

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

SIXTEENTH 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

Wednesday, May 20, 2009

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

Morning Hour

ROLL CALL

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

PRESENT

Mr. Speaker	Franklin	Mills
Abramson	Gallot	Monica
Anders	Geymann	Montoucet
Armes	Gisclair	Morris
Arnold	Greene	Norton
Aubert	Guillory, 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	St. Germain
Danahay	LaBruzzo	Stiaes
Dixon	LaFonta	Talbot
Doerge	Lambert	Templet
Dove	Landry	Thibaut
Downs	LeBas	Waddell
Edwards	Leger	White

Ellington	Ligi	Williams
Ernst	Little	Willmott
Fannin	Lopinto	Wooton
Foil	McVea	
Total - 104		

ABSENT

Total - 0

The Speaker announced that there were 104 members present and a quorum.

Prayer

Prayer was offered by Rev. Carrigan.

Pledge of Allegiance

Rep. Danahay 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 19, 2009, was adopted.

**Petitions, Memorials and
Communications**

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

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

May 20, 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. 126
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

**ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

May 20, 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 No. 73

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Suspension of the Rules

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

Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 73—
BY SENATOR SMITH AND REPRESENTATIVE HILL
A CONCURRENT RESOLUTION

To commend Julia Brown for her commitment and dedication as a graduating senior member of the Louisiana Legislative Youth Advisory Council.

Read by title.

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

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

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

HOUSE RESOLUTION NO. 46—
BY REPRESENTATIVE BARROW
A RESOLUTION

To commend and congratulate Upsilon Phi Upsilon Service Fraternity, Incorporated, for its outstanding achievements and generous community services and to recognize Thursday, May 21, 2009, as Upsilon Phi Upsilon Service Fraternity Day at the Legislature of Louisiana.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 128—
BY REPRESENTATIVE HARDY
A CONCURRENT RESOLUTION

To urge and request the House Committee on House and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs to meet and function as a joint committee to study possible strategies, methods, and policies to discourage the mishandling, misuse, and misappropriation of public funds and procedures to recover public funds which may have been mishandled, misused, or misappropriated.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 129—
BY REPRESENTATIVE ROSALIND JONES
A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the legislature upon the death of Ayana Animata McHenry of Monroe.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 130—
BY REPRESENTATIVE BILLIOT

A CONCURRENT RESOLUTION

To urge and request the Legislative Auditor, the Legislative Fiscal Office, the Governor's Office of Homeland Security and Emergency Preparedness, and the Office of Community Development, Disaster Recovery Section to prepare a report which includes the total federal funds allocated to and expended by the state of Louisiana in relation to Hurricanes Katrina, Rita, Gustav, and Ike.

Read by title.

Lies over under the rules.

Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 56—
BY SENATOR MICHOT
A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Allen Ray Bares, former member of the Louisiana House of Representatives and former president of the Louisiana State Senate.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 64—
BY SENATOR ERDEY
A CONCURRENT RESOLUTION

To urge and request moving companies to limit moving houses or loads larger than eighteen feet wide within metropolitan planning organization areas to non-peak traffic hours.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 65—
BY SENATOR BROOME
A CONCURRENT RESOLUTION

To declare October 1, 2009, as World Peace Day in the state of Louisiana.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 66—
BY SENATOR NEVERS
A CONCURRENT RESOLUTION

To urge and request the Louisiana Regional Collaboratives for Excellence in Science and Mathematics Teaching to collaborate with the Board of Regents and institutions of postsecondary education to expand the program statewide.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 67—

BY SENATOR DUPLESSIS

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study and make recommendations regarding establishing criteria to be used when considering the renewal of the charter of a charter school that has been labeled academically unacceptable.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 68—

BY SENATOR ADLEY

A CONCURRENT RESOLUTION

To urge and request the Louisiana Student Financial Assistance Commission to study the feasibility of assigning weights to all grades earned by students who successfully complete honors and other advanced courses for the purpose of calculating cumulative grade point averages to determine eligibility for Taylor Opportunity Program for Students (TOPS) awards.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 69—

BY SENATOR RISER

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the untimely death of Lloyd Lile Lindsey, Jr., the superintendent of West Feliciana Parish schools.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 70—

BY SENATOR MCPHERSON

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of John Wyeth "Jock" Scott, II.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 71—

BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries to study the use and marketing of "comp vests."

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 72—

BY SENATOR MORRELL

A CONCURRENT RESOLUTION

To urge and request the New Orleans City Council to reject any proposed ordinance or other change that would weaken the standards applicable to the inspector general or office of inspector general.

Read by title.

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

**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. 31—

BY SENATOR ADLEY

AN ACT

To amend and reenact R.S. 14:102.1, relative to offenses affecting public sensibility; to provide for the reclassification of certain acts as aggravated cruelty to an animal; to provide for penalties for unjustified causing of physical pain, suffering or death of an animal; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 56—

BY SENATOR DONAHUE

AN ACT

To amend and reenact R.S. 15:1094.1(A), relative to the Florida Parishes Juvenile Justice District; to provide for the composition of the board of commissioners of the Florida Parishes Juvenile Justice Commission; to provide for the appointment of one additional commissioner for a four-year term; to provide certain terms, conditions and procedures; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 58—

BY SENATOR SHAW

AN ACT

To amend and reenact R.S. 15:555(A)(3), relative to sexual assault task force; to provide for membership; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 60—

BY SENATORS KOSTELKA AND THOMPSON

AN ACT

To amend and reenact Civil Code Article 3497, and to enact R.S. 3:4278.1(G) and 4278.2(G), relative to liberative prescription; to increase the prescriptive period for an action for damages for the harvesting of timber without the consent of the owner; to provide relative to an action for damages caused by the harvesting and sale of timber without the consent of the owner; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Civil Law and Procedure.

SENATE BILL NO. 70—

BY SENATOR MURRAY

AN ACT

To enact R.S. 44:181.7, relative to Orleans Parish; to specify the amount of fees to be collected for notarial archives records by the clerk of court, as ex officio recorder, of the Forty-First

Judicial District Court; to provide relative to the uses of such fee amounts; to provide an effective date; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 93—
BY SENATOR THOMPSON

AN ACT

To enact Part I-A of Chapter 4 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:651 through 654, relative to food safety; to provide for definitions; to provide for written plans for food processing and food recalls; to provide for required reporting and testing of adulterated food by food processing plants; to provide for rules and regulations; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 106—
BY SENATOR CHEEK

AN ACT

To enact R.S. 29:735.5, relative to civil liability of health care providers and health care personnel; to provide immunity for health care providers and health care personnel during a declared state of emergency who render or fail to render emergency care, health care services, first aid, ambulatory or mobile medical unit assistance, transportation or care delivery during evacuations of health care provider facilities, during repopulations of such facilities and during the sheltering of such facilities; to provide for definitions, terms, and conditions; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Civil Law and Procedure.

SENATE BILL NO. 115—
BY SENATORS MARTINY AND BROOME

AN ACT

To enact Section 5 of Subpart A of Part V of Chapter 1 of Title 14 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 14:89.6, relative to human-animal hybrids; to prohibit human-animal hybrids; to provide for criminal elements; to provide for definitions; to provide for penalties; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 121—
BY SENATOR LONG

AN ACT

To enact R.S. 11:609, relative to retired peace officers; to allow officers to purchase their firearms upon retirement; to provide for criteria; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 125—
BY SENATOR THOMPSON

AN ACT

To amend and reenact R.S. 33:1448(G) and to enact R.S. 33:1448(U), relative to sheriffs; to provide for the premium costs of group hospital, health, and life insurance for retired sheriffs and deputy sheriffs in Madison Parish; to provide for eligibility; to provide for an effective date; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 132—
BY SENATOR DORSEY

AN ACT

To enact R.S. 14:30(A)(10) and Code of Criminal Procedure Art. 905.4(A)(13), relative to the crime of first degree murder and aggravated circumstances; to provide for elements of such crime; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 135—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 14:112.2(B), relative to offenses affecting law enforcement; to provide relative to fraudulent portrayal of a law enforcement officer or firefighter; to provide for definitions; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 137—
BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 36:477(C)(1) and R.S. 46:1404 and to repeal R.S. 36:474(A)(10), relative to child care facilities and child-placing agencies; to provide for the transfer of functions related to the licensure of child care facilities and child-placing agencies from the secretary of the Department of Social Services to the office of community services within the Department of Social Services; to provide for the functions of the office of community services with the Department of Social Services; to provide for the licensure of child care facilities and child-placing agencies; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 140—
BY SENATOR RISER

AN ACT

To amend and reenact R.S. 30:2373(D) and to enact R.S. 30:2373(F), relative to certain hazardous materials; to provide a standard of care with respect to the handling or storing of a hazardous material; to provide for reimbursement of emergency response costs of a release of a hazardous material, waste, or substance; to provide for situations when reimbursement from certain funds are not applicable; to provide for penalties, terms, and conditions; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 145—

BY SENATORS CROWE, APPEL, DUPLESSIS, MICHOT, SMITH AND WALSWORTH AND REPRESENTATIVES HENRY BURNS, CHAMPAGNE, FOIL, LITTLE, MILLS, PERRY, PUGH, ROBIDEAUX, SIMON, SMILEY, JANE SMITH AND THIBAUT

AN ACT

To enact R.S. 14:73.8, relative to computer related crimes; to create the crime of "unauthorized use of a wireless router system" for the purpose of downloading, up loading, or selling pornography involving juveniles; to provide for definition; to provide for penalties; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 164—

BY SENATORS MARIONNEAUX, ADLEY, ALARIO, AMEDEE, APPEL, BROOME, CHAISSON, CHEEK, CLAITOR, CROWE, DORSEY, DUPLESSIS, DUPRE, ERDEY, B. GAUTREUX, N. GAUTREUX, GRAY EVANS, HEBERT, HEITMEIER, LAFLEUR, LONG, MICHOT, MORRELL, MOUNT, MURRAY, NEVERS, QUINN, RISER, SHAW, SMITH, THOMPSON AND WALSWORTH

AN ACT

To amend and reenact R.S. 22:1319 and 1332 and to enact R.S. 22:1272, relative to insurance policies having increased deductibles for hurricane, wind, or named storm damage; to provide with respect to only one increased deductible per calendar year; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 171—

BY SENATORS BROOME, CHEEK, DORSEY, ERDEY, GRAY EVANS, HEITMEIER, MOUNT AND NEVERS

AN ACT

To enact R.S. 46:1414, relative to child care facilities; to provide for the dissemination of information relating to the benefits of immunizing certain children against influenza; to provide for duties of a licensed child care facility; to provide for duties of the Department of Health and Hospitals and the Department of Social Services; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 195—

BY SENATOR KOSTELKA

AN ACT

To enact R.S. 42:1124.6, relative to financial disclosure; to require disclosure relative to campaign contributions by persons hired by statewide elected officials to serve as agency heads and by persons appointed to certain state boards and commissions; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 215—

BY SENATOR MORRISH

AN ACT

To enact Part LXVI of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.291, relative to hospital prospective payment methodology; to provide for designation as a major teaching hospital; to provide for definitions; to provide for criteria; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 238—

BY SENATORS MOUNT, CROWE, DUPLESSIS, MICHOT, SMITH, THOMPSON AND WALSWORTH AND REPRESENTATIVES HENRY BURNS, CHAMPAGNE, FOIL, LITTLE, MILLS, PERRY, PUGH, ROBIDEAUX, SIMON, SMILEY, JANE SMITH, THIBAUT AND WILLMOTT

AN ACT

To amend and reenact the introductory paragraph of Children's Code Article 1173(A) and R.S. 46:1403(A)(4), 1409(A), the introductory paragraph of 1409(B), 1409(C), 1409(D), 1412(A) and (B), the introductory paragraph of 1413(A), 1413(C), (H) and (N), 1419, and 1420, to enact R.S. 46:1414, and to repeal R.S. 36:478(C)(3) and (4) and R.S. 46:1406, 1407, 1410, 1411, and 1427, relative to child care facilities and child-placing agencies; to provide for definitions; to provide for licensure, including application and revocation; to abolish the Louisiana Advisory Committee on Licensing of Child Care Facilities and Child Placing Agencies and the Louisiana Committee on Private Child Care; to provide for appeals; to provide for duties and obligations of the Department of Social Services; to provide for the Louisiana Advisory Council on Child Care and Early Education; to provide for rule making; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 260—

BY SENATORS CLAITOR AND BROOME AND REPRESENTATIVE GREENE

AN ACT

To amend and reenact R.S. 46:236.2(A)(2), relative to jurisdiction; to provide relative to support orders; to provide procedures; to provide relative to the jurisdiction of the Juvenile Court for East Baton Rouge Parish; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Civil Law and Procedure.

SENATE BILL NO. 280—

BY SENATOR CHAISSON

AN ACT

To enact R.S. 42:1119(G), relative to the employment of certain employees; to permit the employment of certain immediate family members by certain elected officials under certain circumstances; and to provide for related matters.

Read by title.

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

Page 6 HOUSE

16th Day's Proceedings - May 20, 2009

SENATE BILL NO. 284—

BY SENATOR HEBERT

AN ACT

To enact R.S. 26:74(E), relative to local license and permit fees; to provide for wholesaler of beverages of high alcoholic content; to provide for restrictions; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 317—

BY SENATOR HEBERT

AN ACT

To amend and reenact R.S. 30:2159.1, relative to construction and demolition debris facilities; to provide certain restrictions; to provide certain exceptions; to provide an effective date; and to provide for related matters.

Read by title.

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

House and House Concurrent Resolutions Reported by Committee

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

HOUSE CONCURRENT RESOLUTION NO. 45—

BY REPRESENTATIVE WILLMOTT

A CONCURRENT RESOLUTION

To urge and request each nonpublic high school to provide students at least thirty minutes of classroom instruction each year in health education or a comparable course determined to be appropriate by the school's governing authority relative to the state's safe haven relinquishments law, Children's Code Articles 1149 through 1160.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Concurrent Resolution No. 45 by Representative Willmott

AMENDMENT NO. 1

On page 1, line 2, between "nonpublic" and "school" insert "high"

AMENDMENT NO. 2

On page 1, line 2, between "school" and "to provide" delete "offering grades ten and twelve"

AMENDMENT NO. 3

On page 1, line 3, after "students" and before "at least" delete "enrolled in such grades"

AMENDMENT NO. 4

On page 1, at the end of line 3, after "instruction" insert "each year in health education or a comparable course determined to be appropriate by the school's governing authority"

AMENDMENT NO. 5

On page 1, line 21, between "nonpublic" and "school" insert "high"

AMENDMENT NO. 6

On page 1, line 21, between "school" and "to provide" delete "offering grades ten and twelve"

AMENDMENT NO. 7

On page 2, at the beginning of line 1, before "at least" delete "enrolled in such grades"

AMENDMENT NO. 8

On page 2, line 2, after "instruction" and before "relative" insert "each year in health education or a comparable course determined to be appropriate by the school's governing authority"

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

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

HOUSE CONCURRENT RESOLUTION NO. 79—

BY REPRESENTATIVE CHAMPAGNE

A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries to examine the efficacy and advisability of instituting a permit system for the taking of black drum.

Read by title.

Reported favorably by the Committee on Natural Resources and Environment.

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

HOUSE CONCURRENT RESOLUTION NO. 103—

BY REPRESENTATIVE TALBOT

A CONCURRENT RESOLUTION

To urge and request the Department of Insurance to study the disparities in the amounts of co-payments between orally and intravenously administered chemotherapy medications.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Original House Concurrent Resolution No. 103 by Representative Talbot

AMENDMENT NO. 1

On page 2, at the end of line 20, delete "January" and at the beginning of line 21, delete "1," and insert "February 15,"

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

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

HOUSE CONCURRENT RESOLUTION NO. 107—
 BY REPRESENTATIVES TUCKER, BURFORD, DOERGE, HILL, HINES,
 KATZ, LABRUZZO, NOWLIN, POPE, AND SIMON
 A CONCURRENT RESOLUTION

To urge and request the secretary of the Department of Health and Hospitals to study whether Louisiana health care providers should be mandated to adopt the VistA electronic medical record system technology utilized by the United States Department of Veterans Affairs.

Read by title.

Reported favorably by the Committee on Health and Welfare.

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

HOUSE CONCURRENT RESOLUTION NO. 115—
 BY REPRESENTATIVES ROSALIND JONES AND BALDONE
 A CONCURRENT RESOLUTION

To authorize and direct the Louisiana State Law Institute to study all aspects of the laws regarding discovery in criminal cases, and report its findings and make specific recommendations for legislation to the House of Representatives prior to the convening of the 2011 Regular Session of the Legislature of Louisiana.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

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

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

HOUSE BILL NO. 43—
 BY REPRESENTATIVE GEYMANN
 AN ACT

To enact R.S. 40:991 and Code of Criminal Procedure Article 532(10), relative to controlled dangerous substances; to provide for proof of a valid prescription as a defense against a violation of the Uniform Controlled Dangerous Substances Act; to provide for a time period for claiming the prescription as a defense; to provide that a valid prescription is a ground for a motion to quash in criminal prosecution; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 69—
 BY REPRESENTATIVE LOPINTO
 AN ACT

To enact R.S. 40:964(Schedule I)(C)(5.1) and (E)(5.1), relative to the Controlled Dangerous Substances Law; to add drugs to Schedule I classification; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 69 by Representative Lopinto

AMENDMENT NO. 1

On page 1, line 2, delete "and (32)"

AMENDMENT NO. 2

On page 1, line 6, delete "and (32)"

AMENDMENT NO. 3

On page 2, delete lines 3 and 4 in their entirety

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 90—
 BY REPRESENTATIVES LIGI AND LEGER
 AN ACT

To amend and reenact R.S. 14:102.1(A)(1)(h) and (2) and (B)(5) and to enact R.S. 14:102.1(A)(3) and (B)(6), relative to the crime of cruelty to animals; to revise certain elements constituting the crime of simple cruelty to animals and revise penalties for violations thereof; to revise certain elements constituting the crime of aggravated cruelty to animals and revise the penalties for violations thereof; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 90 by Representative Ligi

AMENDMENT NO. 1

On page 1, line 20, change "one year," to "six months,"

AMENDMENT NO. 2

On page 2, line 15, after the period "." add "Any costs associated with any evaluation or treatment ordered by the court shall be borne by the defendant."

AMENDMENT NO. 3

On page 2, line 21, change "psychiatric" to "psychological"

AMENDMENT NO. 4

On page 2, line 22, change "psychiatric" to "psychological"

Page 8 HOUSE

16th Day's Proceedings - May 20, 2009

AMENDMENT NO. 5

On page 2, line 24, after the period "." add "Any costs associated with any evaluation or treatment ordered by the court shall be borne by the defendant."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 98—

BY REPRESENTATIVE DANAHAY
AN ACT

To amend and reenact R.S. 56:499.1(A), relative to use of trawls and skimmer nets in the Calcasieu Lake area; to prohibit the use of trawls at night in certain portions of the Calcasieu Lake basin; to prohibit the use of skimmer nets at night on Calcasieu Lake; to authorize the use of skimmer nets at night in specified portions of Cameron Parish west of Calcasieu Lake; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources and Environment to Original House Bill No. 98 by Representative Danahay

AMENDMENT NO. 1

On page 1, line 2, delete "and (B)(1)"

AMENDMENT NO. 2

On page 1, line 3, delete "that portion" and delete line 4 in its entirety and insert the following:

"certain portions of the Calcasieu Lake basin; to prohibit the use of"

AMENDMENT NO. 3

On page 1, line 6, after "Parish" delete the remainder of the line and on line 7, delete "Waterway" and insert "west of Calcasieu Lake"

AMENDMENT NO. 4

On page 1, line 9, delete "and (B)(1)" and change "are" to "is"

AMENDMENT NO. 5

On page 1, delete lines 15 through 19 in their entirety and insert in lieu thereof the following:

"A.(1) No person shall use a trawl ~~or skimmer net~~ for the taking of shrimp at night in the Cameron Parish sections of Calcasieu Lake, the Black Bayou System, Grand Bayou, and Little Burton's Ditch.

(2) No person shall use a skimmer net in Calcasieu Lake from one half hour after sunset until one half hour before sunrise; however, skimmer nets may be used during open season to take shrimp during the day and at night in all areas of Cameron Parish west of the western shore of Calcasieu Lake."

AMENDMENT NO. 6

On page 2, delete lines 1 through 7 in their entirety

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 132—

BY REPRESENTATIVE GEYMAN
AN ACT

To amend and reenact R.S. 14:30.1(A)(3) and (4), relative to second degree murder; to modify the definition of second degree murder to include the unlawful distribution or dispensing of all controlled dangerous substances and combinations of those substances; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 171—

BY REPRESENTATIVE HILL
AN ACT

To amend and reenact R.S. 15:574.4(H)(4)(r) and Code of Criminal Procedure Article 895(A)(13), relative to persons on probation and parole; to authorize law enforcement officers to conduct searches of convicted sex offenders while on probation or parole; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 171 by Representative Hill

AMENDMENT NO. 1

On page 1, line 3, after "persons" and before "on" delete "released"

AMENDMENT NO. 2

On page 1, line 4, after "offenders" delete the remainder of the line and at the beginning of line 5, delete "from" and insert in lieu thereof "while on"

AMENDMENT NO. 3

On page 2, line 13, after "activity" and before "on" change "since his release" to "while"

AMENDMENT NO. 4

On page 3, line 5, after "activity" and before "on" change "since his release" to "while"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 191—
BY REPRESENTATIVE DOVE

AN ACT

To amend and reenact R.S. 56:700.13(C), relative to the Oyster Lease Damage Evaluation Board; to provide relative to selection of a biologist to survey oyster beds to determine quality, condition, and value of said beds; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources and Environment.

