

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

THIRTY-FIFTH DAY'S PROCEEDINGS

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

House of Representatives
State Capitol
Baton Rouge, Louisiana

Monday, June 22, 2009

The House of Representatives was called to order at 9:05 A.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	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. Johnny Hankins.

Pledge of Allegiance

Rep. Ernst 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. Billiot, the reading of the Journal was dispensed with.

On motion of Rep. Billiot, the Journal of June 21, 2009, was adopted.

**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. 266—

BY SENATORS THOMPSON AND WALSWORTH
AN ACT

To amend and reenact R.S. 3:4411(A) and (B), relative to the timber severance tax; to increase the portion of the timber severance tax allocated to the state which is dedicated to the Forestry Productivity Fund; and to provide for related matters.

Read by title.

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

**Senate Bills on Second Reading
Reported by Committee**

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

SENATE BILL NO. 21—

BY SENATOR MARIONNEAUX
A JOINT RESOLUTION

Proposing to amend Article VII, Section 4(D)(3) and to enact Article VII, Section 4(D)(4) of the Constitution of Louisiana, relative to the dedication of severance tax revenue; to increase the maximum amount of the proceeds from the tax collected on the severance of certain natural resources which is remitted to parish governing authorities under certain conditions; to require the deposit of a certain amount of the proceeds of severance taxes and royalties collected under certain conditions into certain funds and provide for the use of such funds; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Reengrossed Senate Bill No. 21 by Senator Marionneau

AMENDMENT NO. 1

On page 3, at the end of line 21, before the period ";" insert a comma "," and insert the following:

"subject to the approval of the Senate Committee on Natural Resources and the House Committee on Natural Resources and Environment."

AMENDMENT NO. 2

On page 5, delete lines 17 through 29 in their entirety, and insert the following:

"To decrease the amount of severance tax retained by the state on natural resources, other than sulphur, lignite, and timber, and increase the maximum amount remitted to the parish governing authority from where the severance tax occurs from eight hundred fifty thousand for fiscal year 2011-2012 and to two million eight hundred fifty thousand for fiscal year 2012-2013 and thereafter; to require at least fifty percent of the excess severance tax remitted to a parish to be used within the parish in the same manner and for the same purpose as money received from the Parish Transportation Fund; to require the deposit of an amount of severance taxes and royalties collected by the state, not to exceed ten million dollars each fiscal year, to a special fund created in the state treasury to be known as the Atchafalaya Basin Conservation Fund, in order to fund projects contained in the state or federal Basin master plans or an annual Basin Plan developed by an Atchafalaya Basin Research and Promotion Board, subject to approval of the Senate Committee on Natural Resources and House Committee on Natural Resources and Environment, provided that eighty-five"

AMENDMENT NO. 3

On page 6, delete lines 1 through 4 in their entirety

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

Under the rules, the bill, as amended, was recommitted to the Committee on Appropriations.

SENATE BILL NO. 268—
BY SENATORS DONAHUE AND WALSWORTH AND REPRESENTATIVE TUCKER

AN ACT

To amend and reenact R.S. 47:337.64 and 1512, relative to tax collection; to provide for alternative remedies for dealers; to provide for the collector to employ private counsel; to provide for attorney fees and expenses of litigation; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Reengrossed Senate Bill No. 268 by Senator Donahue

AMENDMENT NO. 1

On page 1, line 2, after "1512," and before "relative" insert "and to enact R.S. 47:337.13.1,"

AMENDMENT NO. 2

On page 1, delete lines 7 in its entirety and insert the following:

"Section 1. R.S. 47:337.64 is hereby amended and reenacted, and R.S. 47:337.13.1 is hereby enacted to read as:"

AMENDMENT NO. 3

On page 1, between lines 8 and 9, insert the following:

"§337.13.1 Power to employ counsel; attorney fees

The local collector is authorized to employ private counsel to assist in the collection of any taxes, penalties or interest due under this Subtitle, or to represent him in any proceeding under this Subtitle. If any taxes, penalties or interest due under this Subtitle are referred to an attorney at law for collection, an additional charge for attorney fees, in the amount of ten percent (10%) of the taxes, penalties and interest due, except with respect to amounts timely paid under protest with a return that is not delinquent, or paid under protest to a vendor in accordance with law, shall be paid by the taxpayer; provided, however, that the amount paid to the attorney shall be subject to the discretion of the court as to reasonableness.

* * *

AMENDMENT NO. 4

On page 3, between lines 14 and 15, insert:

"Section 2. R.S. 47:1512 is hereby amended and reenacted to read as follows:"

AMENDMENT NO. 5

On page 3, line 22, after ""interest" delete the remainder of the line and insert "at issue."

AMENDMENT NO. 6

On page 3, between lines 27 and 28, insert the following:

"Section 3. The provisions of Section 2 of this Act shall be applicable and effective with respect to matters referred to private counsel on or after the effective date of this Act."

AMENDMENT NO. 7

On page 3, at the beginning of line 28, delete "Section 2." and insert "Section 4."

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

Under the rules, the bill, as amended, was recommitted to the Committee on Appropriations.

Senate Bills and Joint Resolutions on Third Reading and Final Passage

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

Local and Consent Calendar

SENATE BILL NO. 182—
BY SENATOR CROWE

AN ACT

To authorize and provide for the transfer of certain state property; to authorize the transfer of certain state property in St. Tammany Parish; to provide for the property description; to provide for reservation of mineral rights; to provide terms and conditions; 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	Morris
Abramson	Gallot	Norton
Baldone	Geymann	Nowlin
Barras	Gisclair	Pearson
Barrow	Guillory	Perry
Billiot	Hardy	Peterson
Brossett	Harrison	Pope
Burford	Hazel	Pugh
Burns, H.	Henry	Richard
Burrell	Hill	Richardson
Carmody	Hines	Richmond
Carter	Hoffmann	Ritchie
Champagne	Howard	Robideaux
Chandler	Hutter	Roy
Chaney	Jackson G.	Schroder
Connick	Jones, R.	Simon
Cortez	Katz	Smiley
Cromer	Kleckley	Smith, G.
Danahay	LaFonta	Smith, J.
Dixon	Landry	St. Germain
Doerge	Leger	Stiaes
Dove	Ligi	Talbot
Downs	Little	Templet
Edwards	Lopinto	Thibaut
Ellington	McVea	White
Ernst	Mills	Williams
Fannin	Monica	Willmott
Foil	Montoucet	Wooton

Total - 84

NAYS

Total - 0

ABSENT

Anders	Greene	LaBruzzo
Armes	Guinn	Lambert
Arnold	Henderson	LeBas
Aubert	Honey	Ponti
Badon, A.	Jackson M.	Smith, P.
Badon, B.	Johnson	Waddell
Burns, T.	Jones, S.	

Total - 20

The Chair declared the above bill was finally passed.

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.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Ernst gave notice of his intention to call Senate Bill No. 150 from the calendar on Monday, June 22, 2009.

Regular Calendar

Suspension of the Rules

Rep. Ligi moved for a suspension of the rules in order to take up Senate Bill No. 278 out of its regular order at this time.

Rep. Peterson objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Badon, B.	Fannin	Monica
Barras	Foil	Morris
Billiot	Geymann	Pearson
Burns, H.	Hardy	Perry
Carmody	Hazel	Pope
Champagne	Henry	Pugh
Chandler	Hoffmann	Richardson
Chaney	Howard	Robideaux
Connick	Katz	Schroder
Cortez	Kleckley	Simon
Cromer	LaFonta	Smiley
Danahay	Ligi	Smith, J.
Dove	Little	Talbot
Downs	Lopinto	Templet
Ellington	McVea	Willmott
Ernst	Mills	

Total - 47

NAYS

Mr. Speaker	Franklin	Nowlin
Abramson	Gisclair	Peterson
Armes	Greene	Richard
Arnold	Guinn	Ritchie
Aubert	Harrison	Roy
Baldone	Jackson G.	Smith, G.
Barrow	Johnson	Smith, P.
Brossett	Jones, R.	St. Germain
Burford	Jones, S.	Waddell
Burrell	Landry	Williams
Carter	LeBas	Wooton
Doerge	Leger	
Edwards	Norton	

Total - 37

ABSENT

Anders	Hill	Montoucet
Badon, A.	Hines	Ponti
Burns, T.	Honey	Richmond
Dixon	Hutter	Stiaes
Gallot	Jackson M.	Thibaut
Guillory	LaBruzzo	White
Henderson	Lambert	

Total - 20

The motion not having received two-thirds vote of the members present and voting, the House refused to suspend the rules.

SENATE BILL NO. 34—

BY SENATORS CHAISSON, ALARIO, BROOME, CHEEK, DONAHUE, N. GAUTREAUX, JACKSON, LAFLEUR, MICHOT, MORRELL, MURRAY, SMITH, THOMPSON AND WALSWORTH

AN ACT

To amend and reenact R.S. 39:75(C)(2)(b), (E)(1) and (2), to enact R.S. 39:75(E)(5), and to repeal R.S. 39:75(F), relative to the

expenditure of state funds; to authorize the limited redirection and transfer of funds supporting appropriations or allocations from the state general fund and dedicated funds, including those constitutionally protected or mandated, to be used for other nonmandatory purposes under certain circumstances; to define the official forecast of recurring revenues for the current fiscal year for purposes of the budget estimate for the next fiscal year; to repeal the limitation on the cumulative percentage reduction in constitutionally or statutorily protected or mandated appropriations, allocations, or expenditures; to provide for effective dates; and to provide for related matters.

Read by title.

Motion

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

SENATE BILL NO. 67—

BY SENATORS MCPHERSON, DUPRE, N. GAUTREAU, HEITMEIER, LONG, RISER AND WALSWORTH AND REPRESENTATIVES HENRY BURNS, DIXON, HINES, LEGER, PEARSON, RICHARD AND ROY

A JOINT RESOLUTION

Proposing to amend Article IV, Section 4 and to add Article III, Section 4(G) and Article IV, Section 21(F) of the Constitution of Louisiana, relative to state elected officials; to provide for the implementation of any salary increase enacted by law for certain state elected officials; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

Rep. Lopinto moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Ernst	Little
Abramson	Fannin	Lopinto
Anders	Foil	McVea
Armes	Franklin	Mills
Arnold	Gallot	Monica
Aubert	Geymann	Montoucet
Badon, A.	Gisclair	Morris
Badon, B.	Greene	Norton
Baldone	Guillory	Nowlin
Barras	Guinn	Pearson
Barrow	Hardy	Perry
Billiot	Harrison	Peterson
Brossett	Hazel	Pope
Burford	Hill	Richard
Burns, T.	Hines	Richardson
Burrell	Hoffmann	Richmond
Carmody	Honey	Ritchie
Carter	Howard	Robideaux
Champagne	Hutter	Roy
Chandler	Jackson G.	Schroder
Chaney	Jackson M.	Smiley
Connick	Johnson	Smith, G.
Cortez	Jones, R.	Smith, P.
Cromer	Jones, S.	St. Germain
Danahay	Katz	Stiaes
Dixon	Kleckley	Talbot
Doerge	LaFonta	Templet
Dove	Landry	White
Downs	LeBas	Williams
Edwards	Leger	Willmott
Ellington	Ligi	Wooton
Total - 93		

NAYS

Total - 0

ABSENT

Burns, H.	Lambert	Smith, J.
Henderson	Ponti	Thibaut
Henry	Pugh	Waddell
LaBruzzo	Simon	
Total - 11		

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

Rep. Lopinto 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. Tim Burns requested the House consent to record his vote on final passage of Senate Bill No. 67 as yea, which consent was unanimously granted.

SENATE BILL NO. 69—

BY SENATOR CROWE

AN ACT

To amend and reenact R.S. 47:1712, relative to ad valorem property tax refunds or credits; to authorize those who qualify for the special assessment level to receive a refund or credit of taxes paid; and to provide for related matters.

Read by title.

Rep. Robideaux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Badon, B.	Hardy	Perry
Baldone	Hoffmann	Richard
Billiot	Johnson	Robideaux
Burns, T.	Jones, S.	Roy
Connick	Katz	Smiley
Dove	Landry	Smith, G.
Geymann	LeBas	Smith, P.
Gisclair	Morris	White
Total - 24		

NAYS

Mr. Speaker	Ellington	Monica
Abramson	Ernst	Montoucet
Armes	Fannin	Norton
Aubert	Foil	Pearson
Badon, A.	Franklin	Peterson
Barras	Gallot	Pope
Barrow	Greene	Pugh
Brossett	Guillory	Richardson
Burford	Guinn	Richmond
Burrell	Hazel	Ritchie
Carmody	Hill	Schroder
Carter	Honey	Simon
Champagne	Howard	St. Germain
Chandler	Jackson G.	Stiaes
Chaney	Jackson M.	Talbot
Cortez	Jones, R.	Templet
Danahay	LaFonta	Thibaut
Dixon	Leger	Waddell

Doerge	Little	Williams
Downs	McVea	Willmott
Edwards	Mills	Wooton
Total - 63		

ABSENT

Anders	Henry	Ligi
Arnold	Hines	Lopinto
Burns, H.	Hutter	Nowlin
Cromer	Kleckley	Ponti
Harrison	LaBruzzo	Smith, J.
Henderson	Lambert	
Total - 17		

The Chair declared the above bill failed to pass.

Rep. Wooton 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.

Consent to Correct a Vote Record

Rep. Gisclair requested the House consent to record his vote on final passage of Senate Bill No. 69 as yea, which consent was unanimously granted.

SENATE BILL NO. 108—

BY SENATORS MARIONNEAUX, CROWE, 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 amend and reenact R.S. 47:6015(B)(1) and (2)(b), (D)(1), (F)(4), and (I), and to repeal R.S. 47:6015(C)(1) and (G), relative to state taxes; to provide with respect to the research and development tax credit; to extend the duration of the tax credit through 2014; and to provide for related matters.

Read by title.

Motion

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

SENATE BILL NO. 109—

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

AN ACT

To amend and reenact R.S. 47:6020.1(A), (B)(2)(a) and (c), and (C)(1)(introductory paragraph) and 6020.2(A)(1) and (2)(a), (b) and (c), and R.S. 47:6020.4(B) as enacted by Act No. 400 of the 2005 Regular Session and to enact R.S. 47:6020.1(D) and 6020.4(3)(g) and (h), relative to state taxes; to provide for the Angel Investor Tax Credit Program for credits against individual and corporation income and corporation income and corporation franchise tax liability; to provide for the amount of the credits; to provide with respect to the limitation on the total credits which may be granted in a year; to authorize the Department of Economic Development to determine the method of awarding tax credits; to extend the duration of the program; and to provide for related matters.

Read by title.

Motion

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

SENATE BILL NO. 123—

BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 47:6023, relative to income tax credits; to provide for a sound recording investor tax credit; to provide for certain definitions; to remove certain limitations of the

sound recording investor tax credit; to provide for certification and payment of the tax credit; to require the display of the state brand or logo as a condition of receiving the credit; and to provide for related matters.

Read by title.

Motion

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

SENATE BILL NO. 149—

BY SENATOR MORRELL

AN ACT

To amend and reenact R.S. 47:2244, relative to redemptions; to provide for actual costs incurred by a political subdivision; to provide for the imposition of a fee for preparation of redemption certificates; and to provide for related matters.

Read by title.

Rep. Peterson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Edwards	LeBas
Abramson	Fannin	Leger
Anders	Foil	Little
Arnold	Franklin	Lopinto
Aubert	Gallot	McVea
Badon, A.	Gisclair	Mills
Badon, B.	Greene	Monica
Baldone	Guillory	Montoucet
Barras	Guinn	Norton
Barrow	Harrison	Peterson
Billiot	Hazel	Richard
Brossett	Henderson	Richardson
Burford	Hill	Richmond
Burns, H.	Hines	Ritchie
Burns, T.	Hoffmann	Robideaux
Burrell	Honey	Roy
Carmody	Howard	Smith, G.
Carter	Jackson G.	Smith, P.
Champagne	Jackson M.	St. Germain
Chandler	Johnson	Stiaes
Chaney	Jones, R.	Templet
Cortez	Jones, S.	Waddell
Danahay	Katz	Williams
Dixon	Kleckley	Willmott
Doerge	LaBruzzo	Wooton
Dove	LaFonta	
Downs	Landry	
Total - 79		

NAYS

Smiley
Total - 1

ABSENT

Armes	Hutter	Pope
Connick	Lambert	Pugh
Cromer	Ligi	Schroder
Ellington	Morris	Simon
Ernst	Nowlin	Smith, J.
Geymann	Pearson	Talbot
Hardy	Perry	Thibaut
Henry	Ponti	White
Total - 24		

The Chair declared the above bill was finally passed.

Rep. Peterson 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.

SENATE BILL NO. 163—
BY SENATORS MARIONNEAUX AND CHEEK
AN ACT

To amend and reenact R.S. 47:297.10(A), 297.11, and 297.12, relative to individual income tax deductions for certain elementary and secondary school payments; to limit the deduction; to authorize a deduction for payments not made to a school; and to provide for related matters.

Read by title.

Motion

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

SENATE BILL NO. 167—
BY SENATOR GRAY EVANS
AN ACT

To amend and reenact R.S. 49:220.5(A)(2) and to enact R.S. 49:220.8, relative to the Louisiana Recovery Authority; to provide relative to housing for victims of disasters; to require funding for emergency rental assistance; to provide for priorities; to provide for an effective date; and to provide for related matters.

Read by title.

Motion

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

Suspension of the Rules

On motion of Rep. Harrison, 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.

Acting Speaker Arnold in the Chair

SENATE BILL NO. 172—
BY SENATOR QUINN
AN ACT

To enact R.S. 41:1702(B)(4), (5), (6), (7), and (8), relative to reclamation of lands lost through erosion, compaction, subsidence, and sea level rise; to provide for certain boundary agreements; to provide terms, conditions, and procedures; to provide for retroactivity; to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Little to Reengrossed Senate Bill No. 172 by Senator Quinn

AMENDMENT NO. 1

Delete the set of amendments proposed by the Legislative Bureau and adopted by the House of Representatives on June 17, 2009

AMENDMENT NO. 2

On page 3, after line 3, insert the following:

"(8) The provisions of Paragraphs (4) through (7) of this Subsection shall not be effective if the effect of those provisions would cause the payment of more than one thousand dollars from the State of Louisiana."

Rep. Little moved the adoption of the amendments.

Rep. Lopinto objected.

By a vote of 50 yeas and 33 nays, the amendments were adopted.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Morris to Reengrossed Senate Bill No. 172 by Senator Quinn

AMENDMENT NO. 1

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

"(e) All property taxes for the reclaimed land subject to the boundary agreement are current and have been maintained by a non-state entity."

Rep. Morris moved the adoption of the amendments.

Rep. Lopinto objected.

