

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

SIXTH DAY'S PROCEEDINGS

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

House of Representatives
State Capitol
Baton Rouge, Louisiana

Wednesday, December 13, 2006

The House of Representatives was called to order at 9:45 A.M., by the Honorable Joe R. Salter, Speaker of the House of Representatives.

Morning Hour

ROLL CALL

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

PRESENT

Mr. Speaker	Fannin	Montgomery
Alario	Farrar	Morrell
Alexander	Faucheux	Morrish
Anders	Frith	Odinot
Ansardi	Gallot	Pinac
Arnold	Geymann	Pitre
Badon	Gray	Powell, M.
Baldone	Greene	Powell, T.
Barrow	Guillory, E.	Quezaire
Baudoin	Guillory, M.	Richmond
Baylor	Harris	Ritchie
Beard	Heaton	Robideaux
Bowler	Hebert	Romero
Bruce	Hill	Scalise
Bruneau	Honey	Schneider
Burns	Hunter	Smiley
Burrell	Hutter	Smith, J.D.—50th
Carter, K.	Jackson	Smith, J.H.—8th
Carter, R.	Jefferson	Smith, J.R.—30th
Cazayoux	Johns	St. Germain
Chandler	Katz	Strain
Crane	Kennard	Thompson
Crowe	Kenney	Townsend
Curtis	Kleckley	Trahan
Damico	LaBruzzo	Triche
Daniel	LaFleur	Tucker
DeWitt	LaFonta	Waddell
Doerge	Lambert	Walker
Dorsey	Lancaster	Walsworth
Dove	Marchand	White
Downs	Martiny	Winston

Durand	McDonald	Wooton
Erdey	McVea	
Total - 98		

ABSENT

Dartez	Smith, G.
Pierre	Toomy
Total - 4	

The Speaker announced that there were 98 members present and a quorum.

Prayer

Prayer was offered by Rep. Honey.

Pledge of Allegiance

Rep. Gray 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. Greene, the reading of the Journal was dispensed with.

On motion of Rep. LaBruzzo, the Journal of December 12, 2006, was adopted.

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

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

HOUSE RESOLUTION NO. 11—

BY REPRESENTATIVE BAUDOIN
A RESOLUTION

To urge and request that the U.S. Senate Committee on Homeland Security and Governmental Affairs and the Forensic Audits and Special Investigations Unit of the Government Accountability Office continue their investigation and oversight efforts regarding the Federal Emergency Management Agency's recovery expenditures in Louisiana and that they provide guidance to the agency and to the state of Louisiana as to what the state's share of legitimate recovery expenses is.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 28—

BY REPRESENTATIVE MONTGOMERY
A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Private Joshua Cain Burrows, United States Army, of Bossier City, who was killed in action in Iraq.

Read by title.

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

Ordered to the Senate.

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

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

Motion

Rep. Jane Smith moved that the Committee on Ways and Means report House Bill Nos. 64, 78, 88, 96, and 115 in accordance with the provisions of House Rule No. 6.13 on Thursday, December 14, 2006.

Rep. Townsend objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Alexander	Hebert	Robideaux
Ansardi	Hutter	Scalise
Barrow	Johns	Schneider
Beard	Katz	Smiley
Bowler	Kennard	Smith, J.D.—50th
Bruneau	Kleckley	Smith, J.H.—8th
Burns	LaBruzzo	St. Germain
Crowe	LaFonta	Strain
Damico	Lambert	Trahan
Daniel	Lancaster	Triche
Dove	Martiny	Tucker
Downs	McVea	Waddell
Erdey	Montgomery	Walsworth
Frith	Morrish	White
Geymann	Pitre	Winston
Greene	Powell, M.	Wooton
Heaton	Powell, T.	
Total - 50		