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

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

HOUSE BILL NO. 221—
BY REPRESENTATIVE THIBAUT

AN ACT

To amend and reenact Children's Code Article 818(C), relative to juvenile identification procedures; to provide for the maintenance of juvenile fingerprints; to delete the provision applicable to the destruction of fingerprint records of certain juveniles upon reaching the age of seventeen; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 233—
BY REPRESENTATIVE GALLOT

AN ACT

To amend and reenact R.S. 56:578.2(A)(1), relative to the Louisiana Seafood Promotion and Marketing Board; to place the board under the jurisdiction of the office of fisheries of the Department of Wildlife and Fisheries; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources and Environment.

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

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

HOUSE BILL NO. 244—
BY REPRESENTATIVE ROY

AN ACT

To amend and reenact R.S. 13:5304(B)(3)(f), R.S. 15:574.4.1(B) and Code of Criminal Procedure Article 900(A)(6)(a) and (b) and to enact R.S. 15:574.4.1(A)(6) and (J) and Code of Criminal

Procedure Article 900(A)(6)(c)(introductory paragraph), relative to the drug division probation program; to authorize the court to order that a defendant who has been placed on probation by the drug division probation program, and who has had his probation revoked for a technical violation, be committed to the custody of the Department of Public Safety and Corrections and be required to serve in the intensive incarceration program; to provide for the period of time the defendant may be sentenced to intensive incarceration; to provide that upon successful completion of intensive incarceration the defendant shall return to active, supervised probation with the drug division probation program; to provide for applicability; to provide for resentencing when a defendant is denied entry into the intensive incarceration program; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 246—
BY REPRESENTATIVES MCVEA, RICHARDSON, AND WHITE

AN ACT

To enact R.S. 39:562(P), relative to the issuance of bonds; to provide an increase in the bonded debt limit of certain school districts for specified purposes; to provide guidelines, conditions, and limitations relative to such debt; to provide an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 257—
BY REPRESENTATIVE SAM JONES

AN ACT

To amend and reenact R.S. 37:2465, relative to the sale of hearing aids; to provide that any person who owns, maintains, or operates a business which employs or contracts with a person who practices the selling and fitting of hearing aids is considered to be practicing the selling and fitting of hearing aids and is required to be licensed; to specify which persons shall be licensed; to provide the procedure for submitting to the board a list of those licensed under an organization to practice the selling and fitting of hearing aids; to provide for exemptions for physicians and audiologists; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 257 by Representative Sam Jones

Page 10 HOUSE

16th Day's Proceedings - May 20, 2009

AMENDMENT NO. 1

On page 1, line 8, after "aids;" insert "to provide for exemptions for physicians and audiologists;"

AMENDMENT NO. 2

On page 2, after line 20, insert the following:

"D. This Chapter shall not apply to:

(1) A physician licensed by the Louisiana State Board of Medical Examiners.

(2) An audiologist licensed by the Louisiana Board of Examiners for Speech-Language Pathology and Audiology."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 282— BY REPRESENTATIVE CHAMPAGNE AN ACT

To amend and reenact Children's Code Article 793.1(introductory paragraph), 793.2 (introductory paragraph), and 793.3 (A), (B), and (D) and to repeal Children's Code Article 793.3(E), relative to reauthorization of the early intervention program for at-risk children; to make the program permanent; to eliminate a sunset date for the program; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 299— BY REPRESENTATIVE ST. GERMAIN AN ACT

To amend and reenact R.S. 56:497(C)(1), relative to bait shrimp; to increase the fee for a bait shrimp permit; to provide for a beginning date for when bait shrimp may be taken; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources and Environment.

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

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

HOUSE BILL NO. 319— BY REPRESENTATIVE WILLMOTT AN ACT

To enact R.S. 17:81(Q) and 3996(B)(21), relative to instruction to students in public secondary schools concerning the state's safe haven relinquishment law; to provide applicability; to provide guidelines for such instruction; to provide an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 319 by Representative Willmott

AMENDMENT NO. 1

On page 1, line 2, after "instruction to" and before "students" delete "certain"

AMENDMENT NO. 2

On page 1, line 11, after "to" and before "students" insert "high school"

AMENDMENT NO. 3

On page 1, line 11, after "enrolled in" and before "at least" delete "grades ten and twelve" and insert "Health Education"

AMENDMENT NO. 4

On page 2, line 15, after "school" insert a period "." and delete the remainder of the line

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 383— BY REPRESENTATIVE HINES AN ACT

To amend and reenact Children's Code Article 899(B)(2)(b) and to enact Children's Code Article 779(B)(5), relative to juvenile dispositions; to authorize the court to require certain persons to perform community service; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 390— BY REPRESENTATIVE HENDERSON AN ACT

To enact R.S. 40:5.3.1, relative to molluscan shellfish sanitation requirements; to authorize the Department of Health and Hospitals to grant exemptions from certain of the molluscan shellfish sanitation requirements; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources and Environment.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 399—BY REPRESENTATIVES GEYMAN AND WOOTON
AN ACT

To enact R.S. 40:964(Schedule IV)(B)(52), relative to controlled dangerous substances; to add Carisoprodol to Schedule IV; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 400—BY REPRESENTATIVES WILLIAMS, GREENE, HUTTER, AND TUCKER
AN ACT

To amend and reenact R.S. 17:17.1(A)(1) and to enact R.S. 17:264, relative to required physical activity for students; to require public schools to provide at least thirty minutes of physical activity each school day for students in grades seven and eight; to require schools to provide a morning and afternoon recess each school day; to require instruction in physical education as a prerequisite to high school graduation; to provide for effectiveness; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 400 by Representative Williams

AMENDMENT NO. 1

On page 1, at the end of line 3, change "sixty" to "thirty"

AMENDMENT NO. 2

On page 1, at the end of line 4, delete "kindergarten through" and at the beginning of line 5, delete "grade eight" and insert "grades seven and eight; to require schools to provide a morning and afternoon recess each school day;"

AMENDMENT NO. 3

On page 1, line 12, after "public" and before "school" delete "elementary"

AMENDMENT NO. 4

On page 1, line 13, after "least" and before "minutes" change "sixty" to "thirty"

AMENDMENT NO. 5

On page 1, at the end of line 14, add "In addition, each school shall provide a morning and afternoon recess each school day in order to extend the opportunity for physical activity for students to at least sixty minutes per day."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 405—BY REPRESENTATIVE KATZ
AN ACT

To amend and reenact R.S. 40:2120.2(5) and 2120.3(A), relative to home- and community-based service providers; to provide for clarification of the definition of home- and community-based service provider; to provide for exclusions from the definition; to provide for reimbursement from Medicaid; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 420—BY REPRESENTATIVE RICHARD
AN ACT

To amend and reenact R.S. 18:59(A), 103(A), 109, 115(A)(1) and (F)(2)(d), 151(B), 152(C)(1), 175, 196(A)(1), 423(E), 427(A), 428(A), (B), and (C), 431(B)(5), 433(A)(3), (B)(4), (G)(1) and (2)(introductory paragraph), (H)(1)(introductory paragraph), (I), and (J), 465(E)(1), 562(A)(2), 566.2(C), 1253(E), 1254(A) and (C), 1255(A), 1272(A), 1275.1(B), 1275.8, 1306(A)(2) and (3) and (B)(1), 1307(B)(2), 1308(C), 1309(A)(3), (B)(1), (C), (D)(1), (E)(2), (I), and (J), 1315(C)(2) and (3)(a), 1363(A), 1373, 1400.3(D), 1505.1(D), and 1505.2(H)(6)(a)(introductory paragraph), (Q)(3)(a)(ii), and (R)(3)(a)(ii), to enact R.S. 18:1253(F), 1254(E), 1309(K), and 1363(H), and to repeal R.S. 18:433(A)(2) and 1372, relative to the Louisiana Election Code; to revise the system of laws comprising the Louisiana Election Code; to provide relative to deputy registrars of voters; to provide relative to the registration of voters; to provide relative to changes in registrations; to provide relative to records used for the conduct of the registrar's office; to provide relative to the duties of registrars; to provide relative to reports and lists produced by the Department of State; to provide relative to the inactive list of voters; to provide relative to allocation of voting machines for precincts; to provide relative to parish boards of election supervisors; to provide relative to watchers; to provide relative to law enforcement officers; to provide relative to courses of instruction conducted by the clerk; to provide relative to election commissioners; to provide relative to nominating petitions; to provide relative to procedures and requirements for voting; to provide relative to provisional voting; to provide relative to nominations for candidates for presidential electors; to provide relative to application for voting and voting absentee by mail; to provide relative to early voting; to provide relative to election expenses; to provide relative to congressional elections; to provide relative to early voting commissioners; to provide relative to challenges of absentee by mail and early voting ballots; to provide relative to the preparation and testing of voting machines; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

Page 12 HOUSE

16th Day's Proceedings - May 20, 2009

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 420 by Representative Richard

AMENDMENT NO. 1

On page 1, delete line 2 and insert "To amend and reenact R.S. 18:59(A), 103(A), 109, 115(A)(1) and (F)(2)(d), 151(B), 152(C)(1), 175, 196(A)(1),"

AMENDMENT NO. 2

On page 2, delete line 10 and insert "Section 1. R.S. 18:59(A), 103(A), 109, 115(A)(1) and (F)(2)(d), 151(B), 152(C)(1), 175, 196(A)(1),"

AMENDMENT NO. 3

On page 2, between lines 26 and 27, insert the following:

"§103. Personal appearance of applicant required; exceptions

A. Except as otherwise specifically provided by law, any person who meets the qualifications for voter registration and desires to register as an elector shall apply to do so by making application in person to a registrar or deputy registrar of the parish in which he seeks to register, by submission of the federal postcard application form as authorized in this Code, by application through the Department of Public Safety and Corrections, by application through designated voter registration agencies, or by mail using the national mail voter registration form as promulgated by the ~~Federal Election Commission~~ United States Election Assistance Commission, the state mail voter registration form, or a computer-generated form thereof containing the same requests for information as prescribed by R.S. 18:104 or as contained on the ~~Federal Election Commission~~ national mail voter registration form.

* * *

AMENDMENT NO. 4

On page 3, between lines 16 and 17, insert the following:

"A.(1) In addition to the national mail voter registration form promulgated by the ~~Federal Election Commission~~ United States Election Assistance Commission, the secretary of state shall design and distribute a state mail voter registration application form. The state mail voter registration form shall include the eligibility requirements for registration."

AMENDMENT NO. 5

On page 12, line 23, after "on the" and before "Friday" change "next" to "first"

AMENDMENT NO. 6

On page 13, at the end of line 9, after "on the" change "next" to "first"

AMENDMENT NO. 7

On page 14, line 16, after "on the" and before "Friday" change "next" to "first"

AMENDMENT NO. 8

On page 19, line 9, after "shall sign" and before "the precinct" insert "or make his mark in"

AMENDMENT NO. 9

On page 22, delete lines 7 and 8 and insert the following:

"required on any petition, the number of commissioners at a precinct pursuant to R.S. 18:425, the number of voting machines to be allocated and used in each voting"

AMENDMENT NO. 10

On page 22, line 22, after "J. (1)" change "A" to "Only a"

AMENDMENT NO. 11

On page 22, line 24, after "(2)" delete "Notwithstanding Paragraph (1) of this Subsection, a" and insert "A"

AMENDMENT NO. 12

On page 22, line 25, after "following applies" change "may" to "shall"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 423—

BY REPRESENTATIVE LAMBERT
AN ACT

To amend and reenact R.S. 49:214.24(C), relative to the coastal zone boundary; to include Ascension Parish within that zone; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources and Environment.

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

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

HOUSE BILL NO. 507—

BY REPRESENTATIVE PUGH
AN ACT

To amend and reenact R.S. 3:3010 and R.S. 18:3(C), 107(B), (C), and (D), 110(A)(3), 112, 151(A) and (C), 152(A)(1)(introductory paragraph), (a), and (b), (B), and (D), 152.1, 176(A)(3)(b), (B), and (C), 198(C), and 564(D)(1)(b) and to repeal R.S. 18:152(A)(2), relative to records of registrars of voters; to provide for the maintenance of records of the registrars of voters; to provide for the form of the records; to provide relative to the retention of the records; to provide relative to changes to the records; to provide for the procedures of registrars relative to the use of the records; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 507 by Representative Pugh

AMENDMENT NO. 1

On page 1, line 3, delete "152(A)(1)(a) and (b) and (2)," and insert "152(A)(1)(introductory paragraph), (a), and (b),"

AMENDMENT NO. 2

On page 1, line 4, after "564(D)(1)(b)" and before the comma ",," insert "and to repeal R.S. 18:152(A)(2)"

AMENDMENT NO. 3

On page 1, line 17, delete "152(A)(1)(a) and (b) and (2)," and insert "152(A)(1)(introductory paragraph), (a), and (b),"

AMENDMENT NO. 4

On page 3, line 2, after "information on the" delete the remainder of the line and delete line 3 in its entirety and insert the following:

"state voter registration computer system and, if the original application is available in hard copy in the registrar's office, on the original application form and on the voting certificate."

AMENDMENT NO. 5

On page 3, delete line 7 in its entirety and insert the following:

"state voter registration computer system and, if the original application is available in hard copy in the registrar's office, on the original application"

AMENDMENT NO. 6

On page 3, delete line 14 in its entirety and insert the following:

"state voter registration computer system and, if the original application is available in hard copy in the registrar's office, on the original application"

AMENDMENT NO. 7

On page 3, line 27, after "information on the" delete the remainder of the line and delete line 28 in its entirety and insert the following:

"state voter registration computer system and, if the original application is available in hard copy in the registrar's office, on the original application form. If the application is signed"

AMENDMENT NO. 8

On page 4, line 7, after "information on the" delete the remainder of the line and delete line 8 in its entirety and insert the following:

"state voter registration computer system and, if the original application is available in hard copy in the registrar's office, on the original application for registration and"

AMENDMENT NO. 9

On page 4, line 22, after "the voter" delete the remainder of the line and delete lines 23 through 25 in their entirety and insert the following:

"or any microfilm, microfiche, or scanned computerized image of such document and all documented changes thereto."

AMENDMENT NO. 10

On page 5, line 1, after "registration," and before "filed alphabetically" insert "if available in hard copy,"

AMENDMENT NO. 11

On page 5, delete lines 9 through 17 in their entirety

AMENDMENT NO. 12

On page 5, line 19, after "registered," and before "arranged" insert "if available in hard copy,"

AMENDMENT NO. 13

On page 5, at the end of line 28, after "hard copy" and before the period "." insert "in the registrar's office"

AMENDMENT NO. 14

On page 6, at the end of line 5, change "cancelled" to "canceled"

AMENDMENT NO. 15

On page 6, line 16, after "registration" delete "by deleting the registrant's name from" and insert "in"

AMENDMENT NO. 16

On page 6, line 17, delete "statewide computer registration system" and insert "state voter registration computer system"

AMENDMENT NO. 17

On page 6, delete line 21 in its entirety and insert "on the state voter registration computer system and, if the original application is available in hard copy in the registrar's office, on the original"

AMENDMENT NO. 18

On page 6, line 25, after "hard copy" and before the comma "," insert "in the registrar's office"

AMENDMENT NO. 19

On page 7, line 3, after "listed" delete the remainder of the line

AMENDMENT NO. 20

On page 7, line 4, delete "the statewide computer registration system" and insert "on the report in the state voter registration computer system"

AMENDMENT NO. 21

On page 7, line 8, after "information on the" delete the remainder of the line and insert "state voter registration computer system and, if the original application is available in hard copy in the registrar's office, on the"

AMENDMENT NO. 22

On page 7, line 11, after "hard copy" and before the comma "," insert "in the registrar's office"

AMENDMENT NO. 23

On page 7, line 17, after "listed" delete the remainder of the line

AMENDMENT NO. 24

On page 7, line 18, delete "name from the statewide computer registration system" and insert "on the report in the state voter registration computer system"

Page 14 HOUSE

16th Day's Proceedings - May 20, 2009

AMENDMENT NO. 25

On page 7, line 22, after "information on the" delete the remainder of the line and at the beginning of line 23, delete "possible," and insert "state voter registration computer system and, if the original application is available in hard copy in the registrar's office,"

AMENDMENT NO. 26

On page 7, line 25, after "hard copy" and before the comma " ;" insert "in the registrar's office"

AMENDMENT NO. 27

On page 8, delete line 8 in its entirety and insert "state voter registration computer system and, if the original application is available in hard copy in the registrar's office, on the original application"

AMENDMENT NO. 28

On page 8, line 18, after "information on the" delete the remainder of the line and at the beginning of line 19, delete "registration system and, if possible," and insert "state voter registration computer system and, if the original application is available in hard copy in the registrar's office,"

AMENDMENT NO. 29

On page 8, between lines 24 and 25, insert the following:

"Section 3. R.S. 18:152(A)(2) is hereby repealed in its entirety."

AMENDMENT NO. 30

On page 8, at the beginning of line 25, change "Section 3." to "Section 4."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 520—

BY REPRESENTATIVE CROMER
AN ACT

To amend and reenact R.S. 18:103(A), 104(A)(15), and 105(A) and to enact R.S. 18:115.1, relative to registration of voters; to provide for electronic registration of voters; to provide relative to changes in registration; to provide relative to the powers and duties of the secretary of state; to provide relative to the powers and duties of registrars of voters; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 520 by Representative Cromer

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 18:103(A)," delete the remainder of the line and insert "104(A)(15), and 105(A)"

AMENDMENT NO. 2

On page 1, line 4, after "of voters;" and before "to provide" insert "to provide relative to changes in registration;"

AMENDMENT NO. 3

On page 1, line 8, after "R.S. 18:103(A)," delete the remainder of the line and insert "104(A)(15), and 105(A) are"

AMENDMENT NO. 4

On page 1, line 18, after "identification card" delete the comma " ;" and insert "issued pursuant to R.S. 40:1321,"

AMENDMENT NO. 5

On page 2, delete line 4, and insert "state and any person authorized to accept voter"

AMENDMENT NO. 6

On page 3, delete line 7, and insert "identification card issued pursuant to R.S. 40:1321 may apply to register to vote or make changes to his existing registration by completing and submitting an"

AMENDMENT NO. 7

On page 3, line 21, after "shall be" change "verified" to "checked"

AMENDMENT NO. 8

On page 3, delete lines 22 through 25 and insert the following:

"license number or Louisiana special identification card number submitted by the applicant matches the information maintained by the Department of Public Safety and Corrections."

AMENDMENT NO. 9

On page 3, line 26, after "state shall" delete "accept the application," and insert the following:

"electronically forward the information provided in the application, along with a digital copy of the applicant's signature obtained from the Department of Public Safety and Corrections, to the appropriate registrar of voters to determine the eligibility of the applicant in accordance with Chapter 4 of this Title."

AMENDMENT NO. 10

On page 3, line 27, after "his application" delete the remainder of the line and insert "has been electronically forwarded to the appropriate registrar of voters, but"

AMENDMENT NO. 11

On page 3, line 28 after "to vote" and before "until his" insert "or that changes to his existing registration will not be made"

AMENDMENT NO. 12

On page 3, line 29, after "registrar of voters," delete the remainder of the line and on page 4, delete lines 1 through 5

AMENDMENT NO. 13

On page 4, line 6, after "shall not" change "accept" to "electronically forward"

AMENDMENT NO. 14

On page 4, at the end of line 7, after "his application" delete "has not" and at the beginning of line 8, delete "been accepted." and insert "cannot be processed."

AMENDMENT NO. 15

On page 4, line 11, after "the date" delete "it is accepted" and insert "the applicant is informed pursuant to Subparagraph (C)(4)(b) of this Section that his application has been electronically forwarded to the appropriate registrar of voters"

AMENDMENT NO. 16

On page 4, line 15, after "application" change "accepted" to "electronically forwarded"

AMENDMENT NO. 17

On page 4, line 19, after "become effective" delete "January 1, 2010." and insert "April 1, 2010."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 530—

BY REPRESENTATIVE ROBIDEAUX
AN ACT

To amend and reenact R.S. 40:40(14) and R.S. 46:2403(B), relative to fees for certified copies of birth certificates; to provide for fees for obtaining a birth certificate; to provide for funds deposited into the Children's Trust Fund; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 542—

BY REPRESENTATIVE LABRUZZO
AN ACT

To enact R.S. 56:642(C), relative to certain commercial licenses and permits issued by the Department of Wildlife and Fisheries; to provide for payment methods; to provide for rules and regulations; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources and Environment.