By a vote of 59 yeas and 31 nays, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Gisclair	Mills
Aubert	Guillory	Monica
Baldone	Guinn	Perry
Barras	Harrison	Pope
Barrow	Hazel	Pugh
Billiot	Henry	Richard
Brossett	Hill	Richardson
Burford	Hines	Roy
Carter	Howard	Simon
Chandler	Jackson G.	Smiley
Connick	Johnson	Smith, G.
Cortez	Katz	St. Germain
Doerge	Landry	Stiaes
Dove	Leger	Thibaut
Downs	Ligi	Willmott
Edwards	Lopinto	Wooton
Foil	McVea	

Total - 50

NAYS

Mr. Speaker	Greene	Norton
Armes	Henderson	Nowlin
Arnold	Hoffmann	Pearson
Burns, H.	Honey	Peterson
Burrell	Jackson M.	Ponti
Carmody	Jones, R.	Richmond
Chaney	Jones, S.	Ritchie
Dixon	Kleckley	Schroder

Ellington	LaFonta	Smith, J.
Fannin	LeBas	Smith, P.
Franklin	Little	Williams
Gallot	Montoucet	
Geymann	Morris	
Total - 37		

ABSENT

Anders	Danahay	Robideaux
Badon, A.	Ernst	Talbot
Badon, B.	Hardy	Templet
Burns, T.	Hutter	Waddell
Champagne	LaBruzzo	White
Cromer	Lambert	
Total - 17		

Failed to pass.

Motion to reconsider pending.

Explanation of Vote

Rep. LaBruzzo disclosed a possible conflict of interest and recused himself from casting his vote on the final passage of the above bill.

Speaker Tucker in the Chair

SENATE BILL NO. 199—
BY SENATOR RISER

AN ACT

To amend and reenact R.S. 47:6022(C)(8), (D), (E), (F), (G), and (I) and to repeal R.S. 47:6022(J), relative to tax credits; to change the digital interactive media producer tax credit to a rebate; to remove certain limitations for issuance of the tax rebate; to provide for the amount of the tax rebate for certain years; and to provide for related matters.

Read by title.

Motion

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

SENATE BILL NO. 271—
BY SENATORS NEVERS, THOMPSON, LONG, RISER AND WALSWORTH

AN ACT

To enact Part IX of Chapter 28 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:4421 through 4425, relative to creation of the "Forestry Product Fairness Act"; to provide for legislative purpose; to provide relative to distribution of tax credits, tax exemptions, tax exclusions, tax deductions, rebates, incentives, investments, contracts, or grants made available by the state to any existing individual, partnership, corporation, association or other legal entity purchasing forest products to produce the generation of steam, heat, electricity or the production of wood-based fuels; to provide for promulgation of rules and regulations; to provide for definitions; and to provide for related matters.

Read by title.

Rep. Ritchie moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Monica
Abramson	Geymann	Montoucet
Anders	Gisclair	Morris
Armes	Greene	Norton

Arnold	Guillory	Nowlin
Aubert	Guinn	Pearson
Badon, A.	Hardy	Perry
Badon, B.	Harrison	Peterson
Baldone	Hazel	Ponti
Barrow	Henderson	Pope
Billiot	Hill	Pugh
Brossett	Hines	Richard
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
Dixon	LaFonta	Stiaes
Doerge	Landry	Talbot
Dove	LeBas	Templet
Downs	Leger	Thibaut
Ellington	Ligi	Waddell
Ernst	Little	White
Fannin	Lopinto	Williams
Foil	McVea	Willmott
Franklin	Mills	Wooton
Total - 96		

NAYS

Total - 0

ABSENT

Barras	Edwards	Lambert
Cromer	Henry	Ritchie
Danahay	LaBruzzo	
Total - 8		

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 277—
BY SENATORS DUPLESSIS, ERDEY, GRAY EVANS, KOSTELKA, LONG, MARIONNEAUX, MICHOT, QUINN, RISER AND WALSWORTH AND REPRESENTATIVES ABRAMSON, ARNOLD, CORTEZ, DOWNS, LEGER, LIGI AND ROBIDEAUX

AN ACT

To amend and reenact R.S. 47:6022, relative to digital interactive media producer tax credit; to provide terms and conditions; to provide relative to qualifications, administration and procedures; to provide an effective date; and to provide for related matters.

Read by title.

Motion

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

SENATE BILL NO. 289—
BY SENATORS APPEL AND WALSWORTH

AN ACT

To amend and reenact R.S. 47:463.61(C), (D), and (E) and to repeal R.S. 47:463.61 (F), (G) and (H), relative to the dedication of revenue; to provide for the distribution of revenues collected from "Choose Life" prestige license plate fees; 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	Gallot	Montoucet
Abramson	Geymann	Morris
Anders	Gisclair	Norton
Armes	Greene	Nowlin
Arnold	Guillory	Pearson
Aubert	Guinn	Perry
Badon, A.	Hardy	Ponti
Baldone	Harrison	Pope
Barrow	Hazel	Pugh
Billiot	Henry	Richard
Brossett	Hill	Richardson
Burford	Hines	Richmond
Burns, H.	Hoffmann	Ritchie
Burrell	Howard	Robideaux
Carmody	Hutter	Roy
Carter	Jackson G.	Simon
Champagne	Jackson M.	Smiley
Chandler	Johnson	Smith, G.
Chaney	Jones, R.	Smith, J.
Connick	Katz	St. Germain
Cortez	Kleckley	Stiaes
Dixon	Landry	Talbot
Doerge	Leger	Templet
Dove	Ligi	Thibaut
Downs	Little	Waddell
Edwards	Lopinto	Williams
Fannin	McVea	Willmott
Foil	Mills	
Franklin	Monica	
Total - 85		

NAYS

Honey	Peterson
LaFonta	Smith, P.
Total - 4	

ABSENT

Badon, B.	Ellington	Lambert
Barras	Ernst	LeBas
Burns, T.	Henderson	Schroder
Cromer	Jones, S.	White
Danahay	LaBruzzo	Wooton
Total - 15		

The Chair declared the above bill was finally passed.

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.

SENATE BILL NO. 313—
BY SENATOR MCPHERSON

AN ACT

To enact R.S. 32:154, relative to the Open Roads Law; to provide relative to motor vehicle fatalities; to provide for protocol when organs are to be transplanted after death; and to provide for related matters.

Read by title.

Motion

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

SENATE BILL NO. 321—
BY SENATOR HEBERT

AN ACT

To enact R.S. 47:1925.10, relative to the assessor in the Iberia Parish Assessment District; to authorize the assessor in such district to receive an automobile expense allowance; and to provide for related matters.

Read by title.

Rep. Barras moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Ernst	Lopinto
Anders	Fannin	McVea
Armes	Foil	Mills
Arnold	Franklin	Monica
Aubert	Gallot	Norton
Badon, A.	Geymann	Nowlin
Badon, B.	Gisclair	Perry
Baldone	Greene	Peterson
Barras	Guillory	Ponti
Barrow	Guinn	Pope
Billiot	Hardy	Richard
Brossett	Harrison	Richardson
Burford	Henderson	Richmond
Burrell	Henry	Ritchie
Carmody	Hill	Robideaux
Carter	Hines	Roy
Champagne	Hoffmann	Simon
Chandler	Honey	Smith, G.
Chaney	Howard	Smith, J.
Connick	Jackson G.	Smith, P.
Cortez	Jackson M.	St. Germain
Cromer	Kleckley	Stiaes
Danahay	LaFonta	Talbot
Doerge	Landry	Templet
Dove	LeBas	Williams
Edwards	Ligi	
Ellington	Little	
Total - 79		

NAYS

Total - 0

ABSENT

Mr. Speaker	Jones, S.	Schroder
Burns, H.	Katz	Smiley
Burns, T.	LaBruzzo	Thibaut
Dixon	Lambert	Waddell
Downs	Leger	White
Hazel	Montoucet	Willmott
Hutter	Morris	Wooton
Johnson	Pearson	
Jones, R.	Pugh	
Total - 25		

The Chair declared the above bill was finally passed.

Rep. Barras 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.

SENATE BILL NO. 331—
BY SENATOR QUINN

AN ACT

To amend and reenact R.S. 22:832(A) and (C)(1) and (7), relative to insurance license taxes; to provide for a reduction in the tax based upon the amount of admitted assets of an insurer placed

in qualifying Louisiana investments; to require that investments be maintained in the state for a period of time in order to qualify for the reduction; and to provide for related matters.

Read by title.

Point of Order

Rep. Richmond asked for a ruling from the Chair as to whether the above bill violates the origination clause contained in Art. III, Section 16(B), of the Constitution of 1974, as amended.

Ruling of the Chair

The Chair ruled the bill does violate the origination clause contained in Art. III, Section 16(B), of the Constitution of 1974, as amended.

Motion

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

SENATE BILL NO. 338—

BY SENATOR GRAY EVANS

AN ACT

To enact R.S. 47:305.62, relative to the sales and use tax of the state and its political subdivisions; to exempt the sale and use of certain construction materials sold to certain organizations; to limit the amount of exemptions granted on a calendar year basis; and to provide for related matters.

Read by title.

Rep. Leger moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Gallot	Monica
Anders	Guillory	Montoucet
Armes	Hardy	Norton
Arnold	Henderson	Perry
Aubert	Hill	Pugh
Baldone	Hines	Richmond
Barrow	Honey	Ritchie
Billiot	Jackson G.	Roy
Brossett	Jackson M.	Smith, G.
Burrell	Johnson	Smith, P.
Dixon	Jones, R.	St. Germain
Doerge	Jones, S.	Stiaes
Edwards	LaFonta	Thibaut
Ernst	Leger	Williams
Franklin	Mills	
Total - 44		

NAYS

Mr. Speaker	Fannin	McVea
Badon, B.	Foil	Morris
Burford	Gisclair	Nowlin
Burns, H.	Greene	Pearson
Burns, T.	Guinn	Ponti
Carmody	Harrison	Pope
Carter	Hoffmann	Richard
Chandler	Howard	Richardson
Chaney	Katz	Robideaux
Connick	Kleckley	Schroder

Danahay	Landry	Smiley
Dove	Ligi	Talbot
Downs	Little	Waddell
Ellington	Lopinto	Willmott
Total - 42		

ABSENT

Badon, A.	Hazel	Peterson
Barras	Henry	Simon
Champagne	Hutter	Smith, J.
Cortez	LaBruzzo	Templet
Cromer	Lambert	White
Geymann	LeBas	Wooton
Total - 18		

Failed to pass.

Motion to reconsider pending.

SENATE BILL NO. 350 (Substitute of Senate Bill No. 153 by

Senator Morrell)—

BY SENATOR MORRELL

AN ACT

To enact R. S. 38:330.14, relative to the non-flood protection assets of the Orleans Levee District; to create and provide relative to a non-flood protection management commission; to provide for the composition of the commission; to provide for the meetings of the commission; to provide for submittal of the plan from the commission; to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Wooton to Reengrossed Senate Bill No. 350 by Senator Morrell

AMENDMENT NO. 1

On page 2, line 14, change "director of the office of" to "chair of the" and after "Restoration" and before the comma "," insert "Authority"

AMENDMENT NO. 2

On page 2, between lines 15 and 16, insert the following:

"(12) A member representing the claimants having claims or judgments against the Orleans Levee Board arising out of and pursuant to Act No. 233 of 1984, as amended, selected by the judge of the Twenty-Fifth Judicial District, Division A.

(13) A member appointed by the Plaquemines Parish President.

(14) A member appointed by the City Park Improvement Association."

AMENDMENT NO. 3

On page 2, lines 16 and 23, change "Paragraph (B)(5)" to "Paragraph (B)(4)"

AMENDMENT NO. 4

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

"improvement not directly related to flood protection which is managed and controlled by the state but owned by the Orleans Levee District, as described and provided for in R.S. 38:330.12(A)."

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AMENDMENT NO. 5

On page 3, line 6, after "2011." delete the remainder of the line and delete lines 7 and 8 in their entirety and insert in lieu thereof the following:

"Such report shall be the management plan for disposal of any facility or improvement which is not directly related to flood protection which is managed and controlled by the state but owned by the Orleans Levee District, as described and provided for in R.S. 38:330.12(A) and shall detail the final procedures and process for the operation, maintenance, sale, lease, or transfer of any such facility or improvement."

AMENDMENT NO. 6

On page 3, between lines 9 and 10, insert the following:

"H. In the event of a sale, lease, or transfer, any funds received from that transaction shall be placed in escrow in the State Treasury until such time as the management plan required by this Section has been adopted and implemented.

I.(1) In order to evaluate the implementation of Act No. 233 of the 1984 Regular Session relative to return of the Bohemia Spillway properties, the Legislative Auditor shall conduct a financial audit and the Louisiana State Law Institute shall conduct an examination of the ownership records of the properties located in the Bohemia Spillway.

(2) In the performance of the audit and study the Legislative Auditor and the Law Institute may request resources, information, and assistance from the members of the commission, the Coastal Protection and Restoration Authority, the Department of Natural Resources, the division of administration, the Southeast Louisiana Flood Protection Authority-East, Southeast Louisiana Flood Protection Authority-West Bank, and the Orleans Levee District. Such agencies shall provide information when asked by the Legislative Auditor or the Law Institute, including a listing of properties transferred or returned; revenues received by the Orleans Levee District or Southeast Louisiana Flood Protection Authority-East related to Bohemia Spillway properties; information relative to claims or judgments against the Orleans Levee District and dollar amounts attributable to such claims or judgments; lists of claimants; amounts paid to claimants; information relative to expenditures made in connection with such claims or judgments; assets managed by the division of administration; income attributable to those assets; and any other information or assistance that the Legislative Auditor or the Law Institute may request.

(2) The Legislative Auditor and the Law Institute shall report findings to the House of Representatives through the House Committee on Natural Resources and Environment and the House Committee on Transportation, Highways, and Public Works and to the Senate through the Senate Committee on Natural Resources and the Senate Committee on Transportation, Highways and Public Works no later than February 1, 2010. The report shall identify recommendations based up the findings of the Legislative Auditor and the Law Institute for the satisfaction and payment of claims and judgments arising out of and pursuant to Act No. 233 of 1984, as amended. In the development of recommendations, the Law Institute and the Legislative Auditor shall consider whether or not such recommendations adversely affect the financial solvency of the Orleans Levee District or the practical ability of the Southeast Louisiana Flood Protection Authority-East to provide flood protection in southeast Louisiana.

(3) Nothing herein shall be construed to prohibit the voluntary resolution of claims or judgments arising out of Act No. 233 of 1984, as amended, prior to the completion of the required management plan."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Richmond to Reengrossed Senate Bill No. 350 by Senator Morrell

AMENDMENT NO. 1

In Committee Amendment No. 11 proposed by the House Committee on Transportation, Highways, and Public Works and adopted by the House of Representatives on June 17, 2009, on page 2, between lines 5 and 6 insert the following:

"(12) The state representative whose district is defined by R.S. 24:35.5(97).

(13) The state representative whose district is defined by R.S. 24:25.5(101)."

On motion of Rep. Richmond, amendment was adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 93

NAYS

Total - 0

ABSENT

Armes	Lambert	Schroder
Burns, T.	Monica	Simon
Cromer	Pearson	Smith, J.
Ernst	Richardson	

Total - 11

The Chair declared the above bill was finally passed.

Rep. Leger 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.

SENATE BILL NO. 277—

BY SENATORS DUPLESSIS, ERDEY, GRAY EVANS, KOSTELKA, LONG, MARIONNEAUX, MICHOT, QUINN, RISER AND WALSWORTH AND REPRESENTATIVES ABRAMSON, ARNOLD, CORTEZ, DOWNS, LEGER, LIGI AND ROBIDEAUX

AN ACT

To amend and reenact R.S. 47:6022, relative to digital interactive media producer tax credit; to provide terms and conditions; to provide relative to qualifications, administration and procedures; to provide an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Henry 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	Franklin	Monica
Armes	Gallot	Montoucet
Arnold	Geymann	Morris
Badon, B.	Gisclair	Norton
Baldone	Greene	Nowlin
Barras	Guillory	Pearson
Barrow	Hardy	Perry
Billiot	Hazel	Ponti
Brossett	Henderson	Pope
Burford	Henry	Richardson
Burns, H.	Hill	Ritchie
Burns, T.	Hines	Robideaux
Burrell	Hoffmann	Schroder
Carmody	Howard	Smiley
Carter	Hutter	Smith, G.
Chandler	Jackson G.	Smith, J.
Chaney	Jones, S.	St. Germain
Cortez	Katz	Stiaes
Cromer	Kleckley	Talbot
Danahay	LaBruzzo	Templet
Dixon	Landry	Waddell
Doerge	LeBas	White
Dove	Leger	Williams
Downs	Ligi	Willmott
Edwards	Little	Wooton
Ellington	Lopinto	
Total - 83		

NAYS

Aubert	Johnson	Richmond
Badon, A.	Jones, R.	Roy
Harrison	LaFonta	Smith, P.
Honey	Peterson	
Jackson M.	Richard	
Total - 13		

ABSENT

Champagne	Guinn	Simon
Connick	Lambert	Thibaut
Ernst	Pugh	
Total - 8		

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 351 (Substitute of Senate Bill No. 258 by Senator McPherson)—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 48:250.3(B), (C), (D), (E), (F), (G), and (H) and to repeal R.S. 48:250.4, relative to design-build contracts; to provide for requirements for design-build contracts of the Department of Transportation and Development; and to provide for related matters.

Read by title.

Rep. Downs 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	Gisclair	Montoucet
Arnold	Greene	Morris
Aubert	Guillory	Norton
Badon, A.	Hardy	Nowlin
Badon, B.	Harrison	Pearson
Baldone	Hazel	Perry
Barras	Henderson	Peterson
Barrow	Henry	Ponti
Billiot	Hill	Pope
Brossett	Hines	Richard
Burford	Hoffmann	Richardson
Burns, H.	Honey	Richmond
Burns, T.	Howard	Ritchie
Burrell	Hutter	Robideaux
Carmody	Jackson G.	Roy
Carter	Jackson M.	Schroder
Chandler	Johnson	Simon
Chaney	Jones, R.	Smiley
Connick	Jones, S.	Smith, G.
Cortez	Katz	Smith, J.
Danahay	Kleckley	Smith, P.
Dixon	LaBruzzo	St. Germain
Doerge	LaFonta	Stiaes
Dove	Landry	Templet
Downs	LeBas	Thibaut
Edwards	Leger	White
Ellington	Ligi	Williams
Ernst	Little	Willmott
Fannin	Lopinto	Wooton
Total - 96		

NAYS

Total - 0

ABSENT

Champagne	Guinn	Talbot
Cromer	Lambert	Waddell
Geymann	Pugh	
Total - 8		

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 5—

BY SENATORS RISER, N. GAUTREAUX, CROWE, DUPLESSIS, ERDEY, HEBERT, KOSTELKA, LAFLEUR, MORRISH, NEVERS AND WALSWORTH

A JOINT RESOLUTION

Proposing to amend Article III, Sections 2 (A)(3)(a) and (4)(a) and 19 of the Constitution of Louisiana, relative to the legislature; to provide for the convening of the legislature for annual regular sessions; to provide for the effective date of legislation enacted at such sessions; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Gallot to Reengrossed Senate Bill No. 5 by Senator Riser

AMENDMENT NO. 1

On page 2, line 24, after "effect on" change "July" to "August"

AMENDMENT NO. 2

On page 3, line 13, after "sessions to" change "July" to "August"

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

Rep. Ellington 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, Edwards, Pope, Abramson, Ellington, Pugh, Anders, Ernst, Richard, Arnold, Fannin, Richardson, Badon, A., Foil, Roy, Badon, B., Greene, Schroder, Barras, Guinn, Simon, Billiot, Hazel, Smiley, Burford, Henry, Smith, G., Burns, H., Hines, Smith, J., Burns, T., Hoffmann, St. Germain, Carmody, Howard, Talbot, Carter, Johnson, Templet, Chandler, Katz, Thibaut, Chaney, Kleckley, Waddell, Cromer, LaBruzzo, White, Danahay, LeBas, Willmott, Doerge, McVea, Wooton, Downs, Ponti

NAYS

Table with 3 columns of names: Armes, Hardy, Lopinto, Aubert, Henderson, Mills, Baldone, Hill, Montoucet, Barrow, Honey, Morris, Brossett, Jackson G., Norton, Burrell, Jackson M., Peterson

Table with 3 columns of names: Champagne, Jones, R., Richmond, Cortez, Jones, S., Ritchie, Dove, LaFonta, Robideaux, Franklin, Landry, Smith, P., Gallot, Leger, Stiaes, Geymann, Ligi, Williams, Gisclair, Little

Total - 38

ABSENT

Table with 3 columns of names: Connick, Hutter, Pearson, Dixon, Lambert, Perry, Guillory, Monica, Harrison, Nowlin

Total - 10

The bill, not having received a two-thirds vote of the elected members, failed to pass.