NAYS

Mr. Speaker	Dorsey	LaFleur
Alario	Durand	Marchand
Anders	Fannin	McDonald
Badon	Faucheux	Morrell
Baldone	Gallot	Odinet
Baudoin	Gray	Pinac
Baylor	Guillory, E.	Quezaire
Bruce	Guillory, M.	Richmond
Burrell	Harris	Ritchie
Carter, K.	Hill	Romero
Cazayoux	Honey	Smith, J.R.—30th
Chandler	Hunter	Thompson
Curtis	Jackson	Townsend
DeWitt	Jefferson	Walker
Doerge	Kenney	
Total - 44		

ABSENT

Arnold	Dartez	Smith, G.
Carter, R.	Farrar	Toomy
Crane	Pierre	
Total - 8		

The House refused to order the committee to report the bills on Thursday, December 14, 2006.

Motion

On motion of Rep. St. Germain, the Committee on Transportation, Highways and Public Works was discharged from further consideration of House Bill No. 122.

HOUSE BILL NO. 122—

BY REPRESENTATIVE ST. GERMAIN AND SENATOR ELLINGTON
AN ACT

To enact R.S. 32:477, relative to abandoned motor vehicles; to provide relative to abandoned motor vehicles seized during a gubernatorially declared state of emergency; to provide relative to the authority of state and political subdivisions to dispose of such vehicles; to provide relative to notice requirements; to authorize the disposal of abandoned motor vehicles under certain circumstances; to provide relative to the proceeds from the disposal of such vehicles; and to provide for related matters.

Read by title.

On motion of Rep. St. Germain, the bill was recommitted to the Committee on Environment.

Motion

On motion of Rep. Damico, the Committee on Transportation, Highways and Public Works was discharged from further consideration of House Bill No. 124.

HOUSE BILL NO. 124—

BY REPRESENTATIVE DAMICO

AN ACT

To enact R.S. 32:477, relative to abandoned motor vehicles; to provide relative to abandoned motor vehicles seized during a gubernatorially declared state of emergency; to provide relative to the authority of state and political subdivisions to dispose of such vehicles; to provide relative to notice requirements; to authorize the disposal of abandoned motor vehicles under certain circumstances; to provide relative to the proceeds from the disposal of such vehicles; and to provide for related matters.

Read by title.

On motion of Rep. Damico, the bill was recommitted to the Committee on Environment.

House and House Concurrent Resolutions on Third Reading for Final Consideration

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

HOUSE CONCURRENT RESOLUTION NO. 6—

BY REPRESENTATIVES ALARIO, SALTER, DORSEY, TOWNSEND, DEWITT, AND THOMPSON

A CONCURRENT RESOLUTION

To direct the commissioner of administration to change the expenditure limit for 2006-2007 Fiscal Year.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Alario to Engrossed House Concurrent Resolution No. 6 by Representative Alario

AMENDMENT NO. 1

In House Floor amendment HFAHCR6 1233 340, proposed by Representative Alario and adopted by the House on December 11, 2006, on page 1, line 5, after "from the" delete the remainder of the line, and at the beginning of line 6, delete "Infrastructure Fund" and insert "Fiscal Year 2005-2006 Surplus Fund"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Jack Smith and Hebert to Engrossed House Concurrent Resolution No. 6 by Representative Alario

AMENDMENT NO. 1

Delete the House Floor Amendment proposed by Representative Alario and adopted by the House of Representatives on December 11, 2006.

AMENDMENT NO. 2

On page 1, line 20, after "Fiscal Year" delete the remainder of the line and on page 2, delete lines 1 and 2, and insert the following:

"by increasing the expenditure limit Eight Hundred Twenty-seven Million and No/100 Dollars for payments to Louisiana taxpayers, to be distributed on a prorata basis based on 2005 individual income tax returns, to Eleven Billion One Hundred Forty-five Million Two Hundred Thirty-Nine Thousand One Hundred Forty-Two and No/100 (\$11,145,239,142.00) Dollars.

