton

Total - 96

**NAYS**

Total - 0

**ABSENT**

Burford	Montoucet	Richard
Greene	Nowlin	St. Germain
Jones, S.	Ponti	

Total - 8

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Girod Jackson 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. 502—**  
BY REPRESENTATIVE CORTEZ  
AN ACT

To enact Part III-I of Title 19 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 19:139 through 139.7, relative to expropriation by a declaration of taking; to authorize the city of Youngsville to expropriate property for the Chemin Metairie Phase II Project; to provide procedures for the expropriation by a declaration of taking; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Waddell on behalf of the Legislative Bureau to Engrossed House Bill No. 502 by Representative Cortez

**AMENDMENT NO. 1**

On page 2, line 15, following "city" and before "Youngsville" insert "of"

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Fannin	McVea
Abramson	Foil	Mills
Anders	Franklin	Monica
Armes	Geymann	Morris
Arnold	Gisclair	Norton

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Aubert	Greene	Pearson
Badon, A.	Guillory, M.	Perry
Badon, B.	Guinn	Peterson
Baldone	Hardy	Ponti
Barras	Harrison	Pope
Barrow	Hazel	Pugh
Billiot	Henderson	Richard
Brossett	Henry	Richardson
Burns, H.	Hill	Richmond
Burns, T.	Hines	Ritchie
Burrell	Hoffmann	Robideaux
Carmody	Honey	Roy
Carter	Howard	Schroder
Champagne	Hutter	Simon
Chaney	Jackson G.	Smiley
Connick	Jackson M.	Smith, G.
Cortez	Johnson	Smith, J.
Cromer	Katz	Smith, P.
Danahay	Kleckley	Stiaes
Dixon	LaBruzzo	Talbot
Doerge	Lambert	Templet
Dove	Landry	Thibaut
Downs	LeBas	Waddell
Edwards	Ligi	White
Ellington	Little	Willmott
Ernst	Lopinto	Wooton

Total - 93

NAYS

Total - 0

ABSENT

Burford	Jones, S.	Nowlin
Chandler	LaFonta	St. Germain
Gallot	Leger	Williams
Jones, R.	Montoucet	

Total - 11

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Cortez 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. 559—**

BY REPRESENTATIVES JANE SMITH, CORTEZ, ELLINGTON, AND FANNIN AND SENATOR GUILLORY AND REPRESENTATIVES HARRISON, HAZEL, LEBAS, LEGER, LIGI, MCVEA, MORRIS, PEARSON, SCHRODER, SMILEY, GARY SMITH, PATRICIA SMITH, STIAES, WHITE, AND WILLIAMS

**AN ACT**

To enact Chapter 23 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:2171 through 2179, relative to veterans affairs; to create the Louisiana Initiative for Veteran and Service-Connected Disabled Veteran-Owned Small Entrepreneurships; to provide for state goals for procurements and public contracts for veteran and service-connected disabled veteran-owned small entrepreneurships; to provide for certification; to provide for responsibilities and training of the commissioner of administration; to provide for initiative coordinators and reporting; to provide for responsibilities of the Louisiana Department of Veterans Affairs; to provide for definitions; to provide for application; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Waddell on behalf of the Legislative Bureau to Engrossed House Bill No. 559 by Representative Jane Smith

AMENDMENT NO. 1

On page 1, line 20, following "Entrepreneurships (the)" change "Veterans" to "Veteran"

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

Rep. Jane Smith moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Total - 95

NAYS

Total - 0

ABSENT

Anders	Cromer	Leger
Arnold	Jones, R.	Nowlin
Burford	Jones, S.	St. Germain

Total - 9

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Jane Smith 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. 347—**  
BY REPRESENTATIVE DOWNS

AN ACT

To amend and reenact R.S. 44:4.1(B)(10) and to enact R.S. 22:42.1, relative to the Department of Insurance; to provide with respect to the confidentiality of certain health information; to provide for the definition of protected health information; to provide for limited disclosures by the department; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Downs to Engrossed House Bill No. 347 by Representative Downs

AMENDMENT NO. 1

On page 2, line 8, after "or" and before "there" delete "where"

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Monica
Abramson	Geymann	Montoucet
Arnold	Gisclair	Morris
Aubert	Greene	Norton
Badon, A.	Guillory, M.	Nowlin
Badon, B.	Guinn	Pearson
Barras	Harrison	Perry
Barrow	Hazel	Peterson
Billiot	Henderson	Ponti
Brossett	Henry	Pope
Burford	Hill	Pugh
Burns, H.	Hines	Richard
Burns, T.	Hoffmann	Richardson
Burrell	Honey	Richmond
Carmody	Howard	Ritchie
Carter	Hutter	Robideaux
Champagne	Jackson G.	Roy
Chandler	Jackson M.	Schroder
Chaney	Johnson	Simon
Connick	Jones, R.	Smiley
Cortez	Jones, S.	Smith, G.
Cromer	Katz	Smith, J.
Danahay	Kleckley	Smith, P.
Dixon	LaBruzzo	Stiaes
Doerge	LaFonta	Talbot
Dove	Landry	Templet
Downs	LeBas	Thibaut
Edwards	Leger	Waddell
Ellington	Ligi	White
Ernst	Little	Williams
Fannin	Lopinto	Willmott
Foil	McVea	Wooton
Franklin	Mills	
Total - 98		

NAYS

Total - 0

ABSENT

Anders	Baldone	Lambert
Armes	Hardy	St. Germain
Total - 6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Downs 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. 121—**  
BY REPRESENTATIVE GUINN

AN ACT

To enact R.S. 33:3819(G), relative to Waterworks District #8 of Calcasieu Parish; to provide relative to the per diem paid to the commissioners of 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

Mr. Speaker	Foil	Lopinto
Abramson	Franklin	McVea
Anders	Gallot	Mills
Armes	Geymann	Monica
Arnold	Gisclair	Montoucet
Aubert	Greene	Morris
Badon, A.	Guillory, M.	Norton
Badon, B.	Guinn	Pearson
Baldone	Harrison	Perry
Barras	Hazel	Peterson
Barrow	Henderson	Ponti
Billiot	Henry	Pope
Brossett	Hill	Pugh
Burford	Hines	Richard
Burns, H.	Hoffmann	Richardson
Burns, T.	Honey	Richmond
Burrell	Howard	Robideaux
Carmody	Hutter	Roy
Carter	Jackson G.	Schroder
Champagne	Jackson M.	Simon
Chandler	Johnson	Smith, G.
Chaney	Jones, R.	Smith, J.
Connick	Jones, S.	Smith, P.
Cortez	Kleckley	Stiaes
Cromer	LaBruzzo	Talbot
Danahay	LaFonta	Thibaut
Dixon	Lambert	Waddell
Doerge	Landry	White
Dove	LeBas	Williams
Downs	Leger	Willmott
Ellington	Ligi	Wooton
Fannin	Little	
Total - 95		

NAYS

Total - 0

ABSENT

Edwards	Katz	Smiley
Ernst	Nowlin	St. Germain
Hardy	Ritchie	Templet
Total - 9		

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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. 184— BY REPRESENTATIVE ANDERS AN ACT

To amend and reenact R.S. 33:130.471(A) and 130.472(A), (B), (C), (H), and (I), relative to the Concordia Economic and Industrial Development District; to provide relative to the board of commissioners of the district; to provide relative to board membership and appointments; to provide relative to the terms and powers and duties of board members; and to provide for related matters.

Read by title.

Rep. Anders moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. Speaker, Abramson, Anders, Armes, Arnold, Aubert, Badon, A., Badon, B., Baldone, Barras, Barrow, Billiot, Brossett, Burford, Burns, H., Burns, T., Burrell, Carmody, Carter, Champagne, Chandler, Chaney, Connick, Cortez, Cromer, Danahay, Dixon, Doerge, Dove, Downs, Edwards, Ellington, Fannin, Total - 98.

NAYS

Total - 0

ABSENT

Table with 3 columns of names: Ernst, Hardy, Total - 6, Jackson M., Little, Ritchie, St. Germain.

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 283— BY REPRESENTATIVE WHITE AN ACT

To enact R.S. 33:9097.5, relative to East Baton Rouge Parish; to create the Greenwood Crime Prevention and Improvement District; to provide the boundaries of the district; to provide for the governance of the district; to provide for the powers, terms, and duties of the board of directors; to provide for the imposition and collection of a parcel fee and for the use thereof; to provide for dissolution of the district; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Waddell on behalf of the Legislative Bureau to Engrossed House Bill No. 283 by Representative White

AMENDMENT NO. 1

On page 2, line 16, following "Rouge" insert "Parish"

AMENDMENT NO. 2

On page 2, line 18, following "own" and before "property" insert "immovable"

On motion of Rep. Waddell, 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. 283 by Representative White

AMENDMENT NO. 1

On page 4, line 11, after "of the district voting" insert "on the proposition"

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

Table with 3 columns of names: Mr. Speaker, Abramson, Anders, Armes, Arnold, Aubert, Fannin, Foil, Franklin, Gallot, Geymann, Gisclair, Lopinto, McVea, Mills, Monica, Montoucet, Morris.

Badon, A.	Guillory, M.	Norton
Badon, B.	Guinn	Nowlin
Baldone	Hardy	Pearson
Barras	Harrison	Perry
Barrow	Hazel	Peterson
Billiot	Henderson	Pope
Brossett	Henry	Pugh
Burford	Hill	Richard
Burns, H.	Hines	Richardson
Burns, T.	Hoffmann	Richmond
Burrell	Honey	Robideaux
Carmody	Howard	Roy
Carter	Hutter	Schroder
Champagne	Jackson G.	Simon
Chandler	Johnson	Smiley
Chaney	Jones, R.	Smith, G.
Connick	Jones, S.	Smith, J.
Cortez	Katz	Stiaes
Cromer	Kleckley	Talbot
Danahay	LaBruzzo	Templet
Dixon	LaFonta	Thibaut
Doerge	Lambert	Waddell
Dove	Landry	White
Downs	LeBas	Williams
Edwards	Leger	Willmott
Ellington	Ligi	Wooton
Ernst	Little	

Total - 98

NAYS

Total - 0

ABSENT

Greene	Ponti	Smith, P.
Jackson M.	Ritchie	St. Germain

Total - 6

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. 465—**

BY REPRESENTATIVE FOIL

AN ACT

To amend and reenact R.S. 33:9097.2(B), relative to the South Burbank Crime Prevention and Development District; to change the boundaries of the district; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Waddell on behalf of the Legislative Bureau to Engrossed House Bill No. 465 by Representative Foil

AMENDMENT NO. 1

On page 2, line 3, following "the" and before "lots" change "163" to "one hundred sixty-three"

AMENDMENT NO. 2

On page 2, line 5, following "the" and before "single" change "415" to "four hundred fifteen"

AMENDMENT NO. 3

On page 2, line 6, following "the" and before "single family" change "80" to "eighty"

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Total - 97

NAYS

Total - 0

ABSENT

Cromer	Nowlin	St. Germain
Greene	Ponti	
Mills	Ritchie	

Total - 7

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

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## HOUSE BILL NO. 468—

BY REPRESENTATIVE MICHAEL JACKSON  
AN ACT

To enact R.S. 33:9097.5, relative to East Baton Rouge Parish; to create the Melrose East Crime Prevention District within the parish; to provide relative to the purpose, governance, powers, and duties of the district; to provide for the imposition of a parcel fee and for the use thereof; and to provide for related matters.

Read by title.

### Motion

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

## HOUSE BILL NO. 581—

BY REPRESENTATIVE ELLINGTON AND SENATOR RISER  
AN ACT

To amend and reenact R.S. 33:3887, relative to the Columbia Heights Sewerage District No. 1 in Caldwell Parish; to authorize the parish governing authority to authorize the treasurer of the district to increase the per diem paid to members of the district board of supervisors for attending meetings; and to provide for related matters.

Read by title.

Rep. Ellington moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

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

#### NAYS

Total - 0

## ABSENT

Hardy	Lopinto	St. Germain
Jackson M.	Roy	
Katz	Smiley	
Total - 7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

## HOUSE BILL NO. 583—

BY REPRESENTATIVE ELLINGTON AND SENATOR RISER  
AN ACT

To enact R.S. 33:3819(G), relative to the Columbia Heights Water District in Caldwell Parish; to authorize the governing authority of the parish to authorize the treasurer of the district to increase the per diem paid to district commissioners for attending meetings; and to provide for related matters.

Read by title.