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

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

HOUSE BILL NO. 545—

BY REPRESENTATIVE RITCHIE

AN ACT

To amend and reenact R.S. 17:112(A)(1) and (B), relative to student education records; to require principals of certain schools to provide for the transfer of certain student education records; to require that such records include certain information relative to the suspension of students; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 565—

BY REPRESENTATIVE ERNST

AN ACT

To amend and reenact Children's Code Articles 839(C) and 840(C), relative to informal adjustment agreements; to provide with respect to authority of the court to utilize a teen or youth court program; to require the consent of the district attorney; to extend the maximum period of informal adjustment; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 567—

BY REPRESENTATIVE WOOTON

AN ACT

To amend and reenact R.S. 56:10(B)(1)(b)(ii), 302.3(B)(5)(c), 305(H), and 506.1, relative to shrimp gear fees; to provide for additional fees on shrimp gear licenses; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources and Environment to Original House Bill No. 567 by Representative Wooton

AMENDMENT NO. 1

On page 3, line 28, after "in the" insert "Shrimp Trade Petition Account in the"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 568—

BY REPRESENTATIVE HUTTER

AN ACT

To enact R.S. 17:3129.9 through 3129.15, relative to public postsecondary education institutions; to provide for a comprehensive system of articulation and transfer of credit between and among public educational institutions; to provide for the creation of a statewide articulation and transfer council and its membership, powers, and duties; to provide for a statewide articulation agreement; to provide for a common core curriculum; to provide relative to the length of degree programs; to provide for the transfer of specified courses and associate degrees; to provide relative to admission of transfer students to four-year colleges and universities; to provide for implementation timelines; to provide for reporting requirements; to provide for program rules; to provide for effectiveness; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 568 by Representative Hutter

AMENDMENT NO. 1

On page 1, line 2, after "17:3129.9" and before "relative" delete the comma "," and insert "through 3129.15,"

AMENDMENT NO. 2

On page 1, delete lines 3 through 6 in their entirety and insert the following:

"for a comprehensive system of articulation and transfer of credit between and among public educational institutions; to provide for the creation of a statewide articulation and transfer council and its membership, powers, and duties; to provide for a statewide articulation agreement; to provide for a common core curriculum; to provide relative to the length of degree programs; to provide for the transfer of specified courses and associate degrees; to provide relative to admission of transfer students to four-year colleges and universities; to provide for implementation timelines; to provide for reporting requirements; to provide for program rules; to provide for effectiveness; and to provide for related matters."

AMENDMENT NO. 3

On page 1, line 8, after "R.S. 17:3129.9" and before "hereby" change "is" to "through 3129.15 are"

AMENDMENT NO. 4

On page 1, line 9, after "§3129.9," delete the remainder of the line and delete lines 10 through 18 and delete page 2 in its entirety and insert the following:

"Statewide Articulation and Transfer Council; creation; purpose; membership; duties and responsibilities

A. The commissioner of higher education, in consultation with the higher education management boards and the State Board of Elementary and Secondary Education, shall establish a Statewide Articulation and Transfer Council, hereafter in this Section referred to as the council, that shall report to the commissioner of higher education.

B. The council shall consist of members representing each four-year college and university system, the community and technical college system, public elementary and secondary education, and nonpublic education. Council membership shall provide for equitable representation of all educational institutions and levels. The commissioner of higher education shall appoint a chair from among the membership.

C. The council shall:

(1) Coordinate, oversee, and monitor the seamless articulation and transfer of credits between and among secondary schools, technical colleges, community colleges, and four-year colleges and universities.

(2) Develop guidelines for interinstitutional agreements between and among public schools, technical colleges, community colleges, and four-year colleges and universities to facilitate interaction, articulation, acceleration, and the efficient use of faculty, equipment, and facilities.

(3) Develop a statewide articulation and transfer agreement to govern the transfer of credits between and among educational institutions at all levels.

(4) Oversee the development of a statewide core curriculum for lower-division course work that will be fully accepted in its entirety and creditable to the baccalaureate degree by all four-year colleges and universities. Such curriculum shall be comprised of specified general education courses and common degree program prerequisites.

(5) Establish committees or advisory groups composed of secondary and postsecondary faculty members to determine course comparability and to facilitate articulation in subject areas.

(6) Approve common degree program prerequisites across program areas and course and credit-by-exam equivalencies and establish passing scores and course and credit equivalencies for exams administered pursuant to accelerated programs such as the Advanced Placement, International Baccalaureate, and College-Level Examination Program.

(7) Establish monitoring, compliance, and reporting systems based upon uniform data collection and reporting methods to facilitate and ensure statewide and institutional compliance with statewide articulation policies. Data collected shall include:

(a) The number of students enrolled in associate degree transfer programs.

(b) Each student's rate of progress through transfer programs.

(c) The number and percentage of students who complete associate degree transfer programs.

(d) The number of students earning associate degrees that transfer to four-year colleges and universities.

(e) The number of credits earned, degrees awarded, and time to completion of degree for students who have transferred associate degrees.

(8) Establish an appeals process to resolve disagreements between transferring students and receiving educational institutions regarding the transfer and acceptance of credits earned at another institution.

(9) Periodically, but at least annually, review articulation and transfer policies and make recommendations to the commissioner of higher education who shall then make recommendations to the legislature for needed revisions.

§3129.10. Statewide Articulation and Transfer Agreement

A. The Board of Regents and the State Board of Elementary and Secondary Education shall enter into a statewide articulation agreement that shall govern the articulation and transfer of credit between and among the state's public secondary and postsecondary educational institutions.

B. The statewide articulation agreement shall, at a minimum:

(1) Guarantee the transfer of general education courses and common degree program prerequisites.

(2) Guarantee that every associate of arts and associate of science degree graduate of a community college shall be deemed to have met all general education and other core curriculum requirements and must be granted admission to the upper division of any state public four-year college or university, except to a limited access program or a program that has audition or other specialized admission requirements, as approved by the Board of Regents.

(3) Provide that associate of arts and associate of science degree graduates who transfer to a four-year college or university shall not be required to take any additional general education courses to fulfill baccalaureate degree requirements.

(4) Guarantee the statewide articulation of appropriate career and technical education programs and workforce development programs and transfer of course credits between secondary schools and technical and community colleges.

(5) Provide for acceptance by postsecondary educational institutions of credits earned in accelerated programs such as dual enrollment and the Advanced Placement, International Baccalaureate, and College-Level Examination programs.

(6) Guarantee the transfer of equivalent courses.

§3129.11. Common core curriculum; general education courses; common prerequisites; other degree requirements

A. The Board of Regents shall identify the degree programs offered by public colleges and universities and the postsecondary career and technical education programs offered by community colleges, technical colleges, and city, parish, and other local public school boards.

B. The board shall identify those courses that meet general education requirements within each major area of study. All public postsecondary educational institutions shall accept such general education courses.

C. The board shall identify all courses offered by colleges and universities and accepted for credit toward a degree and identify them as either general education or required as a prerequisite for a degree.

D.(1) The board shall identify common degree program prerequisite courses and course substitutions for degree programs across all postsecondary education institutions. Common degree program prerequisites shall be offered and accepted by all postsecondary institutions, except in cases approved by the Board of Regents.

(2) The board shall develop a centralized database containing the list of courses and course substitutions that meet the prerequisite requirements for each postsecondary certificate, industry-based certification, and associate and baccalaureate degree program.

E. The postsecondary education management boards shall identify their core curricula. The public technical colleges,

community colleges, and four-year colleges and universities shall work with the State Board of Elementary and Secondary Education and public schools and school districts to assure that high school curricula coordinate with the core curricula and to prepare students for postsecondary study.

F. The core curricula for associate in arts and associate in science degree programs shall be approved and adopted by the Board of Regents.

G.(1) The Board of Regents shall determine and establish a standard number of credits required to complete each baccalaureate degree program and shall establish a standard number of credits required to earn associate degree programs for transfer to a four-year college or university.

(2) A baccalaureate degree program shall not require more than the number of credits established by the board for degree completion without approval from the board.

(3) An associate in arts and an associate in science degree shall require no more than sixty semester hours of college credit, including thirty-six hours of general education coursework.

H. The commissioner of higher education shall appoint faculty committees representing community and technical colleges and public high school faculties to recommend criteria, including a standard program length, for each postsecondary career certificate program, diploma, and degree offered by a technical college or a community college.

§3129.12. Student guidance and counseling

The Board of Regents shall develop and maintain a comprehensive, web-based system to provide information to students, advisers, and faculty regarding statewide articulation and transfer policies and requirements.

§3129.13. Implementation and funding

A. The Board of Regents shall appoint the members of the Statewide Articulation and Transfer Council not later than August 1, 2009.

B. The Statewide Articulation and Transfer Council shall hold an organizational meeting not later than September 1, 2009.

C. The statewide articulation agreement shall be developed and adopted not later than March 1, 2010.

D. Full articulation and transfer of the associate of arts and associate of science degrees shall be implemented for the 2010-2011 academic year.

E. The Board of Regents shall ensure that sufficient funding is made available to implement the provisions of R.S. 17:3129.9 et seq. and may utilize state appropriations, federal funds, funds made available through other sources, or funds realized through realignment of other programs administered by the board.

§3129.14. Reporting

Beginning in 2010, the Board of Regents shall submit a written report to the Senate and House committees on education, not later than January thirty-first and July thirty-first of each year, on the status of statewide articulation and transfer of credit across all educational institutions in Louisiana as provided in R.S. 17:3129.9 et seq.

§3129.15. Rules

The Board of Regents shall adopt rules and regulations to implement the provisions of R.S. 17:3129.9 et seq. in accordance with the Administrative Procedure Act.

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

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 576—
BY REPRESENTATIVE JOHNSON
AN ACT

To enact R.S. 17:24.3, relative to the state superintendent of education; to authorize the superintendent to set certain rates and fees for the Cecil J. Picard Educational and Recreational Center; to provide that the setting of such rates and fees by the superintendent shall be subject to approval by the State Board of Elementary and Secondary Education; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

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

HOUSE BILL NO. 587—
BY REPRESENTATIVE HARRISON
AN ACT

To amend and reenact R.S. 56:424.1(A) and 433.1(A) and (B), to enact R.S. 56:433.2, and to repeal R.S. 56:433.1(C), (D), and (E) and Sections 525, 527, and 529 of Chapter 5 of Part VII of Title 76 of the Louisiana Administrative Code, relative to the Oyster Seed Ground Vessel Permit; to repeal the requirements which must be met to qualify for the permit; to provide penalties; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources and Environment to Original House Bill No. 587 by Representative Harrison

AMENDMENT NO. 1

On page 1, line 2, after "(B)" insert a comma "," and "to enact R.S. 56:433.2,"

AMENDMENT NO. 2

On page 1, line 9, after "reenacted" insert "and R.S. 56:433.2 is hereby enacted"

AMENDMENT NO. 3

On page 2, line 22, after "(2)" insert the following:

"Vessel owners, as listed in the official record of the department at the time of application, who meet the requirements of Subsection B of this Section shall have the right to submit to the department a new application for an oyster seed ground vessel permit. No new applications for such vessel permits shall be accepted after December 31, 2009. Each vessel owner shall only submit one application for each vessel which can be used to meet the qualifications for a permit under the provisions of Subsection B of this Section.

(3) The taking of"

AMENDMENT NO. 4

On page 2, line 27, delete "Taking"

AMENDMENT NO. 5

On page 3, line 3, after "B." insert the following:

"The following vessel owners, as listed in the official records of the department at the time of application for the permit or who can, at the time of application, demonstrate to the department that ownership of that vessel has transferred to them, shall be eligible to receive an oyster seed ground vessel permit:

(1) Any person who owned a vessel that was licensed at any time ~~during license years 2004, 2005, 2006, or before May 31 in license year 2007~~ between January 1, 2004, and May 1, 2009, and can demonstrate through trip ticket submissions that ~~his~~ that vessel had oyster landings in the state of Louisiana between January 1, 2004, and May ~~31, 2007~~ 1, 2009.

(2) Any person who purchased or constructed a vessel and licensed that vessel in the state of Louisiana between January 1, 2004, and ~~April 30, 2008~~ May 1, 2009, and who can demonstrate through trip ticket submissions that oysters were landed on that vessel in the state of Louisiana between the time of the vessel's purchase or construction and ~~July 1, 2008~~ May 1, 2009.

(3) Any person who can provide evidence that he has a vessel that is under construction in the state of Louisiana that is at least fifty percent complete on ~~July 1, 2008~~ May 1, 2009.

§433.2. Oyster Seed Ground Vessel Permit; conditions of issuance; penalties"

AMENDMENT NO. 6

On page 3, line 19, change "(1)" to "A."

AMENDMENT NO. 7

On page 3, line 28, change "(a)" to "(1)"

AMENDMENT NO. 8

On page 4, line 5, change "(b)" to "(2)"

AMENDMENT NO. 9

On page 4, line 11, change "(c)" to "(3)"

AMENDMENT NO. 10

On page 4, line 17, change "(2)" to "B."

AMENDMENT NO. 11

On page 4, line 20, change "(3)" to "C."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 602—
BY REPRESENTATIVE LEBAS AND SENATOR LAFLEUR
AN ACT

To enact R.S. 17:436.1(J), relative to the administration of medication to public school students; to require public school governing authorities to permit students with certain conditions to self-administer certain medications; to provide relative to authorization and documentation; to provide a limitation of liability and indemnification of schools and school employees; to provide for definitions; to provide for duration of permission granted to self-administer medications; to provide relative to disciplinary actions for misuse of permitted medications; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 630—
BY REPRESENTATIVES HONEY, RICHMOND, AND LEGER
AN ACT

To enact R.S. 15:574.4(A)(4) and R.S. 40:966(H), relative to parole eligibility; to provide with respect to eligibility for parole consideration for certain offenders convicted of certain controlled dangerous substances violations involving heroin; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 645—
BY REPRESENTATIVE ELLINGTON AND SENATOR APPEL
AN ACT

To amend and reenact R.S. 18:192(A)(1)(a), relative to the annual canvass of persons registered to vote; to provide for when the canvass shall be conducted; to provide relative to the duties of registrars of voters and the Department of State; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 645 by Representative Ellington

AMENDMENT NO. 1

On page 1, line 9, after "June" and before "in each" insert "thirtieth"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 661—
BY REPRESENTATIVE MORRIS
AN ACT

To enact R.S. 19:2(11) and Chapter 11 of Title 30 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 30:1101 through 1111, relative to the storage of carbon dioxide; to provide for expropriation; to provide for the duties and powers of the commissioner of conservation; to provide for definitions; to provide for public hearings; to provide for enforcement; to provide for compliance orders; to provide for penalties; to provide for certificates of public convenience and necessity; to provide for certificates of completion; to provide for liability; to provide for the Geologic Storage Trust Fund; to provide for fees; to provide for uses of the fund; to provide for accounting and reports of the fund; to provide for site-specific trust accounts; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources and Environment to Original House Bill No. 661 by Representative Morris

AMENDMENT NO. 1

On page 1, line 2, change "Chapter 18" to "Chapter 11"

AMENDMENT NO. 2

On page 1, line 3, change "R.S. 30:2101 through 2111" to "R.S. 30:1101 through 1111"

AMENDMENT NO. 3

On page 1, line 19, after "in the" insert "injection of carbon dioxide for the"

AMENDMENT NO. 4

On page 2, line 2, after "such" insert "storage facility"

AMENDMENT NO. 5

On page 2, at the end of line 5, insert the following:

"This Paragraph has no effect, nor does it grant expropriation of the mineral rights, or other property rights associated with the approvals required for injection of carbon dioxide into enhanced recovery projects approved by the commissioner under R.S. 30:4."

AMENDMENT NO. 6

On page 2, line 6, change "Chapter 18" to "Chapter 11"

Page 20 HOUSE

16th Day's Proceedings - May 20, 2009

AMENDMENT NO. 7

On page 2, line 7, change "R.S. 30:2101 through 2111" to "R.S. 30:1101 through 1111"

AMENDMENT NO. 8

On page 2, between lines 7 and 8, insert the following:

"CHAPTER 11. LOUISIANA GEOLOGIC SEQUESTRATION OF CARBON DIOXIDE ACT."

AMENDMENT NO. 9

On page 2, at the beginning of line 8, change "§2101" to "§1101"

AMENDMENT NO. 10

On page 2, at the beginning of line 11, change "§2102" to "§1102"

AMENDMENT NO. 11

On page 2, line 17, after "dioxide" delete "gas"

AMENDMENT NO. 12

On page 2, line 28, delete "and all other laws"

AMENDMENT NO. 13

On page 3, at the beginning of line 1, change "§2103" to "§1103"

AMENDMENT NO. 14

On page 3, line 4, after "means" insert "naturally occurring, geologically sourced, or"

AMENDMENT NO. 15

On page 3, line 6, after "gaseous," insert "stripped, segregated, or divided from any other fluid stream"

AMENDMENT NO. 16

On page 3, line 9, change "permanent" to "long-"

AMENDMENT NO. 17

On page 3, line 21, delete "natural gas, liquid hydrocarbons or"

AMENDMENT NO. 18

On page 3, line 22, after "reservoir" insert "carbon dioxide injection wells, monitoring wells,"

AMENDMENT NO. 19

On page 3, line 24, after "pipelines" insert "owned or operated by the storage operator"

AMENDMENT NO. 20

On page 3, line 25, after "facilities" insert "or sources"

AMENDMENT NO. 21

On page 4, line 1, delete "invasion,"

AMENDMENT NO. 22

On page 4, line 3, change "any" to "the"

AMENDMENT NO. 23

On page 4, at the end of line 4, insert the following:

"A storage operator can, but need not be the owner of carbon dioxide injected into a storage facility. Ownership of carbon dioxide and use of geologic storage is a matter of private contract between the storage operator and owner, shipper, or generator of carbon dioxide, as applicable."

AMENDMENT NO. 24

On page 4, at the end of line 7, delete "and" and delete line 8 in its entirety and insert "to preserve such carbon dioxide for other"

AMENDMENT NO. 25

On page 4, at the beginning of line 10, change "§2104" to "§1104"

AMENDMENT NO. 26

On page 4, line 13, delete "construction, design," and insert "development"

AMENDMENT NO. 27

On page 4, line 14, after "facilities" delete the remainder of the line and delete line 15 in its entirety and insert a comma "," and "including"

AMENDMENT NO. 28

On page 4, line 16, change "30:2107" to "30:1107"

AMENDMENT NO. 29

On page 4, line 25, after "intrusion of" delete the remainder of the line and insert "carbon dioxide into oil, gas, salt formation, or other commercial mineral strata."

AMENDMENT NO. 30

On page 4, line 26, after "supplies by" insert "oil, gas," and after "salt water" insert a comma ","

AMENDMENT NO. 31

On page 5, line 2, change "pits" to "surface facilities"

AMENDMENT NO. 32

On page 5, line 24, after "(8)" delete the remainder of the line and at the beginning of line 25 delete "in" and insert "Nothing in this Chapter shall prevent an enhanced oil and gas recovery project utilizing injection of carbon dioxide as approved under"

AMENDMENT NO. 33

On page 5, line 26, change "Regulate" to "Approve" and after "enhanced" insert "oil or gas"

AMENDMENT NO. 34

On page 5, line 27, after "facility" insert a comma "," and "if necessary, taking into consideration prior approvals of the commissioner regarding such enhanced oil recovery operations"

AMENDMENT NO. 35

On page 5, line 28, change "Require" to "Promulgate rules and regulations requiring"

AMENDMENT NO. 36

On page 5, line 28, change "uniform meters" to "monitoring equipment"

AMENDMENT NO. 37

On page 5, line 29, delete "wherever the commissioner designates"

AMENDMENT NO. 38

On page 6, delete lines 1 and 2 in their entirety and insert "and ancillary equipment necessary and proper to monitor, verify carbon dioxide injections, and to prevent waste. It shall be a violation of"

AMENDMENT NO. 39

On page 6, line 3, change "meter" to "monitor within a reasonable period of time"

AMENDMENT NO. 40

On page 6, line 4, change "meters" to "monitors"

AMENDMENT NO. 41

On page 6, line 11, change "pits" to "surface facilities"

AMENDMENT NO. 42

On page 6, at the beginning of line 15, insert "civil"

AMENDMENT NO. 43

On page 6, line 16, change "30:2103(10)," to "30:1103(10)"

AMENDMENT NO. 44

On page 6, at the end of line 27, delete "and" and insert a comma ","

AMENDMENT NO. 45

On page 6, line 28, delete "content" and insert a comma "," and "or other commercial mineral"

AMENDMENT NO. 46

On page 7, line 3, after "reservoir" delete the remainder of the line and insert a comma "," and "oil, gas, condensate, salt, or other commercial mineral therein"

AMENDMENT NO. 47

On page 7, line 5, after "reservoir for" insert "carbon dioxide"

AMENDMENT NO. 48

On page 7, at the end of line 6, delete "and" and insert a comma ","

AMENDMENT NO. 49

On page 7, line 7, after "condensate" delete "content" and insert a comma "," and "or other commercial mineral"

AMENDMENT NO. 50

On page 7, line 12, after "endanger" delete the remainder of the line and insert "human lives or cause a hazardous condition to property."