BE IT FURTHER RESOLVED that the expenditure limit for the 2007-2008 Fiscal Year shall be changed by making the 2007-2008 Fiscal Year calculation by using the original expenditure limit for the 2006-2007 Fiscal Year of Ten Billion Three Hundred Eighteen Million Two Hundred Thirty-Nine Thousand One Hundred Forty-Two and No/100 (\$10,318,239,142.00) Dollars as the base and adding thereto an amount equal to that limit times a positive growth factor as provided in Article VII, Section 10(C) of the Constitution."

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

Rep. Jack Smith moved adoption of Amendment No. 1.

Rep. Alario objected.

By a vote of 4 yeas and 88 nays, the amendment was rejected.

Rep. Jack Smith moved adoption of Amendment No. 2.

Rep. Walsworth objected.

By a vote of 82 yeas and 10 nays, the amendment was adopted.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Downs to Engrossed House Concurrent Resolution No. 6 by Representative Alario

AMENDMENT NO. 1

Delete the House Floor Amendment proposed by Representative Alario and adopted by the House of Representatives on December 11, 2006.

AMENDMENT NO. 2

On page 1, line 20, after "Fiscal Year" delete the remainder of the sentence and on page 2, delete lines 1 and 2, and insert the following:

"by increasing the expenditure limit Three Hundred Million Dollars from the Fiscal Year 2005-2006 Surplus Fund for infrastructure and port improvements for a steel manufacturing facility to locate in the state, and Four Hundred Million Dollars for expenditures for the Highway Program and the LA 1 Project from the Fiscal Year 2005-2006 Surplus Fund, all as provided in House Bill No. 80 of the 2006 Second Extraordinary Session of the Legislature, to Eleven Billion Eighteen Million Two Hundred Thirty-Nine Thousand One Hundred Forty-Two and No/100 (\$11,018,239,142.00) Dollars.

BE IT FURTHER RESOLVED that the expenditure limit for the 2007-2008 Fiscal Year shall be changed by making the 2007-2008 Fiscal Year calculation by using the original expenditure limit for the 2006-2007 Fiscal Year of Ten Billion Three Hundred Eighteen Million Two Hundred Thirty-Nine Thousand One Hundred Forty-Two and No/100 (\$10,318,239,142.00) Dollars as the base and adding thereto an amount equal to that limit times a positive growth factor as provided in Article VII, Section 10(C) of the Constitution."

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

Rep. Downs moved adoption of Amendment No. 1.

Rep. Alario objected.

By a vote of 3 yeas and 91 nays, the amendment was rejected.

On motion of Rep. Downs, Amendment No. 2 was adopted.

Rep. Alario moved the adoption of the resolution, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Downs	LaFonta
Alario	Durand	Marchand
Anders	Fannin	McDonald
Badon	Farrar	McVea
Baldone	Faucheux	Morrell
Barrow	Frith	Odinot
Baudoin	Gallot	Pinac
Baylor	Gray	Quezaire
Bruce	Guillory, E.	Richmond
Burrell	Guillory, M.	Ritchie
Carter, K.	Harris	Robideaux
Carter, R.	Hebert	Romero
Cazayoux	Hill	Smith, J.D.--50th
Chandler	Honey	Smith, J.R.--30th
Curtis	Hunter	St. Germain
Damico	Jackson	Thompson
DeWitt	Jefferson	Townsend
Doerge	Kenney	Triche
Dorsey	LaFleur	Walker

Total - 57

NAYS

Alexander	Heaton	Powell, T.
Ansardi	Hutter	Scalise
Arnold	Johns	Schneider
Beard	Katz	Smiley
Bowler	Kennard	Smith, J.H.--8th
Bruneau	Kleckley	Strain
Burns	LaBruzzo	Trahan
Crane	Lambert	Tucker
Crowe	Lancaster	Waddell
Daniel	Martiny	Walsworth
Dove	Montgomery	White
Erdey	Morrish	Winston
Geymann	Pitre	Wooton
Greene	Powell, M.	