Rep. Ellington moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

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

#### NAYS

Total - 0

**ABSENT**

Katz	Perry	St. Germain
Lopinto	Smith, J.	
Total - 5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 648—**  
BY REPRESENTATIVE FOIL

**AN ACT**

To enact R.S. 33:9097.5, relative East Baton Rouge Parish; to create a crime prevention and development district for Hermitage and Cross Creek Subdivisions; to provide the purpose and boundaries of the district; to provide for the governance of the district; to provide for the duties and powers of the district; to provide for the levy of a parcel fee within the district; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Foil to Engrossed House Bill No. 648 by Representative Foil

**AMENDMENT NO. 1**

On page 2, line 3, change "Evin" to "Elvin"

**AMENDMENT NO. 2**

On page 3, line 27, after "Subsection F" insert "of this Section"

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

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

Total - 100

**NAYS**

Total - 0

**ABSENT**

Connick	Ritchie
Lopinto	St. Germain
Total - 4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 675—**  
BY REPRESENTATIVE NOWLIN

**AN ACT**

To amend and reenact R.S. 11:2031(10), relative to the Registrars of Voters Employees' Retirement System; to provide with respect to membership; to provide with respect to the definition of employee; to add employees of the Louisiana Registrars of Voters Association, Inc., to the membership of the system; to provide for an effective date; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Waddell on behalf of the Legislative Bureau to Engrossed House Bill No. 675 by Representative Nowlin

**AMENDMENT NO. 1**

On page 1, line 4, following "Louisiana" and before "of" change "Registrars" to "Registrar"

**AMENDMENT NO. 2**

On page 2, line 1, following "Louisiana" and before "of" change "Registrars" to "Registrar"

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Total - 98

NAYS

Total - 0

ABSENT

Connick	Hardy	Ponti
Fannin	Lopinto	St. Germain

Total - 6

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 697—**

BY REPRESENTATIVE BARROW

AN ACT

Solely to reenact Sections 1, 2, and 3 of Act No. 891 of the 2008 Regular Session of the Legislature as that Act was enacted by the legislature, which Act amended and reenacted R.S. 33:4720.151(B)(6), (E), (G)(5), (9), and (12), (H)(4)(b), (I)(2), (J)(1), (K), (L)(1), (3), and (4), (O)(introductory paragraph), (1), and (4), and (Q)(6), and R.S. 44:4.1(B)(18), to enact R.S. 33:4720.151(H)(23), (Q)(7), and (S), and to repeal R.S. 33:4720.151(G)(13), relative to the East Baton Rouge Redevelopment Authority; which provided relative to the purposes and objects and powers and duties of the authority; which provided relative to the members of the governing board of the authority; which authorized the authority to initiate an expedited quiet title and foreclosure action; which provided relative to the procedures for any such action; which provided relative to the rights of property owners; which provided relative to due process; and which provided for related matters.

Read by title.

**Motion**

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

**HOUSE BILL NO. 749—**

BY REPRESENTATIVE SCHRODER

AN ACT

To enact R.S. 48:1309.3, relative to road lighting districts in St. Tammany Parish; to provide for assessment of service charges or rates of service charges within the district; to provide for the use of such charges; to provide for the collection of such charges; and to provide for related matters.

Read by title.

Rep. Schroder moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Total - 99

NAYS

Total - 0

ABSENT

Honey	Pearson	St. Germain
Lopinto	Smiley	

Total - 5

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Schroder 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. 841—**

BY REPRESENTATIVE HONEY  
AN ACT

To amend and reenact R.S. 23:1123, 1172.2(E), 1201(A), 1378(A)(1), (2), (3)(a)(introductory paragraph) and(b)(introductory paragraph), and (7) and to repeal R.S. 23:1201.1, relative to workers' compensation; to provide for an examination of an injured employee when certain disputes arise; to provide for the prompt reporting of certain information relative to payment of workers' compensation premiums which may be considered false, fraudulent, or misleading; to provide for payors and insurers to make weekly indemnity payments by electronic funds transfer; to repeal provisions requiring that workers' compensation indemnity payments be mailed; to provide for the determination of the liability of the Second Injury Fund; and to provide for related matters.

Read by title.

**Motion**

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

**HOUSE BILL NO. 468—**

BY REPRESENTATIVE MICHAEL JACKSON  
AN ACT

To enact R.S. 33:9097.5, relative to East Baton Rouge Parish; to create the Melrose East Crime Prevention District within the parish; to provide relative to the purpose, governance, powers, and duties of the district; to provide for the imposition of a parcel fee and for the use thereof; and to provide for related matters.

Called from the calendar.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Michael Jackson to Engrossed House Bill No. 468 by Representative Michael Jackson

AMENDMENT NO. 1

On page 3, line 27, after "dollars" and before "per year" insert "per parcel"

AMENDMENT NO. 2

On page 4, line 10, after "voting" and before "at an" insert "on the proposition"

On motion of Rep. Michael Jackson, the amendments were adopted.

Rep. Michael Jackson moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Gisclair	Monica
Abramson	Greene	Morris
Anders	Guillory, M.	Norton
Armes	Guinn	Nowlin
Arnold	Harrison	Pearson

Aubert	Hazel	Perry
Badon, A.	Henderson	Peterson
Badon, B.	Henry	Ponti
Baldone	Hill	Pope
Barras	Hines	Pugh
Barrow	Hoffmann	Richard
Brossett	Howard	Richardson
Burford	Hutter	Richmond
Burns, H.	Jackson G.	Ritchie
Burns, T.	Jackson M.	Robideaux
Carmody	Johnson	Roy
Carter	Jones, R.	Schroder
Champagne	Jones, S.	Simon
Chandler	Katz	Smiley
Chaney	Kleckley	Smith, G.
Connick	LaBruzzo	Smith, J.
Cortez	LaFonta	Stiaes
Cromer	Lambert	Talbot
Danahay	Landry	Templet
Dove	LeBas	Thibaut
Downs	Leger	Waddell
Edwards	Ligi	White
Ernst	Little	Willmott
Fannin	Lopinto	Wooton
Foil	McVea	
Franklin	Mills	
Total - 91		

**NAYS**

Total - 0

**ABSENT**

Billiot	Gallot	Smith, P.
Burrell	Geymann	St. Germain
Dixon	Hardy	Williams
Doerge	Honey	
Ellington	Montoucet	
Total - 13		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Michael Jackson 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. 697—**

BY REPRESENTATIVE BARROW  
AN ACT

Solely to reenact Sections 1, 2, and 3 of Act No. 891 of the 2008 Regular Session of the Legislature as that Act was enacted by the legislature, which Act amended and reenacted R.S. 33:4720.151(B)(6), (E), (G)(5), (9), and (12), (H)(4)(b), (I)(2), (J)(1), (K), (L)(1), (3), and (4), (O)(introductory paragraph), (1), and (4), and (Q)(6), and R.S. 44:4.1(B)(18), to enact R.S. 33:4720.151(H)(23), (Q)(7), and (S), and to repeal R.S. 33:4720.151(G)(13), relative to the East Baton Rouge Redevelopment Authority; which provided relative to the purposes and objects and powers and duties of the authority; which provided relative to the members of the governing board of the authority; which authorized the authority to initiate an expedited quiet title and foreclosure action; which provided relative to the procedures for any such action; which provided relative to the rights of property owners; which provided relative to due process; and which provided for related matters.

Called from the calendar.

Read by title.

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Rep. Barrow moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 91

NAYS

Total - 0

ABSENT

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

Total - 13

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Barrow 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.

Regular Calendar

HOUSE BILL NO. 55— BY REPRESENTATIVE LAFONTA AN ACT

To enact R.S. 32:378.3, relative to motor vehicles; to prohibit installation of sound amplification systems on the exterior of a vehicle; to provide for penalties; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative LaFonta to Engrossed House Bill No. 55 by Representative LaFonta

AMENDMENT NO. 1

On page 2, line 2, after "vehicles" and before "or" insert "recreational vehicles, vehicles while in a parade, vehicles towing trailers."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 92

NAYS

Total - 0

ABSENT

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

Total - 12

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

The title of the above bill was read and adopted.

Rep. LaFonta 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. 261—**  
BY REPRESENTATIVE CONNICK  
AN ACT

To amend and reenact R.S. 20:1(A)(2) and to enact R.S. 13:3851.1, relative to the exemption from seizure and sale of a homestead; to provide for an increase in the amount of the homestead exemption; to provide relative to the seizure and sale of a homestead in the execution of a judgment for credit card charges; to provide relative to judicial mortgages; to provide for exceptions; to provide for prescription; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Connick moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Total - 96

**NAYS**

Total - 0

**ABSENT**

Abramson	Gallot	St. Germain
Armes	Montoucet	Williams
Brossett	Richmond	

Total - 8

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**Consent to Correct a Vote Record**

Rep. Guinn requested the House consent to record his vote on final passage of House Bill No. 261 as yea, which consent was unanimously granted.

**Consent to Correct a Vote Record**

Rep. Leger requested the House consent to correct his vote on final passage of House Bill No. 261 from nay to yea, which consent was unanimously granted.

**HOUSE BILL NO. 340—**  
BY REPRESENTATIVE HENRY  
A JOINT RESOLUTION

Proposing to amend Article I, Section 8 of the Constitution of Louisiana, relative to freedom of religion; to prohibit government infringement of the right of every person to freely express his religious belief; to provide that the right shall not be burdened without the showing of a compelling governmental interest; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Henry to Engrossed House Bill No. 340 by Representative Henry

AMENDMENT NO. 1

On page 1, line 13, after "prohibiting" delete "any religious belief." and insert "the free exercise thereof."

On motion of Rep. Henry, 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. 340 by Representative Henry

AMENDMENT NO. 1

On page 1, delete lines 13 through 20 and on page 2 delete lines 1 and 2 and insert:

"or prohibiting the free exercise thereof. Government shall not substantially burden, either directly or indirectly, a person's exercise of religion even if the burden results from a rule of general applicability."

AMENDMENT NO. 2

On page 2 between lines 2 and 3, insert:

"Section 2. The Louisiana Constitution recognizes the free exercise of religion as an unalienable right, securing its protection in Article I, §8. Laws "neutral" toward religion may burden religious exercise as certainly as laws intended to interfere with religious exercise. Government should not substantially burden religious

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exercise without compelling justification. The "compelling interest test" as set forth in Federal court decisions rendered before 1990 is a workable test for striking sensible balances between religious liberty and competing governmental interests. The purpose of this amendment to Article I, §8 is to insure the "compelling interest test" as set forth in *Sherbert v. Verner*, 374 U.S. 398 (1963) and *Wisconsin v. Yoder*, 406 U.S. 205 (1972) applies to the interpretation of Article I, §8 and to guarantee its application in all cases where the free exercise of religion is substantially burdened by government action.

### AMENDMENT NO. 3

On page 2, line 3 change "Section 2." to "Section 3" and on line 6 change "Section 3." to "Section 4."

### AMENDMENT NO. 4

On page 2, line 13 after "act." insert:

"Our Constitution recognizes the free exercise of religion as an unalienable right. Government should not substantially burden religious exercise without compelling justification. The compelling interest test as set forth before 1990 strikes sensible balances between religious liberty and legitimate competing governmental interests. The purpose of this amendment is to insure the compelling interest test applies to the interpretation of Article I, §8 and to guarantee its application in all cases where the free exercise of religion is substantially burdened by government action."

Rep. Edwards moved the adoption of the amendments.

Rep. Henry objected.

By a vote of 46 yeas and 49 nays, the amendments were rejected.

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

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Fannin	Little
Anders	Foil	Lopinto
Armes	Geymann	McVea
Arnold	Gisclair	Mills
Badon, B.	Greene	Monica
Baldone	Guillory, M.	Montoucet
Barras	Guinn	Morris
Barrow	Harrison	Norton
Billiot	Hazel	Pearson
Burford	Henry	Perry
Burns, H.	Hill	Ponti
Burns, T.	Hines	Pope
Carmody	Hoffmann	Pugh
Carter	Howard	Richard
Champagne	Hutter	Richardson
Chandler	Johnson	Robideaux
Chaney	Jones, S.	Schroder
Cornick	Katz	Smiley
Cortez	Kleckley	Smith, J.
Cromer	LaBruzzo	Talbot
Danahay	Lambert	Thibaut
Doerge	Landry	Waddell
Dove	LeBas	White
Downs	Ligi	Willmott
Total - 72		

#### NAYS

Abramson	Hardy	Ritchie
Aubert	Henderson	Roy

Badon, A.	Honey	Smith, G.
Brossett	Jackson G.	Smith, P.
Burrell	Jackson M.	Stiaes
Edwards	Jones, R.	Williams
Ernst	LaFonta	Wooton
Franklin	Peterson	
Gallot	Richmond	
Total - 25		

ABSENT

Dixon	Nowlin	Templet
Ellington	Simon	
Leger	St. Germain	
Total - 7		

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

### Consent to Correct a Vote Record

Rep. Ponti requested the House consent to record his vote on final passage of House Bill No. 340 as yea, which consent was unanimously granted.