Motion to reconsider pending.

SENATE BILL NO. 75—

BY SENATOR MURRAY

AN ACT

To enact R.S. 33:108.1, relative to the physical development of parishes and municipalities; to provide for voter approval of any master plan which has the force of law in Orleans Parish; to provide that voter approval must be obtained prior to implementation of the master plan; to provide for a definition; to provide for an effective date; and to provide for related matters.

Read by title.

Motion

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

SENATE BILL NO. 129—

BY SENATOR DORSEY

AN ACT

To amend and reenact R.S. 17:3048.1(C)(2)(g) and (W), relative to the Taylor Opportunity Program for Students; to authorize the administering agency to promulgate rules to provide for the receipt and consideration of applications from students returning from out-of-state colleges and universities under certain circumstances and conditions; 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

Table with 3 columns of names: Mr. Speaker, Franklin, McVea, Abramson, Gallot, Mills, Anders, Geymann, Monica, Armes, Gisclair, Montoucet, Arnold, Greene, Morris, Aubert, Guillory, Norton, Badon, A., Guinn, Pearson, Badon, B., Hardy, Perry, Baldone, Harrison, Ponti, Barras, Hazel, Pope, Barrow, Henderson, Pugh

Billiot	Hill	Richard
Brossett	Hines	Richardson
Burford	Hoffmann	Ritchie
Burns, H.	Honey	Robideaux
Burns, T.	Howard	Schroder
Carmody	Hutter	Simon
Carter	Jackson G.	Smith, G.
Chandler	Jackson M.	Smith, J.
Connick	Johnson	Smith, P.
Cortez	Jones, R.	St. Germain
Danahay	Jones, S.	Stiaes
Doerge	Katz	Talbot
Dove	Kleckley	Templet
Downs	LaBruzzo	Thibaut
Edwards	LaFonta	Waddell
Ellington	Landry	White
Ernst	Leger	Williams
Fannin	Little	Willmott
Foil	Lopinto	Wooton

Total - 90

NAYS

Peterson
Total - 1

ABSENT

Burrell	Henry	Richmond
Champagne	Lambert	Roy
Chaney	LeBas	Smiley
Cromer	Ligi	
Dixon	Nowlin	

Total - 13

The Chair declared the above bill was finally passed.

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 Pro Tempore Peterson in the Chair

SENATE BILL NO. 136—
BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 26:73, 272, and 583(C), relative to alcoholic beverage permits; to provide for legal sales characteristics in certain parishes; to provide for restaurant "R" permits, applications and fees; to provide for definitions; to provide for qualifications; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hines to Reengrossed Senate Bill No. 136 by Senator Jackson

AMENDMENT NO. 1

On page 7, after line 29, insert the following:

"Section 2. The provisions of this Act shall not have any affect upon the Louisiana Smokefree Air Act."

Rep. Hines moved the adoption of the amendments.

Rep. Arnold objected.

By a vote of 20 yeas and 66 nays, the amendments were rejected.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hines to Reengrossed Senate Bill No. 136 by Senator Jackson

AMENDMENT NO. 1

On page 1, line 2, after "583(C)" and before the comma "," insert "and to enact R.S.26:73.1 and 272.1"

AMENDMENT NO. 2

On page 1, line 5, after "qualifications;" and before "and" insert "to provide for exceptions; to provide for a Class "R" restaurant permit for any city or parish with coterminous boundaries; "

AMENDMENT NO. 3

On page 1, line 7, after "reenacted" and before "to" insert "R.S. 26:73.1 and 272.1 are hereby enacted"

AMENDMENT NO. 4

On page 1, line 9, after "fees" insert a semi-colon ";" and add "exceptions"

AMENDMENT NO. 5

On page 4, between lines 13 and 14, insert the following:

"I. The provisions of this Section shall not apply to any restaurant located within a city whose boundaries are coterminous with the parish boundaries.

§73.1 Restaurant "R" permit; application; fees; for applicability to any city or parish which has coterminous boundaries

A.(1) The commissioner shall issue, upon proper application and payment of an administrative fee, a special Class "R" restaurant permit to any restaurant establishment as defined in Subsection B of this Section located within a city or parish which has coterminous boundaries which has been issued a state Class A Retail Liquor Permit for the sale of beverages of high alcohol content.

(2) Municipal and parish governing authorities may issue "R" permits similar to those provided for in this Section; however, the requirements and fees for such permits shall not exceed that required by this Section. The provisions of this Paragraph shall not apply to those municipal and parish governing authorities that are issuing such permits on July 1, 1984.

B.(1) For purposes of this Section, "restaurant establishment" shall be defined as an establishment:

(a) Which operates a place of business whose purpose and primary function is to take orders for and serve food and food items.

(b) Which serves alcoholic beverages in conjunction with meals.

(c) Which serves food on all days of operation.

(d) Which maintains separate sales figures for alcoholic beverages.

(e) Which operates a fully equipped kitchen used for the preparation of uncooked foods for service and consumption of such foods on the premises.

(f) Which has a public habitable floor area of no less than five hundred square feet. This Subparagraph shall not apply to business locations that apply to or have been licensed to sell or serve alcoholic beverages prior to August 1, 2006, and have not discontinued the sale and service of such beverages for more than six months.

(2) Sparkling or still wine sold or served by the bottle in conjunction with food service shall not be considered an alcoholic beverage by the commissioner when determining gross revenue for purposes of this Section only.

C. For new restaurant establishments without prior business experience on which to determine the gross revenue from the sale of the items in Paragraph (B)(4) of this Section, the commissioner may issue a temporary license, which shall be valid for sixty days to allow the establishment to make such determination.

D.(1) The permit provided for in this Section shall be applied for annually.

(2) Both the original and renewal applications for such permit shall be in writing, be sworn to in front of a notary public, and shall contain all of the following:

(a) The full name of the applicant.

(b) A complete description and correct street address of the premises in which the restaurant is located.

(c) Proof of issuance of state Class "A" permit.

E. All applications shall be accompanied by an administrative fee, which shall be remitted to the office of alcohol and tobacco control, as follows:

(1) For administrative fees for new or renewal of permit - twenty-five dollars.

(2) For a temporary permit as provided for in Subsection C - ten dollars.

F. The permit shall be revoked whenever the establishment's Class A permit is revoked by the state or local Alcohol Beverage Control Board for failure to meet or maintain criteria required for the permit.

G. Notwithstanding the provisions of R.S. 26:81(B)(1) and (C), 273(A)(1), 281(B) and (C)(1), 582, and 595, and if all other pertinent qualifications and conditions of this Title are satisfied, the commissioner shall issue a Class A Retail Liquor Permit and a Class

"R" restaurant permit and the municipal governing authority or parish governing authority shall issue any and all required local permits to serve high alcohol content beverages for a restaurant establishment, as defined in Subsection B of this Section, if the restaurant is located within a geographically definable area within any municipality which has been designated by the appropriate authority of the United States Department of the Interior as a national historic landmark district. The provisions of this Subsection shall be applicable only to an establishment that grosses sixty percent of its average monthly sales from the retail sale of food or food items that are prepared for service and consumption on the premises of the establishment."

AMENDMENT NO. 6

On page 4, line 15, after "fees" insert a semi-colon ";" and add "exceptions"

AMENDMENT NO. 7

On page 7, between lines 13 and 14, insert the following:

"J. The provisions of this Section shall not apply to any restaurant located within a city or parish with coterminous boundaries."

§272.1. Restaurant "R" permit; application; fees; for any city or parish which has coterminous boundaries

A.(1) The commissioner shall issue, on proper application and payment of an administrative fee, a special Class "R" restaurant permit to any restaurant establishment as defined in Subsection B of this Section located within a city or parish which has coterminous boundaries which has been issued a "Retailers, Class A" state permit for the sale of beverages of low alcohol content.

(2) Municipal and parish governing authorities may issue "R" permits similar to those provided for in this Section; however, the requirements and fees for such permits shall not exceed that required by this Section. The provisions of this Paragraph shall not apply to those municipal and parish governing authorities that are issuing such permits on July 1, 1984.

B.(1) For purposes of this Section, "restaurant establishment" shall be defined as an establishment:

(a) Which operates a place of business whose purpose and primary function is to take orders for and serve food and food items.

(b) Which serves alcoholic beverages in conjunction with meals.

(c) Which serves food on all days of operation.

(d) Which maintains separate sales figures for alcoholic beverages.

(e) Which operates a fully equipped kitchen used for the preparation of uncooked foods for service and consumption of such foods on the premises.

(f) Which has a public habitable floor area of no less than five hundred square feet. This Subparagraph shall not apply to business locations that have applied to or have been licensed to sell or serve alcoholic beverages prior to August 1, 2006, and have not discontinued the sale and service of such beverages for more than six months.

(2) Sparkling or still wine sold or served by the bottle in conjunction with food service shall not be considered an alcoholic beverage by the commissioner when determining gross revenue for purposes of this Section only.

C. For new restaurant establishments without prior business experience on which to determine the gross revenue from the sale of the items in Paragraph (B)(4) of this Section, the commissioner may issue a temporary license, which shall be valid for sixty days to allow the establishment to make such determination.

D.(1) The permit provided for in this Section shall be applied for and issued annually as determined by the commissioner.

(2) Both the original and renewal applications for such permit shall be in writing, be sworn to in front of a notary public, and shall contain the following:

(a) The full name of the applicant.

(b) A complete description and correct address of the premises in which the restaurant is located.

(c) Proof of issuance of a state Class A permit.

E. All applications shall be accompanied by an administrative fee, which shall be remitted to the commissioner as follows:

(1) For administrative fees for annual new or renewal of permit - twenty-five dollars.

(2) For a temporary permit as provided for in Subsection C - ten dollars.

F. The permit shall be revoked whenever the establishment's Class A permit is revoked by the state or local political subdivision for failure to meet or maintain criteria required for the permit.

G. Notwithstanding the provisions of R.S. 26:81(B)(1) and (C), 273(A)(1), 281(B) and (C)(1), 582, and 595, and if all other pertinent qualifications and conditions of this Title are satisfied, the commissioner shall issue a Class A Retail Liquor Permit and a Class "R" restaurant permit and the municipal governing authority or the parish governing authority shall issue any and all required local permits to serve low alcohol content beverages for a restaurant establishment, as defined in R.S. 26:73(B), if the restaurant is located within a geographically definable area within any municipality which has been designated by the appropriate authority of the United States Department of the Interior as a national historic landmark district. The provisions of this Subsection shall be applicable only to an establishment that grosses sixty percent of its average monthly sales from the retail sale of food or food items that are prepared for service and consumption on the premises of the establishment.

H. If proposition five on the local option ballot, as delineated in R.S. 26:588(A), is approved by a majority vote cast in the election, a "Retailers, Class A" state permit shall be authorized for a Class "R" restaurant permittee in the locality for which the local election was held."

AMENDMENT NO. 8

On page On page 7, after line 29, add the following:

"Section 2. The provisions of this Act shall not have any affect upon the Louisiana Smokefree Air Act."

Rep. Hines moved the adoption of the amendments.

Rep. Arnold objected.

By a vote of 21 yeas and 69 nays, the amendments were rejected.

Rep. Arnold moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Geymann	Monica
Anders	Gisclair	Montoucet
Armes	Greene	Morris
Arnold	Guillory	Norton
Aubert	Hardy	Pearson
Badon, B.	Harrison	Ponti
Baldone	Hazel	Pugh
Barras	Henderson	Ritchie
Burns, H.	Henry	Robideaux

Burrell	Hutter	Roy
Carmody	Jackson G.	Simon
Carter	Jackson M.	Smith, G.
Chandler	Johnson	Smith, J.
Chaney	Jones, R.	Smith, P.
Cortez	Jones, S.	St. Germain
Danahay	Katz	Stiaes
Dixon	Kleckley	Talbot
Doerge	Landry	Templet
Dove	LeBas	Thibaut
Downs	Ligi	Waddell
Foil	Little	Williams
Franklin	Lopinto	Willmott
Gallot	Mills	Wooton
Total - 69		

NAYS

Abramson	Fannin	Nowlin
Badon, A.	Guinn	Perry
Billiot	Hill	Peterson
Brossett	Hines	Pope
Burford	Hoffmann	Richard
Burns, T.	Honey	Richardson
Champagne	Howard	Richmond
Connick	LaBruzzo	Schroder
Ellington	Leger	Smiley
Ernst	McVea	White
Total - 30		

ABSENT

Barrow	Edwards	Lambert
Cromer	LaFonta	
Total - 5		

The Chair declared the above bill was finally passed.

Rep. Arnold 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. Roy requested the House consent to correct his vote on final passage of Senate Bill No. 136 from nay to yea, which consent was unanimously granted.

Speaker Tucker in the Chair

SENATE BILL NO. 157—
BY SENATOR APPEL AND REPRESENTATIVE ELLINGTON
AN ACT

To amend and reenact R.S. 18:192(A)(1)(a), relative to primary and general elections; to provide relative to the annual canvassing of registrants; and to provide for related matters.

Read by title.

Motion

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

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.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Ellington to Engrossed Senate Bill No. 195 by Senator Kostelka

AMENDMENT NO. 1

Delete the set of House Committee amendments proposed by the House Committee on House and Governmental Affairs and adopted by the House on June 18, 2009.

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Abramson to Engrossed Senate Bill No. 195 by Senator Kostelka

AMENDMENT NO. 1

Delete Amendment No. 1 proposed by the House Committee on House and Governmental Affairs and adopted by the House on June 18, 2009

AMENDMENT NO. 2

On page 1, line 2, after "to require" delete the remainder of the line and delete lines 3 and 4 and insert the following:

"certain disclosures by certain elected officials; to provide for the content of and procedures for such disclosures; to provide for enforcement and penalties; and"

AMENDMENT NO. 3

On page 1, line 8, after "§1124.6" delete the remainder of the line and delete lines 9 through 17 and delete page 2 and insert the following:

"Disclosure: certain elected officials

A. Each person holding a public office who represents a voting district having a population of five thousand or more persons shall disclose the information required by this Section.

B.(1) The official shall disclose the information described in Paragraph (2) of this Subsection for each person to whom both of the following apply:

(a) The person was directly hired by the official to serve as an agency head in the agency of the official.

(b) The person made contributions or loans totaling more than one thousand dollars to a campaign of the official during the time period beginning one year prior to the date the person was hired by the official and ending ninety days after the date the person was hired by the official.

(2) The official shall disclose:

(a) The name, address, job title, and date of employment of the person.

(b) The amount of contributions or loans made by the person to a campaign of the official during the time period described in Subparagraph (1)(b) of this Subsection.

C.(1) The official shall disclose the information described in Paragraph (2) of this Subsection for each person to whom both of the following apply:

(a) The person was appointed by the official to a board or commission.

(b) The person made contributions or loans totaling more than one thousand dollars to a campaign of the official during the time period beginning one year prior to the date the person was appointed by the official and ending ninety days after the date the person was appointed by the official.

(2) The official shall disclose:

(a) The name, address, position held, and date of appointment of the person.

(b) The amount of contributions or loans made by the person to a campaign of the official during the time period described in Subparagraph (1)(b) of this Subsection.

D. The information required to be disclosed by this Section shall be disclosed as part of the official's annual financial disclosure statement, as required by this Part, that covers the date the employment or appointment occurred.

E.(1) If the official, in his submission to the Board of Ethics, identifies each position the holder of which the official reasonably believes he is required to disclose pursuant to this Section and the board determines that information concerning a person holding a position not identified by the official is required to be disclosed pursuant to this Section, the official shall be given thirty days to submit the required information. The board shall notify the official in writing that additional information is required to be disclosed, and if the official submits the required information to the board no later than the thirtieth day after the date that written notification was sent by the board, the failure of the official to disclose the information as part of his annual financial disclosure statement shall not be considered a violation of this Section.

(2) This Subsection shall not apply if the official failed to accurately disclose in a timely manner the information required by this Section for each position identified in the submission to the board as part of his annual financial disclosure statement.

F. For purposes of this Section, the following words shall have the following meanings:

(1) "Board or commission" shall have the same meaning as provided in R.S. 42:1124.2.1.

(2) "Public office" shall have the same meaning as provided in R.S. 18:1483.

G. This Section shall be subject to the same provisions for enforcement and penalties for violations as those applicable to provisions for filing of the official's financial disclosure statement.

Section 2. The first filing under this Act shall be due in 2010 and shall be complete for calendar years 2008 and 2009. The failure of a person to disclose information pursuant to R.S. 42:1124.6 as enacted by this Act and as required by this Section shall subject the person to the same provisions for enforcement and penalties for violation as provided in R.S. 42:1124.6 as enacted by this Act.

Section 3. The Board of Ethics shall promulgate forms in accordance with the Administrative Procedure Act to allow for the disclosure of the information required by this Act in the manner provided by this Act."

Rep. Abramson moved the adoption of the amendments.