Total - 41

ABSENT

Dartez	Smith, G.
Pierre	Toomy

Total - 4

The resolution not having received a two-thirds vote of the elected members, was rejected.

Suspension of the Rules

On motion of Rep. Kennard, and under a suspension of the rules, the above roll call was corrected to reflect him as voting nay.

Suspension of the Rules

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

House Bills and Joint Resolutions on Third Reading and Final Passage

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

Regular Calendar

Suspension of the Rules

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

HOUSE BILL NO. 52—

BY REPRESENTATIVES ALARIO, SALTER, DORSEY, TOWNSEND, BAYLOR, DEWITT, E. GUILLORY, HUNTER, MCDONALD, MCVEA, MORRISH, JOHN SMITH, THOMPSON, TRICHE, AND GARY SMITH
AN ACT

To enact Subpart L of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:100.35, relative to state funds; to establish the Louisiana Economic and Port Development Infrastructure Fund as a special treasury fund; to provide for the dedication, deposit, use, and investment of monies in the fund; to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Alario to Engrossed House Bill No. 52 by Representative Alario

AMENDMENT NO. 1

On page 1, delete line 18 and insert the following:

"B. The treasurer is authorized and directed on the effective date of this Act to deposit into the fund from the general fund the sum of three hundred million dollars. Monies in the fund shall also include any monies"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Morrell
Alario	Faucheux	Morrish
Alexander	Frith	Odinot
Anders	Gallot	Pinac
Ansardi	Geymann	Pitre
Arnold	Gray	Powell, M.
Badon	Greene	Powell, T.
Baldone	Guillory, E.	Quezaire
Barrow	Guillory, M.	Richmond
Baudoin	Harris	Ritchie
Baylor	Heaton	Robideaux
Beard	Hebert	Romero
Bowler	Hill	Scalise
Bruce	Honey	Schneider
Bruneau	Hunter	Smiley
Burns	Hutter	Smith, J.D.—50th

Burrell	Jackson	Smith, J.H.—8th
Carter, K.	Jefferson	Smith, J.R.—30th
Carter, R.	Johns	St. Germain
Cazayoux	Katz	Strain
Chandler	Kennard	Thompson
Crane	Kenney	Townsend
Crowe	Kleckley	Trahan
Curtis	LaBruzzo	Triche
Damico	LaFleur	Tucker
Daniel	LaFonta	Waddell
DeWitt	Lambert	Walker
Doerge	Lancaster	Walsworth
Dorsey	Marchand	White
Downs	Martiny	Winston
Durand	McDonald	Wooton
Erdey	McVea	
Fannin	Montgomery	

Total - 97

NAYS

Total - 0

ABSENT

Dartez	Pierre	Toomy
Dove	Smith, G.	

Total - 5

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Suspension of the Rules

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

HOUSE BILL NO. 35—

BY REPRESENTATIVES TOWNSEND, SALTER, ALARIO, DORSEY, FAUCHEUX, AND THOMPSON
AN ACT

To amend and reenact R.S. 47:305.51, relative to sales and use tax exemptions; to provide for the effectiveness of the exemption for utilities purchased by certain steelworks, blast furnaces, coke ovens, and rolling mills; to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Morrish to Engrossed House Bill No. 35 by Representative Townsend

AMENDMENT NO. 1

On page 1, line 2, between "R.S. 47:305.51" and the comma ",", insert "and 331(P)(2) and to enact R.S. 47:302(U) and 321(K)"

AMENDMENT NO. 2

On page 1, line 4, after "mills;" insert the following:

"to provide for the effectiveness and applicability of the exemptions for electric power or energy, natural gas, water, and steam;"

AMENDMENT NO. 3

On page 1, delete line 7 and insert the following:

"Section 1. R.S. 47:305.51 and 331(P)(2) are hereby amended and reenacted and R.S. 47:302(U) and 321(K) are hereby enacted to read as follows:

* * *

§302. Imposition of tax

* * *

U. Except as provided for in Subsection T of this Section, and notwithstanding the provisions of Subsection R of this Section, for all taxable periods beginning on and after January 1, 2007, the exemptions to the tax levied by this Section for electric power or energy, natural gas, steam, and water shall be applicable, operative, and effective.