### Speaker Pro Tempore Peterson in the Chair

#### HOUSE BILL NO. 349—

BY REPRESENTATIVE HAZEL

AN ACT

To amend and reenact R.S. 32:663(A), relative to chemical lab analyses; to authorize the use of out-of-state chemical labs; and to provide for related matters.

Read by title.

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

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Waddell on behalf of the Legislative Bureau to Engrossed House Bill No. 349 by Representative Hazel

#### AMENDMENT NO. 1

On page 2, line 1, following "analyses" and before "performed" change "is" to "are"

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

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

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hazel to Engrossed House Bill No. 349 by Representative Hazel

#### AMENDMENT NO. 1

On page 1, line 2, after "(A)" insert "and (C)" and on page 1, line 5, after "(A)" insert "and (C)" and change "is" to "are"

AMENDMENT NO. 2

On page 2, line 7, after "law" and before the period "." insert "or administrative hearing"

AMENDMENT NO. 3

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

"C. Issuance of a permit to such a certified individual or laboratory makes all laboratory forensic test results conducted on a person's blood, urine, or other bodily substance by such individual or laboratory valid under the provisions of this Part, and admissible and competent evidence of intoxication in any court of law or administrative hearing."

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Total - 91

NAYS

Richmond  
Total - 1

ABSENT

Champagne	Honey	Pope
Cromer	Jackson G.	Richardson
Ellington	Jones, R.	St. Germain
Ernst	Ligi	Willmott

Total - 12

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Hazel 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. 354—**

BY REPRESENTATIVE GIROD JACKSON AND SENATOR MURRAY  
AN ACT

To amend and reenact R.S. 38:2225.2.1(A), relative to public contracts; to extend the time relative to the utilization of design-build contracts under certain circumstances; to authorize other public entities to utilize the design-build method under certain circumstances; and to provide for related matters.

Read by title.

Rep. Girod Jackson moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Total - 100

NAYS

Total - 0

ABSENT

Champagne	Ligi
Cromer	St. Germain

Total - 4

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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Rep. Girod Jackson 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. 363—
BY REPRESENTATIVES AUBERT AND LANDRY
AN ACT

To amend and reenact Civil Code Articles 2358, 2362.1 through 2364, and 2365 through 2367.2 and R.S. 9:374, to enact Civil Code Article 2367.3, and to repeal Civil Code Article 2364.1, relative to the community property regime; to provide for claims for reimbursement between spouses; to provide for a reduction in reimbursement for obligations paid with respect to certain movable property; to provide when a claim for reimbursement may be made; to provide for the use of a residence of the spouses; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Aubert to Engrossed House Bill No. 363 by Representative Aubert

AMENDMENT NO. 1

On page 10, line 4, after "In" and before "cases" change "such" to "these"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of representatives who voted 'YEAS', including Mr. Speaker, Abramson, Anders, Arnes, Arnold, Aubert, Badon, A., Badon, B., Baldone, Barras, Barrow, Billiot, Brossett, Burford, Burns, H., Burns, T., Burrell, Carmody, Carter, Champagne, Chandler, Chaney, Connick, Cortez, Cromer, Danahay, Dixon, Doerge, Dove, Fannin, Foil, Franklin, Gallot, Geymann, Gisclair, Greene, Guillory, M., Guinn, Hardy, Harrison, Hazel, Henderson, Henry, Hines, Hoffmann, Honey, Howard, Hutter, Jackson G., Jackson M., Johnson, Jones, R., Jones, S., Katz, Kleckley, LaBruzzo, LaFonta, Landry, Lopinto, McVea, Mills, Monica, Montoucet, Morris, Nowlin, Pearson, Perry, Peterson, Ponti, Pope, Pugh, Richard, Richardson, Richmond, Ritchie, Robideaux, Roy, Schroder, Simon, Smiley, Smith, G., Smith, J., Smith, P., Stiaes, Talbot, Templet, Thibaut.

Table listing names of representatives who voted 'NAYS' or 'ABSENT', including Downs, Edwards, Ellington, Ernst, LeBas, Leger, Ligi, Little, Waddell, Williams, Willmott, Wooton.

Total - 99
NAYS

Total - 0
ABSENT

Table listing names of representatives who were absent: Hill, Lambert, Norton, St. Germain, White.

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Landry 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. 403—
BY REPRESENTATIVE FOIL
AN ACT

To amend and reenact R.S. 10:1-201(b)(5), (6), (15), (16), (21), and (42), R.S. 10:4-104(c)(introductory paragraph), 4-210(c)(introductory paragraph), Chapter 7 of Title 10 of the Louisiana Revised Statutes of 1950, formerly comprised of R.S. 10:7-101 through 7-105, 7-201 through 7-210, 7-301 through 7-309, 7-401 through 7-404, 7-501 through 7-509, 7-601 through 7-603, and 7-701, to be comprised of R.S. 10:7-101 through 7-106, 7-201 through 7-210, 7-301 through 7-309, 7-401 through 7-404, 7-501 through 7-509, and 7-601 through 7-604, 9-102(a)(30), (b), and (d)(7), 9-203(b)(introductory paragraph) and (3)(D), 9-207(c), 9-208(b)(5) and (6), 9-301(3), 9-310(b)(5) and (8), 9-312(e), 9-313(a), 9-314(a) and (b), 9-317(b) and (d), 9-338, and 9-601(b) and to enact R.S. 10:8-103(g) and 9-208(b)(7), relative to warehouses and documents of title; to provide for definitions; to provide for documents of title, warehouse receipts, destination bills, and bills of lading; to provide for rules of negotiability of documents of title; to provide for liens of carriers; to provide for a carrier's duty of care; to provide for negotiation of documents of title; to provide for lost or missing documents of title; to provide for conforming amendments to other sections of the Uniform Commercial Code; to provide for applicability and retroactivity; to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Waddell on behalf of the Legislative Bureau to Engrossed House Bill No. 403 by Representative Foil

AMENDMENT NO. 1

On page 7, line 13, following "Louisiana" and before "Electronic" insert "Uniform"

AMENDMENT NO. 2

On page 16, line 16, following "the" change "depositor" to "bailor"

AMENDMENT NO. 3

On page 36, line 2, following "provided in" change "Section 7-601(1)" to "Section 7-601(a)"

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Total - 99

**NAYS**

Total - 0

**ABSENT**

Burrell	Edwards	St. Germain
Dixon	Hardy	

Total - 5

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 425—**

BY REPRESENTATIVE DOERGE

**AN ACT**

To amend and reenact R.S. 47:302.15, 322.47, and 332.53, relative to special treasury funds created for disposition of certain state sales taxes on hotel occupancy in Webster Parish; to provide for the use and deposit of monies into the Webster Parish Convention and Visitors Commission Fund; to change the name of the Webster Parish Convention and Visitors Bureau Fund to the Webster Parish Convention and Visitors Commission Fund; to provide for the use, deposit, and transfers of monies in the Webster Parish Convention and Visitors Bureau Fund; to provide an effective date; and to provide for related matters.

Read by title.

Rep. Doerge moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Total - 98

**NAYS**

Total - 0

**ABSENT**

Edwards	LaFonta	Smith, P.
Ellington	Morris	St. Germain

Total - 6

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Doerge 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. 444—**

BY REPRESENTATIVES PERRY, BALDONE, HENRY BURNS, TIM BURNS, CHAMPAGNE, DOWNS, FOIL, GISCLAIR, MICKEY GULLORY, LITTLE, MILLS, PEARSON, PUGH, RICHARD, ROBIDEAUX, SCHRODER, SIMON, SMILEY, AND JANE SMITH AND SENATORS AMEDEE, CHAISSON, CHEEK, CROWE, DUPLESSIS, DUPRE, KOSTELKA, LONG, MICHOT, QUINN, SHAW, SMITH, AND WALSWORTH

**AN ACT**

To amend and reenact R.S. 32:668(A)(introductory paragraph), to enact R.S. 32:668.1, and to repeal 32:668(A)(6) relative to drivers licenses; to provide for scope of administrative hearings related to driver's license suspension; and to provide for related matters.

Read by title.

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Rep. Perry moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of representatives under the YEAS column, including Mr. Speaker, Anders, Arnes, Arnold, Aubert, Badon, A., Badon, B., Baldone, Barras, Barrow, Billiot, Brossett, Burford, Burns, H., Burns, T., Carmody, Carter, Champagne, Chandler, Chaney, Connick, Cortez, Cromer, Danahay, Doerge, Dove, Downs, Ellington, Ernst, Fannin, Foil, Franklin, Gallot, and Total - 97.

NAYS

Total - 0

ABSENT

Table listing names of representatives under the ABSENT column, including Abramson, Burrell, Dixon, Edwards, Leger, St. Germain, and Thibaut.

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Perry 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. 445—

BY REPRESENTATIVES BALDONE, BILLIOT, HENRY BURNS, TIM BURNS, CHAMPAGNE, DOERGE, DOWNS, FOIL, GISCLAIR, MICKEY GULLORY, HOWARD, LITTLE, MILLS, PEARSON, PERRY, POPE, PUGH, RICHARD, ROBIDEAUX, SCHRODER, SIMON, SMILEY, AND JANE SMITH AND SENATORS AMEDEE, CHAISSON, CHEEK, CROWE, DUPLESSIS, DUPRE, KOSTELKA, LONG, MICHOT, QUINN, SHAW, SMITH, AND WALSWORTH

AN ACT

To amend and reenact R.S. 32:667(B)(2) and to repeal R.S. 32:667(B)(1)(a) and (4), relative to driving while under the influence; to increase suspension of driving privileges upon refusal to submit to a chemical test; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Waddell on behalf of the Legislative Bureau to Engrossed House Bill No. 445 by Representative Baldone

AMENDMENT NO. 1

On page 2, line 9, following "the" insert "date of the"

AMENDMENT NO. 2

On page 2, line 9, following "refusal" insert "to submit to the test"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Leger to Engrossed House Bill No. 445 by Representative Baldone

AMENDMENT NO. 1

On page 2, delete line 3 in its entirety and insert the following:

"(a) Six months from the date of suspension on first refusal.

(b) Two years from the date of suspension on the second refusal."

AMENDMENT NO. 2

On page 2, line 4, change "(b)" to "(c)"

AMENDMENT NO. 3

On page 2, line 7, change "(c)" to "(d)"

AMENDMENT NO. 4

On page 2, line 8, change "second" to "third"

AMENDMENT NO. 5

On page 2, between lines 9 and 10, inset the following:

"(e) Each time a person refuses to submit to the test, that person shall pay a fee of two hundred fifty dollars to the Department of Public Safety and Corrections. The fees collected from refusals to submit to the test shall be used exclusively for the establishment, implementation and maintenance of the Impaired Driver Tracking System provided for in R.S. 15:1228.9."

Rep. Leger moved the adoption of the amendments.

Rep. Baldone objected.

By a vote of 22 yeas and 74 nays, the amendments were rejected.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Richmond to Engrossed House Bill No. 445 by Representative Baldone

**AMENDMENT NO. 1**

On page 1, line 2, after "R.S." and before "32:667" insert "14:98.2(A) and"

**AMENDMENT NO. 2**

On page 1, between lines 5 and 6, insert the following:

"Section 1. R.S. 14:98.2(A) is hereby amended and reenacted to read as follows:

§98.2. Unlawful refusal to submit to chemical tests; arrests for driving while intoxicated

A. No person under arrest for a violation of R.S. 14:98, 98.1, or any other law or ordinance which prohibits operating a vehicle while intoxicated may refuse to submit to a chemical test when requested to do so by a law enforcement officer if he has refused to submit to such test on ~~two~~ one previous and separate occasions of any previous such violation."

**AMENDMENT NO. 3**

On page 1, line 6, after "Section" and before the period "." change "1" to "2"

Rep. Richmond moved the adoption of the amendments.

Rep. Baldone objected.

By a vote of 37 yeas and 58 nays, the amendments were rejected.

**Speaker Tucker in the Chair**

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative LaBruzzo to Engrossed House Bill No. 445 by Representative Baldone

**AMENDMENT NO. 1**

On page 2, between lines 9 and 10, insert the following:

"(d) Each time a person refuses to submit to the test, that person shall pay a fee of two hundred fifty dollars to the Department of Public Safety and Corrections. The fees collected from refusals to submit to the test shall be used exclusively for the establishment, implementation, and maintenance of the Impaired Driver Tracking System provided for in R.S. 15:1228.9."