Rep. Ellington objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Gisclair	Nowlin
Anders	Hardy	Peterson
Armes	Henderson	Richmond
Arnold	Hill	Roy
Aubert	Hines	Smith, G.
Badon, A.	Honey	Smith, P.
Badon, B.	Jackson G.	St. Germain
Baldone	Jackson M.	Stiaes
Brossett	Johnson	Thibaut
Burrell	Jones, R.	Waddell
Doerge	Jones, S.	Williams
Edwards	LaFonta	Wooton
Gallot	LeBas	
Total - 38		

NAYS

Mr. Speaker	Foil	Monica
Barras	Geymann	Montoucet
Burford	Greene	Morris
Burns, H.	Guinn	Pearson
Burns, T.	Harrison	Perry
Carmody	Hazel	Ponti
Carter	Henry	Pope
Champagne	Hoffmann	Pugh
Chandler	Howard	Richardson
Chaney	Hutter	Ritchie
Connick	Katz	Robideaux
Cortez	Kleckley	Schroder
Cromer	LaBruzzo	Simon
Danahay	Landry	Smiley
Dove	Ligi	Smith, J.
Downs	Little	Talbot
Ellington	Lopinto	Templet
Ernst	McVea	White
Fannin	Mills	Willmott
Total - 57		

ABSENT

Barrow	Franklin	Leger
Billiot	Guillory	Norton
Dixon	Lambert	Richard
Total - 9		

The amendments were rejected.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Ellington to Engrossed Senate Bill No. 195 by Senator Kostelka

AMENDMENT NO. 1

On page 1, line 13, change "a candidate" to "a campaign of the official who employed him"

AMENDMENT NO. 2

On page 2, at the end of line 3, delete "a" and at the beginning of line 4, delete "candidate." and insert "a campaign of the official who appointed him"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Foil	Monica
Anders	Gallot	Montoucet
Arnold	Geymann	Morris
Badon, B.	Gisclair	Nowlin
Baldone	Greene	Pearson
Barras	Guillory	Perry
Billiot	Hazel	Ponti
Burford	Henderson	Pope
Burns, H.	Hill	Pugh
Burns, T.	Hoffmann	Richardson
Carter	Howard	Ritchie
Champagne	Hutter	Robideaux
Chandler	Jackson G.	Schroder
Chaney	Johnson	Simon
Connick	Jones, R.	Smiley
Cortez	Katz	Smith, G.
Cromer	Kleckley	Smith, J.
Danahay	LaBruzzo	Talbot
Doerge	Landry	Templet
Dove	LeBas	Thibaut
Downs	Ligi	White
Ellington	Little	Williams
Ernst	Lopinto	Willmott
Fannin	McVea	Wooton
Total - 72		

NAYS

Abramson	Edwards	Norton
Armes	Hines	Peterson
Aubert	Honey	Smith, P.
Badon, A.	Jackson M.	Waddell
Brossett	LaFonta	
Total - 14		

ABSENT

Barrow	Hardy	Mills
Burrell	Harrison	Richard
Carmody	Henry	Richmond
Dixon	Jones, S.	Roy
Franklin	Lambert	St. Germain
Guinn	Leger	Stiaes
Total - 18		

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 51—

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

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 intergovernmental transfers from local governing bodies to the Department of Health and Hospitals; to provide for acceptance and use of intergovernmental transfers; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Mills to Reengrossed Senate Bill No. 51 by Senator Heitmeier

AMENDMENT NO. 1

Delete Amendments Nos. 1 through 3 proposed by the House Committee on Appropriations and adopted by the House on June 10, 2009.

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Williams to Reengrossed Senate Bill No. 51 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, line 2, after "To enact" and before "Part" insert "Subpart Q-1, to be composed of R.S. 39:100.121, and Q-2, to be composed of R.S. 39:100.125, of Part II-A of Chapter 1 of Subtitle 1 of Title 39 of the Louisiana Revised Statutes of 1950 and"

AMENDMENT NO. 2

On page 1, line 3, after "relative to" and before "intergovernmental" insert the following:

"state funds; to establish the Center of Excellence for Autism Spectrum Disorder Fund as a special treasury fund; to provide for deposit, use, and investment of monies in the fund; to establish the Walking the Walk for Our Kids Fund as a special treasury fund; to provide for deposit, use, and investment of monies in the fund; to provide for an effective date; to provide relative to"

AMENDMENT NO. 3

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

"Section 1. Subpart Q-1, comprised of R.S. 39:100.121, and Q-2, comprised of R.S. 39:100.125, of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, are hereby enacted to read as follows:

SUBPART Q-1. CENTER OF EXCELLENCE FOR AUTISM SPECTRUM DISORDER FUND

§100.121. Center of Excellence for Autism Spectrum Disorder Fund

A. There is hereby established in the state treasury, as a special fund, the Center of Excellence for Autism Spectrum Disorder Fund, hereinafter referred to as the "fund".

B. The source of monies deposited into the fund shall be any monies appropriated annually by the legislature including donations, gifts, grants, or any other monies which may be provided by law. All unexpended and unencumbered monies in the fund at the end of the fiscal year shall remain in the fund. The monies in the fund shall be invested by the state treasurer in the same manner as monies in the state general fund, and interest earned on the investment of monies shall be credited to the fund.

C. The monies in the fund shall be appropriated and used solely to pay costs and expenses associated with the establishment and operation of a center of excellence for autism spectrum disorder by the office for citizens with developmental disabilities within the Department of Health and Hospitals.

SUBPART Q-2. WALKING THE WALK FOR OUR KIDS FUND

§100.125. Walking the Walk for Our Kids Fund

A. There is hereby established in the state treasury, as a special fund, the Walking the Walk for Our Kids Fund, hereinafter referred to as the "fund".

B. The source of monies deposited into the fund shall be any monies appropriated annually by the legislature including donations, gifts, grants, or any other monies which may be provided by law. All unexpended and unencumbered monies in the fund at the end of the fiscal year shall remain in the fund. The monies in the fund shall be invested by the state treasurer in the same manner as monies in the state general fund, and interest earned on the investment of monies shall be credited to the fund.

C. The monies in the fund shall be appropriated and used solely for the diagnosis, prevention, and treatment of childhood obesity."

AMENDMENT NO. 4

On page 1, line 7, change "Section 1." to "Section 2."

On motion of Rep. Williams, 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

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

Carter	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	Landry	Templet
Dove	LeBas	Thibaut
Downs	Leger	Waddell
Edwards	Ligi	White
Ernst	Little	Williams
Fannin	Lopinto	Willmott
Foil	McVea	Wooton
Franklin	Mills	

Total - 98

NAYS

Total - 0

ABSENT

Barrow	Ellington	Lambert
Champagne	Greene	Talbot

Total - 6

The Chair declared the above bill was finally passed.

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.

SENATE BILL NO. 105—
BY SENATOR DUPLESSIS

AN ACT

To enact R.S. 14:71.3, relative to mortgage fraud; to provide for elements of the crime; to provide for penalties; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Arnold moved the final passage of the bill.

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	Guillory	Norton
Aubert	Guinn	Nowlin
Badon, A.	Hardy	Pearson
Badon, B.	Harrison	Perry
Baldone	Hazel	Peterson
Barras	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	Templet
Doerge	Landry	Thibaut
Dove	LeBas	Waddell
Downs	Leger	White
Edwards	Little	Williams
Fannin	Lopinto	Willmott
Foil	McVea	Wooton

Total - 96

NAYS

Total - 0

ABSENT

Barrow	Greene	Stiaes
Ellington	Lambert	Talbot
Ernst	Ligi	

Total - 8

The Chair declared the above bill was finally passed.

Rep. Arnold 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.

SENATE BILL NO. 272—

BY SENATORS HEITMEIER AND WALSWORTH
AN ACT

To amend and reenact R.S. 14:329.6(A)(9) and to enact R.S. 29:732(E) and (F) and R.S. 51:422.1(C)(5), relative to fuel; to prohibit excessive fuel pricing during a declared state of emergency; to allow sales below costs during such time; to provide for definitions; to provide for civil and criminal penalties; to provide for exceptions; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Arnold to Reengrossed Senate Bill No. 272 by Senator Heitmeier

AMENDMENT NO. 1

Delete House Committee Amendment Nos. 1, 6, and 11 proposed by the House Committee on Commerce and adopted by the House of Representatives on June 8, 2009.

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Little to Reengrossed Senate Bill No. 272 by Senator Heitmeier

AMENDMENT NO. 1

On page 2, line 19, after "gasoline" and before "of" insert "or diesel fuel"

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AMENDMENT NO. 2

On page 2, line 23, after "gasoline" and before "at" insert "or diesel fuel"

AMENDMENT NO. 3

In Amendment No. 12 proposed by the House Committee on Commerce and adopted by the House on June 8, 2009, on page 2, line 2, after "gasoline" and before "of" insert "or diesel fuel"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of members who voted 'YEAS' in three columns: Mr. Speaker, Foil, McVea, etc.

NAYS

ABSENT

Table listing names of members who were 'ABSENT': Barrow, Greene, Lambert, Pugh, Roy, Thibaut.

The Chair declared the above bill was finally passed.

Rep. Arnold 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.

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.

Called from the calendar.

Read by title.

Rep. Robideaux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of members who voted 'YEAS' in three columns: Abramson, Ernst, Little, etc.

NAYS

Table listing names of members who voted 'NAYS': Greene, Peterson, Simon, Hazel, Richardson, LaFonta, Schroder.

ABSENT

Table listing names of members who were 'ABSENT': Mr. Speaker, Barrow, Hardy, Lambert, Morris, Perry, Roy, Thibaut.

The Chair declared the above bill was finally passed.

Rep. Robideaux 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.

Recess

On motion of Rep. Peterson, the Speaker declared the House at recess until 1:30 P.M.

After Recess

Speaker Tucker called the House to order at 1:45 P.M.

ROLL CALL

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

PRESENT

Mr. Speaker	Greene	Norton
Armes	Guillory	Nowlin
Aubert	Guinn	Pearson
Badon, B.	Hardy	Perry
Baldone	Henderson	Pope
Barras	Henry	Pugh
Billiot	Hill	Richard
Brossett	Hoffmann	Richardson
Burford	Howard	Richmond
Burns, H.	Jackson G.	Robideaux
Burrell	Jackson M.	Roy
Carmody	Johnson	Schroder
Champagne	Jones, R.	Simon
Chandler	Jones, S.	Smiley
Chaney	Katz	Smith, G.
Cortez	Kleckley	Smith, J.
Danahay	LaFonta	Smith, P.
Dixon	Lambert	St. Germain
Dove	Landry	Stiaes
Downs	LeBas	Talbot
Edwards	Leger	Templett
Ellington	Ligi	Thibaut
Fannin	Little	Waddell
Foil	Lopinto	White
Franklin	Mills	Williams
Gallot	Monica	Willmott
Geymann	Montoucet	Wooton
Gisclair	Morris	
Total - 83		

ABSENT

Abramson	Connick	Honey
Anders	Cromer	Hutter
Arnold	Doerge	LaBruzzo
Badon, A.	Ernst	McVea
Barrow	Harrison	Peterson
Burns, T.	Hazel	Ponti
Carter	Hines	Ritchie
Total - 21		

The Speaker announced there were 83 members present and a quorum.

Acting Speaker Lopinto in the Chair

SENATE BILL NO. 209—

BY SENATOR WALSWORTH

A JOINT RESOLUTION

Proposing to amend Sections 2(B)(11) and (12) and to add Section 2 (B)(13) of Article X of the Constitution of Louisiana, relative to public officials and employees; to provide that the director, deputy director and all employees of the Governor's Office of Homeland Security and Emergency Preparedness shall serve in unclassified service of the state civil service; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

Rep. White moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Gisclair	Norton
Anders	Guillory	Nowlin
Arnold	Harrison	Pearson
Aubert	Hazel	Perry
Badon, B.	Henderson	Pope
Baldone	Hill	Pugh
Barras	Hines	Richard
Billiot	Hoffmann	Richardson
Burford	Howard	Richmond
Carmody	Hutter	Ritchie
Champagne	Jackson G.	Robideaux
Chandler	Jones, R.	Schroder
Chaney	Katz	Simon
Connick	Kleckley	Smiley
Cortez	Lambert	Smith, G.
Danahay	Landry	Smith, J.
Doerge	LeBas	Smith, P.
Dove	Leger	Talbot
Downs	Ligi	Templett
Edwards	Little	Thibaut
Ellington	Lopinto	Waddell
Ernst	McVea	White
Fannin	Monica	Willmott
Geymann	Morris	Wooton
Total - 72		

NAYS

Brossett	Johnson	Roy
Burrell	LaFonta	Stiaes
Dixon	Montoucet	Williams
Honey	Peterson	
Total - 11		

ABSENT

Mr. Speaker	Cromer	Henry
Armes	Foil	Jackson M.
Badon, A.	Franklin	Jones, S.
Barrow	Gallot	LaBruzzo
Burns, H.	Greene	Mills
Burns, T.	Guinn	Ponti
Carter	Hardy	St. Germain
Total - 21		

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

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

Speaker Pro Tempore Peterson in the Chair

SENATE BILL NO. 231—

BY SENATOR N. GAUTREAUX

AN ACT

To amend and reenact R.S. 4:214.1, relative to horse racing; to provide for a minimum number of live quarter horse racing dates; and to provide for related matters.

Read by title.

Rep. Thibaut moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Fannin	Little
Anders	Foil	Lopinto
Armes	Gallot	McVea
Arnold	Geymann	Mills
Aubert	Gisclair	Monica
Badon, A.	Guillory	Montoucet
Badon, B.	Guinn	Norton
Baldone	Hardy	Nowlin
Barras	Hazel	Perry
Billiot	Henderson	Peterson
Brossett	Hill	Pope
Burford	Hines	Pugh
Burns, T.	Hoffmann	Richard
Burrell	Howard	Richardson
Champagne	Hutter	Richmond
Chandler	Jackson G.	Ritchie
Chaney	Jackson M.	Robideaux
Connick	Johnson	Schroder
Cortez	Jones, R.	Smiley
Cromer	Jones, S.	Smith, G.
Danahay	Katz	Smith, P.
Dixon	Kleckley	St. Germain
Doerge	LaBruzzo	Stiaes
Dove	LaFonta	Templet
Downs	Landry	Thibaut
Edwards	LeBas	White
Ellington	Leger	Willmott
Ernst	Ligi	Wooton

Total - 84

NAYS

Burns, H.	Talbot	Williams
Carmody	Waddell	

Total - 5

ABSENT

Mr. Speaker	Harrison	Pearson
Barrow	Henry	Ponti
Carter	Honey	Roy
Franklin	Lambert	Simon
Greene	Morris	Smith, J.

Total - 15

The Chair declared the above bill was finally passed.

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

Consent to Correct a Vote Record

Rep. Guinn requested the House consent to record his vote on final passage of Senate Bill No. 231 as yea, which consent was unanimously granted.

Explanation of Vote

Rep. Roy disclosed a possible conflict of interest and recused himself from casting his vote on the final passage of the above bill.

SENATE BILL NO. 235—

BY SENATOR N. GAUTREAUX

AN ACT

To enact R.S. 33:381(C)(29), relative to the town of Duson; to provide that the chief of police of the town shall be appointed; to provide for the time of the initial appointment; to provide for

the method of appointment and for the salary, term, duties, and supervision of the police chief; and to provide for related matters.

Read by title.

Rep. Montoucet moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 98

NAYS

Total - 0

ABSENT

Arnold	Franklin	Mills
Barrow	Lambert	Ponti

Total - 6

The Chair declared the above bill was finally passed.

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.

SENATE BILL NO. 261—

BY SENATORS DONAHUE AND THOMPSON

AN ACT

To enact Part II of Chapter 2 of Title 24 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 24:101 through 109, relative to streamlining state government; to create the Commission on Streamlining Government and provide for the membership, powers, duties, and functions of the commission;

to provide a procedure for the submission, consideration, approval, and implementation of recommendations of the Commission on Streamlining Government; to provide for staff support and finances for the commission; to provide for cooperation with and support for the commission; to provide for the applicability of other laws; to provide for termination; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Cromer to Reengrossed Senate Bill No. 261 by Senator Donahue

AMENDMENT NO. 1

On page 4, between lines 28 and 29, insert the following:

"F.(1) The names of the persons who are to serve on the commission shall be submitted to the president of the Senate on or before July 15, 2009.

(2) The president of the Senate shall call the first meeting of the commission which shall be held on or before July 30, 2009.

(3) At the first meeting, the members of the commission shall elect from their membership a chairman and vice chairman and such other officers as the commission may deem advisable. The president of the Senate or his designee shall preside over the commission until a chairman is elected by the commission."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative White to Reengrossed Senate Bill No. 261 by Senator Donahue

AMENDMENT NO. 1

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

"C. While many agencies are facing staff reductions in the fiscal year 2009 budget, the Department of Economic Development has maintained its existing staff levels. The Department of Economic Development is hereby prohibited from increasing its staff through the use of contract labor."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Monica
Abramson	Geymann	Montoucet
Anders	Gisclair	Morris
Armes	Greene	Norton
Arnold	Guillory	Nowlin
Aubert	Guinn	Pearson

Badon, A.	Hardy	Perry
Badon, B.	Harrison	Peterson
Baldone	Hazel	Ponti
Barras	Henderson	Pope
Billiot	Hill	Pugh
Brossett	Hines	Richard
Burford	Hoffmann	Richardson
Burns, H.	Honey	Richmond
Burns, T.	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	Landry	Talbot
Dove	LeBas	Templet
Downs	Leger	Thibaut
Edwards	Ligi	Waddell
Ellington	Little	White
Ernst	Lopinto	Williams
Fannin	McVea	Willmott
Foil	Mills	Wooton

Total - 99

NAYS

Total - 0

ABSENT

Barrow	Franklin	Lambert
Burrell	Henry	
Total - 5		

The Chair declared the above bill was finally passed.

Rep. Cromer 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

SENATE BILL NO. 278—

BY SENATORS AMEDEE, ALARIO, APPEL, CHEEK, CROWE, DONAHUE, DUPLESSIS, DUPRE, ERDEY, N. GAUTREAU, HEBERT, HEITMEIER, LAFLEUR, LONG, MARIONNEAU, MARTINY, MCPHERSON, MICHOT, MOUNT, NEVERS, RISER, SHAW, THOMPSON AND WALSWORTH

AN ACT

To amend and reenact R.S. 44:5, relative to public records; to provide for the application of laws relative to public records; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Waddell to Reengrossed Senate Bill No. 278 by Senator Amedee

AMENDMENT NO. 1

Delete the set of House Committee Amendments proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 18, 2009

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AMENDMENT NO. 2

On page 1, delete lines 7 through 17 and delete page 2 and insert the following:

"A. ~~This Chapter shall not apply to any of the books, records, writings, accounts, letters, letter books, photographs, or copies thereof ordinarily kept in the custody or control of the governor in the usual course of the duties and business of his office, or to those having been used, being in use, or prepared, possessed, or retained for use by or on behalf of the governor in the usual course of the duties and business of his office.~~

B. ~~The provisions of this Section shall not apply to any agency transferred or placed within the office of the governor. Records of the office of the governor shall be public records and shall be subject to the provisions of this Chapter.~~

B.(1)(a) Notwithstanding the provisions of Subsection A of this Section, any record of the office of the governor which reflects any form of pre-decisional advice to the governor for use in the usual course of his duties, including advisory opinions, recommendations, and deliberations, shall be confidential for a period of time established by the governor not to exceed ten years.

(b) Notwithstanding the provisions of Subsection A of this Section, any record of the office of the governor pertaining to the schedule of the governor, his spouse, or his child which contains security details which if public may impair the safety of the governor, his spouse, or his child shall be confidential for a period of time established by the governor not to exceed ten years. However, nothing in this Subparagraph shall be interpreted or construed in a manner to make all details concerning the schedule of the governor or his mode of transportation confidential.