AMENDMENT NO. 51

On page 7, at the end of line 15, after "condensate," delete "or liquid"

AMENDMENT NO. 52

On page 7, at the beginning of line 16, delete "hydrocarbon content" insert "or other commercial mineral"

AMENDMENT NO. 53

On page 7, line 18, after "condensate, or" delete "liquid hydrocarbon content" and insert "or other commercial mineral"

AMENDMENT NO. 54

On page 7, line 23, delete "injector" and insert "party that owns such carbon dioxide, whether at the time of injection or pursuant to a change of ownership by agreement while the carbon dioxide is located in the storage facility"

AMENDMENT NO. 55

On page 7, line 26, change "injector" to "owner"

AMENDMENT NO. 56

On page 7, line 28, change "injector" to "owner"

AMENDMENT NO. 57

On page 7, line 29, after "gas" delete "or" and insert a comma ","

AMENDMENT NO. 58

On page 7, line 29, after "hydrocarbons" insert a comma "," and "salt, or other commercially recoverable minerals"

AMENDMENT NO. 59

On page 8, delete lines 6 and 7 in their entirety

AMENDMENT NO. 60

On page 8, at the beginning of line 8, change "§2105" to "§1105"

AMENDMENT NO. 61

On page 8, line 10, change "pubic" to "public"

AMENDMENT NO. 62

On page 8, line 15, after "hours" insert "and shall be available on the Department of Natural Resources website"

AMENDMENT NO. 63

On page 8, at the beginning of line 27, change "§2106" to "§1106"

AMENDMENT NO. 64

On page 9, line 2, after "storage" insert "and sequestration"

AMENDMENT NO. 65

On page 9, line 19, delete "or a cease and desist order"

AMENDMENT NO. 66

On page 9, line 26, after "person" insert "in accordance with law"

Page 22 HOUSE

16th Day's Proceedings - May 20, 2009

AMENDMENT NO. 67

On page 10, line 3, after "considered." delete the remainder of the line and delete lines 4 through 6 in their entirety

AMENDMENT NO. 68

On page 10, line 7, after "The" insert "commissioner, or" and "general" insert "if requested by the commissioner"

AMENDMENT NO. 69

On page 10, at the end of line 10, delete the comma "," and "with the" and at the beginning of line 11, delete "concurrence of the attorney general."

AMENDMENT NO. 70

On page 10, at the beginning of line 15, change "§2107" to "§1107"

AMENDMENT NO. 71

On page 10, delete line 21 in its entirety and insert the following:

"required by the present or future public convenience and necessity, and such decision is based upon the following criteria: (1) the proposed storage facility meets the requirements of R.S. 30:1104(C) and (2) the proposed storage facility meets the requirements of any rules adopted under this Chapter. However, if any person has"

AMENDMENT NO. 72

On page 10, between line 24 and 25, insert the following:

"B. The commissioner shall issue a certificate of completion of injection operations to the operator applying therefore, if after a public hearing pursuant to R.S. 30:6, it is determined that such operator has met all of the conditions required for such certificate, including the requirements of R.S. 30:1109."

AMENDMENT NO. 73

On page 10, at the beginning of line 25, change "B." to "C."

AMENDMENT NO. 74

On page 11, at the beginning of line 1, change "Commissioner" to "commissioner"

AMENDMENT NO. 75

On page 11, line 5, after "transporter" insert "of carbon dioxide for storage"

AMENDMENT NO. 76

On page 11, line 7, after "operator or" insert "such" and after "dioxide" insert "to storage"

AMENDMENT NO. 77

On page 11, line 10, after "dioxide" insert "for storage"

AMENDMENT NO. 78

On page 11, at the beginning of line 13, change "§2108" to "§1108"

AMENDMENT NO. 79

On page 11, line 19, after "facility" delete "or" and insert "and the necessary infrastructure including the"

AMENDMENT NO. 80

On page 11, line 20, after "dioxide" insert "to a storage facility"

AMENDMENT NO. 81

On page 11, line 22, after "construct" insert "and develop"

AMENDMENT NO. 82

On page 11, at the end of line 22, delete "lay." and at the beginning of line 23, delete "maintain, and operate" and insert "the necessary infrastructure, including the laying, maintaining, and operating of"

AMENDMENT NO. 83

On page 12, line 2, after "facility and" insert "the" and after "owner" insert "if different from the storage operator"

AMENDMENT NO. 84

On page 12, line 13, change "entities" to "persons"

AMENDMENT NO. 85

On page 12, line 17, after "lands" insert a comma "," and "minerals."

AMENDMENT NO. 86

On page 13, at the beginning of line 1, change "§2109" to "§1109"

AMENDMENT NO. 87

On page 13, line 3, after the word "of" and before "storage" insert "injection into a" and change "operations" to "facility"

AMENDMENT NO. 88

On page 13, line 5, after "integrity and" insert "the carbon dioxide will reasonably"

AMENDMENT NO. 89

On page 13, line 8, after "operator" delete "and" and insert a comma ","

AMENDMENT NO. 90

On page 13, at the end of line 8, insert a comma "," and "all owners of carbon dioxide stored in the storage facility, and all owners otherwise having any interest in the storage facility."

AMENDMENT NO. 91

On page 13, line 27, change "principle" to "principal"

AMENDMENT NO. 92

On page 14, at the end of line 19, insert the following:

"This provision shall not supersede any contractual agreement with respect to liability between a plaintiff and an owner or operator of a storage facility, a carbon dioxide transmission pipeline, or the generator of the carbon dioxide."

AMENDMENT NO. 93

On page 14, at the end of line 22, delete "R.S." and at the beginning of line 23, change "30:2110 or 2111" to "the Chapter"

AMENDMENT NO. 94

On page 15, at the beginning of line 9, change "§2110" to "§1110"

AMENDMENT NO. 95

On page 16, line 11, after "penalties" insert "for violation of any rules or permit conditions imposed under this Chapter"

AMENDMENT NO. 96

On page 16, line 12, delete "restoration" and insert "closure or remediation"

AMENDMENT NO. 97

On page 16, at the end of line 12 and on line 13, change "30:2104, 2105, and 2106" to "30:1104, 1105, and 1106"

AMENDMENT NO. 98

On page 17, line 29, after "fund" insert a comma "," "but appropriate credits shall be given against future fees or fees associated with other storage facilities operated by the same storage operator"

AMENDMENT NO. 99

On page 18, line 1, after "fee" insert "for storage facilities that have not received a certificate of completion of injection operations"

AMENDMENT NO. 100

On page 18, line 2, delete "Class IV wells and" and delete line 3 in its entirety and insert "the carbon dioxide storage facility in an amount"

AMENDMENT NO. 101

On page 18, line 4, delete "two hundred"

AMENDMENT NO. 102

On page 18, at the end of line 5, insert the following:

"Such fee shall be based upon the annual projected costs to the office of conservation for oversight and regulation of such storage facilities."

AMENDMENT NO. 103

On page 18, line 8, after "may," insert "by rule"

AMENDMENT NO. 104

On page 18, line 9, after "application" insert "fee"

AMENDMENT NO. 105

On page 18, line 14, after "penalties" insert "and interest"

AMENDMENT NO. 106

On page 18, line 16, change "utilized" to "used"

AMENDMENT NO. 107

On page 18, line 22, after "remaining wells" insert "or conversion"

AMENDMENT NO. 108

On page 18, between lines 26 and 27, insert the following:

"(7) Payment of fees and costs associated with the acquisition of appropriate insurance for future storage facility liability if such should become available, either commercially or through government funding."

AMENDMENT NO. 109

On page 19, at the beginning of line 22, change "§2011" to "§1111"

AMENDMENT NO. 110

On page 19, line 24, change "30:2109" to "30:1109"

AMENDMENT NO. 111

On page 19, line 26, after "maintenance" insert a comma "," and "monitoring,"

AMENDMENT NO. 112

On page 19, line 26, delete "restoration" and insert "closure or remediation"

AMENDMENT NO. 113

On page 19, line 27, delete "restoration" and insert "closure or remediation"

AMENDMENT NO. 114

On page 19, line 29, change "is" to "may be"

AMENDMENT NO. 115

On page 20, line 2, delete "restoration" and insert "closure or remediation"

AMENDMENT NO. 116

On page 20, line 5, after "maintenance" insert a comma "," and "monitoring,"

AMENDMENT NO. 117

On page 20, line 5, change "restoration" to "closure"

AMENDMENT NO. 118

On page 20, line 6, after "maintenance" insert a comma "," and "monitoring,"

AMENDMENT NO. 119

On page 20, line 6, change "restoration" to "closure"

AMENDMENT NO. 120

On page 20, line 8, after "maintenance" insert a comma "," and "monitoring,"

AMENDMENT NO. 121

On page 20, line 8, change "restoration" to "closure"

Page 24 HOUSE

16th Day's Proceedings - May 20, 2009

AMENDMENT NO. 122

On page 20, line 11, after "maintenance" insert a comma "," and "monitoring."

AMENDMENT NO. 123

On page 20, line 11, change "restoration" to "closure"

AMENDMENT NO. 124

On page 20, line 12, after "maintenance" insert a comma "," and "monitoring."

AMENDMENT NO. 125

On page 20, line 12, change "restoration" to "closure"

AMENDMENT NO. 126

On page 20, line 13, after "maintenance" insert a comma "," and "monitoring."

AMENDMENT NO. 127

On page 20, line 13, change "restoration" to "closure"

AMENDMENT NO. 128

On page 20, line 17, after "maintenance" insert a comma "," and "monitoring."

AMENDMENT NO. 129

On page 20, line 17, change "restoration" to "closure"

AMENDMENT NO. 130

On page 21, line 10, change "restoration" to "closure"

AMENDMENT NO. 131

On page 21, at the end of line 13, insert "material"

AMENDMENT NO. 132

On page 21, line 15, delete "of restoration of" and insert "to address"

AMENDMENT NO. 133

On page 21, line 15, after "conditions" insert "to regulatory standards"

AMENDMENT NO. 134

On page 21, line 21, change "restoration" to "closure"

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

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

HOUSE BILL NO. 707—

BY REPRESENTATIVE ROSALIND JONES
AN ACT

To enact Code of Criminal Procedure Articles 881.1(A)(4), 893(E)(4), and 895(B)(3) and R.S. 15:574.4.1(J), relative to criminal sentencing; to authorize the court to sentence a defendant to not more than six months in the intensive incarceration program; to provide for the procedure to set aside

the conviction and dismiss prosecution in certain cases; to provide for the expungement of criminal records in certain cases; to provide for applicability; to authorize the filing of a motion to reconsider sentence in certain cases; to provide for resentencing in certain cases; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 707 by Representative Rosalind Jones

AMENDMENT NO. 1

On page 1, line 16, after "defendant" delete the remainder of the line

AMENDMENT NO. 2

On page 1, delete lines 17 and 18 in their entirety

AMENDMENT NO. 3

On page 1, line 19, delete "incarceration program" and insert "has successfully completed probation"

AMENDMENT NO. 4

On page 2, line 16, change "successful" to "successfully"

AMENDMENT NO. 5

On page 3, line 15, after "court" delete "for resentencing in" and insert "and the offender shall be resentenced in"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 728—

BY REPRESENTATIVE SCHRODER
AN ACT

To amend and reenact R.S. 40:2116(B)(1), 2166.2, 2166.3, and 2166.4(A), to enact R.S. 40:2166.4(H) and (I) and 2166.5(B)(11), and to repeal Part V of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:2151 through 2163, relative to licensing of adult residential care homes and adult residential care providers; to provide a statement of legislative intent; to provide for definitions; to require licensure of all adult residential care providers; to provide for the criteria for the review of beds for adult residential care providers; to provide for the transfer of licensing authority for adult residential care homes from the Department of Social Services to the Department of Health and Hospitals; to provide for waivers granted to adult residential care facilities; to establish the levels of adult residential care providers; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 728 by Representative Schroder

AMENDMENT NO. 1

On page 1, line 2, after "40:2116(B)(1)," and before "2166.3" insert "2166.2,"

AMENDMENT NO. 2

On page 1, line 3, after "40:2166.4(H)" insert "and (I)"

AMENDMENT NO. 3

On page 1, line 6, after "providers;" insert "to provide a statement of legislative intent;"

AMENDMENT NO. 4

On page 1, line 10, after "Hospitals;" insert "to provide for waivers granted to adult residential care facilities;"

AMENDMENT NO. 5

On page 1, line 13, after "40:2116(B)(1)," and before "2166.3" insert "2166.2,"

AMENDMENT NO. 6

On page 1, line 14, after "40:2166.4(H)" insert "and (I)"

AMENDMENT NO. 7

On page 2, between lines 5 and 6, insert the following:

"§2166.2. Purpose

The purpose of this Part is to authorize the Department of Health and Hospitals to promulgate and publish rules and regulations to provide for the health, safety, and welfare of adults receiving residential care and to provide for the safe operation of facilities providing such care. It is the intent of the legislature to support the rights of individuals to live in a residential setting which ensures freedom of choice, independence, and an opportunity to continue to live as integral members of the community, aging with dignity, privacy, and respect."

AMENDMENT NO. 8

On page 2, at the beginning of the line 16, delete "includes" and insert "may include"

AMENDMENT NO. 9

On page 2, line 17, after "services," insert "assistance with self administration of medications."

AMENDMENT NO. 10

On page 2, line 19, after "laundry." insert the following:

"There shall be four modules of adult residential care providers as described in 40:2166.5(B)(11). The department shall promulgate rules and regulations for each module, governing the scope of services to be provided thereunder."

AMENDMENT NO. 11

On page 3, line 11, change "January" to "July"

AMENDMENT NO. 12

On page 3, line 18, change "January" to "July"

AMENDMENT NO. 13

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

"I. All waivers in effect on the effective date of this Act granted to adult residential care facilities licensed by the Department of Social Services shall remain in effect when those facilities are transferred to the Department of Health and Hospitals subject to licensing rules and regulations. However, any physical space waiver in effect on the effective date of this Act granted to adult residential care facilities licensed by the Department of Social Services shall remain in effect when those facilities are transferred to the Department of Health and Hospitals unless there is a renovation, new construction, or relocation of the physical space which is subject to such waiver."

AMENDMENT NO. 14

On page 4, line 12, change "January" to "July"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 731—

BY REPRESENTATIVES DOWNS, ARMES, AUBERT, HENRY BURNS, TIM BURNS, CARMODY, CARTER, CHAMPAGNE, CONNICK, CORTEZ, DIXON, DOVE, FOIL, HARDY, HOFFMANN, LITTLE, PERRY, PUGH, RITCHIE, ROBIDEAUX, SIMON, SMILEY, JANE SMITH, PATRICIA SMITH, AND THIBAUT AND SENATORS APPEL, CROWE, KOSTELKA, LONG, MICHOT, SMITH, AND WALSWORTH

AN ACT

To amend and reenact R.S. 14:92.2(A)(2)(c) and R.S. 17:221(A)(1) and (2) and Children's Code Article 728(4) and to enact R.S. 14:92.2(B)(4) and R.S. 17:233(B)(1)(d)(iii), all relative to the habitual absence and tardiness of students from school; to provide relative to the crime of improper supervision of a minor as it relates to habitually absent or tardy students; to provide penalties and minimum conditions of probation for certain violations by parents or legal custodians of such students including fines, school or community service, attendance in parenting classes and family counseling programs, and the suspension of certain licenses; to provide relative to multiple offenses committed by parents or legal guardians; to provide relative to definitions; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 741—

BY REPRESENTATIVES AUSTIN BADON, HENRY BURNS, TIM BURNS, CHAMPAGNE, CONNICK, CORTEZ, DOVE, FOIL, LITTLE, MILLS, PERRY, PUGH, ROBIDEAUX, SIMON, SMILEY, JANE SMITH, AND THIBAUT AND SENATORS APPEL, CROWE, DUPLESSIS, KOSTELKA, LONG, MICHOT, SMITH, AND WALSWORTH

AN ACT

To amend and reenact R.S. 17:81.9(A), (B), and (C) and to enact R.S. 17:81.9(L) and 430, relative to hiring procedures for public

school employees; to provide relative to procedures and requirements for the disclosure of information regarding certain instances of sexual misconduct, abuse, and neglect committed by applicants for public school employment; to provide that violation of such disclosure requirements by any such applicant shall be a misdemeanor offense; to provide for penalties; to require applicants to sign certain statements prior to being hired; to provide for definitions; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 741 by Representative Austin Badon

AMENDMENT NO. 1

On page 3, at the beginning of line 22, before "student" insert "minor or"

AMENDMENT NO. 2

On page 3, line 24, between "of a" and "student" insert "minor or"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 767—
BY REPRESENTATIVES WILLIAMS AND SIMON
AN ACT

To amend and reenact R.S. 17:197.1(B)(2), relative to school nutrition; to provide relative to beverages offered for sale to students in public high schools; to provide for effectiveness; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 772—
BY REPRESENTATIVE WILLMOTT
AN ACT

To amend and reenact R.S. 40:1300.1, 1300.2(2) and (4), 1300.3(A), 1300.4(B) and (C), and 1300.5(A) and (B) and to enact R.S. 40:1300.2(5) and (6), 1300.5(C) through (H), and 1300.5.1, relative to the Health Professional Development Program; to provide for scholarships to medical or dental students who are from rural or urban underserved areas; to restrict scholarship funds to those students who are willing to practice in rural or urban underserved areas; to provide for definitions; to create the Scholarship Awards Committee; to create the Nursing Scholarship Program; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 772 by Representative Willmott

AMENDMENT NO. 1

On page 1, line 3, after "40:1300.2(5)" insert a comma "," and delete "and"

AMENDMENT NO. 2

On page 1, at the beginning of line 4, insert "and 1300.5.1,"

AMENDMENT NO. 3

On page 1, line 8, after "Committee;" insert "to create the Nursing Scholarship Program;"

AMENDMENT NO. 4

On page 1, line 11, after "40:1300.2(5)" insert a comma "," and delete "and"

AMENDMENT NO. 5

On page 1, line 12, after "(H)" insert a comma "," and "and 1300.5.1,"

AMENDMENT NO. 6

On page 2, line 10, after "(4)" delete the remainder of the line, delete lines 11 through 14 in their entirety and insert the following: "Rural area" means a location in the state which is outside a United States Census Place of fifty thousand or more people and its adjacent and contiguous urbanized area."

AMENDMENT NO. 7

On page 2, between lines 16 and 17, insert the following:

"(6) "Urban underserved area" means a location in the state which is inside a United States Census Place of fifty thousand or more people and its adjacent and contiguous urbanized area and which is located in a designated health professional shortage area of appropriate type."

AMENDMENT NO. 8

On page 3, line 5, after "§1300.5." and before "program" delete "Scholarship" and insert "Primary care practitioner scholarship"

AMENDMENT NO. 9

On page 3, line 6, after "A." and before "The" insert "It is the intent of the legislature to increase the number of primary care practitioners who practice in rural or urban underserved areas in the state."

AMENDMENT NO. 10

On page 3, line 6, after "state" and before "scholarship" insert "primary care practitioner"

AMENDMENT NO. 11

On page 3, line 8, change "physicians" to "practitioners" and "underserved urban" to "urban underserved" and after "areas." insert the following:

"For the purposes of this Section, "primary care practitioner" shall mean a medical practitioner who provides a basic level of health care and who is licensed to practice in the state in the health care areas of general family medicine, general internal medicine, general pediatrics, general surgery, general obstetrics/gynecology, general medicine/pediatrics, or dentistry."

AMENDMENT NO. 12

On page 3, line 27, delete "and other reasonable educational expenses"

AMENDMENT NO. 13

On page 4, line 6, after "the" and before "scholarship" insert "primary care practitioner"

AMENDMENT NO. 14

On page 4, line 27, after "rural area" and before "or" insert "in order to be considered for the rural primary care scholarship" and change "underserved urban" to "urban underserved" and at the end of the line after "area" and before the period "." insert "in order to be considered for the urban underserved primary care scholarship, with geographic eligibility to be determined by the primary care practitioner scholarship awards committee"

AMENDMENT NO. 15

On page 5, delete line 7 in its entirety and insert the following: "urban underserved area one and one half years for each year of receiving the scholarship, not to exceed a total of five years of service."

AMENDMENT NO. 16

On page 5, between lines 7 and 8, insert the following:

"(6) The student is willing to agree in writing to accept Medicaid, Medicare, and uninsured patients during his service."

AMENDMENT NO. 17

On page 5, line 10, before "criteria" insert "minimum" and delete "determined by the committee" and insert in lieu thereof "as established in Subsection E of this Section"

AMENDMENT NO. 18

On page 5, between lines 15 and 16, insert the following:

"§1300.5.1. Nursing scholarship program

A. The department shall administer a state scholarship program based on the best practice evidence from other successful programs nationwide to increase the number of advanced practice registered nurses, registered nurses, and licensed practical nurses serving in rural or urban underserved areas.

B. Subject to the availability of funding, the department shall provide scholarships equal to the lowest base tuition of a public nursing school in the state.

C. There is hereby established the nursing scholarship awards committee within the Department of Health and Hospitals. The objectives of this committee shall be to review applications for nursing school scholarships and to award scholarships based upon objective criteria. The committee shall be made up of the following members:

(1) The secretary of the Department of Health and Hospitals, or his designee, who shall serve as the chairman of the committee.

(2) The executive director of the Louisiana State Board of Nursing or his designee.

(3) The executive director of the Board of Practical Nurse Examiners or his designee.

(4) The president of the Louisiana State Nursing Association or his designee.

(5) The member of the Louisiana Health Works Commission who chairs the Nursing Supply and Demand Council or his designee.

(6) The speaker of the House of Representatives or his designee.