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Franklin	Little
Abramson	Gallot	Lopinto
Anders	Geymann	Mills
Armes	Gisclair	Monica
Aubert	Greene	Montoucet
Badon, A.	Guillory, M.	Morris
Badon, B.	Guinn	Norton
Barras	Hardy	Pearson
Billiot	Harrison	Perry
Brossett	Hazel	Ponti

Burford	Henderson	Pope
Burns, H.	Henry	Pugh
Burns, T.	Hill	Richard
Carmody	Hines	Richardson
Carter	Hoffmann	Ritchie
Champagne	Howard	Robideaux
Chandler	Hutter	Roy
Chaney	Jackson G.	Schroder
Connick	Jackson M.	Simon
Cortez	Johnson	Smith, J.
Cromer	Jones, R.	Talbot
Danahay	Jones, S.	Templet
Dove	Katz	Waddell
Downs	Kleckley	White
Edwards	LaBruzzo	Williams
Ellington	Lambert	Willmott
Ernst	Landry	Wooton
Fannin	LeBas	
Foil	Leger	

Total - 85

**NAYS**

Arnold	LaFonta	Smith, G.
Barrow	Ligi	Smith, P.
Burrell	McVea	Stiaes
Doerge	Richmond	Thibaut
Honey	Smiley	

Total - 14

**ABSENT**

Baldone	Nowlin	St. Germain
Dixon	Peterson	

Total - 5

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

**HOUSE BILL NO. 361—**

BY REPRESENTATIVES TEMPLET AND WOOTON  
AN ACT

To enact R.S. 27:310(H) and to repeal R.S. 27:311.1(B)(3), relative to suitability for designated representatives; to repeal provision of law requiring designated representatives to obtain a video draw poker employee permit; to require licensees employing designated representatives to request a record of convictions; to require licensees to maintain the criminal conviction information of designated representatives; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Wooton moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Gallot	McVea
Abramson	Geymann	Mills
Anders	Gisclair	Monica
Armes	Greene	Montoucet
Aubert	Guillory, M.	Morris
Badon, A.	Guinn	Norton
Badon, B.	Hardy	Nowlin

Baldone	Harrison	Pearson
Barras	Hazel	Perry
Barrow	Henderson	Peterson
Billiot	Henry	Ponti
Brossett	Hill	Pope
Burford	Hines	Pugh
Burns, H.	Hoffmann	Richard
Burns, T.	Honey	Richardson
Burrell	Howard	Richmond
Carter	Jackson G.	Ritchie
Champagne	Jackson M.	Roy
Chandler	Jones, R.	Schroder
Chaney	Jones, S.	Simon
Connick	Katz	Smith, J.
Cortez	Kleckley	Smith, P.
Danahay	LaBruzzo	Stiaes
Dixon	LaFonta	Talbot
Doerge	Lambert	Templet
Dove	Landry	Waddell
Downs	LeBas	White
Ellington	Leger	Williams
Fannin	Ligi	Willmott
Foil	Little	Wooton
Franklin	Loporto	
Total - 92		

NAYS

Total - 0

ABSENT

Arnold	Ernst	Smiley
Carmody	Hutter	Smith, G.
Cromer	Johnson	St. Germain
Edwards	Robideaux	Thibaut
Total - 12		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**Speaker Pro Tempore Peterson in the Chair**

**HOUSE BILL NO. 830—**

BY REPRESENTATIVE TUCKER

AN ACT

To amend and reenact R.S. 17:1519.1, 1519.2(B)(1), 1519.12(B)(introductory paragraph) and (C), and 1519.17, the heading of Part IV of Title 19 of the Louisiana Revised Statutes of 1950, R.S. 19:141 and 142(1) and (2), R.S. 36:251(B), 254(A)(14), and 801.1(A), R.S. 39:1593.1(A), and R.S. 46:6 and 2761(B), to enact R.S. 17:1519.2(C) and 1519.12(B)(5), R.S. 36:259(N), and R.S. 40:2003, and to repeal R.S. 17:1519.9, R.S. 40:2002.5, and R.S. 46:2572, relative to the Medical Center of Louisiana at New Orleans; to transfer the Medical Center of Louisiana at New Orleans to a board; to establish a board; to provide for the appointment of a board of directors; to establish nominating and vacancy procedures and terms for the board; to provide for the powers, duties, and responsibilities of the board; to subject the board to certain laws; to mandate affiliation with certain institutions; to provide for the payment of affiliated institutions; to provide for the transfer of the Medical Center upon completion of a readiness assessment; to provide for effective dates; and to provide for related matters.

Called from the calendar.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Waddell on behalf of the Legislative Bureau to Engrossed House Bill No. 830 by Representative Tucker

AMENDMENT NO. 1

On page 10, line 26, following "this" and before "Thereafter" change "Section" to "Subsection"

AMENDMENT NO. 2

On page 19, line 23, change "Section 8" to "Section 9"

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Tucker to Engrossed House Bill No. 830 by Representative Tucker

AMENDMENT NO. 1

On page 1, line 6, after "R.S. 40:2003" and before the comma ",", insert "and 2003.1"

AMENDMENT NO. 2

On page 1, line 9, after "board" insert "of trustees"

AMENDMENT NO. 3

On page 1, line 9, delete "directors" and insert in lieu thereof "trustees"

AMENDMENT NO. 4

On page 1, line 10, after "board" insert "of trustees"

AMENDMENT NO. 5

On page 1, line 11, after "board" insert "of trustees"

AMENDMENT NO. 6

On page 1, line 11, after the second "board" insert "of trustees"

AMENDMENT NO. 7

On page 1, line 12, after "laws;" insert "to create a corporation to support, manage and operate the Medical Center of Louisiana at New Orleans; to provide for its purpose; to give the corporation authority to borrow and spend funds; to create a board of directors for the corporation; to provide for membership of the board of directors and nominating procedures; to provide for the powers, duties, and responsibilities of the board of directors for the corporation; to provide for bylaws of the corporation;"

AMENDMENT NO. 8

On page 1, line 13, after "institutions;" insert "to subject the board of directors to certain laws and provide for exceptions; to provide for reporting requirements;"

AMENDMENT NO. 9

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

"§1519.1. Definitions

As used in this Subpart, the terms defined in this Section shall have the meanings herein given to them, except where the context clearly indicates otherwise.

(1) "Academic health center" means an organization that has a one or more medical ~~school~~ schools, one or more other health professional schools or programs, and one or more affiliated teaching hospitals.

~~(2) "Administrative board" means the administrative board for the Medical Center of Louisiana at New Orleans created by cooperative endeavor agreement pursuant to R.S. 17:1519.9.~~

~~(3) (2) "Board" means the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College.~~

~~(4) (3) "Chancellor" means either the chancellor of the LSU Health Sciences Center at New Orleans or the chancellor of the LSU Health Sciences Center at Shreveport. "Chancellors" means both such chancellors.~~

~~(5) (4) "Health care services division" or "division" means the organizational unit of the LSU Health Sciences Center at New Orleans comprised of the hospitals and administrative personnel immediately responsible for the operation of the division.~~

~~(6) (5) "Huey P. Long Medical Center" means the Huey P. Long Medical Center and any facilities owned or leased by the board to provide services formerly or currently provided by the hospital.~~

~~(7) (6) "LSU Health Sciences Center" and "LSU HSC" mean the Louisiana State University Health Sciences Center at New Orleans or the Louisiana State University Health Sciences Center at Shreveport. "LSU Health Sciences Center at New Orleans" and "LSU HSC-NO" mean the Louisiana State University Health Sciences Center at New Orleans. "LSU Health Sciences Center-Shreveport" and "LSU HSC-S" mean the Louisiana State University Health Sciences Center at Shreveport.~~

~~(8) (7) "LSU HSC hospitals" means the health care institutions set forth in R.S. 17:1519.2(B), together with all programs and facilities thereof. "LSU HSC-NO hospitals" means all the health care institutions set forth in R.S. 17:1519.2(B)(1), together with all the programs and facilities thereof.~~

~~(9) (8) "LSU HSC-S hospitals" means all the health care institutions set forth in R.S. 17:1519.2(B)(3), together with all the programs and facilities thereof.~~

~~(10) (9) "Medical Center of Louisiana at New Orleans" means Charity Hospital, and the Medical Center of Louisiana at New Orleans including University Hospital at New Orleans, any so-called "Interim Hospital" or "Interim Louisiana State University Hospital", and successor hospitals to Charity Hospital or University Hospital at New Orleans, however organized, together with all licenses, provider numbers, and programs and facilities thereof.~~

~~(11) (10) "University Hospital Shreveport" means Louisiana State University Hospital Shreveport, which merged with the LSU Health Sciences Center at Shreveport pursuant to R.S. 17:1517.~~

~~(12) (11) "Medically indigent" means any person whose income is below two hundred percent of the federal poverty level and who is uninsured.~~

§1519.2. State hospitals operated by the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College as part of the Louisiana State University Health Sciences Center; affiliate institution

\* \* \*

B.(1) The LSU Health Sciences Center-New Orleans shall be responsible for the following hospitals, including all programs and facilities thereof:

~~(a) Medical Center of Louisiana at New Orleans.~~

~~(b) (a) Earl K. Long Medical Center in Baton Rouge.~~

~~(c) (b) University Medical Center in Lafayette.~~

~~(d) (c) Leonard J. Chabert Medical Center in Houma.~~

~~(e) (d) Lallie Kemp Regional Medical Center in Independence.~~

~~(f) (e) Bogalusa Medical Center in Bogalusa.~~

~~(g) (f) W. O. Moss Regional Medical Center in Lake Charles.~~

~~(h) (g) University Medical Center in Baton Rouge.~~

\* \* \*

C. The board of trustees for the Medical Center of Louisiana at New Orleans shall own, and the University Hospital Corporation shall possess, control, use, and operate the Medical Center of Louisiana at New Orleans, an academic medical center which shall continue to be affiliated with the schools of medicine, other academic health centers or other institutions that have historically provided clinical services, residents, and other medical education services for the Medical Center of Louisiana at New Orleans, as more specifically provided for in R.S. 40:2003 and 2003.1.

\* \* \*

§1519.12. Medical Education Commission

\* \* \*

B. Notwithstanding the provisions of R.S. 42:1101, the Medical Education Commission shall be composed of ~~four~~ five members as follows:

\* \* \*

(5) The chief executive officer of the Medical Center of Louisiana at New Orleans or his designee.

C. The Medical Education Commission shall:

(1) Make recommendations to the secretary of the Department of Health and Hospitals on the distribution of funding for residency positions, residency supervision, and other medical education resources for the LSU HSC hospitals and the Medical Center of Louisiana at New Orleans among medical education providing programs in such hospitals.

(2) Analyze and make recommendations to the secretary of the Department of Health and Hospitals regarding appropriate formulas to be used in calculating the amounts to be paid to a medical institution or schools of medicine in support of its training programs in the LSU HSC hospitals and the Medical Center of Louisiana at New Orleans.

\* \* \*

§1519.17. ~~Louisiana State University Health Sciences Center medical~~ Medical centers physicians; authority to render certain opinions

Any licensed physician serving on the staff of any of the Louisiana State University Health Sciences Center medical centers or the Medical Center of Louisiana at New Orleans and his full-time supervisory medical staff member, by joint signature, are hereby required, when requested by a social security claimant who is, or who has been, a patient of the physician at such medical center and who has a treating relationship with the patient in the appropriate field and sufficient knowledge to render an opinion, to provide descriptive statements and opinions for the patient with respect to the patient's medical condition, employability, and ability to function, upon which disability determinations may be based. Nothing in this Section shall prohibit a medical center from requiring payment for the medical center's current evaluation and management level services, but no such service shall be denied dependent upon a patient's inability to pay. Nothing in this Section shall prohibit Social Security Administration funding from being utilized to pay for such services.

Section 2. The heading of Part IV of Title 19 of the Louisiana Revised Statutes of 1950, R.S. 19:141 and 142(1) and (2) are hereby amended and reenacted to read as follows:

PART IV. EXPROPRIATION BY PORT COMMISSIONS, PORT AUTHORITIES, LOUISIANA STATE UNIVERSITY, THE MEDICAL CENTER OF LOUISIANA AT NEW ORLEANS, AND THE DEPARTMENT OF PUBLIC WORKS, STATE OF LOUISIANA

§141. Acquisition of property prior to judgment

In any suit for the expropriation of property, including the fee simple title and servitudes, all port commissions and port authorities created by the constitution or statutes of Louisiana; Louisiana State University and Agricultural and Mechanical College; the board of trustees of the Medical Center of Louisiana at New Orleans; the Department of Public Works, State of Louisiana and the Sabine River Authority, State of Louisiana, may acquire the property prior to judgment in the trial court in the manner provided in this Part.

§142. Contents of petition

The petition shall contain the allegations required in R.S. 19:2.1, but shall have annexed thereto the following:

(1) A certified copy of a resolution adopted by the board of commissioners of the commission or authority filing the petition or by the Board of Supervisors of Louisiana State University or board of trustees for the Medical Center of Louisiana at New Orleans with the concurrence of not less than two-thirds of its members, declaring that the taking is necessary or useful for the purposes for which the commission authority or university was created or if the petition is filed on behalf of the department of public works, a statement of like nature by the director of public works.