(2) When the office of the governor receives a request for a record made confidential pursuant to Paragraph (1) of this Subsection, the office shall include in the response to the request the length of time established by the governor for the record to remain confidential.

(3)(a) The office of the governor shall preserve all records made confidential pursuant to Paragraph (1) of this Subsection. At the conclusion of the term of office of the governor, the governor shall transfer all such records either to the custody of the Department of State or to the custody of a public postsecondary educational institution in this state selected by the governor.

(b) A record that is transferred as provided by Subparagraph (a) of this Paragraph shall remain confidential until the lapse of the time period established by the governor pursuant Paragraph (1) of this Subsection. After the lapse of the time period, the record shall be public and subject to inspection, examination, copying, and reproduction in the manner provided in this Chapter.

C. ~~The provisions of Subsection B of this Section shall not prevent any person otherwise herein authorized so to do from inspecting, examining, and copying, or obtaining a reproduction of any books, records, papers, accounts or other documents record pertaining to any money or monies or any financial transactions in the control of or handled by or through the governor or the office of the governor."~~

Rep. Waddell moved the adoption of the amendments.

Rep. Ligi objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Greene	Leger
Armes	Henderson	Peterson
Arnold	Hill	Richard
Aubert	Hines	Richmond
Baldone	Honey	Roy
Barrow	Hutter	Smith, G.
Brossett	Jackson M.	Smith, P.
Dixon	Johnson	St. Germain
Doerge	Jones, R.	Stiaes
Edwards	Jones, S.	Waddell
Franklin	LaFonta	Wooton
Gallot	LeBas	

Total - 35

NAYS

Mr. Speaker	Fannin	Morris
Anders	Foil	Nowlin
Badon, B.	Geymann	Pearson
Barras	Gisclair	Perry
Billiot	Gunn	Ponti
Burford	Hardy	Pope
Burns, H.	Harrison	Pugh
Burns, T.	Hazel	Richardson
Carmody	Henry	Ritchie
Carter	Hoffmann	Robideaux
Champagne	Howard	Schroder
Chandler	Katz	Simon
Chaney	Kleckley	Smiley
Connick	Landry	Smith, J.
Cortez	Ligi	Talbot
Cromer	Little	Templet
Danahay	Lopinto	Thibaut
Dove	McVea	White
Downs	Mills	Willmott
Ellington	Monica	
Ernst	Montoucet	

Total - 61

ABSENT

Badon, A.	Jackson G.	Norton
Burrell	LaBruzzo	Williams
Guillory	Lambert	

Total - 8

The amendments were rejected.

Acting Speaker Arnold in the Chair

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Tucker and Gallot to Reengrossed Senate Bill No. 278 by Senator Amedee

AMENDMENT NO. 1

Delete the set of House Committee Amendments proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 18, 2009

AMENDMENT NO. 2

On page 1, delete lines 7 through 17 and delete page 2 and insert the following:

"A. ~~This Chapter shall not apply to any of the books, records, writings, accounts, letters, letter books, photographs, or copies~~

thereof ordinarily kept in the custody or control of the governor in the usual course of the duties and business of his office, or to those having been used, being in use, or prepared, possessed, or retained for use by or on behalf of the governor in the usual course of the duties and business of his office. Records of the office of the governor shall be public records and shall be subject to the provisions of this Chapter.

B.(1) Notwithstanding the provisions of Subsection A of this Section, a record of the office of the governor that reflects pre-decisional mental impressions, advice, proposals, or opinions created for the purpose of assisting the governor in the formulation of a decision in the usual course of the duties and business of his office shall be privileged from disclosure.

(2)(a) Notwithstanding the provisions of Subsection A of this Section, any record of the office of the governor pertaining to the schedule of the governor, his spouse, or his child which contains security details which if public may impair the safety of the governor, his spouse, or his child shall be confidential.

(b) Nothing in Subparagraph (a) of this Paragraph shall be interpreted or construed in a manner to make all records concerning a meeting or event the governor attends and transportation related thereto confidential, however the governor may keep a record concerning a meeting or event the governor attends and transportation related thereto privileged for a period not to exceed seven days after the occurrence of the meeting or event.

(3) The provisions of Paragraph (1) of this Section Subsection shall not apply to the records of any agency transferred or placed within the office of the governor or to the records of any other executive branch agency.

C. The provisions of Subsection B of this Section shall not prevent any person ~~otherwise herein authorized so to do~~ from inspecting, examining, and copying, or obtaining a reproduction of any books, records, papers, accounts or other documents record pertaining to any money or monies or any financial transactions in the control of or handled by or through the governor or the office of the governor."

Rep. Gallot moved the adoption of the amendments.

Rep. Ligi objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gisclair	Norton
Abramson	Greene	Nowlin
Armes	Guillory	Peterson
Arnold	Hardy	Richard
Aubert	Hill	Richardson
Baldone	Hines	Richmond
Barrow	Honey	Roy
Brossett	Hutter	Smith, G.
Burford	Jackson G.	Smith, P.
Burns, T.	Jackson M.	St. Germain
Burrell	Johnson	Stiaes
Dixon	Jones, R.	Waddell
Doerge	Jones, S.	White
Edwards	LaFonta	Williams
Franklin	LeBas	Wooton
Gallot	Leger	
Total - 47		

NAYS

Anders	Foil	Montoucet
Badon, B.	Geymann	Morris
Barras	Guinn	Pearson
Billiot	Harrison	Perry
Burns, H.	Hazel	Ponti
Carter	Henry	Pope
Champagne	Hoffmann	Pugh
Chandler	Howard	Ritchie
Chaney	Katz	Robideaux
Connick	Kleckley	Schroder
Cortez	LaBruzzo	Simon
Cromer	Ligi	Smiley
Danahay	Little	Smith, J.
Dove	Lopinto	Templet
Ellington	McVea	Thibaut
Ernst	Mills	Willmott
Fannin	Monica	
Total - 50		

ABSENT

Badon, A.	Henderson	Talbot
Carmody	Lambert	
Downs	Landry	
Total - 7		

The amendments were rejected.

Speaker Tucker in the Chair

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Waddell to Reengrossed Senate Bill No. 278 by Senator Amedee

AMENDMENT NO. 1

In Committee Amendment No. 6 proposed by the House Committee on House and Governmental Affairs and adopted by the House on June 18, 2009, on page 1, line 22, change "six months" to "sixty days"

Motion

Rep. Greene moved that the bill be returned to the calendar.

Rep. Ligi objected.

By a vote of 46 yeas and 54 nays, the House refused to return the bill to the calendar.

Rep. Waddell moved the adoption of the amendments.

Rep. Ligi objected.

By a vote of 48 yeas and 54 nays, the amendments were rejected.

Rep. Ligi moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Anders	Geymann	Montoucet
Badon, A.	Gisclair	Morris
Badon, B.	Guillory	Pearson
Barras	Guinn	Perry
Billiot	Hardy	Ponti

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Burford	Harrison	Pope
Burns, H.	Hazel	Pugh
Burns, T.	Henderson	Richardson
Carter	Henry	Ritchie
Champagne	Hoffmann	Robideaux
Chandler	Howard	Schroder
Chaney	Katz	Simon
Connick	Kleckley	Smiley
Cortez	LaBruzzo	Smith, G.
Cromer	Landry	Smith, J.
Danahay	Ligi	Talbot
Dove	Little	Templet
Downs	Lopinto	Thibaut
Ellington	McVea	White
Ernst	Mills	Willmott
Fannin	Monica	
Total - 62		

NAYS

Mr. Speaker	Franklin	LeBas
Abramson	Gallot	Leger
Armes	Greene	Norton
Arnold	Hill	Nowlin
Aubert	Hines	Peterson
Baldone	Honey	Richard
Barrow	Hutter	Richmond
Brossett	Jackson G.	Roy
Burrell	Jackson M.	Smith, P.
Carmody	Johnson	St. Germain
Dixon	Jones, R.	Stiaes
Doerge	Jones, S.	Waddell
Edwards	LaFonta	Wooton
Foil	Lambert	
Total - 41		

ABSENT

Williams
Total - 1

The Chair declared the above bill was finally passed.

Rep. Ligi 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.

Motion

On motion of Rep. Greene, the motion to reconsider the vote by which Senate Bill No. 51 finally passed was called from the table.

Reconsideration

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

SENATE BILL NO. 51—
BY SENATORS HEITMEIER, DORSEY, ERDEY, GRAY EVANS, MOUNT AND NEVERS

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 intergovernmental transfers from local governing bodies to the Department of Health and Hospitals; to provide for acceptance and use of intergovernmental transfers; and to provide for related matters.

Read by title.

On motion of Rep. Greene, the vote by which the above Senate Bill finally passed was reconsidered.

Returned to the calendar under the rules.

SENATE BILL NO. 279—
BY SENATOR WALSWORTH AND REPRESENTATIVE PETERSON
AN ACT

To enact R.S. 29:726.2, relative to the use of public facilities as emergency evacuation shelters; to provide for terms; to provide for certain entities to identify and maintain a list of public facilities suitable for use as emergency evacuation shelters; to provide for duties; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Harrison to Reengrossed Senate Bill No. 279 by Senator Walsworth

AMENDMENT NO. 1

On page 1, line 12, after "B." change "Public" to "The director of the parish office of homeland security and emergency preparedness may request the use of public"

AMENDMENT NO. 2

On page 1, line 15, after "shelters" add a period "." and delete the remainder of the line and delete line 16 in its entirety.

AMENDMENT NO. 3

On page 1, at the beginning of line 17, insert "The director"

Rep. Harrison moved the adoption of the amendments.

Rep. Peterson objected.

By a vote of 53 yeas and 41 nays, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Franklin	Mills
Anders	Gallot	Monica
Armes	Geymann	Morris
Arnold	Gisclair	Norton
Aubert	Greene	Nowlin
Badon, B.	Guinn	Pearson
Barras	Hardy	Perry
Barrow	Harrison	Peterson
Billiot	Hazel	Pope
Brossett	Henderson	Pugh
Burford	Henry	Richard
Burns, H.	Hill	Richardson
Burns, T.	Hines	Richmond
Burrell	Hoffmann	Ritchie
Carmody	Honey	Robideaux
Carter	Howard	Roy
Champagne	Hutter	Schroder
Chandler	Jackson G.	Simon
Chaney	Jackson M.	Smiley
Connick	Johnson	Smith, G.
Cortez	Jones, R.	Smith, J.
Cromer	Jones, S.	Smith, P.

Danahay	Katz	St. Germain
Dixon	LaBruzzo	Stiaes
Doerge	LaFonta	Talbot
Dove	Lambert	Templet
Downs	Landry	Thibaut
Edwards	Leger	Waddell
Ellington	Ligi	White
Ernst	Little	Willmott
Fannin	Lopinto	Wooton
Foil	McVea	

Total - 95

NAYS

Total - 0

ABSENT

Mr. Speaker	Guillory	Montoucet
Badon, A.	Kleckley	Ponti
Baldone	LeBas	Williams

Total - 9

The Chair declared the above bill was finally passed.

Rep. Peterson 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.

SENATE BILL NO. 320—
BY SENATOR ALARIO

AN ACT

To amend and reenact R.S. 13:621.42.1(B), the introductory paragraph of (E)(1) and (E)(3), and 998(B), the introductory paragraph of (E)(1) and (E)(3), 1414(B) and the introductory paragraph of (E)(1) and (E)(3), R.S. 30:2455 and the introductory paragraph of 2456(A), R.S. 36:401(C)(1)(b)(i), 405 (A)(1)(b), and 642(D)(2), R.S. 39:15.3(A), the introductory paragraph of (B), and (B)(12) through (18), R.S. 46:2122, 2123, and 2124(A) and (B), and R.S. 49:1053(B), 1054(1) and (2) and 1054.1(A) and (B)(3), to enact R.S. 36:4.1(D)(18), 408(I), 409(C)(10), 477(C)(3), and 651(BB) and R.S. 39:15.3(B)(19), and to repeal R.S. 36:4(M) and 4.1(B)(1), Subpart D of Part I of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:16.1 through 16.5, and R.S. 46:2522(11), relative to the organization of the executive branch of state government; to transfer certain agencies in the executive branch of state government; to provide relative to the transfer and exercise of the powers, duties, functions, and responsibilities of certain agencies in the executive branch; to abolish the office of electronic services within the office of information technology in the division of administration; to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Peterson to Reengrossed Senate Bill No. 320 by Senator Alario

AMENDMENT NO. 1

On page 1, line 6, after "(18)," insert "R.S. 44:5,"

AMENDMENT NO. 2

On page 9, between line 17 and 18, insert

"Section 6. R.S. 44:5 is hereby amended and reenacted to read as follows:

§5. Records in custody of governor

A. This Chapter shall not apply to any of the books, records, writings, accounts, letters, letter books, photographs, or copies thereof ordinarily kept in the custody or control of the governor in the usual course of the duties and business of his office, or to those having been used, being in use, or prepared, possessed, or retained for use by or on behalf of the governor in the usual course of the duties and business of his office. Records of the office of the governor shall be public records and shall be subject to the provisions of this Chapter.

B.(1) Notwithstanding the provisions of Subsection A of this Section, a record of the office of the governor that reflects pre-decisional mental impressions, advice, proposals, or opinions created for the purpose of assisting the governor in the formulation of a decision in the usual course of the duties and business of his office shall be privileged from disclosure.

(2)(a) Notwithstanding the provisions of Subsection A of this Section, any record of the office of the governor pertaining to the schedule of the governor, his spouse, or his child which contains security details which if public may impair the safety of the governor, his spouse, or his child shall be confidential.

(b) Nothing in Subparagraph (a) of this Paragraph shall be interpreted or construed in a manner to make all records concerning a meeting or event the governor attends and transportation related thereto confidential, however the governor may keep a record concerning a meeting or event the governor attends and transportation related thereto privileged for a period not to exceed seven days after the occurrence of the meeting or event.

(3) The provisions of Paragraph (1) of this Section Subsection shall not apply to the records of any agency transferred or placed within the office of the governor or to the records of any other executive branch agency.

C. The provisions of Subsection B of this Section shall not prevent any person otherwise herein authorized so to do from inspecting, examining, and copying, or obtaining a reproduction of any books, records, papers, accounts or other documents record pertaining to any money or monies or any financial transactions in the control of or handled by or through the governor or the office of the governor."

Point of Order

Rep. Dove asked for a ruling from the Chair as to whether the above amendments were germane to the subject matter contained in the bill as introduced.

Ruling of the Chair

The Chair ruled that the above amendments were germane to the subject matter contained in the bill as introduced.

Rep. Peterson moved the adoption of the amendments.

Rep. Geymann objected.

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

ROLL CALL

The roll was called with the following result:

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YEAS

Mr. Speaker, Greene, Nowlin, Abramson, Guillory, Peterson, Anders, Hardy, Pugh, Armes, Hill, Richard, Arnold, Hines, Richmond, Aubert, Honey, Ritchie, Baldone, Jackson G., Roy, Barrow, Jackson M., Smith, G., Brossett, Johnson, Smith, P., Burrell, Jones, R., St. Germain, Dixon, Jones, S., Stiaes, Doerge, LaFonta, Talbot, Edwards, Lambert, Waddell, Franklin, LeBas, Williams, Gallot, Leger, Wooton, Gisclair, Norton. Total - 47

NAYS

Badon, B., Ellington, McVea, Barras, Ernst, Mills, Billiot, Fannin, Monica, Burford, Foil, Morris, Burns, H., Geymann, Pearson, Burns, T., Guinn, Perry, Carmody, Hazel, Ponti, Carter, Henderson, Pope, Champagne, Hoffmann, Richardson, Chandler, Howard, Robideaux, Chaney, Katz, Schroder, Connick, Kleckley, Simon, Cortez, LaBruzzo, Smiley, Cromer, Landry, Smith, J., Danahay, Ligi, White, Dove, Little, Willmott, Downs, Lopinto. Total - 50

ABSENT

Badon, A., Hutter, Thibaut, Harrison, Montoucet, Henry, Templet. Total - 7

The amendments were rejected.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Ernst to Reengrossed Senate Bill No. 320 by Senator Alario

AMENDMENT NO. 1

In Amendment No. 4 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 16, 2009, on page 1, at the end of line 10, delete "R.S. 38:330.12(A) through (D)."

AMENDMENT NO. 2

In Amendment No. 13 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 16, 2009, on page 2, delete lines 34 through 50 in their entirety and on page 3, delete lines 1 through 37 in their entirety

AMENDMENT NO. 3

On page 8, at the beginning of line 6, change "Section 5." to "Section 4."

AMENDMENT NO. 4

On page 9, at the beginning of line 18, change "Section 6." to "Section 5."

AMENDMENT NO. 5

On page 10, at the beginning of line 24, change "Section 7." to "Section 6."

AMENDMENT NO. 6

On page 12, at the beginning of line 11, change "Section 8." to "Section 7."

AMENDMENT NO. 7

In Amendment No. 15 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 16, 2009, on page 3, at the beginning of line 42, change "Section 9." to "Section 8."

AMENDMENT NO. 8

In Amendment No. 15 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 16, 2009, on page 3, at the beginning of line 47, change "Section 10." to "Section 9."

Rep. Ernst moved the adoption of the amendments.

Rep. Geymann objected.

By a vote of 64 yeas and 32 nays, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker, Fannin, McVea, Abramson, Foil, Mills, Anders, Franklin, Monica, Armes, Gallot, Montoucet, Arnold, Geymann, Morris, Aubert, Gisclair, Norton, Badon, A., Greene, Nowlin, Badon, B., Guillory, Pearson, Baldone, Guinn, Ponti, Barras, Harrison, Pope, Barrow, Hazel, Pugh, Billiot, Henry, Richard, Brossett, Hill, Richardson, Burford, Hines, Richmond, Burns, H., Hoffmann, Ritchie, Burns, T., Howard, Robideaux, Burrell, Hutter, Schroder, Carmody, Jackson G., Simon, Carter, Johnson, Smith, G., Champagne, Jones, R., Smith, J., Chandler, Jones, S., St. Germain, Chaney, Katz, Stiaes

Connick	Kleckley	Talbot
Cortez	LaBruzzo	Templet
Cromer	LaFonta	Thibaut
Danahay	Lambert	Waddell
Dixon	Landry	White
Doerge	LeBas	Williams
Dove	Leger	Willmott
Downs	Ligi	Wooton
Edwards	Little	
Ernst	Lopinto	
Total - 94		

NAYS

Hardy	Perry	Smith, P.
Honey	Peterson	
Total - 5		

ABSENT

Ellington	Jackson M.	Smiley
Henderson	Roy	
Total - 5		

The Chair declared the above bill was finally passed.

Rep. Geymann 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.

SENATE BILL NO. 324—
BY SENATOR LAFLEUR

AN ACT

To amend and reenact R.S. 33:2721.8, relative to the Evangeline Parish School Board; to authorize any school district in Evangeline Parish, to levy and collect an additional sales and use tax; to provide for the purpose of the tax; and to provide for related matters.