(7) The president of the Senate or his designee."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 773—

BY REPRESENTATIVE BURFORD AND SENATOR CHEEK
AN ACT

To enact a new Chapter 29 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:2401 through 2424, and to repeal former Chapter 29 of Title 37 of the Louisiana Revised Statutes of 1950, comprised of R.S. 37:2401 through 2422, relative to physical therapists; to provide for the creation of the Physical Therapy Practice Act of Louisiana; to provide a short title; to provide for purpose and intent; to provide for the composition of the Louisiana Physical Therapy Board; to provide for the organization of board meetings and member compensation; to provide the powers, duties, and limitations of the board; to provide for board and employee immunity from personal liability; to provide definitions; to require licensure for certain practices; to establish the qualifications for licensing physical therapists, foreign graduates, and physical therapist assistants; to provide for licensing reciprocity; to provide for an application for a license; to provide for examination of applicants for licensure; to provide for the issuance of a license and updating contact information; to provide for emergency exemptions; to provide for the renewal of a license; to provide for authority to practice as a physical therapist or physical therapist assistant; to provide for the use of titles and terms and restrictions; to provide for disciplinary actions; to provide for violations and penalties; to provide for cease and desist orders, injunctions, and attorney fees and costs associated with litigation; to provide for exemptions and prohibitions; to provide for fees, receipts, and disbursements; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 773 by Representative Burford

Page 28 HOUSE

16th Day's Proceedings - May 20, 2009

AMENDMENT NO. 1

On page 3, line 10, after "to" insert "assist in the" and after "practice" insert "of" and after "therapy" delete "assisting" and insert "as a physical therapy assistant"

AMENDMENT NO. 2

On page 17, line 26, after "therapy" delete the remainder of the line and at the beginning of line 27, delete "physical therapy assisting."

AMENDMENT NO. 3

On page 18, at the beginning of line 11, insert "other than a person holding a license as a health care provider from another Louisiana licensing board."

AMENDMENT NO. 4

On page 18, line 13, after "board." insert the following:

"With regard to a person licensed as a health care provider by another Louisiana licensing board, notification of suspected violations of this Chapter or of board rules shall be sent to the director of the board which issued a license to that person for review and response to the Louisiana Physical Therapy Board from that licensing board."

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

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

HOUSE BILL NO. 783—

BY REPRESENTATIVES NOWLIN AND TUCKER
AN ACT

To enact R.S. 40:16.3, relative to state property; to authorize and empower the secretary of the Department of Health and Hospitals and the commissioner of administration to lease the John J. Hainkel, Jr., Home and Rehabilitation Center; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 783 by Representative Nowlin

AMENDMENT NO. 1

On page 1, line 11, after "to" delete "a nonprofit corporation" and insert "the New Orleans Home for Incurables"

AMENDMENT NO. 2

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

AMENDMENT NO. 3

On page 2, at the beginning of line 11, change "(C)" to "C."

AMENDMENT NO. 4

On page 2, between lines 13 and 14, insert the following:

"D. The New Orleans Home for the Incurables as lessee may, with the express written approval of the Department of Health and Hospitals, execute a subcontract with a private or public entity to operate or manage the facility."

AMENDMENT NO. 5

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

AMENDMENT NO. 6

On page 2, at the end of line 16, delete "sublease" and insert in lieu thereof "lease extensions or renewals"

AMENDMENT NO. 7

On page 2, between lines 16 and 17, insert the following:

"F. If the New Orleans Home for the Incurables fails to execute a lease with the Department of Health and Hospitals on or before July 1, 2010, the secretary and the commissioner of administration are authorized and empowered to execute a negotiated lease with a not-for-profit corporation. If the lease is with a not-for-profit corporation other than the New Orleans Home for the Incurables, as authorized in this Subsection, the secretary shall appoint a five-member committee to assist in review of proposals for the lease of the property and operation of the facility. The review committee shall make recommendations to the secretary on which proposer it considers most appropriate for the Department of Health and Hospitals to enter into negotiations with. The committee shall consist of one representative of the New Orleans Home for the Incurables, one representative of the families of patients at the facility, the secretary of the Department of Health and Hospitals or his designee, one representative from the office of aging and adult services, and one representative of the Department of Health and Hospitals' health standards section. Prior to execution of a lease negotiated in accordance with this Subsection, the Department of Health and Hospitals shall present such lease for consideration and approval by the House and Senate committees on health and welfare."

AMENDMENT NO. 8

On page 2, at the beginning of line 17, change "(E)" to "G."

AMENDMENT NO. 9

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

"(8) That the facility shall continue to be operated at a level which exceeds the quality standards established by the Department of Health and Hospitals, including demonstration of a continuous quality improvement plan and ongoing measurement of nationally accepted quality standards.

(9) That the lease contains default conditions whereby the state may void the lease and resume operation of the facility in the event the lessee fails to perform in accordance with the terms and conditions of the lease, following notice of default from the Department of Health and Hospitals and expiration of a reasonable period of time to remedy such default.

(10) That payment from patients served by the facility shall not be increased by an amount which would exceed the average increase experienced by patients served by similar facilities operated by not-for-profit organizations within the state.

H. If the property is leased to a not-for-profit corporation, the lessee shall have a minimum of five years experience in the operation of similar health care facilities in the state of Louisiana. If the

property is leased to the New Orleans Home for the Incurables, and in the event the New Orleans Home for the Incurables contracts for a private operator to manage the facility, the private operator shall have at least five years experience in the operation of similar facilities.

I. Upon the successful execution of the lease, any eligible employee who is not employed by the lessee or operator of the facility shall be placed on the Department of Health and Hospitals' preferred reemployment list in accordance with Chapter 17 of the civil service rules.

J. Nothing in this Section shall be construed to authorize the sale of the immovable assets of the John J. Hainkel Jr. Home and Rehabilitation Center. The division of administration, the Department of Health and Hospitals, and the lessee shall develop a process for approval of permanent capital improvements to the facility."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 794—

BY REPRESENTATIVES TUCKER, LIGI, AND SCHRODER
AN ACT

To enact R.S. 17:3138 and R.S. 36:651(N), relative to a comprehensive review of postsecondary education in Louisiana; to provide for the creation of the Postsecondary Education Review Commission and to provide for its composition, powers, duties, compensation, staffing and support, and funding; to require the commission to conduct a review of postsecondary education in the state and to provide for the scope of the review and a report thereon; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 794 by Representative Tucker

AMENDMENT NO. 1

On page 2, at the end of line 15, delete the period "." and insert "or his designee."

AMENDMENT NO. 2

On page 4, at the beginning of line 11, before "legislature" insert "Board of Regents at least forty-five days prior to the convening of the 2010 Regular Session of the legislature. The Board of Regents shall review the report and submit the report and its comments to the"

AMENDMENT NO. 3

On page 4, line 11, after "at least" and before "days" change "sixty" to "thirty"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 809—

BY REPRESENTATIVE PETERSON
AN ACT

To amend and reenact Children's Code Article 779(A)(6) and to enact Children's Code Articles 779(A)(7), 896.1, and Part VI of Chapter 7 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:971 through 976, relative to the Louisiana Youth Opportunity Initiative; to provide for its creation; to provide for eligibility requirements; to provide for the components of the program; to authorize the use of cooperative endeavor agreements and contracts with state and federal agencies and other organizations to implement the program; to provide for definitions; to authorize courts to order eligible juveniles to participate in the program; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Administration of Criminal Justice.

The substitute was read by title as follows:

HOUSE BILL NO. 894 (Substitute for House Bill No. 809 by Representative Peterson)—

BY REPRESENTATIVE PETERSON
AN ACT

To enact Children's Code Article 896.1 and Part VI of Chapter 7 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:971 through 974, relative to juvenile delinquency; to provide for the disposition and treatment of juveniles following adjudication; to provide for the creation of the Functional Family Therapy Pilot Program; to provide for the administration of the program by the Department of Public Safety and Corrections, youth services, office of juvenile justice; to authorize the use of cooperative endeavor agreements and contracts to implement the program; to provide for the eligibility of participants in the pilot program; to authorize courts to recommend that eligible juveniles participate in the program; to provide for definitions; and to provide for related matters.

Read by title.

On motion of Rep. Wooton, the substitute was adopted and became House Bill No. 894 by Rep. Peterson, on behalf of the Committee on Administration of Criminal Justice, as a substitute for House Bill No. 809 by Rep. Peterson.

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

HOUSE BILL NO. 813—

BY REPRESENTATIVE CONNICK
AN ACT

To amend and reenact R.S. 45:200.4, relative to motor vehicle liability policies; to increase the minimal automobile insurance policy limits for public carrier vehicles; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Original House Bill No. 813 by Representative Connick

AMENDMENT NO. 1

On page 1, line 2, after "To" delete "enact R.S. 32:861(F)," and insert "amend and reenact R.S. 45:200.4," and after "policies;" delete "to provide for increased" and insert "to increase the minimal automobile insurance policy limits for public carrier vehicles;"

AMENDMENT NO. 2

On page 1, at the beginning of line 3 delete "minimum liability limits for taxi cabs;"

AMENDMENT NO. 3

On page 1, line 5, after "Section 1." delete "R.S. 32:861(F)" and insert "R.S. 45:200.4" and after "hereby" delete "enacted" and insert "amended and reenacted"

AMENDMENT NO. 4

On page 1, delete lines 6 through 15 in their entirety and insert the following:

"§200.4. Insurance of each public carrier vehicle

No such certificate shall be issued until the owner of the public carrier vehicle shall first have filed with the duly designated authority of the municipality or parish in which such operation is permitted, a policy of liability insurance issued by an insurance company authorized to do business in this state. Said insurance policy shall provide for payment of a sum not less than ~~twenty-five~~ thirty-five thousand dollars to satisfy all claims for damages by reason of bodily injury to, or death of, any one person resulting from any one accident, and, subject to said limit for one person, for payment of a sum not less than ~~fifty~~ seventy thousand dollars to satisfy all claims for damages by reason of bodily injury to, or death of, two or more persons, resulting from any one accident, and for payment of a sum not less than ~~five~~ twenty-five thousand dollars to satisfy all claims for damage to property resulting from any one accident, by reason of the ownership, operation, maintenance, or use of such vehicle upon any street."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 827—
BY REPRESENTATIVE SIMON

AN ACT

To amend and reenact R.S. 18:101(B), 102.1, 106(B) and (C), 114(F)(2), 115(F)(2)(a), 152(C)(4), 425(B)(1), 531(B), 533(A)(1), 564(A), (B)(5), (D), and (E), 1303(F) and (I), 1306(E)(2), 1307(G), 1310(B)(2), 1333, 1334(A)(introductory paragraph) and (1) and (D), to enact R.S. 18:106.1, 1307(H), 1309.3, 1310(C), and 1461(A)(24), and to repeal R.S. 18:1309(E)(5), 1321, 1331, 1332, and 1335, relative to the Louisiana Election Code; to revise the system of laws comprising the Louisiana Election Code, particularly with respect to voters with special needs; to provide relative to the duties of registrars of voters; to provide relative to the registration of voters; to provide relative to changes in registrations; to provide relative to procedures and requirements

for voting; to provide relative to commissioners; to provide relative to assistance in voting; to provide relative to application for voting and voting absentee by mail; to provide relative to early voting; to provide relative to voting early for certain persons residing in a nursing home; to provide relative to polling places and parish governing authorities duties relative thereto; to remove certain provisions for special programs for physically handicapped voters; to provide relative to election offenses; to provide for penalties; to provide for certain duties of the Louisiana State Law Institute with respect to the revisions; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 827 by Representative Simon

AMENDMENT NO. 1

On page 3, line 3, delete "institution" and insert "long-term care facility"

AMENDMENT NO. 2

On page 4, line 23, after "the voter" and before the period "." insert a comma "," and "or a form on which the person has listed the names and addresses of at least two persons residing in his precinct who could make oath, if required, to the effect that the person is physically disabled"

AMENDMENT NO. 3

On page 7, line 2, after "of the person" and before "or a form" insert a comma ","

AMENDMENT NO. 4

On page 7, line 3, change "address" to "addresses"

AMENDMENT NO. 5

On page 10, delete lines 16 through 22

AMENDMENT NO. 6

On page 10, at the beginning of line 23, change "(d)" to "(c)"

AMENDMENT NO. 7

On page 11, delete lines 17 and 18

AMENDMENT NO. 8

On page 11, line 23, after "visible" and before "disability" insert "physical"

AMENDMENT NO. 9

On page 12, at the end of line 27, change "address" to "addresses"

AMENDMENT NO. 10

On page 15, line 12, after "impaired voter" and before "a voter" change "and" to "or"

AMENDMENT NO. 11

On page 16, delete lines 5 through 11

AMENDMENT NO. 12

On page 16, at the beginning of line 12, change "(3)" to "(2)"

AMENDMENT NO. 13

On page 16, line 20, after "visible" and before "disability" insert "physical"

AMENDMENT NO. 14

On page 17, line 20, delete "Voting" and insert "Nursing home early voting program; voting"

AMENDMENT NO. 15

On page 18, line 2, before "because of a" insert "or during early voting"

AMENDMENT NO. 16

On page 19, line 23, after "program" insert "as provided in this Section"

AMENDMENT NO. 17

On page 19, line 24, after "program" and before "the voter" delete the comma "," and insert "or"

AMENDMENT NO. 18

On page 19, line 25, after "application" change the comma "," to a period "." and delete the remainder of the line and delete lines 26 and 27 and insert "However, if the voter has become a resident of a different nursing home in the parish and has notified the registrar of voters in writing of the change of nursing home address, his application shall remain valid."

AMENDMENT NO. 19

On page 22, after line 29, insert the following:

"I. The secretary of state may adopt such rules and regulations as are necessary to effectuate the provisions of this Section."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 844—

BY REPRESENTATIVE GARY SMITH
AN ACT

To enact R.S. 40:1300.256(A)(5) and (6) and to repeal R.S. 40:1300.256(B)(5) and (8), relative to prohibiting smoking in certain places; to prohibit smoking in bars and restaurants; to repeal the smoking prohibition exception for bars; to repeal the smoking prohibition exception for riverboats, gaming establishments, facilities licensed for video draw poker devices, facilities licensed for slot machines, off-track wagering facilities among others; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 844 by Representative Gary Smith

AMENDMENT NO. 1

On page 1, lines 2 and 7, change "R.S. 40:1300.256(A)(5)" to "R.S. 40:1300.256(A)(5) and (6)"

AMENDMENT NO. 2

On page 1, line 2, change "R.S. 40:1300.256(B)(5)" to "R.S. 40:1300.256(B)(5) and (8)"

AMENDMENT NO. 3

On page 1, line 4, after "bars;" insert "to repeal the smoking prohibition exception for riverboats, gaming establishments, facilities licensed for video draw poker devices, facilities licensed for slot machines, off-track wagering facilities among others;"

AMENDMENT NO. 4

On page 1, between lines 11 and 12 insert

"(6) Smoke in any gaming establishment including but not limited to facilities licensed for the operation of video draw poker devices or slot machines and facilities licensed for pari-mutuel or off-track wagering."

AMENDMENT NO. 5

On page 1, line 13, after "Section 2." delete the remainder of the line and insert in lieu thereof "R.S. 40:1300.256(B)(5) and (8) are hereby repealed in their entirety."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 851—

BY REPRESENTATIVES CARTER AND HARDY
AN ACT

To amend and reenact R.S. 17:54(B)(1) and (C) and 81(P) and to enact R.S. 17:81(Q), (R), and (S), relative to the powers, duties, functions, and responsibilities of city, parish, and other local public school boards; to provide relative to prohibitions on the involvement of members of local school boards in certain administrative matters; to provide for the transfer of certain authority to local school superintendents; to provide for the vote required for hiring and removal of a local school superintendent; to provide for effectiveness; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 851 by Representative Carter

AMENDMENT NO. 1

On page 1, delete line 6 in its entirety

AMENDMENT NO. 2

On page 1, line 17, after "elect" delete the remainder of the line and on line 18, delete "of the membership of the school board"

AMENDMENT NO. 3

On page 2, line 2, after "superintendent." and before "A" insert "The election of a superintendent of schools by a city, parish, or other local public school board shall require the favorable vote of at least two-thirds of the membership of the school board."

AMENDMENT NO. 4

On page 2, line 23, after "(iv)" and before "board" change "The" to "Subject to the approval of a majority of its membership, the"

AMENDMENT NO. 5

On page 2, line 24, after "unless" and before "of" change "two-thirds" to "a majority"

AMENDMENT NO. 6

On page 3, at the end of line 5, delete "hired" and at the beginning of line 6, delete "or"

AMENDMENT NO. 7

On page 4, line 1, after "with," and before "compel," delete "request,"

AMENDMENT NO. 8

On page 4, line 6, after "with," and before "compel," delete "request,"

AMENDMENT NO. 9

On page 4, delete lines 8 and 9 in their entirety

AMENDMENT NO. 10

On page 4, at the beginning line 10, change "(4)" to "(3)"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 893 (Substitute for House Bill No. 278 by Representative Ligi)—
BY REPRESENTATIVES LIGI, TIM BURNS, GISCLAIR, LABRUZZO, TALBOT, AND TUCKER AND SENATOR MORRELL
AN ACT

To enact R.S. 30:2195.12, relative to motor fuel dispensing facilities; to provide for definitions; to require alternate generated power capacity at newly constructed or completely rebuilt motor fuel dispensing facilities capable of operation during declared emergencies and disasters; to provide for guidelines on the installation and maintenance of the alternate generated power source; and to provide for related matters.

Read by title.

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

Under the rules, placed on the regular calendar.

Suspension of the Rules

On motion of Rep. Richmond, the rules were suspended in order to take up and consider House Bills on Second Reading to be Referred at this time.

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 Judiciary was discharged from further consideration of House Bill No. 758.

HOUSE BILL NO. 758—
BY REPRESENTATIVE DIXON

AN ACT

To enact R.S. 18:1505.2(U) and R.S. 49:258.1, relative to state contracts; to authorize the attorney general to enter into contingent fee contracts with private attorneys; to provide for definitions; to provide for approval of such contracts; to provide relative to recordkeeping; to provide for limitations on such contingent fee contracts; to prohibit the attorney general from accepting certain contributions; to prohibit an attorney or a law firm who has entered into a certain contract with the attorney general from making contributions; and to provide for related matters.

Read by title.

Rep. Dixon sent up floor amendments in the form of a substitute bill, which title was read as follows:

HOUSE BILL NO. 895 (Substitute for House Bill No. 758 by Representative Dixon)—
BY REPRESENTATIVE DIXON

AN ACT

To enact R.S. 49:258.1, relative to state contracts; to authorize the attorney general to enter into contingent fee contracts with private attorneys; to provide for definitions; to provide for approval of such contracts; to provide relative to record keeping; to provide for limitations on such contingent fee contracts; and to provide for related matters.

Read by title.

On motion of Rep. Dixon, the substitute was adopted and became House Bill No. 895 by Rep. Dixon, as a substitute for House Bill No. 758 by Rep. Dixon.

Motion

On motion of Rep. Dixon, and under a suspension of the rules, House Bill No. 895 was referred to the House Committee on Judiciary.

Reconsideration

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

HOUSE BILL NO. 687—
BY REPRESENTATIVES PEARSON AND TUCKER

AN ACT

To enact R.S. 37:796, relative to the practice of dentistry; to prohibit the practice of dentistry at elementary and secondary schools; to provide for certain exceptions; and to provide for related matters.

Read by title.

On motion of Rep. Pearson, 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.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Pearson gave notice of his intention to call House Bill No. 687 from the calendar during the week of May 26, 2009.

Acting Speaker Leger in the Chair

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. Danahay, and under a suspension of the rules, the following resolution was taken up out of its regular order at this time.

HOUSE CONCURRENT RESOLUTION NO. 6—
 BY REPRESENTATIVES DANAHAY, ARNOLD, BARRAS, BURFORD, HENRY BURNS, CARMODY, CARTER, CHAMPAGNE, CONNICK, FOIL, GREENE, HOFFMANN, LABRUZZO, LIGI, LOPINTO, MONICA, MORRIS, NOWLIN, PEARSON, PETERSON, PONTI, POPE, PUGH, RICHARD, RICHARDSON, SCHRODER, SIMON, SMILEY, JANE SMITH, TUCKER, AND WADDELL AND SENATORS KOSTELKA AND MICHOT
A CONCURRENT RESOLUTION

To request the Department of State Civil Service to develop and the State Civil Service Commission to adopt certain rules affecting layoff procedures, job classifications, and compensation.

Read by title.

Rep. Danahay moved the adoption of the resolution.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Foil	Mills
Abramson	Franklin	Monica
Anders	Gallot	Norton
Arnold	Geymann	Nowlin
Aubert	Gisclair	Pearson
Badon, A.	Greene	Perry
Badon, B.	Guillory, M.	Peterson
Baldone	Guinn	Ponti
Barras	Harrison	Pope
Billiot	Hazel	Pugh
Brossett	Henderson	Richard
Burford	Henry	Richardson
Burns, H.	Hill	Ritchie
Burns, T.	Hines	Robideaux
Carmody	Hoffmann	Roy
Carter	Howard	Schroder
Champagne	Hutter	Simon
Chandler	Jackson M.	Smiley
Chaney	Katz	Smith, G.
Connick	Kleckley	Smith, J.
Cortez	LaBruzzo	Smith, P.
Cromer	Lambert	Talbot
Danahay	Landry	Templet

Doerge	LeBas	Thibaut
Dove	Leger	Waddell
Downs	Ligi	White
Ellington	Little	Williams
Ernst	Lopinto	Willmott
Fannin	McVea	Wooton
Total - 87		

NAYS

Armes	Jones, R.	St. Germain
Barrow	Jones, S.	Stiaes
Edwards	LaFonta	
Johnson	Richmond	
Total - 10		

ABSENT

Burrell	Honey	Morris
Dixon	Jackson G.	
Hardy	Montoucet	
Total - 7		

The resolution was adopted.

Ordered to the Senate.