(2) A certificate signed by the consulting engineer of the port commission or authority, by a person designated for that purpose by the board of supervisors of Louisiana State University or by a person designated for that purpose by the board of trustees for the Medical Center of Louisiana at New Orleans, or by the chief engineer of the department of public works, where the expropriation is sought by the department of public works or by the Sabine River Authority declaring that he has made a determination of the amount and location of the property or servitude required for the purposes set forth in the petition and that in his opinion the property or servitude is neither excessive nor inadequate for such purposes.

\* \* \*

Section 3. R.S. 36:251(B), 254(A)(14), and 801.1(A) are hereby amended and reenacted and R.S. 36:259(N) is hereby enacted to read as follows:

§251. Department of Health and Hospitals; creation; domicile; composition; purpose and functions

\* \* \*

B. The Department of Health and Hospitals, through its offices and officers, shall be responsible for the development and providing of health and medical services for the prevention of disease for the citizens of Louisiana. The Department of Health and Hospitals shall provide health and medical services for the uninsured and medically indigent citizens of Louisiana. The secretary, and the chancellor of the Louisiana State University Health Sciences Center, and the chief executive officer of the Medical Center of Louisiana at New Orleans, shall provide for coordination in the delivery of services provided by the Louisiana State University Health Sciences Center and the Medical Center of Louisiana at New Orleans with those services provided by the Department of Health and Hospitals, local health departments, and federally qualified health centers, including but not limited to services for the mentally ill, for persons with mental retardation and developmental disabilities, for those suffering from addictive disorders, public health services, and services provided under the Medicaid program.

\* \* \*

§254. Powers and duties of the secretary of the Department of Health and Hospitals

A. In addition to the functions, powers, and duties otherwise vested in the secretary by law, he shall:

\* \* \*

(14) Determine how funding for residency positions, residency supervision, and other medical education resources shall be allocated among institutions which provide medical education at hospitals in the health care services division of the Louisiana State University Health Sciences Center, including and the Medical Center of Louisiana at New Orleans; to ensure that there is an equitable distribution among medical education programs providing services in public institutions. In making such determinations, the secretary shall consider advice provided by the Medical Education Commission, the historical distribution of graduate medical education resources, the long-term effects of the allocation of medical education resources to each program, and the clinical workload of each program, provided that the secretary shall continue to allocate Medicare reimbursement resident slots at the Medical Center of Louisiana at New Orleans in a manner consistent with the historical allocation of such slots to the Medical Center of Louisiana at New Orleans's affiliated schools of medicine.

\* \* \*

§259. Transfer of agencies and functions to Department of Health and Hospitals

\* \* \*

N. The Medical Center of Louisiana at New Orleans (R.S. 40:2003) and its board of trustees are placed within the Department of Health and Hospitals and shall exercise and perform its powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with the provisions of R.S. 36:801.1. Upon such transfer, the rights of and responsibilities for the Medical Center of Louisiana at New Orleans shall reside solely with the board of trustees for the Medical Center of Louisiana at New Orleans and the board of directors for the University Hospital Corporation as provided for in R.S. 40:2003 and 2003.1.

\* \* \*

§801.1. Transfer; retention of all functions

A. The agencies transferred by the provisions of R.S. 36:4(D), 4.1(C) and (G), 53(H), 209(R), 259(J), 259(N), 409(N), 509(O), 651(D), 725(A), and 769(J) shall continue to be comprised and selected as provided by law.

\* \* \*

Section 4. R.S. 39:1593.1(A) is hereby amended and reenacted to read as follows:

§1593.1. Group purchasing

A. The Louisiana State University Health Sciences Center and the Medical Center of Louisiana at New Orleans may contract with a group purchasing organization through a competitive request for proposals process for medical and laboratory supplies and medical equipment required for the purpose of diagnosis or direct treatment of a patient by a health care provider in a hospital or clinic setting.

\* \* \*

Section 5. R.S. 40:2003 and 2003.1 are hereby enacted to read as follows:

§2003. Medical Center of Louisiana at New Orleans; composition of the board of trustees; nominating committee; powers, duties, and responsibilities of the board; applicable laws

A.(1) Given the number of institutions involved in the education of health professionals, the legislature finds that the Medical Center of Louisiana at New Orleans and any replacement facility which trains medical professionals in an academic medical center should be owned by an independent board of trustees composed of representatives of the people of Louisiana who are unaffiliated with any Louisiana university and who have special expertise in the field of health care. Therefore, the legislature hereby creates the board of trustees of the Medical Center of Louisiana at New Orleans to own the Medical Center of Louisiana at New Orleans in accordance with this Section and to provide certain oversight to the University Hospital Corporation in accordance with R.S. 40:2003.1.

(2) For the purposes of this Section and R.S. 40:2003.1, the term "Medical Center of Louisiana at New Orleans" means the state-operated general hospital located in New Orleans, Louisiana, referred to as Charity Hospital, University Hospital, any so-called "Interim Hospital" or "Interim Louisiana State University Hospital" or successor hospitals to Charity Hospital and University Hospital, however organized, together with all licenses, provider numbers, and programs and facilities thereof including its ambulatory and specialty clinics and satellite offices, including but not limited to any clinics located on Poydras Street or South Roman Street in the city of New Orleans, but shall not mean community clinics or school-based clinics.

B. The board shall be comprised of persons who have special competence in business management, health care law, hospital administration, health care delivery, or medical practice or who otherwise have demonstrated dedication to the improvement of health care in Louisiana, and who are not members of a governing board of any university or university system. No member of the board of trustees of the Medical Center of Louisiana at New Orleans shall also serve as a member of the board of directors of the University Hospital Corporation.

(1) The board of trustees shall be composed of seven members selected from Region One as defined by the Department of Health and Hospitals as follows:

(a) Three members appointed by the governor and confirmed by the Senate.

(b) Two members shall be elected by the House of Representatives, but shall in no case require confirmation by the Senate.

(c) Two members shall be elected by the Senate.

(2) The governor shall appoint and the House of Representatives and the Senate shall elect members by roll call vote or mail ballot to the board who shall be representative of the state's population as nearly as practicable and who shall be from nominees who are selected as follows:

(a) A nominating committee shall, within sixty days of a vacancy on the board, submit no less than three names of three different eligible nominees for each position or vacancy including initial vacancies to the governor, Senate, or House of Representatives, whichever is appropriate. A majority vote of the membership of the nominating committee shall be required to nominate persons to positions on the board. The nominating committee shall be composed as follows:

(i) A member designated by the Greater New Orleans, Inc.

(ii) A member designated by the Louisiana Chapter of the National Medical Association.

(iii) A member designated by the Louisiana State Medical Society.

(iv) A member designated by the Louisiana Healthcare Quality Forum.

(v) A member designated by the Greater New Orleans Foundation.

(b) The governor shall make an appointment and the Senate and the House of Representatives shall elect members no later than sixty days after the receipt of the names of the nominees. Should the governor fail to make an appointment in the sixty-day period, the nominee listed first on the list of nominees for the appointment shall be deemed appointed to fill the vacancy. Should the Senate or House of Representatives, whichever is appropriate, fail to elect a member from the list of nominees for the particular appointment in the sixty-day period, the nominee listed first on such list of nominees shall be deemed elected to fill the vacancy. An election by either the House of Representatives or the Senate may take place by mail ballot unless the legislature is in session for at least ten legislative days during the sixty-day period.

(3) A vacancy on the board for any cause shall be filled in the same manner as the original appointment and from the same source for the remainder of the term. If the nominating committee fails to submit nominees in the time required, the governor shall make the appointment or the Senate or the House of Representatives shall elect a person to the board as the case may be.

(4) Members of the board shall serve for staggered terms. Initial service shall be as provided in this Section. Thereafter, all terms shall be for four years.

(5) Initial terms shall be as follows:

(a) One member shall be appointed for a two-year term by the governor.

(b) One member shall be appointed for a three-year term by the governor.

(c) One member shall be appointed for a four-year term by the governor.

(d) One member shall be elected for a three-year term by the Senate.

(e) One member shall be elected for a four-year term by the Senate.

(f) One member shall be elected for a three-year term by the House of Representatives.

(g) One member shall be elected for a four-year term by the House of Representatives.

C. The board of trustees as a body corporate shall own the Medical Center of Louisiana at New Orleans and any successor entities, as well as the assets of the Medical Center of Louisiana at New Orleans and any successor entities. The board of trustees shall lease, cause to be leased, or authorize the management of the assets of the Medical Center of Louisiana at New Orleans to University Hospital Corporation as defined in R.S. 40:2003.1. The board of trustees shall have the following powers and duties:

(1) To purchase property or acquire property pursuant to R.S. 19:141 et seq.

(2) To enforce the terms of the lease between the Medical Center of Louisiana at New Orleans and the University Hospital Corporation as described in this Section.

(3) To assist in optimizing funding of the Medical Center of Louisiana at New Orleans through all appropriate revenue streams including but not limited to Medicaid, Graduate Medical Education, and other sources of public and private funding.

(4) To provide certain oversight to the University Hospital Corporation by reviewing any annual reports or comprehensive written strategies submitted by the University Hospital Corporation to the board of trustees with regard to the status or future status of the Medical Center of Louisiana at New Orleans and ensuring that the goals of the annual reports or comprehensive written strategies are being met.

(5) To ensure that an appropriate relationship between the Medical Center of Louisiana at New Orleans and the Veterans Administration Medical Center is fostered to maximize efficiencies in funding and medical care.

D. The board of trustees shall meet at a minimum semiannually and shall be subject to the Public Records Law, the Open Meetings Law, the Bond Validation Procedures Law, and the Code of Governmental Ethics.

E. In any action for damages for an offense or quasi-offense against the board of trustees, its officers, or employees, the board of trustees, its officers, or employees are entitled to assert any defense or limitation available to the state or an agency thereof, including but not limited to the provisions of Part XV of Chapter 32 of Title 13 of the Louisiana Revised Statutes of 1950.

F. The Medical Center of Louisiana at New Orleans shall be budgeted as a single appropriation separate and distinct from the appropriation or budget from the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College.

§2003.1. University Hospital Corporation; creation; purpose; creation of the board of directors; powers, duties, and responsibilities of the board of directors; applicable laws

A. The Legislature of Louisiana recognizes that a modern academic medical center must be research and technology driven in order to be nationally competitive and to deliver quality health care to the citizens of Louisiana. The legislature also recognizes that many renowned academic medical centers throughout the United States are supported by independent, nonprofit enterprises to help them meet their simultaneous goals of excellence in scientific research, medical education, and health care delivery, and that the Medical Center of Louisiana at New Orleans would also benefit from an affiliation with an independent, nonprofit enterprise.

B. There is hereby created a nonprofit corporation to be known as University Hospital Corporation, hereafter referred to as "corporation". The corporation shall be formed for the purpose of supporting, managing, and operating the Medical Center of Louisiana at New Orleans and all related assets, businesses, operations, programs, and enterprises reasonably related to the mission of the Medical Center of Louisiana at New Orleans.

C. (1) The corporation shall have the power to borrow and spend funds necessary to effect its purposes and duties, including but not limited to the power to issue notes, revenue certificates, bonds, and other evidences of indebtedness. The corporation shall also have the power to reinvest any profits generated by the Medical Center of Louisiana at New Orleans for capital improvements or other expenses which further the mission of the medical center, including its goal of becoming a top tier medical research facility, and such profits shall not be considered part of the state general fund.

(2) All bonds, other indebtedness, lines of credit, or other financing mechanisms under this Subsection shall be approved by the Louisiana State Bond Commission. All debts, claims, obligations and liabilities of the corporation, whenever and however incurred, shall be the debts, claims, obligations and liabilities of the corporation only, and not of the board of directors, employees of the corporation, the state, its agencies, officers, or employees. Corporation funds shall not be considered part of the general fund of the state.

D. The corporation shall be governed by a board of directors who shall have the powers of a body corporate, including the power to contract and be contracted with; to adopt and use a common seal and to alter the same at pleasure; to acquire, purchase, hold, lease as lessee or lessor, and convey such movable or immovable property as the board deems proper to carry out the purposes of this Section and R.S. 40:2003.

(1) The board of directors shall be comprised of the following nine members:

(a) One member representing Louisiana State University Health Sciences Center in New Orleans who shall be nominated by the president of the Louisiana State University System and appointed by the governor.

(b) One member representing Tulane Medical Center who shall be nominated by the president of Tulane University and appointed by the governor.

(c) One member representing Xavier University of Louisiana who shall be nominated by the president of Xavier University and appointed by the governor.

(d) One member representing Delgado Community College who shall be nominated by the president of Delgado Community College and appointed by the governor.