* * *

AMENDMENT NO. 4

On page 2, between lines 2 and 3, insert the following:

"§321. Imposition of tax

* * *

K. Notwithstanding any other provision of law to the contrary, and specifically notwithstanding Subsection H of this Section, for all taxable periods beginning on or after January 1, 2007, the exemptions to the tax levied by this Section for electric power or energy, natural gas, steam, and water shall be applicable, operative, and effective.

* * *

§331. Imposition of tax

* * *

P.

* * *

(2) For the period July 1, 2004, through December 31, 2005, the exemptions to the tax levied by this Section for steam, water, electric power or energy, and natural gas shall be inapplicable, inoperable, and of no effect as to eighty percent of the tax levied by this Section. Except as provided for in Subsection R of this Section, for the period January 1, 2006, through ~~June 30, 2009~~ December 31, 2006, the exemptions to the tax levied by this Section for sales of electric power or energy and natural gas shall be inapplicable, inoperable, and of no effect as to thirty percent of the tax levied by this Section. For the period January 1, 2006, through ~~June 30, 2009~~ December 31, 2006, the exemptions to the tax levied by this Section for sales of steam and water shall be inapplicable, inoperable, and of no effect as to eighty percent of the tax levied by this Section. For all taxable periods beginning on or after January 1, 2007, the exemptions to the tax levied by this Section for electric power or energy, natural gas, steam, and water shall be applicable, operative, and effective.

* * *

AMENDMENT NO. 5

On page 2, line 4, change "July 1, 2007." to "January 1, 2007."

Point of Order

Rep. Townsend 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 not germane to the subject matter contained in the bill as introduced.

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

Rep. Townsend moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	Montgomery
Alario	Farrar	Morrell
Alexander	Faucheux	Morrish
Anders	Frith	Odinot
Ansardi	Gallot	Pinac
Arnold	Geymann	Pitre
Badon	Gray	Powell, M.
Baldone	Greene	Powell, T.
Barrow	Guillory, E.	Quezaire
Baudoin	Guillory, M.	Richmond
Baylor	Harris	Ritchie
Beard	Heaton	Robideaux
Bowler	Hebert	Romero
Bruce	Hill	Scalise
Bruneau	Honey	Schneider
Burns	Hunter	Smiley
Burrell	Hutter	Smith, J.D.-50th
Carter, K.	Jackson	Smith, J.H.-8th
Carter, R.	Jefferson	Smith, J.R.-30th
Cazayoux	Johns	St. Germain
Chandler	Katz	Strain
Crane	Kennard	Thompson
Crowe	Kenney	Townsend
Curtis	Kleckley	Trahan
Damico	LaBruzzo	Triche
Daniel	LaFleur	Tucker
DeWitt	LaFonta	Waddell
Doerge	Lambert	Walker
Dorsey	Lancaster	Walsworth
Dove	Marchand	White
Downs	Martiny	Winston
Durand	McDonald	Wooton
Erdey	McVea	

Total - 98

NAYS

Total - 0

ABSENT

Dartez	Smith, G.
Pierre	Toomy
Total - 4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Suspension of the Rules

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

Page 6 HOUSE

6th Day's Proceedings - December 13, 2006

HOUSE BILL NO. 120—
BY REPRESENTATIVES TOWNSEND AND GARY SMITH
AN ACT

To enact R.S. 47:6025, relative to state income tax credits; to reimburse, pay, or offset certain assessments levied by Louisiana Citizens Property Insurance Corporation; to provide a refundable credit against state income taxes to certain taxpayers in the amount of the surcharges, market equalization charges, or assessments paid as a result of assessments levied by Louisiana Citizens Property Insurance Corporation; to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Townsend to Engrossed House Bill No. 120 by Representative Townsend