Consent to Correct a Vote Record

Rep. Mickey Guillory requested the House consent to record his vote on the adoption of House Concurrent Resolution No. 6 as yea, which consent was unanimously granted.

Speaker Pro Tempore Peterson in the Chair

Suspension of the Rules

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

House Bills and Joint Resolutions on Third Reading and Final Passage

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

Regular Calendar

HOUSE BILL NO. 779—
 BY REPRESENTATIVE TUCKER
AN ACT

To amend and reenact R.S. 34:1(A) through (H) and 21(A), relative to the Board of Commissioners of the Port of New Orleans; to provide relative to the members of the Board of Commissioners; to provide for their appointment and term of office; to provide relative to the territorial jurisdiction of the Port of New Orleans; to provide for financial disclosure; 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. 779 by Representative Tucker

Page 34 HOUSE

16th Day's Proceedings - May 20, 2009

AMENDMENT NO. 1

On page 4, line 3, following "Terminal" change "Authority" to "District"

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. 779 by Representative Tucker

AMENDMENT NO. 1

On page 3, delete line 1 in its entirety and insert in lieu thereof the following:

"(a) Greater New Orleans, Inc."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Peterson to Engrossed House Bill No. 779 by Representative Tucker

AMENDMENT NO. 1

On page 3, delete line 2 in its entirety

AMENDMENT NO. 2

On page 3, at the beginning of line 3, delete "(c)" and insert "(b)"

AMENDMENT NO. 3

On page 3, at the beginning of line 4, delete "(d)" and insert "(c)"

AMENDMENT NO. 4

On page 3, at the beginning of line 6, delete "(e)" and insert "(d)"

AMENDMENT NO. 5

On page 3, delete lines 7 and 8 in their entirety

AMENDMENT NO. 6

On page 3, line 7, change (f) to "(e)"

AMENDMENT NO. 7

On page 3, line 8, change "(g)" to "(f)"

AMENDMENT NO. 8

On page 3, at the beginning of line 9, delete "(h)" and insert "(g)"

AMENDMENT NO. 9

On page 3, at the beginning of line 10, delete "(i)" and insert "(h)"

AMENDMENT NO. 10

On page 3, at the beginning of line 11, delete "(j)" and insert "(i)"

AMENDMENT NO. 11

On page 3, at the beginning of line 12, delete "(k)" and insert "(j)"

AMENDMENT NO. 12

On page 3, delete lines 13 and 14 in their entirety

AMENDMENT NO. 13

On page 3, at the beginning of line 15, delete "(n)" and insert "(k)"

Rep. Talbot asked for and obtained a division of the question.

On motion of Rep. Richmond, Amendment No. 5 was withdrawn.

On motion of Rep. Richmond, Amendment Nos. 1 through 4 were adopted.

On motion of Rep. Richmond, Amendment Nos. 6 through 13 were adopted.

Rep. Tucker 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, Franklin, Monica, Abramson, Gallot, Montoucet, Anders, Geymann, Morris, Arnes, Gisclair, Norton, Arnold, Greene, Nowlin, Aubert, Guillory, M., Pearson, Badon, A., Guinn, Perry, Badon, B., Hardy, Peterson, Baldone, Hazel, Pope, Barras, Henderson, Pugh, Barrow, Henry, Richard, Billiot, Hill, Richardson, Brossett, Hines, Richmond, Burford, Hoffmann, Ritchie, Burns, H., Honey, Robideaux, Burns, T., Howard, Roy, Carmody, Jackson G., Schroder, Carter, Jackson M., Simon, Champagne, Johnson, Smiley, Chandler, Jones, R., Smith, G., Chaney, Jones, S., Smith, J., Connick, Katz, Smith, P., Cortez, Kleckley, St. Germain, Cromer, LaBruzzo, Stiaes, Danahay, LaFonta, Talbot, Dixon, Lambert, Templet, Doerge, Landry, Thibaut, Dove, LeBas, Waddell, Downs, Leger, White, Edwards, Ligi, Williams, Ellington, Little, Willmott, Ernst, Lopinto, Wooton, Fannin, McVea, Foil, Mills, Total - 100

NAYS

Burrell Hutter
Total - 2

ABSENT

Harrison Ponti
Total - 2

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. 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. 784—

BY REPRESENTATIVES KATZ, ABRAMSON, AUSTIN BADON, BOBBY BADON, BALDONE, BROSSETT, BURFORD, HENRY BURNS, CARMODY, CHAMPAGNE, CHANEY, CONNICK, CORTEZ, DOERGE, DOVE, DOWNS, FOIL, GISCLAIR, MICKEY GUILLORY, GUINN, HILL, HOWARD, SAM JONES, LANDRY, LEBAS, LIGI, LITTLE, LOPINTO, MCVEA, MILLS, PEARSON, PERRY, POPE, PUGH, RICHARD, RICHARDSON, ROBIDEAUX, SIMON, SMILEY, GARY SMITH, JANE SMITH, ST. GERMAIN, TEMPLET, THIBAUT, WILLIAMS, AND WILLMOTT AND SENATORS CROWE, DUPLESSIS, KOSTELKA, MICHOT, SMITH, AND WALSWORTH

AN ACT

To amend and reenact R.S. 46:51.2(A) and R.S. 49:992(D)(1) and to enact R.S. 49:992(D)(9), relative to information searches in the central registry of justified abuse or neglect within the Department of Social Services; to prohibit certain individuals from obtaining or maintaining a license; to prohibit certain individuals from employment with the Department of Social Services unless a risk evaluation panel has determined that the individuals do not pose a risk to children; to provide for a system of appeal and judicial review; to provide for an exemption to allow the Department of Social Services to handle certain adjudications; to direct the Department of Social Services to conduct an assessment to determine cost of utilizing information in the central registry to prohibit certain individuals from owning or being employed by child care facilities; 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. 784 by Representative Katz

AMENDMENT NO. 1

On page 2, line 3, following "(a)" and before "person" change "Such" to "The"

AMENDMENT NO. 2

On page 2, line 4, following "that" change "such" to "the"

AMENDMENT NO. 3

On page 2, line 9 following "that" and before "individual's" change "such" to "the"

AMENDMENT NO. 4

On page 3, line 2, following "of" change "such" to "the"

AMENDMENT NO. 5

On page 3, line 19, following "mailing" and before "the" insert "date listed on"

AMENDMENT NO. 6

On page 3, line 21, following "the" and before "decision" insert "date of the"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Foil	McVea
Abramson	Franklin	Mills
Anders	Gallot	Monica
Armes	Geymann	Montoucet
Arnold	GISclair	Morris
Aubert	Greene	Norton
Badon, A.	Guillory, M.	Nowlin
Badon, B.	Guinn	Pearson
Baldone	Hardy	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	St. Germain
Dixon	LaFonta	Stiaes
Doerge	Lambert	Talbot
Dove	Landry	Templet
Downs	LeBas	Thibaut
Edwards	Leger	Waddell
Ellington	Ligi	Williams
Ernst	Little	Willmott
Fannin	Lopinto	Wooton

Total - 102

NAYS

Total - 0

ABSENT

Harrison White
Total - 2

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 797—

BY REPRESENTATIVES SIMON, ANDERS, ARNOLD, BOBBY BADON, BARROW, BILLIOT, SAM JONES, LAFONTA, PUGH, RICHARD, JANE SMITH, ST. GERMAIN, STIAES, AND WILLMOTT

AN ACT

To amend and reenact R.S. 17:1519.12, relative to the Medical Education Commission; to establish the objectives and duties of the commission; to expand the composition of the commission to include the vice president for the office of health care and medical education within the Louisiana State University System, the executive director of the Louisiana Workforce Commission, the commissioner of administration, and other stakeholders; to require the commission to make certain recommendations; to set a date for the initial report and all other reports issued by the commission; 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. 797 by Representative Simon

AMENDMENT NO. 1

On page 3, line 2, following "Subparagraph" and before "z" change "(C)(1)(b) of this Section" to "(b) of this Paragraph"

AMENDMENT NO. 2

On page 3, line 13, following "Subparagraphs" and before "through" change "(C)(1)(a)" to "(1)(a)"

AMENDMENT NO. 3

On page 3, line 14, before "shall" change "Section" to "Subsection"

AMENDMENT NO. 4

On page 3, line 15, before "shall" change "(C)(1)(e) through (h) of this Section" to "(1)(e) through (h) of this Subsection"

AMENDMENT NO. 5

On page 3, line 16, following "Subparagraphs" and before "shall" change "(C)(1)(i) through (k) of this Section" to "(1)(i) through (k) of this Subsection"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Foil	McVea
Abramson	Franklin	Monica
Anders	Gallot	Montoucet
Armes	Geymann	Norton
Arnold	Gisclair	Nowlin
Aubert	Greene	Pearson
Badon, A.	Guillory, M.	Perry
Badon, B.	Guinn	Peterson
Baldone	Hardy	Ponti
Barras	Hazel	Pope

Barrow	Henderson	Pugh
Billiot	Henry	Richard
Brossett	Hill	Richardson
Burford	Hines	Richmond
Burns, H.	Hoffmann	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.
Connick	Katz	Smith, P.
Cortez	Kleckley	St. Germain
Danahay	LaBruzzo	Stiaes
Dixon	LaFonta	Talbot
Doerge	Lambert	Templet
Dove	Landry	Thibaut
Downs	LeBas	Waddell
Edwards	Leger	White
Ellington	Ligi	Williams
Ernst	Little	Willmott
Fannin	Lopinto	Wooton

Total - 99

NAYS

Total - 0

ABSENT

Cromer	Honey	Morris
Harrison	Mills	
Total - 5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Simon 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. 829—

BY REPRESENTATIVE CORTEZ

AN ACT

To amend and reenact R.S. 38:3092(6), 3093, 3094(A)(introductory paragraph) and (1) through (5), (B)(introductory paragraph) and (7), (C)(introductory paragraph) and (1), 3097.3(C)(4)(a) and (F)(1) and (2)(introductory paragraph), 3098(A)(introductory paragraph) and (B), 3098.1(4), 3098.2(A)(introductory paragraph), (2), and (5) and (B), 3098.4(7), 3098.5, 3098.6, and 3098.7(B), to enact R.S. 38:3092(7) and 3097.3(F)(2)(h) and (i) and to repeal R.S. 38:3096, 3097, 3098.3, and 3098.7(C), relative to ground water resources, water wells and drillers; to transfer duties and responsibilities relative to ground water resources, water wells and drillers from the Department of Transportation and Development, office of public works, to the office of conservation, Department of Natural Resources; 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. 829 by Representative Cortez

AMENDMENT NO. 1

On page 2, line 14, delete " * * * "

AMENDMENT NO. 2

On page 7, line 16, delete " * * * "

AMENDMENT NO. 3

On page 7, line 29, delete " * * * "

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Cortez to Engrossed House Bill No. 829 by Representative Cortez

AMENDMENT NO. 1

On page 4, line 27, change "hereunder" to "thereunder"

AMENDMENT NO. 2

On page 7, line 2, change "Resource" to "Resources"

AMENDMENT NO. 3

On page 7, line 13, after "water wells" change the semi-colon ";" to a period "." and delete the remainder of the line and delete lines 14 and 15 in their entirety

AMENDMENT NO. 4

On page 8, delete lines 18 and 19 in their entirety and insert in lieu thereof the following:

"(1) the secretary of the Department of Transportation and Development, office of public works. The commissioner of conservation, or his designee."

AMENDMENT NO. 5

On page 8, line 27, after "Louisiana" insert "Ground" and on line 28, delete "Well Drillers"

AMENDMENT NO. 6

On page 9, line 2, after "Louisiana" insert "Ground" and delete "Well Drillers"

AMENDMENT NO. 7

On page 9, line 4, after "Louisiana" insert "Ground" and delete "Well Drillers"

AMENDMENT NO. 8

On page 9, delete lines 5 and 6 in their entirety and insert in lieu thereof the following:

"(9) and two Two drillers at large selected by the secretary for the Department of Transportation and Development, office of public works; commissioner of conservation from the industry as a"

AMENDMENT NO. 9

On page 10, delete lines 9 through 29 in their entirety, delete page 11 in its entirety and on page 12, delete lines 1 through 10 in their entirety and insert in lieu thereof the following:

"(MOU) which will set forth the timing and manner of the transition of the responsibilities relating to water wells and water well drillers from the Department of Transportation and Development, office of public works, to the Department of Natural Resources. The MOU shall include specific details relative to the transfer of relevant records and databases; staff and funding issues; the use of the current administrative rules and regulations; any needed future assistance or cooperative endeavors between the two agencies; and any other matters relating to the transition outlined in this Act."

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

Point of Order

Rep. Abramson asked for a ruling from the Chair as to whether House Bill No. 829 imposes a new civil penalty and therefore would require the favorable vote of two-thirds of the elected members to finally pass the House.

Ruling of the Chair

The Chair ruled the bill did impose a new civil penalty and therefore would require the favorable vote of two-thirds of the elected members to finally pass the House.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Franklin	Monica
Abramson	Gallot	Montoucet
Anders	Geymann	Morris
Armes	Gisclair	Norton
Arnold	Greene	Nowlin
Badon, A.	Guillory, M.	Pearson
Badon, B.	Guinn	Perry
Baldone	Harrison	Peterson
Barras	Hazel	Pope
Barrow	Henderson	Pugh
Billiot	Henry	Richard
Brossett	Hines	Richardson
Burford	Hoffmann	Richmond
Burns, H.	Howard	Ritchie
Burns, T.	Jackson G.	Robideaux
Burrell	Jackson M.	Roy
Carmody	Johnson	Schroder
Carter	Jones, R.	Simon
Chandler	Jones, S.	Smiley
Chaney	Katz	Smith, G.
Connick	Kleckley	Smith, J.
Cortez	LaBruzzo	Smith, P.
Cromer	LaFonta	St. Germain
Danahay	Lambert	Stiaes
Dixon	Landry	Talbot
Doerge	LeBas	Templet
Dove	Leger	Thibaut
Downs	Ligi	Waddell
Edwards	Little	White
Ellington	Lopinto	Williams
Fannin	McVea	Willmott
Foil	Mills	Wooton
Total - 96		

NAYS

Hill
Total - 1

ABSENT

Aubert Hardy Ponti
Champagne Honey
Ernst Hutter
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. 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. 833—

BY REPRESENTATIVES DOVE, BOBBY BADON, BILLIOT, HENRY BURNS, CHAMPAGNE, FOIL, HENDERSON, LAMBERT, LANDRY, LITTLE, MONTOUCET, AND MORRIS AND SENATORS DUPRE AND MORRISH

AN ACT

To amend and reenact R.S. 36:4(Z), 351(C)(1), 358(B), 501(B) and (C)(1), 502(A) and (B), and 508.3(A), (B), (C), (F), and (G), R.S. 38:81, 100(introductory paragraph), 101(A) and (B), 102, 103(A) and (B), 106(A)(1) and (2) and (B), 107(A), 108, and 109, R.S. 49:214.1 and 214.2, R.S. 56:421(B)(3) and (E)(4), 424(H), 425(E), 427.1(C), 432.1(A), (B)(1)(a), (2), (3), and (4), (C)(introductory paragraph) and (1), (D)(1), and 432.2; to enact R.S. 35:410, R.S. 49:214.3.1, 214.4.1 and 214.4.2, 214.5.1 through 214.5.8, and 214.6.1 through 214.6.11, and to repeal R.S. 36:4(J), R.S. 38:84, Chapter 3-A of Title 38 of the Louisiana Revised Statutes of 1950, comprised of R.S. 38:241 through 251, Subpart A of Part II of Chapter 2 of Title 49 of the Louisiana Revised Statutes of 1950, comprised of R.S. 49:213.1 through 213.12, R.S.49:214.3 through 214.16; relative to hurricane protection, flood control, and coastal restoration; to create the Office of Coastal Protection and Restoration in the office of the governor; to consolidate functions relative to hurricane protection, flood control, and coastal restoration under the authority of that office; to provide relative to the powers, duties, functions, and responsibilities of that office; provides for the interrelations between the Governor's Office of Coastal Activities, the Coastal Protection and Restoration Authority, the Governor's Advisory Commission on Coastal Protection, Restoration, and Conservation, and the Office of Coastal Protection and Restoration. 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. 833 by Representative Dove

AMENDMENT NO. 1

On page 1, line 5, following "214.2" and before "and" change "R.S. 56:421(B)(3)" to "R.S. 56:421(B) introductory paragraph"

AMENDMENT NO. 2

On page 1, line 6, change "(B)(1)(a)" to "(B)(introductory paragraph), and (1)(a)"

AMENDMENT NO. 3

On page 1, line 8, following "214.6.11," and before "and" insert "and R.S. 56:421(B)(13)"

AMENDMENT NO. 4

On page 4, line 23, following "works" delete ","

AMENDMENT NO. 5

On page 4, line 26, following "works" delete ","

AMENDMENT NO. 6

On page 5, lines 11, 13, 16, 22, 25, following "works" delete ","

AMENDMENT NO. 7

On page 6, lines 5, 8, 10, following "works" delete ","

AMENDMENT NO. 8

On page 8, line 17, following "as" and before "necessary" change "is" to "are"

AMENDMENT NO. 9

On page 22, line 10, following "the" change "fund" to "fund"

AMENDMENT NO. 10

On page 23, line 17, following "Gustav" insert "z"

AMENDMENT NO. 11

On page 23, line 22, following "area" and before "as" change "act" to "acts"

AMENDMENT NO. 12

On page 30, line 4, following "America's" and before "Trail" change "Wetlands" to "Wetland"

AMENDMENT NO. 13

On page 40, line 9, following "B and" and before "of this" change "E" to "D"

AMENDMENT NO. 14

On page 40, line 19, following "in Subsection" and before "of this Section" change "C" to "E"

AMENDMENT NO. 15

On page 41, lines 8 and 11, following "in" and before "of this Section" change "Subsection A and Paragraph (B)(1)" to "Subsections A, B, and C"

AMENDMENT NO. 16

On page 41, line 12, following "to this" change "Subparagraph" to "Paragraph"

AMENDMENT NO. 17

On page 41, line 13, following "pursuant to" and before "of this" change "Subparagraphs (b) and (c)" to "Paragraphs (2) and (3)"

AMENDMENT NO. 18

On page 41, line 14, change "Paragraph" to "Subsection"

AMENDMENT NO. 19

On page 41, lines 17 and 20, following "Subsection" and before "are" change "A" to "B"

AMENDMENT NO. 20

On page 62, line 6, following "Section 4" and before "and" change "R.S. 56:421 (B)(3)" to "R.S. 56:421 (B)(introductory paragraph)"

AMENDMENT NO. 21

On page 62, line 7, change "(B)(1)(a)" to "(B)(introductory paragraph) and (1)(a)"

AMENDMENT NO. 22

On page 62, line 8, following "reenacted" and before "to read" insert "and R.S. 56:421 (B)(13) is hereby enacted"

AMENDMENT NO. 23

On page 70, line 11, change "is" to "are" and change "its" to "their"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Dove to Engrossed House Bill No. 833 by Representative Dove

AMENDMENT NO. 1

On page 8, line 6, after "Chapter" delete the remainder of the line and delete line 7 in its entirety and insert a comma ","

AMENDMENT NO. 2

On page 8, line 9, change "as" to "shall be designated"

AMENDMENT NO. 3

On page 8, line 14, after "Charles" change the comma "," to a period "." and change "the" to "The"

AMENDMENT NO. 4

On page 17, line 10, after "restoration;" insert "barrier island and shoreline stabilization and preservation; coastal passes stabilization and restoration;"

AMENDMENT NO. 5

On page 17, line 15, change "shorelines" to "islands, shorelines, coastal passes,"

AMENDMENT NO. 6

On page 70, between lines 23 and 24, insert the following:

"Section 10. All unfinished business, references in laws and documents, employees, property, obligations, and books and records of the prior plans, projects, policies, and programs assumed by this

Act into the Office of Coastal Protection and Restoration or the Coastal Protection and Restoration Authority shall be transferred as provided in this Section. Any pending or unfinished business of the prior plans, projects, policies, and programs shall be taken over and be completed by the new office created by this Act or by the Coastal Protection and Restoration Authority with the same power and authorization as that of prior plans, projects, policies, and programs and the new office or the authority shall be the successor in every way to the prior plans, projects, policies, and programs for the purpose of completing such business. Any reference in laws and documents to either of the prior plans, projects, policies, and programs shall be deemed to apply to the new office or the authority. Any legal proceeding to which the prior plans, projects, policies, and programs are a party and which is filed, initiated, or pending before any court on the effective date of this Section, and all documents involved in or affected by said legal proceeding, shall retain their effectiveness and shall be continued in the name of the new office or the authority. All further legal proceedings and documents in the continuation, disposition, and enforcement of such legal proceeding shall be in the name of the new office or the authority, and the new office or the authority shall be substituted for the prior plans, projects, policies, and programs without necessity for amendment of any document. This Act shall not be construed so as to impair the effectiveness of any rule or policy of either of the prior plans, projects, policies, and programs and any such rule or policy shall remain effective as provided therein or until changed in accordance with law. This Act shall not be construed so as to impair the contractual or other obligations of either of the prior plans, projects, policies, and programs or of the state of Louisiana. All obligations of the prior plans, projects, policies, and programs shall be the obligations of the new office or the authority. The new office or the authority shall be the successor in every way to the prior plans, projects, policies, and programs, including all of their obligations and debts. All dedications and allocations of revenues and sources of revenues heretofore made to or for either of the prior plans, projects, policies, and programs 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 therefor. All books, papers, records, money, actions, and other property of every kind, movable and immovable, real and personal, heretofore possessed, controlled, or used by either of the prior plans, projects, policies, and programs are hereby transferred to the new office or the authority. All employees heretofore engaged in the performance of duties of the prior plans, projects, policies, and programs, insofar as practicable and necessary, are transferred to the new office and insofar as practicable and necessary shall continue to perform the duties heretofore performed, subject to policies and procedures of the new office, applicable state civil service laws, rules, and regulations, and other applicable laws. Subject to such laws, positions in the unclassified service shall remain in the unclassified service."