(e) One member representing Dillard University who shall be nominated by the president of Dillard University and appointed by the governor.

(f) Four members unaffiliated with any university who have expertise in finance, medicine, health care management, health care law, or other experience relevant to the planning, development, and management of a sophisticated and efficient academic medical enterprise. Nominations for the four members shall be made pursuant to the nomination committee process described in R.S. 40:2003(B)(2)(a) through (3). However, two of the four unaffiliated members shall be appointed by the governor, one of the four shall be elected by the House of Representatives by majority vote, and one of the four shall be elected by the Senate by majority vote.

(g) If the governor does not approve of a nominee submitted under the terms of Subparagraphs (D)(1)(a) through (e) of this

Section, he may request the applicable nominating university to submit up to three additional names for his consideration.

(2) The board of directors shall be comprised of permanent and nonpermanent members. The five members who are affiliated with universities as described in Subparagraphs (D)(1)(a) through (e) of this Section shall be permanent members of the board of directors. Each permanent member shall serve a term of four years and may be reappointed. The four independent members as described in Subparagraph (D)(1)(f) of this Section shall be nonpermanent members of the board of directors and shall serve for staggered terms. Two of the nonpermanent members, one appointed by the governor and one appointed by the Senate, shall each serve a term of two years. One of the nonpermanent members appointed by the House of Representatives shall serve a term of three years. One of the nonpermanent members appointed by the governor shall serve a term of four years. All subsequent terms for nonpermanent members shall be terms of four years, and no board member shall be appointed to more than two consecutive terms.

(3) No member of the board of directors shall serve on any governing board of any university or university system. No member of the board of directors shall also serve on the board of trustees of the Medical Center of Louisiana at New Orleans.

(4) The governor, House of Representatives, and Senate shall make every effort to seek and appoint well-qualified candidates to the board of directors who comprise a proper balance of expertise in finance, medicine, health care management, health care law, or other experience relevant to the planning, development, and management of a sophisticated and efficient academic medical enterprise.

E. The board of directors as a body corporate shall have authority to exercise all power to direct, control, supervise, and manage the Medical Center of Louisiana at New Orleans, including without limitation the power and right:

(1) To make alter, amend, and implement rules and regulations governing the conduct of all facilities under its administration.

(2) To appoint medical staff in accordance with the appropriate bylaws.

(3) To appoint standing and special committees that may be necessary or appropriate to carry out the mission of the Medical Center of Louisiana at New Orleans.

(4) To enter into such contracts and agreements with any state or federal agency or instrumentality or any other public or private party as may be necessary to procure aid, grants, or other funding to assist the board of directors and the medical center in carrying out the purposes of this Section.

(5) To perform comprehensive health planning in cooperation with other public or private institutions and agencies engaged in providing hospital and other health services to residents of the state.

(6) To provide for coordination in the delivery of services provided by the Medical Center of Louisiana at New Orleans with those services provided by the Board of Supervisors of Louisiana State University Agricultural and Mechanical College, the Department of Health and Hospitals, local health departments, federally qualified health centers, and other providers.

(7) To perform other acts necessary or appropriate in order for the Medical Center of Louisiana at New Orleans to qualify for accreditation by appropriate accrediting bodies, including the Joint Commission on Accreditation of Healthcare Organizations.

(8) To operate or participate in managed care organizations or systems, including without limitation a Medicaid managed care plan,

to operate or participate in conformity with federal managed care regulations and standards, including but not limited to the regulations for capital solvency, claims payments, and medical management, and to enter into contracts or create new entities as necessary to do so.

(9) To perform any other acts necessary or appropriate for the carrying out of the objects and purposes of this Section.

F. The board of directors shall hire a qualified and visionary chief executive officer who shall report only to the board of directors and who shall manage the daily operations of the Medical Center of Louisiana at New Orleans. The chief executive officer shall have the authority to employ and retain such persons as are necessary to perform the duties of the corporation. The board of directors shall not interfere with or attempt to influence the chief executive officer in the execution of his duties as manager of the medical center unless there is cause to believe that his actions violate a contract of employment, state or federal law, or constitute such negligence that the mission of the medical center is compromised.

G. The board of directors shall establish appropriate bylaws which shall include at a minimum:

(1) The role the Medical Center of Louisiana at New Orleans shall play as a safety net provider for the state's uninsured as well as the role the medical center shall play as a leader in research and medical and allied health training.

(2) The process for selection of officers.

(3) The creation of a code of conduct and ethics with which each member of the board shall comply or face removal from the board. The code of ethics shall be in accordance with the Louisiana Code of Ethics and the highest general corporate standards.

(4) Conflict of interest policies for board members including disclosure, recusal, and grounds for removal from the board.

(5) Creation and membership guidelines for standing committees of the board which shall include, at a minimum, audit and compliance, finance, quality, risk management, compensation and review, strategic planning, and graduate medical education.

(6) Creation of policies and procedures for graduate medical education that are nondiscriminatory with regard to sponsoring institutions.

H. Any act of business performed by the board of directors shall be approved by majority vote. Any amendment to the bylaws of the corporation shall be approved by supermajority vote. The removal of any board member shall be approved by supermajority vote. Under no circumstance shall unanimity of vote be required to conduct official business of the Medical Center of Louisiana at New Orleans.

I. The board of directors shall continue to enter into annual affiliations or other such agreements with academic health centers or institutions or schools of medicine that wish to continue such agreements.

(1) Based upon the allocation of medical education resources in accordance with R.S. 36:254(A)(14), the board shall enter into annual agreements with other academic health centers, schools of medicine, or other institutions that have historically provided medical education services for the Medical Center of Louisiana at New Orleans.

(a) Notwithstanding any other provision of this Part, the physicians, medical residents, and fellows of such an academic health center, schools of medicine, or institution shall have access to the hospital as provided in such agreement.

(b) Such access shall include the right of the members of the faculty or staff of the academic health center or institution who are on the medical staff of the hospital to admit patients to the respective hospital and afford the academic health center or institution the availability of house officer training positions at the hospital as provided in the agreement.

(2) The physician members of each academic health center, school of medicine, or institution shall provide supervision of its house officers at the respective hospital and shall provide professional services to the hospital, and the academic health center, school of medicine, or institution shall be entitled to reimbursement for the services of its physicians, residents, and fellows, all as provided in the annual agreement.

(3) Any institution, or any of its physicians who treat patients at a hospital may bill third-party payers, including the Medicare and Medicaid programs, for patient care services provided by such academic health center, school of medicine or institution, or physician or may receive payment for such services billed and collected by the hospital for such services in accordance with the annual agreement.

(4) The board of directors shall take action as necessary under its affiliation agreements to maintain accreditation status of its historic medical education and training programs.

J.(1) The board of directors shall be subject to the Bond Validation Procedures Law and the Code of Governmental Ethics.

(2) The board shall be subject to the Open Meetings Law with the following exceptions:

(a) Any meetings concerning strategy on pending litigation.

(b) Any meetings concerning "competitive strategy" of the Medical Center of Louisiana at New Orleans, which is defined as any information, which if provided to a competitor, would jeopardize a financial investment or competitive strategy by the board of directors effected for the purpose of competing for business, employees, medical personnel, or other material goods or benefits that would enhance the business success of the medical center. However, any such meeting shall be preceded by a public notice that a meeting is taking place to discuss such strategy. A court reporter shall create a transcript of the meeting. One year after the execution of the discussed strategy, the transcript shall become a public record.

(3) The board shall be subject to the Public Records Law with the following exceptions:

(a) Any records, documents, or material that are deemed confidential under federal or state law.

(b) Any records, documents, or material that are considered part of pending litigation.

(c) Any records, documents, or material related to the "competitive strategy" of the Medical Center of Louisiana at New Orleans as "competitive strategy" is defined in Subparagraph (2)(b) of this Subsection. Applicable records, documents, or material related to competitive strategy shall become public one year after execution of the strategy or at the time when the board determines that any future competitive strategy would no longer be compromised by the publicity of the records.

K. The board of directors shall meet at a minimum quarterly. In addition to their other duties and responsibilities described in this Section, the board shall submit annual reports on the status of the Medical Center of Louisiana at New Orleans to the board of trustees for the Medical Center of Louisiana at New Orleans, who shall receive the reports and discuss their content in a public meeting. The first report shall be submitted by January 1, 2011, and annually thereafter. At a minimum, each annual report shall discuss:

(1) The status of the Medical Center of Louisiana at New Orleans as the safety net provider for the uninsured, the successes of health care delivery to this population, the remaining challenges of health care delivery to this population, and concrete suggestions for improvement.

(2) The status of the Medical Center of Louisiana at New Orleans in attracting a varied payer mix, any successes and challenges in attracting a varied payer mix, and concrete suggestions for improvement.

(3) The status of the Medical Center of Louisiana at New Orleans in attracting quality health care personnel, any successes and challenges in attracting health care personnel, and concrete suggestions for improvement.

(4) The status of the Medical Center of Louisiana at New Orleans as a major teaching and research facility, any successes and challenges in attracting professors, medical students, residents, and researchers, any successes and challenges in attracting research grants and other funding, and concrete suggestions for improvement.

(5) The status of the planning or construction of any new facility comprising the Medical Center of Louisiana at New Orleans and the expected progress of planning or construction for the following year.

(6) The status of the Medical Center of Louisiana at New Orleans's working relationship with the Veterans Administration Medical Center, any successes and challenges in maximizing efficiencies and shared resources, and concrete suggestions for improvement in coordination between the two medical complexes.

(7) The status of any goals discussed in the comprehensive five-year strategy as discussed in Subsection L of this Section, once the comprehensive five-year strategy has been submitted and presented to the board of trustees.

L. The board of directors shall also create a comprehensive five-year strategy for the Medical Center of Louisiana at New Orleans to be submitted and presented to the board of trustees of the medical center no later than July 1, 2011. The five-year strategy should include at a minimum the following:

(1) A plan for the construction of a modern academic health care facility that will be as cost-effective as possible without compromising the medical center's goal of becoming a nationally competitive academic health center that is able to attract top physicians, researchers, medical residents, allied health professionals, and other personnel necessary to staff a modern academic health care facility.

(2) A plan to ensure that the existing Charity Hospital will be renovated for an appropriate use.

(3) A plan to fulfill the medical center's historic role as a safety net provider for the uninsured.

(4) A plan to attract a varied payer mix in order to sustain any new facility.

(5) A plan to attract more physicians, researchers, medical residents, allied health professionals, and other personnel necessary to staff a modern academic health care facility.

(6) A plan to maximize efficiencies and shared resources between the Medical Center of Louisiana at New Orleans and the Veterans Administration Medical Center.

M. Financial and other related records of the corporation are subject to an annual certified audit. Such audit shall be a matter of public record.

N. There shall be no liability on the part of and no cause of action of any nature shall arise against any member of the board of directors of the University Hospital Corporation or any employee or

anyone acting on behalf of the corporation for any action taken by them in the performance of their duties or responsibilities under this Section. Such immunity from liability does not apply to any willful tort or criminal act.

O. The corporation shall be prohibited from making contributions to any political party, political organization, public official, or candidate for public office, whether federal, state, or local in nature. All paid employees of the corporation shall be subject to the Code of Governmental Ethics.

Section 6. R.S. 46:6 and 2761(B) are hereby amended and reenacted to read as follows:

§6. Admission criteria to state-supported charity hospitals

Any bona fide resident of the state of Louisiana who is in need of medical services, including but not limited to the uninsured, shall be eligible for treatment by any general hospital owned or operated by the ~~board~~ state in accordance with policy adopted by the LSU Board of Supervisors or the board of trustees for the Medical Center of Louisiana at New Orleans or the board of directors for the University Hospital Corporation. However, any person with an income greater than two hundred percent of the federal poverty level otherwise eligible for treatment may be denied access to ~~non-emergency nonemergency~~ medical care if such person refuses to pay any appropriately adopted reasonable charges for treatment or service received, unless the patient's clinical condition requires immediate treatment as determined by the patient's treating physician, or if the person has been treated in the past, billed based upon his or her ability to pay, and has refused to pay for previous medical services without justifiable excuse or to make arrangements for periodic partial payments, unless the patient's clinical condition requires immediate treatment as determined by the patient's treating physician or medical director. In no event shall emergency treatment be denied to anyone; and in no event shall any person housed in any parish jail facility or state prison in the state of Louisiana, irrespective of his state of residency, be denied medically necessary medical treatment in the nearest general hospital owned or operated by the ~~board~~ state. Further, any prisoner treated at a general hospital owned or operated by the ~~board~~ state shall have those services paid through the facility receiving state funding for the incarceration of said prisoner.