Read by title.

Rep. LeBas 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	Gisclair	Monica
Arnold	Greene	Montoucet
Aubert	Guillory	Norton
Badon, A.	Guinn	Nowlin
Badon, B.	Hardy	Peterson
Baldone	Harrison	Ponti
Barras	Hazel	Pope
Barrow	Henderson	Pugh
Billiot	Hill	Richard
Brossett	Hines	Richardson
Burford	Hoffmann	Richmond
Burns, H.	Honey	Ritchie
Burrell	Howard	Robideaux
Carmody	Hutter	Roy
Carter	Jackson G.	Schroder
Champagne	Jackson M.	Smiley
Chandler	Johnson	Smith, G.
Chaney	Jones, R.	Smith, J.
Connick	Jones, S.	Smith, P.
Cortez	Katz	St. Germain
Danahay	Kleckley	Stiaes
Dixon	LaBruzzo	Templet
Doerge	LaFonta	Thibaut

Dove	Lambert	Waddell
Downs	Landry	White
Edwards	LeBas	Williams
Ellington	Leger	Willmott
Fannin	Little	Wooton
Total - 93		

NAYS

Simon	Talbot
Total - 2	

ABSENT

Burns, T.	Geymann	Morris
Cromer	Henry	Pearson
Ernst	Ligi	Perry
Total - 9		

The Chair declared the above bill was finally passed.

Rep. LeBas 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.

SENATE BILL NO. 1—

BY SENATORS CHAISSON, ALARIO, BROOME, CHEEK, DONAHUE, N. GAUTREAUX, JACKSON, LAFLEUR, MICHOT, MURRAY, SMITH, THOMPSON AND WALSWORTH

A JOINT RESOLUTION

Proposing to amend Article VII, Section 10(F)(2)(a) and (b) of the Constitution of Louisiana, relative to the expenditure of state funds; to authorize the limited redirection and transfer of funds supporting appropriations or allocations from the state general fund and dedicated funds, including those constitutionally protected or mandated, to be used for other nonmandatory purposes under certain circumstances; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Tim Burns to Reengrossed Senate Bill No. 1 by Senator Chaisson

AMENDMENT NO. 1

On page 3, delete lines 26 through 29 in their entirety and on page 4, delete lines 1 through 7 in their entirety and insert the following:

"To increase from 5% to 10% the amount of reductions of appropriations or allocations from state funds in any fiscal year in which a deficit is projected; to require that any adjustment in excess of 5% shall only be effective if approved by a majority of the elected members of each house of the legislature; to provide that any adjustment in excess of 5% shall not be applicable to any fund to the extent the dedication or appropriation is derived from a fee; to provide that any adjustment in excess of 5% shall not exceed 5% for any line item appropriation from any fund; to authorize the inclusion of federal funds from the American Recovery and Reinvestment Act of 2009 in the official forecast; to prohibit adjustments of allocations and appropriations from the Transportation Trust Fund. (Amends Article VII, Section 10(F)(2)(a) and (b); Adds Article VII, Section 10(F)(4)(g))"

AMENDMENT NO. 2

Delete House Committee Amendments Nos. 11 and 12 proposed by the House Committee on Appropriations and adopted by the House of Representatives on June 21, 2009.

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On motion of Rep. Tim Burns, the amendments were adopted.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Lambert to Reengrossed Senate Bill No. 1 by Senator Chaisson

AMENDMENT NO. 1

On page House Committee Amendment No. 1 proposed by the House Committee on Appropriations and adopted by the House of Representatives on June 21, 2009, on page 1, delete line 3 and insert "10(F)(4)(g) and (h)""

AMENDMENT NO. 2

In House Committee Amendment No. 3 proposed by the House Committee on Appropriations and adopted by the House of Representatives on June 21, 2009, on page 1, delete line 9 and insert "10(F)(4)(g) and (h)""

AMENDMENT NO. 3

In House Committee Amendment No. 10 proposed by the House Committee on Appropriations and adopted by the House of Representatives on June 21, 2009, on page 2, between lines 19 and 20, insert the following:

"(h) The Conservation Fund as provided in Article VII, Section 10-A of this constitution."

AMENDMENT NO. 4

In House Floor Amendment No. 1 proposed by Representative Tim Burns and adopted by the House of Representatives on June 22, 2009, on page 1, line 14, after "Fund" and before the period "." insert "and Conservation Fund"

AMENDMENT NO. 5

In House Floor Amendment No. 1 proposed by Representative Tim Burns and adopted by the House of Representatives on June 22, 2009, on page 1, line 15, delete "(10)(F)(4)(g)" and insert "10(F)(4)(g) and (h)""

Motion

Rep. White moved the previous question be ordered on the amendments.

As a substitute motion, Rep. Richmond moved that the House recess until 6:01 p.m., on Monday, June 22, 2009.

Rep. Greene objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Abramson, Anders, Arnes, Badon, A., Barrow, Franklin, Gallot, Hardy, Honey, Jackson G., Leger, Montoucet, Richmond, Smith, P., St. Germain

Brossett, Burrell, Dixon, Total - 23

Jones, R., Jones, S., LaFonta

Stiaes, Williams

NAYS

Mr. Speaker, Aubert, Badon, B., Baldone, Barras, Billiot, Burford, Burns, H., Burns, T., Carmody, Carter, Champagne, Chandler, Chaney, Connick, Cortez, Danahay, Doerge, Dove, Downs, Edwards, Ellington, Ernst, Fannin, Foil, Total - 74

Geymann, Gisclair, Greene, Guillory, Guinn, Harrison, Hazel, Hill, Hines, Hoffmann, Howard, Hutter, Johnson, Katz, Kleckley, LaBruzzo, Lambert, Landry, Ligi, Little, Lopinto, McVea, Mills, Monica, Morris

Norton, Nowlin, Pearson, Perry, Ponti, Pope, Pugh, Richardson, Ritchie, Robideaux, Roy, Schroder, Simon, Smiley, Smith, G., Smith, J., Talbot, Templet, Thibaut, Waddell, White, Willmott, Wooton

ABSENT

Arnold, Cromer, Henderson, Total - 7

Henry, Jackson M., LeBas

Peterson

The House refused to recess.

Rep. White insisted on his motion that the previous question be ordered on the amendments.

Rep. Richmond objected.

By a vote of 62 yeas and 29 nays, the motion was agreed to.

Rep. Lambert moved the adoption of the amendments.

Rep. Downs objected.

By a vote of 54 yeas and 47 nays, the amendments were adopted.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Lambert to Reengrossed Senate Bill No. 1 by Senator Chaisson

AMENDMENT NO. 1

On page 2, line 26, change "one" to "five"

AMENDMENT NO. 2

On page 4, line 2, change "one" to "five"

AMENDMENT NO. 3

In House Floor Amendment No. 1 proposed by Representative Tim Burns and adopted by the House of Representatives on June 22, 2009, on page 1, at the beginning of line 4, delete "To" and insert "To increase from one to five percent the decrease in revenues needed to reduce appropriations or allocations from dedicated funds in the next fiscal year; to"

Motion

Rep. Arnold moved to suspend the rules to limit all subsequent speakers to two minutes.

As a substitute motion, Rep. Peterson moved to limit each speaker on the amendment to two minutes.

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

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Hines	Richmond
Aubert	Honey	Roy
Brossett	Jackson G.	Smith, G.
Burrell	Jones, R.	St. Germain
Dixon	Jones, S.	Stiaes
Edwards	LaFonta	Thibaut
Franklin	Leger	Waddell
Gallot	Montoucet	Williams
Hardy	Nowlin	Wooton
Henderson	Peterson	
Total - 29		

NAYS

Mr. Speaker	Dove	McVea
Arnes	Downs	Monica
Arnold	Ellington	Morris
Badon, A.	Ernst	Norton
Badon, B.	Fannin	Pearson
Baldone	Foil	Perry
Barras	Geymann	Ponti
Barrow	Gisclair	Pope
Billiot	Greene	Pugh
Burford	Hazel	Richard
Burns, H.	Hill	Richardson
Burns, T.	Hoffmann	Ritchie
Carmody	Howard	Robideaux
Carter	Jackson M.	Schroder
Champagne	Johnson	Simon
Chandler	Kleckley	Smiley
Chaney	LaBruzzo	Smith, J.
Connick	Lambert	Smith, P.
Cortez	Landry	Talbot
Cromer	Ligi	Templet
Danahay	Little	White
Doerge	Lopinto	Willmott
Total - 66		

ABSENT

Anders	Harrison	Katz
Guillory	Henry	LeBas
Guinn	Hutter	Mills
Total - 9		

The House refused to suspend the rules to limit each speaker on the amendment to two minutes.

Rep. Arnold insisted on his motion to limit all subsequent speakers to two minutes.

By a vote of 65 yeas and 31 nays, the motion having received two-thirds of the members present and voting, the House agreed to suspend the rules to limit all subsequent speakers to two minutes.

Rep. Lambert moved the adoption of the amendments.

Rep. Schroder objected.

By a vote of 37 yeas and 60 nays, the amendments were rejected.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Montoucet to Reengrossed Senate Bill No. 1 by Senator Chaisson

AMENDMENT NO. 1

In House Committee Amendment No. 6 proposed by the House Committee on Appropriations and adopted by the House of Representatives on June 21, 2009, on page 1, line 17, delete "which are in excess of five percent"

AMENDMENT NO. 2

In House Committee Amendment No. 9 proposed by the House Committee on Appropriations and adopted by the House of Representatives on June 21, 2009, on page 1, line 32, delete "which are in excess of five percent"

AMENDMENT NO. 3

In House Floor Amendment No. 1 proposed by Representative Tim Burns and adopted by the House of Representatives on June 22, 2009, on page 1, line 8, delete "in excess of 5%"

Motion

Rep. Lopinto moved to end consideration of amendments.

As a substitute motion, Rep. Richmond moved that the previous question be ordered on the amendments.

Rep. Lopinto objected.

The vote recurred on the substitute motion.

By a vote of 37 yeas and 60 nays, the House refused to order the previous question on the amendments.

Rep. Lopinto insisted on his motion to end consideration of amendments.

By a vote of 61 yeas and 39 nays, the motion was agreed to.

Rep. Montoucet moved the adoption of the amendments.

Rep. Schroder objected.

By a vote of 65 yeas and 29 nays, the amendments were adopted.

Suspension of the Rules

Rep. Richmond moved for a suspension of the rules in order to call the roll *viva voce*.

Rep. Schroder objected.

By a vote of 23 yeas and 77 nays, the House refused to suspend the rules.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	Monica
Anders	Foil	Morris
Arnold	Geymann	Nowlin
Badon, A.	Gisclair	Pearson
Baldone	Greene	Perry
Barras	Guinn	Ponti
Billiot	Harrison	Pope
Burford	Hazel	Pugh
Burns, H.	Henry	Richard
Burns, T.	Hill	Richardson
Carmody	Hines	Robideaux
Carter	Hoffmann	Roy
Champagne	Howard	Schroder
Chandler	Hutter	Simon
Chaney	Johnson	Smiley
Connick	Katz	Smith, J.
Cortez	Kleckley	Talbot
Cromer	LaBruzzo	Templet
Danahay	Landry	Thibaut
Doerge	LeBas	Waddell
Dove	Ligi	White
Downs	Little	Willmott
Ellington	Lopinto	Wooton
Ernst	Mills	
Total - 71		

NAYS

Armes	Hardy	Montoucet
Aubert	Henderson	Norton
Badon, B.	Honey	Peterson
Barrow	Jackson G.	Richmond
Brossett	Jackson M.	Smith, G.
Burrell	Jones, R.	Smith, P.
Dixon	Jones, S.	Stiaes
Edwards	LaFonta	Williams
Franklin	Lambert	
Gallot	Leger	
Total - 28		

ABSENT

Abramson	McVea	St. Germain
Guillory	Ritchie	
Total - 5		

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

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

SENATE BILL NO. 2—

BY SENATORS CHAISSON, ALARIO, BROOME, CHEEK, DONAHUE, N. GAUTREAU, JACKSON, LAFLEUR, MICHOT, MURRAY, SMITH, THOMPSON AND WALSWORTH AND REPRESENTATIVE BALDONE

AN ACT

To repeal R.S. 39:75(F), relative to the avoidance of budget deficits; to repeal the limitation on the cumulative percentage reduction in constitutionally or statutorily protected or mandated appropriations, allocations, or expenditures; and to provide for an effective date.

Read by title.

Rep. Schroder moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	Monica
Anders	Foil	Morris
Arnold	Geymann	Nowlin
Badon, B.	Gisclair	Pearson
Baldone	Greene	Perry
Barras	Guillory	Ponti
Billiot	Guinn	Pope
Burford	Hazel	Pugh
Burns, H.	Henry	Richard
Burns, T.	Hill	Richardson
Carmody	Hines	Ritchie
Carter	Hoffmann	Robideaux
Champagne	Howard	Schroder
Chandler	Hutter	Simon
Chaney	Katz	Smiley
Connick	Kleckley	Smith, J.
Cortez	LaBruzzo	Talbot
Cromer	Landry	Templet
Danahay	LeBas	Waddell
Doerge	Ligi	White
Dove	Little	Willmott
Downs	Lopinto	Wooton
Ellington	McVea	
Ernst	Mills	
Total - 70		

NAYS

Armes	Henderson	Montoucet
Aubert	Honey	Norton
Barrow	Jackson G.	Peterson
Brossett	Jackson M.	Richmond
Burrell	Johnson	Roy
Dixon	Jones, R.	Smith, P.
Edwards	Jones, S.	St. Germain
Franklin	LaFonta	Stiaes
Gallot	Lambert	Thibaut
Hardy	Leger	Williams
Total - 30		

ABSENT

Abramson	Harrison
Badon, A.	Smith, G.
Total - 4	

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

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

SENATE BILL NO. 26—

BY SENATORS N. GAUTREAU, ADLEY, ALARIO, CHEEK, DUPRE, HEBERT, KOSTELKA, LONG, MARIONNEAU, MARTINY, MICHOT, MORRISH, MURRAY, RISER, SHAW, SMITH AND WALSWORTH AND REPRESENTATIVES JANE SMITH, BILLIOT, BURFORD, HENRY BURNS, CHAMPAGNE, ELLINGTON, GISCLAIR, GUINN, MONTOUCET AND SIMON

AN ACT

To enact R.S. 47:6035 and to repeal R.S. 47:38 and 287.757 and R.S. 51:2458(2), relative to individual income and corporate income tax credits; to increase the tax credit for the cost of qualified clean-burning motor vehicle fuel property; to increase the tax credit for the purchase of a motor vehicle with qualified clean-

burning motor vehicle property installed by the vehicle's manufacturer; to provide relative to certain definitions; to provide for the refund of the tax credit under certain circumstances; to authorize the promulgation of rules and regulations under certain circumstances; to authorize a qualified employer who receives a rebate in the Louisiana Quality Jobs Program to also claim the tax credit for the conversion of vehicles to alternative fuel usage; to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative White to Engrossed Senate Bill No. 26 by Senator N. Gautreaux

AMENDMENT NO. 1

On page 1, delete lines 2 through 11 and insert the following:

"To amend and reenact R.S. 51:2453(4), relative to the Louisiana Quality Jobs Program Act; to expand the definition of "new direct job" to include employees of a contract labor provider in certain instances; to provide for definitions; to provide for an effective date; and to provide for related matters."

AMENDMENT NO. 2

On page 1, delete lines 13 through 17 and delete pages 2 through 4 and insert the following:

"Section 1. R.S. 51:2453(4) is hereby amended and reenacted to read as follows:

§2453. Definitions

The following words or terms as used in this Chapter shall have the following meaning, unless a different meaning appears from the context:

* * *

(4)(a) "New direct job" means employment in this state of an employee working at the average hours per week provided for in R.S. 51:2455(E)(2), who was not previously on an employer's payroll in Louisiana, nor previously on the payroll of such employer's parent entity, subsidiary, or affiliate in Louisiana, or previously on the payroll of any business whose physical plant and employees are substantially the same as those of the employer in Louisiana. Such job shall be with an employer that has qualified to receive a rebate pursuant to the provisions of this Chapter, which job did not exist in this state prior to the effective date the application was filed by the employer with the Department of Economic Development pursuant to the provisions of R.S. 51:2455 and which job is filled by an individual domiciled in the state of Louisiana.

(b) "New direct job" may also mean employment in the state of Louisiana of an employee under contract at an eligible company to perform duties in connection with the operation of the employer for the average hours per week provided for in R.S. 51:2455(E)(2).

(i) New direct jobs under this definition shall fulfill all obligations for incentives under the Quality Jobs Program if all of the following criteria are met:

(aa) The eligible company's wages and benefits are consistent with Paragraphs (1) and (3) of this Section and is not an exempted profession or service industry in those Paragraphs.

(bb) The employer under this Section is classified as a manufacturer as specified by Item (2)(b)(ii) of this Section.

(ii) Any new direct job filled by a contract laborer shall be counted towards fulfilling the employer's direct job and salary requirement provisions of any contractual obligation between the employer and the state of Louisiana provided the wages and benefits paid to the contract laborer meet the requirements defined under the Quality Jobs Program consistent with Paragraphs (1) and (3) of this Section. Provisions for this Item shall apply to all contracts in effect as of July 1, 2009, and any contracts thereafter.

(iii) Beginning July 1, 2010, employers may claim eighty percent of the total amount paid to the contracting company for wages and benefits for contract laborers for rebates under the provision defined in this Section, provided the wages and benefits paid to the contract laborer are consistent with Paragraphs (1) and (2) of this Section.

(iv) The provisions of this Subparagraph shall be effective through June 30, 2014, at which time they shall become null and void. An employer which prior to June 30, 2014, has been approved by the Department of Economic Development to receive incentive tax rebates under the provisions of this Subparagraph shall continue to receive tax rebates pursuant to the terms of its agreement with the state of Louisiana provided the employer retains eligibility.

(c) "New direct job" shall not mean any job that is a result of job shifts due to the gain or loss of an in-state contract to supply goods and services.

(d) "New direct job" shall not mean any employees who were retained following the acquisition of all or part of an in-state business by an employer.

* * *

Section 2. This Act shall become effective on July 1, 2009; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 2009, or on the day following such approval by the legislature, whichever is later."

Point of Order

Rep. Richmond asked for a ruling from the Chair as to whether the above amendments were germane to the subject matter contained in the bill as introduced.

Ruling of the Chair

The Chair ruled that the above amendments were germane to the subject matter contained in the bill as introduced.

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	Lopinto
Abramson	Foil	McVea
Anders	Franklin	Mills
Armes	Gallot	Monica
Arnold	Geymann	Montoucet
Aubert	Gisclair	Morris

Badon, B.	Guillory	Norton
Baldone	Hardy	Nowlin
Barras	Harrison	Perry
Barrow	Hazel	Ponti
Billiot	Henderson	Pope
Brossett	Henry	Pugh
Burford	Hill	Richard
Burns, H.	Hines	Richardson
Burns, T.	Hoffmann	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, J.
Cortez	Katz	St. Germain
Cromer	Kleckley	Stiaes
Danahay	LaBruzzo	Talbot
Dixon	Lambert	Templet
Doerge	Landry	Waddell
Dove	LeBas	White
Downs	Leger	Williams
Edwards	Ligi	Willmott
Ellington	Little	Wooton

Total - 93

NAYS

Badon, A.	Peterson
LaFonta	Smith, P.