AMENDMENT NO. 7

On page 70, line 24, change "Section 10" to "Section 11"

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

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

Motion

Rep. Connick moved to reconsider the vote by which House Bill No. 833 was recommitted to the Committee on Transportation, Highways and Public Works.

Rep. Hutter objected.

Page 40 HOUSE

16th Day's Proceedings - May 20, 2009

By a vote of 27 yeas and 55 nays, the House refused to reconsider the vote by which House Bill No. 833 was recommitted to the Committee on Transportation, Highways and Public Works.

HOUSE BILL NO. 837— BY REPRESENTATIVE MILLS AND SENATOR WALSWORTH AN ACT

To amend and reenact R.S. 28:21(A) and (B) and 771(A) and (B)(5)(c) and R.S. 36:251(C)(1) and 258 (C), to enact R.S. 28:4 and 771(B)(9) and (10), and to repeal R.S. 28:21(E) and R.S. 36:258(E), relative to the office of behavioral health; to provide for the office of behavioral health in the Department of Health and Hospitals; to provide for the office's purposes and functions; to provide for an implementation advisory committee and its membership; to dissolve the office of mental health and office for addictive disorders and transfer relevant purposes and functions to the office of behavioral health; to provide for copayments; to provide for appropriations; 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. 837 by Representative Mills

AMENDMENT NO. 1

On page 3, line 22, delete " * * * "

AMENDMENT NO. 2

On page 4, between lines 17 and 18, insert " * * * "

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Mills to Engrossed House Bill No. 837 by Representative Mills

AMENDMENT NO. 1

On page 3, line 23, after "C." insert the following:

"The implementation advisory committee shall have the authority to create subcommittees to assist in the development of recommendations for consolidation of the administrative offices for mental health and addictive disorders."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Anders Badon, B. Franklin Gallot Monica Montoucet

Baldone Barras Barrow Billiot Burford Burns, H. Burns, T. Burrell Carmody Carter Champagne Chaney Cortez Cromer Danahay Dixon Doerge Dove Downs Edwards Ernst Foil Geymann Gisclair Greene Guillory, M. Guinn Harrison Henderson Henry Hoffmann Howard Hutter Jones, S. Katz LaBruzzo Lambert Landry LeBas Ligi Little Lopinto McVea Mills Morris Norton Nowlin Pearson Ponti Pugh Richard Ritchie Schroder Simon Smiley Smith, G. Smith, J. St. Germain Talbot Templet Waddell White Williams Willmott Wooton

Total - 71

NAYS

Abramson Armes Arnold Badon, A. Brossett Chandler Connick Ellington Hill Hines Honey Jackson G. Jackson M. Johnson Jones, R. LaFonta Leger Perry Peterson Pope Richardson Richmond Robideaux Roy Smith, P. Stiaes Thibaut

Total - 27

ABSENT

Mr. Speaker Aubert Fannin Hardy Hazel Kleckley

Total - 6

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Consent to Correct a Vote Record

Rep. St. Germain requested the House consent to record her vote on final passage of House Bill No. 837 as yea, which consent was unanimously granted.

HOUSE BILL NO. 852— BY REPRESENTATIVE SMILEY AN ACT

To amend and reenact R.S. 8:673, 676, 677, 678(A)(introductory paragraph), 679(A), (B)(introductory paragraph), (C), and (D), 680, and 681, R.S. 17:17.1(C)(1), R.S. 17:407.4(C), (D), and (E) and 3398.2, R.S. 28:821(D), R.S. 36:3(2), 301(A), and 913(A), R.S. 40:2109(C), R.S. 46:2623(B) and (D), R.S. 48:55 and 2065(3), R.S. 49:149.62(B) and 968(B)(3)(a), R.S. 51:912.51, 912.52, 935.1(A)(1)(a), (B)(1), and (D), 2452(A)(introductory paragraph), and 2453(2)(d), and Article XIV, Section 47(P)(3) of the Constitution of 1921, continued as statute by Article XIV, Section 16 of the Constitution of 1974, and to repeal R.S. 8:675, R.S. 17:24.4(J), 66.1, 407.1(4), 407.3, and 3951(B)(13), R.S. 36:4(Q) and (V), 209(C)(1) and (H)(3), 259(I)(2), (K), (R), and (T), 309(E) and (F), 651(V) and (W), and 805, R.S. 41:1602, R.S. 42:456.2, R.S. 46:2622(2) and 2624, R.S. 49:149.62(C),

and R.S. 51:955.3(F) and Chapter 39-A of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:2375 through 2383, relative to boards commissions, authorities, districts, and like entities; to abolish certain inactive boards, commissions, authorities, and like entities; to remove references to certain abolished entities; to remove references to, provisions for, and the powers, functions, and duties of the Adult Learning Task Force, the Educational Assessment Testing Commission, the Interim school board for Central Community School System, the Louisiana Home Instruction for Preschool Youngsters Advisory Board, the Process Technology Advisory Board, the A. Z. Young Memorial Commission, the Archaeology Survey and Antiquities Commission, the Louisiana Unmarked Burial Sites Board, the Disability Services and Supports System Planning Group, the Statewide Health Coordinating Council, the Louisiana Medical Assistance Trust Fund Advisory Council, the Minority Health Affairs Commission, the Louisiana Economic Development Council and Cabinet Advisory Group on Economic Development, the Manufactured Housing State Administrative Agency, the Uniform Payroll Insurance Committee, and the Economic Development Funding Board; to provide for certain technical corrections regarding placement of boards and commissions in the Executive Reorganization Act; 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. 852 by Representative Smiley

AMENDMENT NO. 1

On page 1, line 3, following "681," and before "R.S." delete "R.S. 17:17.1(C)(1),"

AMENDMENT NO. 2

On page 15, line 11, following "Section" delete "the remainder of the line, delete lines 12 through 20 in their entirety, and on line 21, delete "(B)"

AMENDMENT NO. 3

On page 16, line 10, before "them" change "administer" to "administers"

AMENDMENT NO. 4

On page 22, line 3, before "509(L)" insert "36:"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Smiley to Engrossed House Bill No. 852 by Representative Smiley

AMENDMENT NO. 1

On page 1, line 4, after "and (E)" insert a comma "," and delete "and 3398.2,"

AMENDMENT NO. 2

On page 1, line 5, after "48:55" insert a comma "," and delete "and 2065(3),"

AMENDMENT NO. 3

On page 1, line 20, delete "the Process Technology Advisory Board,"

AMENDMENT NO. 4

On page 3, delete line 8 through 29 and on page 4, delete lines 1 through 25

AMENDMENT NO. 5

On page 4, at the beginning of line 27, change "Section 6.(A)" to "Section 5.(A)"

AMENDMENT NO. 6

On page 5, at the beginning of line 10, change "Section 7.(A)" to "Section 6.(A)"

AMENDMENT NO. 7

On page 7, at the beginning of line 6, change "Section 8.(A)" to "Section 7.(A)"

AMENDMENT NO. 8

On page 13, at the beginning of line 15, change "Section 9." to "Section 8."

AMENDMENT NO. 9

On page 13, at the beginning of line 26, change "Section 10.(A)" to "Section 9.(A)"

AMENDMENT NO. 10

On page 14, at the beginning of line 19, change "Section 11.(A)" to "Section 10.(A)"

AMENDMENT NO. 11

On page 15, at the beginning of line 8, change "Section 12." to "Section 11."

AMENDMENT NO. 12

Delete House Floor Amendment No. 2 proposed by Representative Waddell on behalf of the Legislative Bureau and adopted by the House of Representatives on May 20, 2009

AMENDMENT NO. 13

On page 15, line 11, after "Section" delete the remainder of the line and delete lines 12 through 20 and at the beginning of line 21, delete "(B)" and insert "12.(A)"

AMENDMENT NO. 14

In House Floor Amendment No. 3 proposed by Representative Waddell on behalf of the Legislative Bureau and adopted by the House of Representatives on May 20, 2009, on page 1, at the end of line 7, change "'administers'" to "'administers'"

AMENDMENT NO. 15

On page 18, at the beginning of line 1, change "(C)" to "(B)"

AMENDMENT NO. 16

On page 18, at the beginning of line 5, change "Section 14." to "Section 13."

AMENDMENT NO. 17

On page 20, at the beginning of line 10, change "Section 15." to "Section 14."

AMENDMENT NO. 18

On page 21, at the beginning of line 2, change "Section 16." to "Section 15."

AMENDMENT NO. 19

On page 21, at the beginning of line 4, change "Section 17.(A)" to "Section 16.(A)"

AMENDMENT NO. 20

On page 22, at the beginning of line 10, change "Section 18." to "Section 17."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Rosalind Jones to Engrossed House Bill No. 852 by Representative Smiley

AMENDMENT NO. 1

On page 1, line 5, after "913(A)," and before "R.S." insert "R.S. 37:2551 and 2552(A),"

AMENDMENT NO. 2

On page 2, line 10, after "Act;" and before "and to" insert "to provide relative to the Board of Examiners of Certified Shorthand Reporters;"

AMENDMENT NO. 3

On page 22, after line 13, insert the following:

"Board of Examiners of Certified Shorthand Reporters

Section 18.(A) R.S. 37:2551 and 2552(A) are hereby amended and reenacted to read as follows:

§2551. Creation of board of examiners; purposes; membership; expenses

A. There is hereby created a Board of Examiners of Certified Shorthand Reporters within the office of the governor for the purpose of encouraging proficiency in the practice of shorthand reporting as a profession, promoting efficiency in court and general reporting, and extending to the courts and to the public the protection afforded by a standardized profession by establishing a standard of competency for those persons engaged in it.

B. Within thirty days from the effective date of this Section, the governor shall appoint nine persons to membership on the board of examiners. Each appointment by the governor shall be submitted to the Senate for confirmation. (1) The board shall be comprised as follows:

(a) Four members shall be appointed by the Supreme Court of Louisiana. One of the members shall be a judge, and three of the members shall be certified shorthand reporters.

(b) Three members shall be appointed by the governor, subject to confirmation by the Senate. Each member shall be a certified shorthand reporter.

(c) One member shall be appointed by the speaker of the House of Representatives. The member shall be an attorney.

(d) One member shall be appointed by the president of the Senate. The member shall be an attorney.

(2) A vacancy on the board shall be filled in the same manner as the original appointment.

~~C. Six appointees shall be certified shorthand reporters, two appointees shall be attorneys, and one appointee shall be a judge. Excluding the judge, effective January 1, 1993, one appointee shall be appointed from each congressional district and one appointee shall be appointed from the state at large.~~

~~D. C.~~ Each member of the board shall receive a per diem at the rate of seventy-five dollars for each day in actual attendance at a regular or special meeting. However, no member shall receive per diem for more than twelve special meetings actually attended per year. Members shall also be allowed necessary expenses incurred in the performance of their duties as members of the board.

§2552. Terms of office

A. Members of the board of examiners shall be appointed by the governor for three year terms, except that any member appointed to fill a vacancy occurring prior to the expiration of the term shall be appointed for the remainder of such term only. ~~Effective January 1, 1987, the terms of those members serving on the board shall terminate, and the governor shall designate three members of the board to serve terms of one year each, three other members of the board to serve terms of two years each, and the three remaining members of the board to serve terms of three years each. Thereafter, persons appointed to the board shall serve terms of three years duration.~~ Members of the board shall continue in office until their successors are appointed and qualified.

* * *

(B) Members of the board serving on the effective date of this Act shall serve the remainder of their terms. Each initial vacancy on the board shall be filled as provided in this Subsection. The Supreme Court of Louisiana shall appoint members to fill the first four vacancies. The governor shall appoint members to fill the next three vacancies. The speaker of the House of Representatives shall appoint a member to fill the next vacancy. The president of the Senate shall appoint a member to fill the final vacancy."

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

Rep. Smiley 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	Hazel	Peterson
Barras	Henderson	Ponti
Barrow	Henry	Pope
Billiot	Hill	Pugh
Brossett	Hines	Richard
Burford	Hoffmann	Richardson
Burns, H.	Honey	Richmond
Burns, T.	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	St. Germain
Danahay	LaBruzzo	Stiaes
Dixon	LaFonta	Talbot
Doerge	Lambert	Templet
Downs	Landry	Thibaut
Edwards	LeBas	Waddell
Ellington	Leger	White
Ernst	Ligi	Williams
Fannin	Lopinto	Willmott
Foil	McVea	Wooton

Total - 99

NAYS

Total - 0

ABSENT

Burrell	Harrison	Ritchie
Dove	Little	

Total - 5

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 96—
BY REPRESENTATIVE PEARSON
AN ACT

To enact R.S. 11:247, 446(A)(6), and 783(A)(4), relative to state and statewide retirement systems; to provide relative to cost-of-living adjustments; to permit the selection of a retirement option that would provide for automatic cost-of-living adjustments subject to an actuarial reduction of benefits; and to provide for related matters.

Read by title.

Rep. Pearson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Franklin	McVea
Abramson	Gallot	Mills
Anders	Geymann	Monica
Armes	Gisclair	Montoucet
Arnold	Greene	Morris

Aubert	Guillory, M.	Norton
Badon, A.	Guinn	Nowlin
Badon, B.	Hardy	Pearson
Baldone	Hazel	Perry
Barras	Henderson	Peterson
Barrow	Henry	Ponti
Billiot	Hill	Pope
Brossett	Hines	Pugh
Burford	Hoffmann	Richardson
Burns, H.	Honey	Richmond
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.
Connick	Katz	Smith, P.
Cortez	Kleckley	St. Germain
Cromer	LaBruzzo	Stiaes
Danahay	LaFonta	Talbot
Dixon	Lambert	Templet
Doerge	Landry	Thibaut
Downs	LeBas	Waddell
Edwards	Leger	White
Ellington	Ligi	Williams
Foil	Lopinto	Willmott

Total - 96

NAYS

Total - 0

ABSENT

Dove	Harrison	Ritchie
Ernst	Little	Wooton
Fannin	Richard	

Total - 8

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Pearson 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. 112—
BY REPRESENTATIVE MONTOU CET
AN ACT

To amend and reenact R.S. 11:701(33)(a)(x) and (xi) and (b)(v) and to enact R.S. 11:701(33)(a)(xii), relative to the Teachers' Retirement System of Louisiana; to provide that membership in such system includes certain foreign teachers who are teaching in Louisiana on J visas; and to provide for related matters.

Read by title.

Rep. Montoucet moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Foil	McVea
Abramson	Franklin	Mills
Anders	Gallot	Monica
Armes	Geymann	Montoucet
Arnold	Gisclair	Morris
Aubert	Greene	Norton
Badon, A.	Guillory, M.	Nowlin

Page 44 HOUSE

16th Day's Proceedings - May 20, 2009

Badon, B.	Guinn	Pearson
Baldone	Hardy	Perry
Barras	Harrison	Ponti
Barrow	Hazel	Pope
Billiot	Henderson	Pugh
Brossett	Henry	Richard
Burford	Hill	Richardson
Burns, H.	Hines	Ritchie
Burns, T.	Hoffmann	Robideaux
Burrell	Howard	Roy
Carmody	Hutter	Schroder
Carter	Jackson G.	Simon
Champagne	Jackson M.	Smith, G.
Chandler	Johnson	Smith, J.
Chaney	Jones, R.	Smith, P.
Connick	Jones, S.	St. Germain
Cortez	Kleckley	Stiaes
Cromer	LaBruzzo	Talbot
Danahay	LaFonta	Templet
Dixon	Lambert	Thibaut
Doerge	Landry	Waddell
Downs	LeBas	White
Edwards	Leger	Williams
Ellington	Ligi	Willmott
Ernst	Little	
Fannin	Lopinto	
Total - 97		

NAYS

Richmond
Total - 1

ABSENT

Dove	Katz	Smiley
Honey	Peterson	Wooton
Total - 6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 187—
BY REPRESENTATIVE PATRICIA SMITH
AN ACT

To amend and reenact R.S. 17:3973(2)(b)(iii) and (iv), relative to the creation of Type 3 and Type 4 charter schools; to provide relative to the approval by certain persons of a proposal to create a Type 3 or Type 4 charter school by means of converting a preexisting public school; to provide relative to attendance at such schools; to provide an effective date; and to provide for related matters.

Read by title.

Rep. Patricia Smith moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	McVea
Abramson	Foil	Mills
Anders	Gallot	Monica
Armes	Geymann	Montoucet
Arnold	Gisclair	Morris
Aubert	Greene	Norton
Badon, A.	Guillory, M.	Nowlin

Badon, B.	Guinn	Pearson
Baldone	Hardy	Perry
Barras	Hazel	Peterson
Barrow	Henderson	Ponti
Billiot	Henry	Pope
Brossett	Hill	Richard
Burford	Hines	Richardson
Burns, H.	Hoffmann	Richmond
Burns, T.	Honey	Ritchie
Burrell	Howard	Robideaux
Carmody	Hutter	Schroder
Carter	Jackson G.	Smiley
Champagne	Jackson M.	Smith, G.
Chandler	Jones, R.	Smith, J.
Chaney	Jones, S.	St. Germain
Connick	Katz	Stiaes
Cortez	Kleckley	Talbot
Cromer	LaBruzzo	Templet
Danahay	LaFonta	Thibaut
Dixon	Lambert	Waddell
Doerge	LeBas	White
Downs	Leger	Williams
Edwards	Ligi	Willmott
Ellington	Little	Wooton
Ernst	Lopinto	
Total - 95		

NAYS

Total - 0

ABSENT

Dove	Johnson	Roy
Franklin	Landry	Simon
Harrison	Pugh	Smith, P.
Total - 9		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Patricia 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.

Speaker Tucker in the Chair

HOUSE BILL NO. 290—
BY REPRESENTATIVE DOERGE
AN ACT

To enact R.S. 11:446(G), relative to the Louisiana State Employees' Retirement System; to allow for a change in beneficiary in certain circumstances and in relation to certain supplemental benefits; to provide for 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	Doerge	Leger
Abramson	Edwards	Little
Anders	Ellington	Lopinto
Armes	Gallot	McVea
Badon, A.	Gisclair	Monica

Badon, B.	Hazel	Norton
Baldone	Hill	Richmond
Barrow	Hines	Roy
Burford	Howard	Smith, G.
Burns, H.	Hutter	Smith, J.
Burrell	Jackson G.	St. Germain
Carmody	Johnson	Waddell
Cromer	LeBas	Williams
Total - 39		

NAYS

Arnold	Foil	Mills
Aubert	Franklin	Nowlin
Barras	Greene	Pearson
Billiot	Guinn	Perry
Brossett	Hardy	Peterson
Burns, T.	Harrison	Ponti
Carter	Henderson	Pope
Champagne	Henry	Richard
Chandler	Hoffmann	Ritchie
Chaney	Honey	Robideaux
Connick	Jackson M.	Schroder
Cortez	Jones, R.	Simon
Danahay	Katz	Smiley
Dixon	Kleckley	Talbot
Downs	LaFonta	Templet
Ernst	Landry	Thibaut
Fannin	Ligi	Willmott
Total - 51		

ABSENT

Dove	Lambert	Smith, P.
Geymann	Montoucet	Stiaes
Guillory, M.	Morris	White
Jones, S.	Pugh	Wooton
LaBruzzo	Richardson	
Total - 14		

The Chair declared the above bill failed to pass.

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

HOUSE BILL NO. 368—

BY REPRESENTATIVES BURRELL, AUBERT, AUSTIN BADON, BARROW, DIXON, ELLINGTON, HARDY, HAZEL, HINES, GIROD JACKSON, MICHAEL JACKSON, KATZ, LAFONTA, LEBAS, LIGI, PATRICIA SMITH, ST. GERMAIN, AND WILLMOTT

AN ACT

To amend and reenact R.S. 26:901(10) through (16) and to enact R.S. 26:901(17) and 910.1, relative to smoking tobacco and tobacco products; to provide for definitions; to prohibit the sale or delivery of smoking tobacco and tobacco products through a self-service display; to provide for exceptions; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Abramson to Engrossed House Bill No. 368 by Representative Burrell

AMENDMENT NO. 1

On page 1, line 3, after "relative to" and before "tobacco products;" delete "smoking tobacco and"

AMENDMENT NO. 2

On page 1, line 4, after "of" and before "tobacco products" delete "smoking tobacco and"

AMENDMENT NO. 3

On page 1, at the end of line 13 delete "smoking tobacco" and at the beginning of line 14, delete "and"

AMENDMENT NO. 4

On page 1, at the end of line 15, delete "smoking tobacco and"

AMENDMENT NO. 5

On page 1, at the beginning of line 17, delete "smoking tobacco and"

AMENDMENT NO. 6

On page 3, line 3, after "receiving" and before "tobacco products" delete "smoking tobacco and"

AMENDMENT NO. 7

On page 3, line 4, after "of" and before "tobacco products" delete "smoking tobacco and"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Foil	Little
Abramson	Franklin	Lopinto
Anders	Gallot	Mills
Armes	Gisclair	Monica
Arnold	Greene	Montoucet
Aubert	Guillory, M.	Morris
Badon, A.	Guinn	Norton
Baldone	Hardy	Nowlin
Barras	Hazel	Pearson
Barrow	Henderson	Perry
Billiot	Henry	Pugh
Brossett	Hill	Richard
Burford	Hines	Richardson
Burns, H.	Hoffmann	Ritchie
Burns, T.	Honey	Robideaux
Burrell	Howard	Roy
Carmody	Hutter	Schroder
Carter	Jackson G.	Simon
Champagne	Jackson M.	Smith, G.
Chandler	Johnson	Smith, J.
Chaney	Jones, R.	Smith, P.
Connick	Jones, S.	St. Germain
Cortez	Katz	Stiaes
Cromer	Kleckley	Talbot
Danahay	LaBruzzo	Templet
Dixon	LaFonta	Thibaut
Downs	Lambert	Waddell
Edwards	Landry	White
Ellington	LeBas	Williams
Ernst	Leger	Willmott
Fannin	Ligi	Wooton
Total - 93		

Page 46 HOUSE

16th Day's Proceedings - May 20, 2009

NAYS

Badon, B.	McVea	Richmond
Doerge	Pope	Smiley
Total - 6		

ABSENT

Dove	Harrison	Ponti
Geymann	Peterson	
Total - 5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Burrell 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.