\* \* \*

§2761. Uncompensated Care Hospital Payments

\* \* \*

B. The secretary of the Department of Health and Hospitals shall, subject to approval from the Centers for Medicare and Medicaid Services, amend the State Medicaid Plan to provide for Medicaid disproportionate share payments to hospitals operated by the LSU Health Sciences Center-New Orleans or the board of trustees of the Medical Center of Louisiana at New Orleans or the board of directors of the University Hospital Corporation under the provision of federal law that permits the reimbursement of uncompensated cost up to one hundred and seventy-five percent of allowable cost. In state fiscal years 2003-2004 and 2004-2005, Medicaid disproportionate share payments retained by the hospitals shall not exceed a cap as agreed upon by the division and the Department of Health and Hospitals and as reflected in appropriations to the Medical Vendor Payments Program for each year.

Section 7. R.S. 17:1519.9, R.S. 40:2002.5, and R.S. 46:2572 are hereby repealed in their entirety.

Section 8.(A)(1) Prior to the transfer of the Medical Center of Louisiana at New Orleans from the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, the secretary of the Department of Health and Hospitals shall conduct

a readiness assessment of the board of trustees of the Medical Center of Louisiana at New Orleans, hereinafter referred to in this Section as the "medical center", and the board of directors of the University Hospital Corporation, hereinafter referred to in this Section as the "corporation". For the purposes of this Section, "readiness assessment" shall mean the process by which a survey team reviews all areas of business management of the district to determine operational readiness based on a set of uniform criteria. The readiness assessment shall address, at a minimum, financial controls, clinical protocols, human resources competency and capacity, legal resources, purchasing, contracting, any applicable national or accreditation standards, and outcomes measurement capability. The survey team shall be composed of at least one representative of the secretary of the Department of Health and Hospitals, one representative of the Louisiana State University Health Sciences Center-New Orleans, and one representative of Tulane University School of Medicine. Any actions or recommendations of the survey team shall be by majority vote and shall not require unanimous consent. One of the following must occur prior to January 1, 2010:

(a) If the survey team has determined the board of trustees and the board of directors are prepared to accept responsibility for the provision of services, the team shall, within ten days of the completed assessment, notify the House Committee on Health and Welfare and Senate Committee on Health and Welfare, the board of trustees for the medical center and the board of directors for the corporation in writing that the board of trustees is prepared to own and lease the medical center and the board of directors of the corporation is prepared to assume possession, control, and use of the medical center. Such notification shall specify the date the board of trustees shall own the medical center and the date the lease of said medical center to the corporation shall become effective. Both the date of the ownership transfer and the date of the beginning of the lease agreement shall be not more than thirty days after such notification. The board of trustees shall then own the medical center and enter into a lease agreement with the board of directors of the corporation who shall then assume possession, control, and use of the medical center on the date specified in such notification. The board of trustees shall send a copy of such notification to the office of state register which shall publish such notification in the State Register as soon as possible.

(b) If the survey team has determined that either the board of trustees or the board of directors of the corporation is not prepared to accept responsibility for ownership of the facility or the provision of services, the team shall, within ten days of the completed assessment, notify the House Committee on Health and Welfare and Senate Committee on Health and Welfare in writing that the boards are not prepared to assume ownership, possession, use, and control and the reasons for its decision. The House Committee on Health and Welfare and Senate Committee on Health and Welfare, meeting jointly, shall review the assessment. If the committees concur with the assessment that either board is not ready, the board of trustees or the board of directors for the corporation shall address all deficiencies cited in the assessment prior to July 1, 2010, and shall assume ownership, possession, use, and control after successful completion of a second readiness assessment pursuant to this Section. If the committees do not concur with the assessment that either board is not ready, the board of trustees shall assume ownership and shall lease the facility to the board of directors of the corporation who shall assume possession, use, and control of the medical center ninety days after such notification of the committees by the survey team. The board of directors of the corporation shall send notice of its signature of the lease and its intent to assume possession, use, and control of the medical center to the office of state register which shall publish such notification in the State Register as soon as possible.

(2) All of the powers granted to the board of trustees and the board of directors of the corporation under Sections 5 and 6 of this Act shall be limited to the extent necessary to prepare for a readiness

assessment and shall remain limited to that purpose until all of the conditions of this Section are fulfilled.

(B) Transfer of medical center. On the effective date of transfer as provided by Subsection (A) of this Section, the Medical Center of Louisiana at New Orleans, shall be transferred to the board of trustees of the Medical Center of Louisiana at New Orleans, hereinafter referred to in this Section as the "board of trustees". The board of trustees shall lease the assets of the medical center to the board of directors of the corporation, and operation and management of the medical center shall be the responsibility of the board of directors of the corporation for the duration of the lease. All unfinished business, references in laws and documents, employees, property, obligations, and books and records of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, hereinafter referred to in this Section as the "Board of Supervisors", pertaining to the medical center shall be transferred as provided in this Section.

(C) Unfinished business. Upon the transfer of the medical center, any pending or unfinished business of the Board of Supervisors pertaining to the medical center shall be taken over and completed by the board of trustees of the medical center and the board of directors of the corporation with the same power and authorization as that of the Board of Supervisors. The board of trustees and the board of directors of the corporation shall be successors in every way to the Board of Supervisors, and every act done by the board of trustees and the board of directors of the corporation in the exercise of the functions transferred from the Board of Supervisors, directly or through the medical center, shall be considered to have the same force and effect under any provisions of the constitution and laws in effect on the effective date of transfer as if done by the Board of Supervisors.

(D) References in laws and documents. Wherever the Board of Supervisors is referred to or designated by the constitution or by any law or contract or other document which pertains to the medical center, after the effective date of transfer such reference or designation shall be considered to apply to the board of trustees or the board of directors of the corporation, whichever body is applicable as outlined in R.S. 40:2003 and 2003.1.

(E) Legal proceedings and documents continued. Any legal proceeding to which the Board of Supervisors is a party which pertains to the medical center and which is filed, initiated, or pending before any court on the effective date of transfer, and all documents involved in or affected by such legal proceeding shall retain their effectiveness and shall be continued in the name of the Board of Supervisors. All further legal proceedings and documents in the continuation, disposition, and enforcement of such legal proceeding shall be in the name of the Board of Supervisors, and the board of trustees shall be substituted for the Board of Supervisors without the necessity for amendment of any document to substitute the name of the board or the name or title of any office, official, employee, or other agent or representative of the board of directors. Any legal proceeding and all documents involved in or affected by such legal proceeding, which has been continued in the name of the board shall retain their effectiveness, and those provisions of this Section requiring their continuation, disposition, and enforcement of a legal proceeding and documents related thereto shall be in the name of the Board of Supervisors shall not affect their validity. The definitions provided in R.S. 36:924 shall be applicable to this Section.

(F) Protection of obligations; federal assistance. (1) This Act is not intended to and it shall not be construed so as to impair the contractual or other obligations of the Board of Supervisors or of the state. All obligations of the Board of Supervisors pertaining to the medical center hereafter shall be considered to be the obligations of the state through the board of trustees to the same extent as if originally made by it and the same are hereby ratified. In like manner, and in order to prevent any violation of the provisions, terms, or conditions of any gift, donation, deed, will, trust, or other

instrument or disposition by which property vested in the board of trustees by this Act was previously vested in the Board of Supervisors, or diversion from the purposes for which such property was so vested, it is hereby specifically provided that each such instrument or disposition hereafter shall be considered to have vested such property in the board of trustees in the same manner and to the same extent as if originally so done. Any authority of the Board of Supervisors providing for the vesting of property shall transfer to the board of trustees.

(2) The board of trustees shall be the successor in every way to the Board of Supervisors including all of the obligations and debts of the Board of Supervisors with respect to the medical center. All funds dedicated by or under authority of the constitution and laws of this state or any of its subdivisions to the payment of any bonds issued for construction or improvements for the medical center shall continue to be collected and dedicated to the payment of those bonds, unless and until other provision is made for the payment of such bonds. In like manner, all other dedications and allocations of revenues and sources of revenues heretofore made shall continue in the same manner, to the same extent, and for the same purposes as were provided prior to the enactment of this Act, unless and until other provision is made for the payment of such bonds.

(3) This Act shall not be construed or applied in any way which will prevent full compliance by the state, or any department, office or agency thereof, with the requirements of any act of the Congress of the United States or any regulation made thereunder by which federal aid or other federal assistance has been or hereafter is made available to this state, or any department, office, agency, or subdivision thereof, anything contained in this Act to the contrary notwithstanding, and such compliance hereafter shall be accomplished by the board of trustees and the board of directors of the corporation insofar as such compliance affects the Board of Supervisors.

(G) Transfer of property. All books, papers, records, money, actions, and other property of every kind, movable and immovable, real and personal, heretofore possessed, controlled, or used by the Board of Supervisors with respect to the medical center are hereby transferred to the board of trustees. All funds of the Board of Supervisors budgeted for use by the medical center are hereby transferred to the board of trustees.

(H) Transfer of employees. All employees heretofore engaged in the performance of duties of the medical center on behalf of the Board of Supervisors are hereby transferred to the board of trustees or the corporation and shall continue to perform the duties heretofore performed, subject to applicable state civil service laws, rules, and regulations. Subject to such laws, positions in the unclassified service shall remain in the unclassified service.

Section 8.(A) This Section and Sections 5 and 8(A) shall become effective upon signature of this Act by the governor, or if this Act is not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If this Act is vetoed by the governor and subsequently approved by the legislature, this Section and Sections 5 and 8(A) shall become effective on the day following such approval.

(B) Sections 1, 2, 3, 4, 6, 7, and 8(B) through (H) shall become effective upon the publication of notice in the State Register as provided for by Section 8(A) of this Act."

AMENDMENT NO. 10

Delete pages 3 through 19 in their entirety

AMENDMENT NO. 11

On page 20, delete lines 1 and 2 in their entirety

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Abramson to Engrossed House Bill No. 830 by Representative Tucker

AMENDMENT NO. 1

In House Floor Amendment No. 9 adopted by the House of Representatives on May 18, 2009, on page 8 delete lines 4 through 24 in their entirety and insert in lieu thereof the following:

"(a) Three members representing Louisiana State University Health Sciences Center in New Orleans who shall be nominated by the president of the Louisiana State University System. One of the three members shall be appointed by the governor, one of the three members shall be appointed by the House of Representatives by majority vote, and one of the three members shall be appointed by the Senate by majority vote.

(b) One member representing Tulane Medical Center who shall be nominated by the president of Tulane University and appointed by the governor.

(c) One member representing Xavier University of Louisiana who shall be nominated by the president of Xavier University and appointed by the House of Representatives by majority vote.

(d) One member representing Delgado Community College, Dillard University, and Southern University who shall be nominated by the presidents of the three institutions. The order of service shall be determined by lot.

(e) Three members unaffiliated with any university who have expertise in finance, medicine, health care management, health care law, or other experience relevant to the planning, development, and management of a sophisticated and efficient academic medical enterprise. Nominations for the three members shall be made pursuant to R.S. 40:2003(B)(2)(a) and (b) and (3)."

AMENDMENT NO. 2

In House Floor Amendment No. 9 adopted by the House of Representatives on May 18, 2009, on page 8, line 25, after "a" delete "nominee submitted under the terms of Subparagraphs (D)(1)(a) through (e) of" and insert in lieu thereof "submitted nominee who is subject to his appointment under"

AMENDMENT NO. 3

In House Floor Amendment No. 9 adopted by the House of Representatives on May 18, 2009, on page 8, line 29, after "The" delete "five" and insert "six"

AMENDMENT NO. 4

In House Floor Amendment No. 9 adopted by the House of Representatives on May 18, 2009, on page 8, line 30 change "(e)" to "(d)"

AMENDMENT NO. 5

In House Floor Amendment No. 9 adopted by the House of Representatives on May 18, 2009, on page 8, line 32, after "reappointed" insert a comma "," and "except for the member submitted under the terms of (D)(1)(d), who shall serve for a term of two years"

AMENDMENT NO. 6

In House Floor Amendment No. 9 adopted by the House of Representatives on May 18, 2009, on page 8, line 32 after "The" delete "four" and insert in lieu thereof "three"

AMENDMENT NO. 7

In House Floor Amendment No. 9 adopted by the House of Representatives on May 18, 2009, on page 8, line 34, delete "Two of the non-permanent members, one appointed by the governor and one appointed by the Senate, shall each serve" and insert in lieu thereof "One of the non-permanent members appointed by the Senate shall serve"

Rep. Abramson moved the adoption of the amendments.

Rep. Tucker objected.