Total - 4

ABSENT

Ernst	Honey	Thibaut
Greene	Pearson	
Guinn	Smith, G.	

Total - 7

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 52—
BY SENATOR MARIONNEAUX
AN ACT

To enact R.S. 47:305.62, relative to the state and local sales and use tax; to enact the Annual Second Amendment Weekend Holiday; to provide that the state and local sales and use tax shall not apply to consumer purchases of firearms, ammunition, and hunting supplies each year for a certain period; to provide for a penalty; to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Henry to Engrossed Senate Bill No. 52 by Senator Marionneaux

AMENDMENT NO. 1

On page 1, line 5, after "period;" and before "to provide for an" delete "to provide for a penalty;"

AMENDMENT NO. 2

On page 1, at the beginning of line 12, delete "B.(1)(a)" and insert "B.(1)"

AMENDMENT NO. 3

On page 1, delete line 17 in its entirety, and on page 2, delete lines 1 through 12 in their entirety

At 6:00 p.m., Speaker Tucker declared that the House had reached the deadline for consideration of bills on third reading and final passage under Article III, Section 2(A) of the Constitution of 1974.

Motion

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

Suspension of the Rules

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

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

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

HOUSE CONCURRENT RESOLUTION NO. 236—
BY REPRESENTATIVES FANNIN, ANDERS, ARMES, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BARROW, BILLIOT, BROSSETT, BURFORD, HENRY BURNS, BURRELL, CARTER, CHANDLER, DIXON, DOWNS, ELLINGTON, FOIL, GISCLAIR, HARDY, HAZEL, HENDERSON, HINES, HOFFMANN, HONEY, GIROD JACKSON, MICHAEL JACKSON, SAM JONES, KATZ, LAFONTA, LEBAS, LIGI, LITTLE, MONICA, MONToucET, NOWLIN, PEARSON, PETERSON, POPE, PUGH, RICHARDSON, ROY, SCHRODER, GARY SMITH, JANE SMITH, PATRICIA SMITH, STIAES, THIBAUT, TUCKER, WADDELL, WILLIAMS, WILLMOTT, AND WOOTON

A CONCURRENT RESOLUTION

To authorize the Revenue Estimating Conference to incorporate certain monies available for appropriation from the Budget Stabilization Fund into the official forecast for Fiscal Year 2009-2010.

Read by title.

Rep. Fannin moved to suspend the rules to consider the adoption of the resolution.

Rep. LaFonta objected.

By a vote of 88 yeas and 8 nays, the House agreed to suspend the rules.

Acting Speaker Arnold in the Chair

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Sam Jones to Original House Concurrent Resolution No. 236 by Representative Fannin

AMENDMENT NO. 1

On page 2, delete lines 20 through 28 in their entirety and insert in lieu thereof the following:

"WHEREAS, the official forecasts of recurring money for Fiscal Years 2010-2011 and 2011-2012 have also been reduced since the initial forecasts of those fiscal years by the Revenue Estimating Conference; and

WHEREAS, it is expected that it will be at least three years before the official forecast of recurring money will return to the levels which were estimated prior to the beginning of the financial crisis and economic downturn.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby consent to and authorize the Revenue Estimating Conference to incorporate one-third of the balance of the Budget Stabilization Fund into the official forecast for Fiscal Year 2009-2010.

BE IT FURTHER RESOLVED that the Legislature of Louisiana does hereby declare its intention to use the funds made available for appropriation as a result of the incorporation of one-third of the balance of the Budget Stabilization Fund into the official forecast for Fiscal Year 2009-2010, over a three-year period."

Rep. Sam Jones moved the adoption of the amendments.

Rep. Fannin objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Aubert	Henderson	Peterson
Badon, B.	Honey	Richard
Baldone	Jackson G.	Richmond
Barrow	Jackson M.	Ritchie
Brossett	Johnson	Roy
Burrell	Jones, R.	Smith, G.
Dixon	Jones, S.	Smith, P.
Edwards	LaFonta	St. Germain
Foil	Landry	Stiaes
Franklin	Leger	Thibaut
Gisclair	Mills	Williams
Guinn	Montoucet	
Hardy	Norton	
Total - 37		

NAYS

Mr. Speaker	Downs	Lopinto
Abramson	Ellington	McVea
Anders	Ernst	Monica
Armes	Fannin	Morris
Arnold	Geymann	Nowlin
Barras	Greene	Pearson
Billiot	Harrison	Perry
Burford	Hazel	Ponti
Burns, H.	Henry	Pope
Burns, T.	Hill	Pugh
Carmody	Hines	Richardson
Carter	Hoffmann	Schroder
Champagne	Howard	Simon
Chandler	Hutter	Smiley
Chaney	Katz	Smith, J.
Connick	Kleckley	Talbot
Cortez	LaBruzzo	Templet
Cromer	Lambert	Waddell
Danahay	LeBas	White
Doerge	Ligi	Willmott
Dove	Little	Wooton
Total - 63		

ABSENT

Badon, A.	Guillory
Gallot	Robideaux
Total - 4	

The amendments were rejected.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Sam Jones to Original House Concurrent Resolution No. 236 by Representative Fannin

AMENDMENT NO. 1

On page 2, after line 28, add the following:

"BE IT FURTHER RESOLVED, that the Legislature of Louisiana does hereby declare its intention that any portion of the Budget Stabilization Fund made available for appropriation pursuant to this Concurrent Resolution shall not be available for appropriation for member amendments."

Rep. Sam Jones moved the adoption of the amendments.

Rep. Downs objected.

By a vote of 83 yeas and 17 nays, the amendments were adopted.

Rep. Fannin moved the adoption of the resolution, 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
Aubert	Guillory	Pearson
Badon, A.	Guinn	Perry
Badon, B.	Hardy	Peterson
Baldone	Harrison	Ponti
Barras	Hazel	Pope
Barrow	Henderson	Pugh
Billiot	Henry	Richard
Brossett	Hill	Richardson
Burford	Hines	Richmond
Burns, H.	Hoffmann	Ritchie
Burns, T.	Honey	Robideaux
Burrell	Howard	Roy
Carmody	Hutter	Schroder
Carter	Jackson G.	Simon
Champagne	Jackson M.	Smiley
Chandler	Johnson	Smith, G.
Chaney	Jones, R.	Smith, J.
Connick	Jones, S.	Smith, P.
Cortez	Katz	St. Germain
Cromer	Kleckley	Stiaes
Danahay	LaBruzzo	Talbot
Dixon	LaFonta	Templet
Doerge	Lambert	Thibaut
Dove	Landry	Waddell
Downs	LeBas	White

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Edwards	Leger	Williams
Ellington	Ligi	Willmott
Ernst	Little	Wooton
Fannin	McVea	
Foil	Mills	
Total - 103		

NAYS

Lopinto
Total - 1

ABSENT

Total - 0

The resolution was adopted.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 237—
BY REPRESENTATIVE TUCKER
A CONCURRENT RESOLUTION

To authorize and direct the Louisiana Recovery Authority to provide an analysis of all program expenditures under the Community Development Block Grant disaster recovery program, including expenditures or encumbrances associated with contractual agreements for program management, or other obligations in order to identify potentially unused funds within programs, to the legislature by September 30, 2009, and through its federal and state required processes, to develop action plan amendments for public review and comment to redirect funds within the parishes that suffered damages to more than sixty percent of the housing as a result of Hurricanes Katrina or Rita.

Read by title.

On motion of Rep. Tucker, and under a suspension of the rules, the resolution was ordered passed to its third reading.

HOUSE CONCURRENT RESOLUTION NO. 238—
BY REPRESENTATIVE TUCKER
A CONCURRENT RESOLUTION

To support the progress of the Department of Health and Hospitals (DHH), the Louisiana Public Health Institute (LPHI) as DHH's local partner in administering the Primary Care Access and Stabilization Grant (PCASG) which expires on September 30, 2010, and the twenty-five public and private not-for-profit organizations participating in the PCASG in meeting essential primary medical and behavioral health care needs in the Greater New Orleans region (Jefferson, Orleans, St. Bernard, and Plaquemines parishes).

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 239—
BY REPRESENTATIVE RICHMOND
A CONCURRENT RESOLUTION

To welcome the 2009 International Legislative Drafting Institute participants to the state capitol and to commend the participants and their respective governments for their investment in the program and to further commend the Institute upon its return to Louisiana.

Read by title.

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

Ordered to the Senate.

HOUSE RESOLUTION NO. 111—
BY REPRESENTATIVE MONTOU CET
A RESOLUTION

To urge and request the House Committee on Municipal, Parochial and Cultural Affairs to study and make recommendations relative to restrictions on the political activities of employees of the municipal fire and police civil service in certain municipalities, parishes, and fire protection districts, including the constitutional and statutory prohibitions on the political activities of such employees and to report its findings to the House of Representatives prior to the 2010 Regular Session of the Legislature.

Read by title.

On motion of Rep. Montoucet, and under a suspension of the rules, the resolution was ordered passed to its third reading.

HOUSE RESOLUTION NO. 112—
BY REPRESENTATIVE TIM BURNS
A RESOLUTION

To urge and request the Louisiana State Law Institute to study and make recommendations relative to the implementation of safeguards for elderly persons executing powers of attorney and to report its findings to the legislature.

Read by title.

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

HOUSE RESOLUTION NO. 113—
BY REPRESENTATIVE BURFORD
A RESOLUTION

To commend the village of Grand Cane in DeSoto Parish upon the celebration of its one hundred tenth anniversary.

Read by title.

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

HOUSE RESOLUTION NO. 114—
BY REPRESENTATIVE CONNICK
A RESOLUTION

To urge and request the legislative auditor to conduct an audit on the Crescent City Connection Division within the Louisiana Department of Transportation and Development.

Read by title.

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

HOUSE RESOLUTION NO. 115—
BY REPRESENTATIVE TEMPLET
A RESOLUTION

To urge and request the Department of Transportation and Development Crescent City Connection Division to redesignate the Gretna-Jackson Avenue Ferry route to operate from the city of Gretna to the Canal Street Ferry Landing.

Read by title.

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

HOUSE RESOLUTION NO. 116—

BY REPRESENTATIVE BALDONE

A RESOLUTION

To urge and request that each state correctional facility, local jail, or private correctional facility provide suitable space where inmates may receive substance abuse counseling.

Read by title.

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

HOUSE RESOLUTION NO. 117

BY REPRESENTATIVES TUCKER, ABRAMSON, ANDERS, ARMES, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BARROW, BILLIOT, BROSSETT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTEZ, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, CROMER, DANAHAY, DIXON, DOERGE, DOVE, DOWNS, EDWARDS, ELLINGTON, ERNST, FANNIN, FOIL, FRANKLIN, GALLOT, GEYMAN, GISCLAIR, GREENE, MICKEY GUILLORY, GUINN, HARDY, HARRISON, HAZEL, HENDERSON, HENRY, HILL, HINES, HOFFMANN, HONEY, HOWARD, HUTTER, GIROD JACKSON, MICHAEL JACKSON, JOHNSON, ROSALIND JONES, SAM JONES, KATZ, KLECKLEY, LABRUZZO, LAFONTA, LAMBERT, LANDRY, LEBAS, LEGER, LIGI, LITTLE, LOPINTO, MCVEA, MILLS, MONICA, 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, WADDELL, WHITE, WILLIAMS, WILLMOTT, AND WOOTON

A RESOLUTION

To express sincere and heartfelt condolences upon the death of Andre Marcel Lebeuf, assistant clerk of the Louisiana House of Representatives.

WHEREAS, on Monday, June 15, 2009, the Louisiana House of Representatives family lost one of its own, Andre Marcel Lebeuf, assistant House clerk, a dear friend and colleague who left us at the age of fifty-two, and it was a very great loss, the loss of a man who spent most of his adult life serving the House, and a man who had a way with words and was always ready to lend a hand with whatever project might benefit from his vast experience; and

WHEREAS, Andre began his exemplary career with the Louisiana House of Representatives in February of 1981 as a student messenger, quickly being promoted to a full-time employee position in September of that year as a docket clerk; in 1983, he was promoted to assistant supervisor of administrative services and continued in that position until October of 1996, when he joined the staff of the office of the clerk; and

WHEREAS, in January of 2004, Andre became an assistant House clerk, and he served with great productivity and effectiveness in that position until the time of his death; his cheerful countenance and clever comments were a fixture on the front desk in the House chamber, as was his proficiency in preparing the House Journal; and

WHEREAS, for more than twenty-eight years, Andre was a true resource for all House members and staff because of his wide expertise and professional ability, and his long-term knowledge of the legislative process was of invaluable assistance; and

WHEREAS, Andre was a true believer in public service to the state of Louisiana, and he dedicated his entire professional career to the work of the House of Representatives; and

WHEREAS, a native of New Orleans and a longtime resident of Baton Rouge, Andre reveled in the culture of Louisiana, his own Louisiana heritage, and his lifelong experiences in this great state; indeed, he was a true New Orleans Yat, educated at De La Salle High School and LSU, and he remained a dedicated LSU fan; and

WHEREAS, Andre married and reared his family in Baton Rouge, where he cultivated many friendships that lasted throughout his lifetime, many of which were formed at the state capitol, his second home during long hours at work; and

WHEREAS, Andre had a kind and loving heart and loved and supported his family, friends, and colleagues in their trials as well as in their triumphs, often effectively using his remarkable wit and unique smile to lift spirits; and

WHEREAS, Andre's consummate friendship, good humor, patience, and tolerance toward everybody he met were returned with love by his colleagues and the members of the legislature, especially those in the House of Representatives; and

WHEREAS, with the death of Andre Lebeuf, one of Louisiana's most gifted and loyal sons has been taken from us, one whose contributions to the House of Representatives were closely tied to some of the most important times in its history; and

WHEREAS, Andre will be missed greatly by the members and staff of the House of Representatives, many of whom were blessed to know him as a longtime friend, and he will always be remembered for the genuine interest and regard he exhibited for those with whom he worked and for the courage, humor, and grace with which he faced his illness; and

WHEREAS, Andre is survived by his daughter, Erin Nicole Lebeuf; his son, Christopher Andrew Lebeuf; his father, George Louis Lebeuf, and mother, Marilyn Tassin Lebeuf; his sister, Marie "MiMi" Lebeuf; and his brothers, Paul Lebeuf and Charles Lebeuf; he was preceded in death by his wife, Kathi Manchester Lebeuf; and

WHEREAS, the debt of the people of Louisiana to Andre Lebeuf is indeed great, for through his mastery of his profession and particularly through his dedication to the Louisiana House of Representatives, he left an indelible mark on not only those fortunate enough to know him but for all those who will walk the halls of the state capitol after him and feel the lasting impact of his wonderful legacy.

THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Legislature of Louisiana, for themselves and for the staff of the House, hereby express their most sincere and heartfelt condolences upon the death of Andre Marcel Lebeuf, assistant clerk and twenty-eight-year member of the staff of the Louisiana House of Representatives, hereby recognize and record for posterity his significant contributions to the House through his outstanding abilities, unwavering integrity, and the friendship and able assistance he generously gave to all who worked with him, and hereby express the deep regret of the entire House family upon the loss of this extraordinary individual who loved and served this institution so long and so well.

BE IT FURTHER RESOLVED that a suitable copy of this Resolution be transmitted to the family of Andre Lebeuf.

Read in full.

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

HOUSE RESOLUTION NO. 118—

BY REPRESENTATIVE ROY

A RESOLUTION

To express the condolences of the House of Representatives upon the death of Father Ken Roy of Alexandria and to recognize and record the contributions he made within the church and to his community and country.

Read by title.

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

Suspension of the Rules

On motion of Rep. Roy, 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:

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to Senate Bill No. 143: Reps. Lambert, Wooton, and White.

Message from the Senate

APPOINTMENT OF CONFERENCE COMMITTEE

June 22, 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 appointed the following committee to serve with a like committee from the House to confer on the disagreement to Senate Bill No. 143: Senators Amedee, Martiny, and Chaisson.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

HOUSE BILLS

June 22, 2009

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

I am directed to inform your honorable body that the Senate has finally passed the following House Bills:

House Bill No. 2
Returned with amendments

House Bill No. 3
Returned without amendments

House Bill No. 5
Returned without amendments

House Bill No. 9
Returned without amendments

House Bill No. 62
Returned with amendments

House Bill No. 70
Returned without amendments

House Bill No. 83
Returned with amendments

House Bill No. 106
Returned without amendments

House Bill No. 118
Returned with amendments

House Bill No. 123
Returned without amendments

House Bill No. 128
Returned with amendments

House Bill No. 171
Returned with amendments

House Bill No. 189
Returned with amendments

House Bill No. 215
Returned with amendments

House Bill No. 261
Returned without amendments

House Bill No. 276
Returned with amendments

House Bill No. 338
Returned without amendments

House Bill No. 363
Returned without amendments

House Bill No. 365
Returned with amendments

House Bill No. 367
Returned with amendments

House Bill No. 389
Returned without amendments

House Bill No. 420
Returned with amendments

House Bill No. 446
Returned with amendments

House Bill No. 447
Returned without amendments

House Bill No. 453
Returned with amendments

House Bill No. 458
Returned with amendments

House Bill No. 495
Returned without amendments

House Bill No. 517
Returned with amendments

House Bill No. 518
Returned without amendments

House Bill No. 523
Returned with amendments

House Bill No. 563
Returned with amendments

House Bill No. 564
Returned with amendments

House Bill No. 578
Returned with amendments

House Bill No. 595
Returned with amendments

House Bill No. 604
Returned without amendments

House Bill No. 618
Returned with amendments

House Bill No. 620
Returned with amendments

House Bill No. 628
Returned with amendments

House Bill No. 630
Returned without amendments

House Bill No. 658
Returned without amendments

House Bill No. 667
Returned with amendments

House Bill No. 682
Returned without amendments

House Bill No. 687
Returned with amendments

House Bill No. 693
Returned with amendments

House Bill No. 720
Returned with amendments

House Bill No. 733
Returned with amendments

House Bill No. 734
Returned with amendments

House Bill No. 761
Returned without amendments

House Bill No. 765
Returned with amendments

House Bill No. 771
Returned with amendments

House Bill No. 790
Returned without amendments

House Bill No. 798
Returned without amendments

House Bill No. 801
Returned without amendments

House Bill No. 810
Returned with amendments

House Bill No. 818
Returned with amendments

House Bill No. 821
Returned with amendments

House Bill No. 827
Returned with amendments

House Bill No. 858
Returned with amendments

House Bill No. 863
Returned with amendments

House Bill No. 869
Returned without amendments

House Bill No. 870
Returned with amendments

House Bill No. 872
Returned with amendments

House Bill No. 879
Returned without amendments

House Bill No. 880
Returned without amendments

House Bill No. 881
Returned with amendments

House Bill No. 885
Returned with amendments

House Bill No. 896
Returned without amendments

House Bill No. 898
Returned with amendments

House Bill No. 902
Returned with amendments

House Bill No. 903
Returned with amendments

House Bill No. 904
Returned with amendments

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Talbot gave notice of his intention to call House Bill No. 617 from the calendar in Regular Order No. 4 on Tuesday, June 23, 2009.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Peterson gave notice of her intention to call Senate Bill No. 34 from the calendar on Tuesday, June 23, 2009.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Henry gave notice of his intention to call Senate Bill No. 52 from the calendar on Tuesday, June 23, 2009.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Peterson gave notice of her intention to call Senate Bill No. 75 from the calendar on Tuesday, June 23, 2009.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Greene gave notice of his intention to call Senate Bill No. 108 from the calendar on Tuesday, June 23, 2009.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Greene gave notice of his intention to call Senate Bill No. 109 from the calendar on Tuesday, June 23, 2009.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Greene gave notice of his intention to call Senate Bill No. 123 from the calendar on Tuesday, June 23, 2009.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Greene gave notice of his intention to call Senate Bill No. 163 from the calendar on Tuesday, June 23, 2009.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Arnold gave notice of his intention to call Senate Bill No. 167 from the calendar on Tuesday, June 23, 2009.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Henry gave notice of his intention to call Senate Bill No. 199 from the calendar on Tuesday, June 23, 2009.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Hazel gave notice of his intention to call Senate Bill No. 313 from the calendar on Tuesday, June 23, 2009.