Acting Speaker Jane Smith in the Chair

HOUSE BILL NO. 503—
BY REPRESENTATIVE MONTOUCET
AN ACT

To amend and reenact R.S. 33:4574(B)(1), 4574.1.1(A)(1), and 4574.2(G) and to enact R.S. 33:4574.2(H) and 4574.17, relative to the Acadia Parish Convention and Visitors Bureau; to change the name to the Acadia Parish Convention and Visitors Commission; to provide for additional powers of the commission relative to debt, funds, property, and contracting; to authorize the commission to issue bonds and certificates of indebtedness; 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. 503 by Representative Montoucet

AMENDMENT NO. 1

On page 2, line 22, following "may" and before "from" change "only borrow" to "borrow only"

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

Rep. Montoucet 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.	Harrison	Pearson
Baldone	Hazel	Peterson
Barras	Henderson	Ponti
Barrow	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	Smiley
Chaney	Jones, R.	Smith, G.
Connick	Jones, S.	Smith, J.
Cortez	Katz	Smith, P.
Cromer	Kleckley	St. Germain
Danahay	LaBruzzo	Stiaes
Dixon	LaFonta	Talbot
Doerge	Lambert	Templet
Downs	Landry	Thibaut
Edwards	LeBas	Waddell
Ellington	Leger	White
Ernst	Ligi	Williams
Fannin	Little	Willmott
Foil	Lopinto	Wooton
Total - 99		

NAYS

Total - 0

ABSENT

Billiot	Hardy	Ritchie
Dove	Perry	
Total - 5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Speaker Tucker in the Chair

HOUSE BILL NO. 558—
BY REPRESENTATIVES BILLIOT, LABRUZZO, LIGI, LOPINTO,
TALBOT, AND WILLMOTT AND SENATORS MARTINY AND MORRELL
AN ACT

To amend and reenact R.S. 48:711, relative to immovable property in the parish of Jefferson; to authorize and provide for the disposal of immovable property by the municipalities within such parish; and to provide for related matters.

Read by title.

Rep. Billiot 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	Montoucet
Arnold	Gisclair	Morris
Aubert	Guillory, M.	Norton
Badon, A.	Guinn	Nowlin
Badon, B.	Hardy	Pearson
Baldone	Harrison	Perry
Barras	Hazel	Peterson
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	Smith, G.
Chaney	Jones, R.	Smith, J.
Connick	Jones, S.	Smith, P.
Cortez	Katz	St. Germain
Cromer	Kleckley	Stiaes
Danahay	LaBruzzo	Talbot
Dixon	LaFonta	Templet
Doerge	Lambert	Thibaut
Downs	Landry	Waddell
Edwards	LeBas	White
Ellington	Leger	Williams
Ernst	Ligi	Willmott
Fannin	Little	Wooton

Total - 99

NAYS

Total - 0

ABSENT

Dove	Monica	Smiley
Greene	Ponti	

Total - 5

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Billiot 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. 570—

BY REPRESENTATIVES HOFFMANN, HENRY BURNS, CHAMPAGNE, CORTEZ, DOVE, FOIL, LITTLE, PERRY, PUGH, ROBIDEAUX, SIMON, SMILEY, JANE SMITH, AND THIBAUT AND SENATORS APPEL, CROWE, DUPLESSIS, KOSTELKA, MICHOT, SMITH, AND WALSWORTH

AN ACT

To enact R.S. 17:81(Q) and 3996(B)(21), to require the governing authority of a public elementary or secondary school to formulate, develop, adopt, and implement policies, procedures, and practices applicable to school employees relative to electronic communications by an employee at a school to a student at that school; to provide policy guidelines and requirements; to provide limitations and exceptions; to provide that the occurrence of certain electronic communications be reported by the school employee; to provide for immunity from civil liability; to provide an effective date; and to provide for related matters.

Read by title.

Rep. Hoffmann moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Edwards	McVea
Abramson	Ellington	Mills
Anders	Ernst	Monica
Armes	Fannin	Morris
Arnold	Foil	Nowlin
Aubert	Gallot	Pearson
Badon, A.	Geymann	Perry

Badon, B.	Gisclair	Ponti
Baldone	Greene	Pope
Barras	Hazel	Pugh
Barrow	Henderson	Richard
Billiot	Henry	Richardson
Brossett	Hill	Richmond
Burford	Hoffmann	Ritchie
Burns, H.	Honey	Robideaux
Burns, T.	Howard	Roy
Burrell	Hutter	Schroder
Carmody	Jackson G.	Simon
Carter	Johnson	Smith, G.
Champagne	Jones, S.	Smith, J.
Chandler	Katz	St. Germain
Chaney	Kleckley	Talbot
Connick	LaBruzzo	Templet
Cortez	LaFonta	Thibaut
Cromer	Lambert	Waddell
Danahay	LeBas	White
Dixon	Ligi	Williams
Doerge	Little	Willmott
Downs	Lopinto	Wooton

Total - 87

NAYS

Franklin	Landry	Smith, P.
Hines	Norton	Stiaes
Jackson M.	Peterson	

Total - 8

ABSENT

Dove	Hardy	Leger
Guillory, M.	Harrison	Montoucet
Guinn	Jones, R.	Smiley

Total - 9

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Hoffmann 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. 586—

BY REPRESENTATIVES DOERGE, CORTEZ, HENDERSON, HOFFMANN, LAFONTA, MONTOU CET, POPE, AND ROBIDEAUX AND SENATORS CROWE, B. GAUTREAUX, AND KOSTELKA

AN ACT

To enact R.S. 11:542.1.1 and 883.3, relative to the Louisiana State Employees' Retirement System and the Teachers' Retirement System of Louisiana; to provide a minimum benefit increase to certain retirees, beneficiaries, and survivors; to provide for funding; 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

Abramson	Ernst	Montoucet
Anders	Foil	Nowlin
Armes	Gisclair	Perry
Badon, B.	Guillory, M.	Ponti
Baldone	Guinn	Pope

Barras	Harrison	Pugh
Burford	Hazel	Richard
Burns, H.	Henderson	Richardson
Burrell	Hill	Ritchie
Carmody	Hines	Robideaux
Carter	Hoffmann	Roy
Champagne	Howard	Smiley
Chandler	Johnson	Smith, G.
Chaney	Jones, S.	Smith, J.
Cortez	Katz	Smith, P.
Danahay	Landry	St. Germain
Dixon	LeBas	Thibaut
Doerge	Leger	Waddell
Downs	Little	White
Edwards	McVea	Willmott
Ellington	Mills	Wooton
Total - 63		

NAYS

Mr. Speaker	Geymann	Schroder
Arnold	Greene	Simon
Billiot	Henry	Talbot
Connick	Ligi	Templet
Cromer	Lopinto	
Fannin	Pearson	
Total - 16		

ABSENT

Aubert	Honey	Monica
Badon, A.	Hutter	Morris
Barrow	Jackson G.	Norton
Brossett	Jackson M.	Peterson
Burns, T.	Jones, R.	Richmond
Dove	Kleckley	Stiaes
Franklin	LaBruzzo	Williams
Gallot	LaFonta	
Hardy	Lambert	
Total - 25		

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.

Consent to Correct a Vote Record

Rep. Anders requested the House consent to correct his vote on final passage of House Bill No. 586 from nay to yea, which consent was unanimously granted.

Consent to Correct a Vote Record

Rep. Nowlin requested the House consent to correct his vote on final passage of House Bill No. 586 from nay to yea, which consent was unanimously granted.

Consent to Correct a Vote Record

Rep. Willmott requested the House consent to correct his vote on final passage of House Bill No. 586 from nay to yea, which consent was unanimously granted.

Withdrawal of Notice of Intention to Call

Rep. Montoucet withdrew his notice of intention to call House Bill No. 756 from the calendar for future action.

HOUSE BILL NO. 590—

BY REPRESENTATIVES BARROW AND PATRICIA SMITH
AN ACT

To amend and reenact R.S. 17:238, relative to the placement in school and education of certain children; to require the governing authority of each public elementary and secondary school to enact a policy ensuring that children in foster care may remain enrolled in certain schools; to require that such governing authorities and the Department of Social Services provide transportation to and from school for certain children in foster care under certain circumstances; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Barrow moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Franklin	Montoucet
Abramson	Gallot	Morris
Anders	Geymann	Nowlin
Armes	Gisclair	Pearson
Arnold	Greene	Perry
Badon, A.	Guillory, M.	Peterson
Badon, B.	Hardy	Ponti
Baldone	Hazel	Pope
Barras	Henry	Pugh
Barrow	Hill	Richard
Billiot	Hines	Richardson
Brossett	Hoffmann	Richmond
Burford	Honey	Ritchie
Burns, H.	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	LaFonta	St. Germain
Danahay	Lambert	Stiaes
Dixon	Landry	Talbot
Doerge	LeBas	Templet
Downs	Leger	Thibaut
Edwards	Ligi	Waddell
Ellington	Little	White
Ernst	Lopinto	Williams
Fannin	Mills	Willmott
Foil	Monica	Wooton
Total - 93		

NAYS

Harrison
Total - 1

ABSENT

Aubert	Guinn	McVea
Burns, T.	Henderson	Norton
Burrell	Kleckley	
Dove	LaBruzzo	
Total - 10		

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.

HOUSE BILL NO. 593—
BY REPRESENTATIVE BILLIOT

AN ACT

To enact R.S. 33:2955(A)(1)(j), relative to investments by political subdivisions; to provide for investment in debt instruments issued by the state; to provide for investment in debt instruments issued by other political subdivisions; to provide restrictions on such types of investment; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 612—

BY REPRESENTATIVES FANNIN, ANDERS, CHAMPAGNE, CHANDLER, CHANEY, ELLINGTON, GALLOT, GEYMAN, HOFFMANN, SAM JONES, LAMBERT, LEBAS, LEGER, LITTLE, MCVEA, MORRIS, NOWLIN, POPE, RITCHIE, GARY SMITH, JANE SMITH, AND ST. GERMAIN AND SENATORS KOSTELKA, LONG, RISER, AND WALSWORTH

AN ACT

To amend and reenact R.S. 17:183.1, 183.2, and 183.3 and to repeal R.S. 17:183.4, 183.6, 183.7, 183.8, and 183.9, relative to curricula; to provide relative to high school career option programs; to provide relative to career major programs; to provide relative to a career diploma; to provide relative to program, course, and curriculum approval; to provide for waivers; to provide relative to program participation eligibility criteria; to provide relative to individual graduation plans; to provide for an effective date; and to provide for related matters.

Read by title.

Acting Speaker Henry Burns in the Chair

Suspension of the Rules

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

Speaker Tucker in the Chair

Motion

Rep. Jane Smith moved the previous question be ordered on the entire subject matter.

Rep. Michael Jackson objected.

By a vote of 62 yeas and 22 nays, the House agreed to order the previous question on the entire subject matter.

Rep. Fannin 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	Montoucet
Arnold	Greene	Morris
Aubert	Guillory, M.	Norton
Badon, A.	Guinn	Nowlin
Baldone	Hardy	Pearson

Barras	Harrison	Perry
Barrow	Hazel	Peterson
Billiot	Henderson	Ponti
Brossett	Henry	Pope
Burford	Hill	Pugh
Burns, H.	Hines	Richard
Burns, T.	Hoffmann	Richardson
Carmody	Honey	Ritchie
Carter	Howard	Robideaux
Champagne	Hutter	Roy
Chandler	Jackson G.	Schroder
Chaney	Johnson	Simon
Connick	Jones, R.	Smiley
Cortez	Jones, S.	Smith, G.
Cromer	Katz	Smith, J.
Danahay	Kleckley	Smith, P.
Dixon	LaBruzzo	St. Germain
Doerge	Lambert	Talbot
Downs	Landry	Templet
Ellington	LeBas	Thibaut
Ernst	Leger	White
Fannin	Ligi	Williams
Foil	Little	Willmott
Franklin	Lopinto	Wooton
Total - 93		

NAYS

Burrell	LaFonta	Stiaes
Jackson M.	Richmond	
Total - 5		

ABSENT

Armes	Dove	Monica
Badon, B.	Edwards	Waddell
Total - 6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Speaker Pro Tempore Peterson in the Chair

HOUSE BILL NO. 593—
BY REPRESENTATIVE BILLIOT
AN ACT

To enact R.S. 33:2955(A)(1)(j), relative to investments by political subdivisions; to provide for investment in debt instruments issued by the state; to provide for investment in debt instruments issued by other political subdivisions; to provide restrictions on such types of investment; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Tucker to Engrossed House Bill No. 593 by Representative Billiot

AMENDMENT NO. 1

On page 1, at the end of line 20, delete the period "." and add "and have a final maturity of no more than three years."

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

Speaker Tucker in the Chair

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 92

NAYS

Total - 0

ABSENT

Badon, B.	Guinn	Monica
Dove	Harrison	Richmond
Edwards	Jackson M.	Smith, J.
Greene	Kleckley	Smith, P.

Total - 12

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Suspension of the Rules

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

Petitions, Memorials and Communications

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

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

May 20, 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. 129
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

**ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

May 20, 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 No. 76

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

SIGNED SENATE CONCURRENT RESOLUTIONS

May 20, 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. 40, 51, 52, 53, 54, 55, 58, 59, 60, 61, and 63

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

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

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

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

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

HOUSE CONCURRENT RESOLUTION NO. 131—
BY REPRESENTATIVE PATRICIA SMITH AND SENATOR BROOME
A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to develop and adopt policies detailing all of the options and intervention strategies available to schools that are in danger of being taken over by the state and placed under the jurisdiction of the Recovery School District and to submit a written report on the status of such policies.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 132—
BY REPRESENTATIVE MONTOU CET
A CONCURRENT RESOLUTION

To urge and request the city of Rayne and the state of Louisiana to continue to study the feasibility of construction of an additional interchange along Interstate 10 at Louisiana Highway 98 in Acadia Parish.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 133—
BY REPRESENTATIVE MONTOU CET
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to provide members of the legislature the opportunity to have increased input in the implementation of the annual Highway Priority Program.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 134—
BY REPRESENTATIVES HUTTER AND TUCKER
A CONCURRENT RESOLUTION

To recognize June 8, 2009, as "Ports' Day" at the legislature and to commend Louisiana ports for their contributions to the state.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 135—
BY REPRESENTATIVE PATRICIA SMITH
A CONCURRENT RESOLUTION

To commend Charlotte D. Placide upon her retirement as superintendent of the East Baton Rouge Parish School System, to recognize and record her myriad accomplishments and remarkable contributions, and to extend to her the best wishes of the legislature as she embarks upon new challenges and endeavors.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 136—
BY REPRESENTATIVE MILLS
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to repair and make improvements to the drawbridge in the city of Breaux Bridge located on Louisiana Highway 336-1 in the parish of St. Martin.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 137—
BY REPRESENTATIVE ROSALIND JONES
A CONCURRENT RESOLUTION

To direct the office of financial institutions to promulgate rules regarding notices and educational materials for the payday loan industry.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 138—
BY REPRESENTATIVE ELLINGTON
A CONCURRENT RESOLUTION

To recognize Wednesday, June 3, 2009, as 4-H Day at the Louisiana State Capitol and to commend 4-H members and volunteers throughout the state for their outstanding accomplishments and manifold contributions to their communities.

Read by title.

Lies over under the rules.

Reports of Committees

The following reports of committees were received and read:

**Report of the Committee on
Ways and Means**

May 20, 2009

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on May 19, 2009, I am directed by your Committee on Ways and Means to submit the following report:

House Bill No. 769, by Smith, Jane
Reported with amendments. (19-0) (Regular)

House Bill No. 819, by Greene
Reported favorably. (12-0) (Regular)

House Bill No. 882, by Greene
Reported favorably. (13-0) (Regular)

HUNTER V. GREENE
Chairman

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

May 20, 2009

To the Speaker and Members of the House of Representatives:

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

House Concurrent Resolution No. 109, by Chandler
Reported favorably. (15-0)

House Bill No. 544, by Ritchie
Reported with amendments. (13-0) (Regular)

House Bill No. 711, by Ritchie
Reported with amendments. (13-0) (Regular)

Senate Concurrent Resolution No. 49, by Long
Reported favorably. (15-0)

Senate Bill No. 154, by Thompson
Reported favorably. (11-0) (Regular)

JOHN F. "ANDY" ANDERS
Chairman

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

**Report of the Committee on
Judiciary**

May 20, 2009

To the Speaker and Members of the House of Representatives:

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

House Bill No. 866, by Connick
Reported with amendments. (10-3-1) (Regular)

CEDRIC L. RICHMOND
Chairman

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

May 20, 2009

To the Speaker and Members of the House of Representatives:

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

House Bill No. 143, by Talbot
Reported favorably. (16-0) (Local & Consent)

House Bill No. 168, by Guillory, Mickey
Reported favorably. (16-0) (Local & Consent)

House Bill No. 288, by Hazel
Reported favorably. (12-0) (Local & Consent)

House Bill No. 367, by Dove
Reported favorably. (16-0) (Regular)

House Bill No. 481, by St. Germain
Reported with amendments. (12-0) (Regular)

House Bill No. 501, by Hoffmann
Reported favorably. (10-0) (Local & Consent)

House Bill No. 506, by Ernst
Reported favorably. (13-0) (Local & Consent)

House Bill No. 604, by Aubert
Reported favorably. (10-0) (Local & Consent)

House Bill No. 609, by Jones, Rosalind
Reported favorably. (11-0) (Local & Consent)

House Bill No. 622, by Willmott
Reported with amendments. (12-0) (Regular)

House Bill No. 644, by Talbot
Reported favorably. (15-1) (Regular)

House Bill No. 699, by Ernst
Reported favorably. (12-0) (Local & Consent)

REGINA ASHFORD BARROW
Chairman

**Report of the Committee on
Retirement**

Wednesday, May 20, 2009

To the Speaker and Members of the House of Representatives:

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

House Bill No. 673, by Pope
Reported with amendments. (9-0) (Regular)

House Bill No. 825, by Tucker
Reported with amendments. (8-0) (Regular)

JOEL C. ROBIDEAUX
Chairman

Privileged Report of the Committee on Enrollment

May 20, 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 Concurrent Resolutions have been
properly enrolled:

**HOUSE CONCURRENT RESOLUTION NO. 122—
BY REPRESENTATIVE MICKY GUILLORY
A CONCURRENT RESOLUTION**

To recognize May 20, 2009, as Louisiana Housing Council Day.

HOUSE CONCURRENT RESOLUTION NO. 123—

BY REPRESENTATIVES HARDY, 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, GALLOT, GEYMANN, GISCLAIR, GREENE,
MICKY GUILLORY, GUINN, 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, MONTUCET, 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 CONCURRENT RESOLUTION

To commend posthumously law enforcement officers from the
Acadiana region who died or were slain in the line of duty.

HOUSE CONCURRENT RESOLUTION NO. 124—

BY REPRESENTATIVE ST. GERMAIN

A CONCURRENT RESOLUTION

To recognize May 20, 2009, as Girl Scouts of the USA Day at the state capitol.

Respectfully submitted,

WAYNE WADDELL
Chairman

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

Suspension of the Rules

On motion of Rep. Fannin, the rules were suspended to permit the Committee on Appropriations to meet upon adjournment of the Revenue Estimating Conference on Thursday, May 21, 2009, and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill Nos. 802 and 881

Suspension of the Rules

On motion of Rep. Greene, the rules were suspended to permit the Committee on Ways and Means to meet upon adjournment on Thursday, May 21, 2009, and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill Nos. 6, 7, 8, 25, 100, 178, 287, 388, 463, 473, 482, 534, 563, 578, 709, 746, 818, 861, and 874

Adjournment

On motion of Rep. Brossett, at 7:20 P.M., the House agreed to adjourn until Thursday, May 21, 2009, at 9:00 A.M.

The Speaker of the House declared the House adjourned until 9:00 A.M., Thursday, May 21, 2009.

ALFRED W. SPEER
Clerk of the House