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Total - 102

**NAYS**

Total - 0

**ABSENT**

Dixon St. Germain

Total - 2

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 841—**  
BY REPRESENTATIVE HONEY

**AN ACT**

To amend and reenact R.S. 23:1123, 1172.2(E), 1201(A), 1378(A)(1), (2), (3)(a)(introductory paragraph) and(b)(introductory paragraph), and (7) and to repeal R.S. 23:1201.1, relative to workers' compensation; to provide for an examination of an injured employee when certain disputes arise; to provide for the prompt reporting of certain information relative to payment of workers' compensation premiums which may be considered false, fraudulent, or misleading; to provide for payors and insurers to make weekly indemnity payments by electronic funds transfer; to repeal provisions requiring that workers' compensation indemnity payments be mailed; to provide for the determination of the liability of the Second Injury Fund; and to provide for related matters.

Called from the calendar.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Honey to Engrossed House Bill No. 841 by Representative Honey

AMENDMENT NO. 1

On page 1, line 3, between "(7)" and "and" insert "and 1472(4), to enact R.S. 23:1600.1 and 1602(4),"

AMENDMENT NO. 2

On page 1, line 4, change "workers' compensation" to "workers"

AMENDMENT NO. 3

On page 1, line 10, after "Fund;" insert "to provide for an alternate base period; to provide for benefit eligibility conditions for an individual seeking part-time work; to allow for an extension of benefits;"

AMENDMENT NO. 4

On page 1, line 14, between "(7)" and "are" insert "and 1472(4)" and between "reenacted" and "to" insert "and R.S. 23:1600.1 and 1602(4) are hereby enacted"

AMENDMENT NO. 5

On page 7, between lines 11 and 12, insert the following:

"§1472. Definitions

As used in this Chapter, the following terms shall have the meaning ascribed to them in this Section, unless the context clearly indicated otherwise:

\* \* \*

(4)(a) "Base period" means the first four of the last five complete calendar quarters immediately preceding the first day of an

individual's benefit year. An individual who does not qualify for benefits under this Subparagraph shall qualify under the provisions of Subparagraph(b) of this Paragraph.

(b) "Alternate base period" means the last four completed calendar quarters immediately preceding the first day of an individual's benefit year.

\* \* \*

§1600.1. Benefits due to seeking part-time work

No individual, who is otherwise eligible, shall be deemed unavailable for work or ineligible for benefits solely for the reason that the individual is available for, seeks, applies for, or accepts only part-time work, instead of full-time work, if a majority of the weeks worked in the base period were in part-time employment and the individual is actively seeking and is willing to accept work under the same conditions as existed during the individual's base-period employment.

\* \* \*

§1602. Denial of benefits to individuals taking approved training prohibited; ineligibility of certain students; benefits payable to individuals taking approved training not to be charged to experience rating record of base period base-period employers; extended benefits for individuals taking approved training

\* \* \*

(4)(a) An individual who has exhausted all rights to benefits, enrolled no later than the end of the benefit year establishes with respect to the separation that makes the individual eligible for the training benefit and continuing to make satisfactory progress in a state training program approved by the administrator or in a job training program authorized under the Workforce Investment Act of 1998 (29 U.S.C. 2801), shall be entitled to receive a weekly benefit equal to his previous weekly unemployment compensation benefit for up to an additional twenty-six weeks.

(b) No additional benefits shall be paid pursuant to the provisions of this Section for any week during which the individual receives training allowances or stipends, in approximately the same amounts as the training costs, pursuant to the provisions of any federal law or any other state law. As used in this Section, "training allowances or stipends" means discretionary use, cash-in-hand payments available to the individual to be used as the individual sees fit, but does not mean direct or indirect compensation for training costs, such as the costs of tuition, books, and supplies."

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Fannin	Lopinto
Abramson	Foil	McVea
Anders	Franklin	Mills
Armes	Gallot	Monica
Arnold	Gisclair	Montoucet
Aubert	Greene	Morris
Badon, A.	Guillory, M.	Norton
Badon, B.	Guinn	Nowlin
Baldone	Hardy	Pearson
Barras	Harrison	Peterson
Barrow	Hazel	Ponti
Billiot	Henderson	Pope

Brossett	Henry	Pugh
Burford	Hill	Richard
Burns, H.	Hines	Richardson
Burns, T.	Hoffmann	Richmond
Burrell	Honey	Ritchie
Carmody	Howard	Robideaux
Carter	Hutter	Roy
Champagne	Jackson G.	Schroder
Chandler	Jackson M.	Simon
Chaney	Johnson	Smith, G.
Connick	Jones, R.	Smith, J.
Cortez	Jones, S.	Smith, P.
Cromer	Katz	Stiaes
Danahay	Kleckley	Talbot
Dixon	LaBruzzo	Templet
Doerge	LaFonta	Thibaut
Dove	Lambert	Waddell
Downs	LeBas	White
Edwards	Leger	Williams
Ellington	Ligi	Willmott
Ernst	Little	Wooton

Total - 99

NAYS

Total - 0

ABSENT

Geymann	Perry	St. Germain
Landry	Smiley	

Total - 5

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Honey 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.

### Withdrawal of Notice of Intention to Call

Rep. Guinn withdrew his notice of intention to call House Bill No. 832 from the calendar for future action.

### Declaration of Conflict

Rep. Foil disclosed a possible conflict of interest on House Bill No. 873.

### Suspension of the Rules

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

### Speaker Tucker in the Chair

#### Petitions, Memorials and Communications

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

### Message from the Senate

#### HOUSE CONCURRENT RESOLUTIONS

May 18, 2009

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. 116  
Returned without amendments

House Concurrent Resolution No. 119  
Returned without amendments

House Concurrent Resolution No. 120  
Returned without amendments

House Concurrent Resolution No. 121  
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

### Message from the Senate

#### ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS

May 18, 2009

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. 40, 53, 57, 58, 59, 60, 61, 62, and 63

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

### Message from the Senate

#### SIGNED SENATE CONCURRENT RESOLUTIONS

May 18, 2009

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. 39 and 44

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.

### Reports of Committees

The following reports of committees were received and read:

**Report of the Committee on Appropriations**

May 18, 2009

To the Speaker and Members of the House of Representatives:

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

House Bill No. 341, by Connick  
Reported favorably. (21-0) (Regular)

House Bill No. 538, by Anders  
Reported with amendments. (15-0) (Regular)

House Bill No. 637, by Ponti  
Reported favorably. (17-0) (Regular)

House Bill No. 649, by Montoucet  
Reported with amendments. (13-3) (Regular)

House Bill No. 689, by Peterson  
Reported favorably. (15-0) (Regular)

House Bill No. 719, by Chaney  
Reported with amendments. (18-0) (Regular)

House Bill No. 801, by Simon  
Reported with amendments. (14-0) (Regular)

House Bill No. 870, by Fannin  
Reported with amendments. (13-0) (Regular)

House Bill No. 879, by Tucker  
Reported favorably. (19-0) (Regular)

JAMES R. "JIM" FANNIN  
Chairman

**Report of the Committee on Civil Law and Procedure**

May 18, 2009

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Civil Law and Procedure to submit the following report:

House Bill No. 72, by Cromer  
Reported with amendments. (6-5-1) (Regular)

House Bill No. 220, by Burns, Tim  
Reported with amendments. (8-5) (Regular)

House Bill No. 245, by Talbot  
Reported with amendments. (8-4) (Regular)

House Bill No. 345, by Abramson  
Reported with amendments. (8-4) (Regular)

House Bill No. 511, by Harrison (Joint Resolution)  
Reported with amendments. (11-0) (Regular)

House Bill No. 755, by Edwards  
Reported with amendments. (11-0) (Regular)

House Bill No. 765, by Gallot (Joint Resolution)  
Reported with amendments. (11-0) (Regular)

TIMOTHY G. "TIM" BURNS  
Chairman

**Report of the Committee on Commerce**

May 18, 2009

To the Speaker and Members of the House of Representatives:

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

House Concurrent Resolution No. 114, by Ponti  
Reported with amendments. (14-0)

House Bill No. 198, by LaBruzzo  
Reported favorably. (13-0) (Regular)

House Bill No. 278, by Ligi  
Reported by substitute. (12-0) (Regular)

House Bill No. 351, by Richardson  
Reported with amendments. (14-0) (Regular)

House Bill No. 381, by Hoffmann  
Reported with amendments. (14-0) (Regular)

House Bill No. 441, by Ponti  
Reported favorably. (14-0) (Regular)

House Bill No. 452, by Geymann  
Reported favorably. (11-0) (Regular)

House Bill No. 569, by White  
Reported with amendments. (11-0) (Regular)

House Bill No. 810, by Arnold  
Reported with amendments. (15-0) (Regular)

House Bill No. 834, by Stiaes  
Reported with amendments. (14-0) (Regular)

House Bill No. 873, by Abramson  
Reported favorably. (10-0) (Regular)

JEFFERY "JEFF" J. ARNOLD  
Chairman

**Report of the Committee on Transportation, Highways, and Public Works**

May 18, 2009

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Transportation, Highways, and Public Works to submit the following report:

House Bill No. 146, by Badon, Austin  
Reported with amendments. (12-3) (Regular)

House Bill No. 350, by Temple  
Reported favorably. (16-0) (Local & Consent)

House Bill No. 365, by Simon  
Reported with amendments. (14-0) (Regular)

House Bill No. 500, by Baldone  
Reported with amendments. (15-0) (Regular)

House Bill No. 787, by Baldone  
Reported with amendments. (15-0) (Regular)

House Bill No. 796, by Peterson  
Reported favorably. (16-0) (Regular)

House Bill No. 859, by St. Germain  
Reported favorably. (16-0) (Local & Consent)

House Bill No. 880, by Templet  
Reported with amendments. (16-0) (Regular)

NITA RUSICH HUTTER  
Chairwoman

### Report of the Committee on Ways and Means

May 18, 2009

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Ways and Means to submit the following report:

House Bill No. 128, by Henry  
Reported with amendments. (14-2) (Regular)

House Bill No. 164, by Henry  
Reported with amendments. (16-0) (Regular)

House Bill No. 668, by Robideaux  
Reported with amendments. (12-0) (Regular)

HUNTER V. GREENE  
Chairman

### House and House Concurrent Resolutions

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

#### Motion

On motion of Rep. Austin Badon, the Committee on Ways and Means was discharged from further consideration of House Concurrent Resolution No. 97.

#### HOUSE CONCURRENT RESOLUTION NO. 97— BY REPRESENTATIVE AUSTIN BADON

##### A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2010 Regular Session of the Legislature the provisions of Act No. 396 of the 2008 Regular Session of the Legislature which changed the brackets for purposes of calculating the individual income tax in Louisiana.

Read by title.

#### Motion

On motion of Rep. Austin Badon, the resolution was withdrawn from the files of the House.

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

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

#### Motion

On motion of Rep. Rosalind Jones, the Committee on Ways and Means was discharged from further consideration of House Bill No. 609.

#### HOUSE BILL NO. 609— BY REPRESENTATIVE ROSALIND JONES AN ACT

To enact Subpart D of Part IV of Chapter 5 of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:2238.1 through 2238.8, relative to property adjudicated to the city of Monroe; to provide for the authorization of the city of Monroe to sell or transfer adjudicated property; to provide for notice to the owner and other interested parties; to provide for a deposit of monies sufficient to cover the expenses of the sale, advertisement, taxes due, and other costs associated with the sale; to provide for applicability; to provide for an effective date; and to provide for related matters.

Read by title.

On motion of Rep. Rosalind Jones, the bill was recommitted to the Committee on Municipal, Parochial and Cultural Affairs.

#### Motion

On motion of Rep. Austin Badon, the Committee on Ways and Means was discharged from further consideration of House Bill No. 876.

#### HOUSE BILL NO. 876— BY REPRESENTATIVE AUSTIN BADON AN ACT

To amend and reenact R.S. 47:32(A), relative to the individual income tax; to change certain income tax brackets; to provide for an effective date; and to provide for related matters.

Read by title.

#### Motion

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

### Privileged Report of the Committee on Enrollment

May 18, 2009

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. 42— BY REPRESENTATIVE JOHNSON A RESOLUTION

To express the condolences of the House of Representatives upon the death of Mona Lou Resnick Raiford of Baton Rouge.

#### HOUSE RESOLUTION NO. 43— BY REPRESENTATIVE HENRY BURNS A RESOLUTION

To commend Sunlight Missionary Baptist Church upon the celebration of its ninety-third anniversary.

Respectfully submitted,

WAYNE WADDELL  
Chairman

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

**Suspension of the Rules**

On motion of Rep. Wooton, 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. 244

House Concurrent Resolution No. 115

**Suspension of the Rules**

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

House Bill No. 311

**Leave of Absence**

Rep. St. Germain - 1 day

**Adjournment**

On motion of Rep. Billiot, at 5:40 P.M., the House agreed to adjourn until Tuesday, May 19, 2009, at 2:00 P.M.

The Speaker of the House declared the House adjourned until 2:00 P.M., Tuesday, May 19, 2009.

ALFRED W. SPEER  
Clerk of the House