Message from the Senate

SIGNED SENATE CONCURRENT RESOLUTIONS

June 22, 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 No. 90

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.

Message from the Senate

SIGNED SENATE BILLS AND JOINT RESOLUTIONS

June 22, 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 Bills:

Senate Bill Nos. 23, 93, 105, 129, 162, 182, 212, 251, 284, 285, 289, 292, 321, and 348

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 Bills and Joint Resolutions contained herein were signed by the Speaker of the House.

Privileged Report of the Committee on Enrollment

June 22, 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 Bills have been properly enrolled:

HOUSE BILL NO. 5—
BY REPRESENTATIVES GUINN, BALDONE, BARRAS, GISCLAIR, HARRISON, HENDERSON, HENRY, JOHNSON, MILLS, MONTOUCET, PERRY, RICHARD, RITCHIE, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, AND WOOTON AND SENATORS GUILLORY AND HEBERT
AN ACT

To amend and reenact R.S. 47:305(A)(5) and to enact R.S. 47:302(T), 321(J), and 331(R), relative to exemptions to sales and use tax; to provide with respect to exemptions for crawfish bait and feed; and to provide for related matters.

HOUSE BILL NO. 9—
BY REPRESENTATIVES BALDONE AND LEGER
AN ACT

To enact R.S. 47:301(6)(c), relative to sales and use tax; to exclude from the definition of "hotel" certain temporary lodging services provided by a nonprofit corporation to a homeless person; to authorize rulemaking; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 34—

BY REPRESENTATIVES FANNIN, CHANDLER, HARDY, ROY, AND SIMON AND SENATOR SHAW

AN ACT

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

HOUSE BILL NO. 66—

BY REPRESENTATIVE GUINN

AN ACT

To repeal R.S. 37:3112(B)(2) and 3115.1, relative to continuing education of auctioneers; to repeal the requirement that licensed auctioneers take six hours of continuing education annually.

HOUSE BILL NO. 70—

BY REPRESENTATIVE HARDY

AN ACT

To enact R.S. 13:10.4, relative to witness protection; to provide for the assessment of court costs to be used for the witness protection program; to provide for the collection and disbursement of monies; to provide for an annual audit; to provide for a contingent effective date; and to provide for related matters.

HOUSE BILL NO. 88—

BY REPRESENTATIVE MCVEA

AN ACT

To amend and reenact R.S. 42:63(A)(3), relative to dual officeholding and dual employment; to authorize an employee of the United States government to serve as a part-time elected official; to provide for definitions; to provide exceptions; and to provide for related matters.

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)(b) and (B)(5) and to enact R.S. 14:102.1(A)(2)(c) and (d) and (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.

HOUSE BILL NO. 106—

BY REPRESENTATIVES GREENE, BALDONE, BARRAS, CARTER, HENRY, HOFFMANN, GIROD JACKSON, NOWLIN, RICHARD, RITCHIE, ROBIDEAUX, AND JANE SMITH AND SENATORS ADLEY, ALARIO, AMEDEE, APPEL, BROOME, CHEEK, DONAHUE, DORSEY, DUPLESSIS, DUPRE, ERDEY, GUILLORY, HEBERT, LONG, MARTINY, MCPHERSON, MICHOT, MORRELL, MURRAY, NEVERS, QUINN, SHAW, SMITH, AND THOMPSON

AN ACT

To amend and reenact R.S. 47:293(10) and to enact R.S. 47:293(9)(a)(xvii), relative to the individual income tax; to provide for a deduction for net capital gains; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 110—

BY REPRESENTATIVE JANE SMITH AND SENATOR N. GAUTREUX AND REPRESENTATIVES ABRAMSON, ANDERS, ARMES, ARNOLD, BALDONE, BILLIOT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, CONNICK, CORTEZ, DANAHAY, DOERGE, DOVE, DOWNS, ELLINGTON, FOIL, GALLOT, GISCLAIR, GREENE, MICKEY GUILLORY, GUINN, HARRISON, HAZEL, HENDERSON, HENRY, HINES, HOFFMANN, HOWARD, SAM JONES, KATZ, KLECKLEY, LAMBERT, LANDRY, LIGI, LITTLE, MCVEA, MILLS, MORRIS, NORTON, NOWLIN, PEARSON, PERRY, PONTI, POPE, RICHARD, RICHARDSON, RITCHIE, ROBIDEAUX, SCHRODER, SIMON, GARY SMITH, ST. GERMAIN, TUCKER, WADDELL, WHITE, WILLIAMS, AND WILLMOTT AND SENATORS ADLEY, ALARIO, AMEDEE, CHEEK, CROWE, DUPRE, B. GAUTREUX, GUILLORY, HEBERT, HEITMEIER,

LONG, MARIONNEAUX, MARTINY, MCPHERSON, MORRELL, MOUNT, MURRAY, QUINN, RISER, SMITH, THOMPSON, AND WALSWORTH

AN ACT

To enact R.S. 47:6035 and to repeal R.S. 47:38 and 287.757 and R.S. 51:2458(2), relative to individual income and corporate income tax credits; to increase the tax credit for the cost of qualified clean-burning motor vehicle fuel property; to increase the tax credit for the purchase of a motor vehicle with qualified clean-burning motor vehicle fuel property installed by the vehicle's manufacturer; to provide relative to certain definitions; to provide for the refund of the tax credit under certain circumstances; to authorize the promulgation of rules and regulations under certain circumstances; to authorize a qualified employer who receives a rebate in the Louisiana Quality Jobs Program to also claim the tax credit for the conversion of vehicles to alternative fuel usage; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 111—

BY REPRESENTATIVE LAMBERT

AN ACT

To enact R.S. 13:2583.4, relative to the appointment of a deputy constable in Ascension Parish; to authorize a constable of a justice of the peace court in Ascension Parish to appoint a deputy; to provide for compensation; to provide for qualifications of office; to provide for residency requirements; to provide for prohibitions; and to provide for related matters.

HOUSE BILL NO. 194—

BY REPRESENTATIVE DIXON

AN ACT

To amend and reenact R.S. 18:135(A), relative to registration of voters; to provide relative to the close of registration records; to provide relative to application for registration and changes in a registration; to provide for definitions; and to provide for related matters.

HOUSE BILL NO. 218—

BY REPRESENTATIVE HARDY

AN ACT

To enact R.S. 17:81(Q) and 3996(B)(21), relative to fire safety and prevention equipment at public elementary and secondary schools; to require the governing authority of a public elementary or secondary school to adopt and implement policies relative to the inspection and operation of all fire safety and prevention equipment at a school, including but not limited to fire alarm and smoke detection devices; to provide policy guidelines; to provide for the duties of the office of the state fire marshal; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 223—

BY REPRESENTATIVE ARMES

AN ACT

To amend and reenact R.S. 17:436(A)(2) and (E), relative to noncomplex health procedures performed by certain school employees; to change all references to "outside tracheostomy suctioning" to "tracheostomy suctioning"; and to provide for related matters.

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), 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.

HOUSE BILL NO. 261—
BY REPRESENTATIVE CONNICK AND SENATOR THOMPSON
AN ACT

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

HOUSE BILL NO. 307—
BY REPRESENTATIVE GREENE AND SENATOR THOMPSON
AN ACT

To amend and reenact R.S. 47:305(D)(1)(n), relative to the sales and use tax; to provide relative to the state sales and use tax exemption on food sold for preparation and consumption in the home; to provide relative to certain limitations; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 389—
BY REPRESENTATIVES GREENE, BALDONE, BARRAS, CARTER, HENRY, NOWLIN, RICHARD, AND ROBIDEAUX AND SENATOR THOMPSON
AN ACT

To amend and reenact Section 2 of Act No. 15 of the 1996 Regular Session of the Legislature, as amended by Act No. 47 of the 1998 Regular Session of the Legislature, Act No. 33 of the 2000 Regular Session of the Legislature, Act No. 141 of the 2003 Regular Session of the Legislature, and Act No. 357 of the 2005 Regular Session of the Legislature; to delete the termination date regarding certain transactions involving certain private and parochial elementary and secondary schools; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 451—
BY REPRESENTATIVE FOIL
AN ACT

To amend and reenact R.S. 56:1856(B) and to enact R.S. 56:1855(M), relative to historic and scenic rivers; to include certain waters within the state historic and scenic rivers system; to provide for exceptions; and to provide for related matters.

HOUSE BILL NO. 473—
BY REPRESENTATIVES LITTLE, BALDONE, HENRY, HOFFMANN, HONEY, NOWLIN, PERRY, RICHARD, RICHMOND, RITCHIE, AND JANE SMITH
AN ACT

To enact R.S. 47:305.62 and 321(H)(3), relative to the sales and use tax; to authorize a state sales and use tax exemption for certain commercial farm irrigation equipment; to provide for the effectiveness and applicability of the state sales and use tax exemption; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 495—
BY REPRESENTATIVE DIXON AND SENATOR DORSEY
AN ACT

To amend and reenact R.S. 17:10.5(A)(1), to enact R.S. 17:10.5(F), and to repeal R.S. 17:10.5(F), relative to school and district accountability; to exempt a school that meets specified criteria from being transferred to the Recovery School District; to provide for effectiveness; and to provide for related matters.

HOUSE BILL NO. 507—
BY REPRESENTATIVE PUGH AND SENATOR THOMPSON
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.

HOUSE BILL NO. 518—
BY REPRESENTATIVE AUSTIN BADON
AN ACT

To amend and reenact R.S. 48:756(C) and to enact R.S. 48:756(G), relative to the Parish Transportation Fund; to provide for definitions of certain terms relative to the distribution formula; to exempt certain transit systems with a limited number of bus waivers from certain reporting requirements; and to provide for related matters.

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.

HOUSE BILL NO. 541—
BY REPRESENTATIVES MICKEY GUILLORY AND WOOTON
AN ACT

To amend and reenact R.S. 21:52, relative to guide dogs; to provide for the access of guide dogs in training to public areas; to provide for trainers of guide dogs; and to provide for related matters.

HOUSE BILL NO. 574—
BY REPRESENTATIVES RICHMOND AND HARDY
AN ACT

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

HOUSE BILL NO. 626—
BY REPRESENTATIVE DOWNS
AN ACT

To enact R.S. 32:266, relative to traffic regulation; to provide for the disposition of fines for certain traffic tickets; and to provide for related matters.

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.

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.

HOUSE BILL NO. 658—

BY REPRESENTATIVE ROY
AN ACT

To amend and reenact R.S. 23:1209(A)(3), relative to the prescriptive period for claiming workers' compensation benefits; to provide for an interruption of prescription for developmental injuries; and to provide for related matters.

HOUSE BILL NO. 685—

BY REPRESENTATIVE DIXON
AN ACT

To enact Chapter 34 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:2151 through 2162, relative to the Central Louisiana Regional Infrastructure Beltway Commission; to create and provide with respect to the Central Louisiana Regional Infrastructure Beltway Commission; to provide for the territorial boundaries, governance, plans, powers, and duties of the board of commissioners; to authorize the board to contract for certain projects to be performed; to authorize the board to acquire land and utilities; to provide with respect to bonds and other revenue for funding; and to provide for related matters.

HOUSE BILL NO. 696—

BY REPRESENTATIVE BARROW
AN ACT

To amend and reenact R.S. 33:2740.67(B), relative to the Greenwell Springs-Airline Economic Development District in East Baton Rouge Parish; to change the boundaries of the district; and to provide for related matters.

HOUSE BILL NO. 761—

BY REPRESENTATIVE BILLIOT
AN ACT

To amend and reenact Section 2 of Act No. 300, Section 2 of Act No. 516, Section 3 of Act No. 594, Section 3 of Act No. 645, Section 3 of Act No. 667, Section 3 of Act No. 688, and Section 2 of Act No. 757, all of the 2008 Regular Session of the Louisiana Legislature, relative to motor vehicles; to provide relative to driving; to provide relative to traffic violations; to provide relative to penalties; and to provide for related matters.

HOUSE BILL NO. 801—

BY REPRESENTATIVES SIMON AND WILLIAMS
AN ACT

To amend and reenact R.S. 38:2212.7 and R.S. 39:1496.2 and 1594.3, relative to procurement; to provide exceptions in the prohibition of bids or proposals for public contracts by certain contract consultants; and to provide for related matters.

HOUSE BILL NO. 823—

BY REPRESENTATIVE DANAHAY
AN ACT

To enact R.S. 38:2212(A)(1)(f)(v) and 2212.1(B)(4)(e), relative to public contracts through the receipt of electronic bids; to exempt any special service district created by a parish with a police jury form of government from the requirements relating to the receipt of bids via high speed Internet access; and to provide for related matters.

HOUSE BILL NO. 896 (Substitute for House Bill No. 49 by Representative Richard)—

BY REPRESENTATIVE RICHARD
AN ACT

To amend and reenact R.S. 42:1124.3(A) and to enact R.S. 42:1124.2(G)(4) and (J) and 1124.3(D)(3), relative to financial disclosure; to require certain disclosures by certain public servants; to provide for the content of such disclosures; to provide for effectiveness; and to provide for related matters.

HOUSE BILL NO. 899 (Substitute for House Bill No. 656 by Representative Chaney)—

BY REPRESENTATIVES CHANEY, BALDONE, BURRELL, CARMODY, CONNICK, GISCLAIR, HINES, HOFFMANN, AND GARY SMITH
AN ACT

To amend and reenact R.S. 40:1851(E), relative to the Liquefied Petroleum Gas Commission; to provide for collection, receipt, and use of funds by the Liquefied Petroleum Gas Commission; and to provide for related matters.

HOUSE BILL NO. 901 (Substitute for House Bill No. 206 by Representative Lopinto)—

BY REPRESENTATIVE LOPINTO
AN ACT

To amend and reenact R.S. 33:2002(B), relative to state supplemental pay for fire protection officers; to provide for qualifications of individuals eligible for such supplemental pay; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 905 (Substitute for House Bill No. 838 by Representative Landry)—

BY REPRESENTATIVE LANDRY
AN ACT

To enact R.S. 46:1414.1, relative to child care facilities; to mandate the disclosure of recordation on the state central registry for owners, operators, current or prospective employees, and volunteers in child care facilities licensed by the department; to require any such persons to sign certain statements prior to and during employment, volunteering, ownership, or operation of or in a child care facility licensed by the department; to provide that falsification of such statements shall be a misdemeanor offense; to provide for penalties; to provide for a process of appeal; and to provide for related matters.

Respectfully submitted,

WAYNE WADDELL
Chairman

The above House Bills contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk and were signed by the President of the Senate and taken by the Clerk of the House to the Governor for executive approval.

Privileged Report of the Committee on Enrollment

June 22, 2009

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

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

The following House Resolutions have been properly enrolled:

HOUSE RESOLUTION NO. 109—

BY REPRESENTATIVES JOHNSON AND ROY
A RESOLUTION

To express the sincere and heartfelt condolences of the House of Representatives upon the death of Father Kenneth Jude Roy.

HOUSE RESOLUTION NO. 110—

BY REPRESENTATIVES HONEY AND GALLOT
A RESOLUTION

To commend the Southern University Dancing Dolls upon the celebration of their fortieth anniversary.

Respectfully submitted,

WAYNE WADDELL
Chairman

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

Privileged Report of the Committee on Enrollment

June 22, 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. 37—

BY REPRESENTATIVE PATRICIA SMITH AND SENATOR DORSEY
A CONCURRENT RESOLUTION

To urge and request each city, parish, and other local public school board to select a high school student from its school district to serve as a student representative on the school board in an informative, advisory, and nonvoting capacity.

HOUSE CONCURRENT RESOLUTION NO. 53—

BY REPRESENTATIVE HUTTER
A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to develop and implement an age-appropriate unit on hurricane awareness for students in each grade in all city, parish, and other local public school systems.

HOUSE CONCURRENT RESOLUTION NO. 54—

BY REPRESENTATIVE HUTTER
A CONCURRENT RESOLUTION

To urge and request the state Department of Education to compile statistics for each city, parish, and other local public school system relative to where teachers employed by each system who became certified in 1999 or thereafter received their bachelor's degrees and to submit a written report of findings to the House Committee on Education and the Senate Committee on Education not later than sixty days prior to the beginning of the 2010 Regular Session of the Legislature.

HOUSE CONCURRENT RESOLUTION NO. 68—

BY REPRESENTATIVE DIXON
A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study standards it uses to approve alternative education programs as such standards relate to providing sufficient counseling services and appropriate security and to submit a written report of its findings, including any recommendations for legislation relative to the issue, to the House Committee on Education and the Senate Committee on Education not later than sixty days prior to the beginning of the 2010 Regular Session of the Legislature.

HOUSE CONCURRENT RESOLUTION NO. 99—

BY REPRESENTATIVE MCVEA
A CONCURRENT RESOLUTION

To urge and request the Department of Culture, Recreation and Tourism to study methods of raising additional revenue through state historic sites.

HOUSE CONCURRENT RESOLUTION NO. 101—

BY REPRESENTATIVE SIMON
A CONCURRENT RESOLUTION

To urge and request the public postsecondary education management boards and the governing authorities of certain independent colleges and universities to ensure that the institutions under their respective jurisdictions that offer a graduate program in architecture include in such program instruction on certain design principles.

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.

Adjournment

On motion of Rep. Brossett, at 7:45 p.m., the House agreed to adjourn until Tuesday, June 23, 2009, at 10:00 a.m.

The Acting Speaker of the House declared the House adjourned until 10:00 a.m., Tuesday, June 23, 2009.

ALFRED W. SPEER
Clerk of the House