AMENDMENT NO. 1

On page 1, at the beginning of line 11, change "A." to "A.(1)"

AMENDMENT NO. 2

On page 1, line 11, after "against" delete the remainder of the line and at the beginning of line 12, delete "state" and insert "Louisiana"

AMENDMENT NO. 3

On page 1, delete lines 14 and 15 and insert the following:

"a result of the 2005 regular assessment or the emergency assessments levied due to Hurricanes Katrina and Rita by Louisiana Citizens Property Insurance Corporation for the FAIR Plan and Coastal Plan, as they are defined in R.S. 22:1430.1.

(2) Assessment amounts paid before January 1, 2007, shall be claimed and allowed on the first income tax return that is due on or after January 1, 2007.

(3) Assessment amounts paid on or after January 1, 2007, shall be claimed and allowed on the first income tax return that is due in the year after the payment."

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

Rep. Townsend 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, Alario, Alexander, Anders, Ansardi, Arnold, Badon, Baldone, Barrow, Baudoin, Baylor, Beard, Bowler, Bruce, Bruneau, Burns, Fannin, Farrar, Faucheux, Frith, Gallot, Geymann, Gray, Greene, Guillory, E., Guillory, M., Harris, Heaton, Hebert, Hill, Honey, Hunter, Montgomery, Morrell, Morrish, Odinet, Pinac, Pitre, Powell, M., Powell, T., Quezaire, Richmond, Ritchie, Robideaux, Romero, Scalise, Schneider, Smiley

Table with 3 columns of names: Burrell, Carter, K., Carter, R., Cazayoux, Chandler, Crane, Crowe, Curtis, Damico, Daniel, DeWitt, Doerge, Dorsey, Dove, Downs, Durand, Erdey, Hutter, Jackson, Jefferson, Johns, Katz, Kennard, Kenney, Kleckley, LaBruzzo, LaFleur, LaFonta, Lambert, Lancaster, Marchand, Martiny, McDonald, McVea, Smith, J.D.-50th, Smith, J.H.-8th, Smith, J.R.-30th, St. Germain, Strain, Thompson, Townsend, Trahan, Triche, Tucker, Waddell, Walker, Walsworth, White, Winston, Wooton

Total - 98

NAYS

Total - 0

ABSENT

Table with 2 columns of names: Dartez, Pierre, Smith, G., Toomy

Total - 4

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Suspension of the Rules

On motion of Rep. Dorsey, the rules were suspended in order to take up and consider House and House Concurrent Resolutions on Third Reading for Final Consideration at this time.

House and House Concurrent Resolutions on Third Reading for Final Consideration

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

HOUSE RESOLUTION NO. 2—
BY REPRESENTATIVE DORSEY
A RESOLUTION

To adopt House Rule 4.9 of the Rules of Order of the House of Representatives to provide for a memorial delegation representing the House of Representatives at funeral services of a person who served as a member of the House of Representatives; to provide relative to the activities of such a delegation and procedures therefor; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Dorsey to Engrossed House Resolution No. 2 by Representative Dorsey

AMENDMENT NO. 1

On page 1, line 11, after "Speaker" and before "appoint" delete "shall" and insert "may"

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

Rep. Dorsey moved the adoption of the resolution, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Montgomery
Alario	Faucheux	Morrell
Alexander	Frith	Morrish
Anders	Gallot	Odinet
Ansardi	Geymann	Pinac
Arnold	Gray	Pitre
Badon	Greene	Powell, M.
Baldone	Guillory, E.	Powell, T.
Barrow	Guillory, M.	Quezaire
Baudoin	Harris	Richmond
Beard	Heaton	Ritchie
Bowler	Hebert	Robideaux
Bruce	Hill	Romero
Bruneau	Honey	Scalise
Burns	Hunter	Smiley
Burrell	Hutter	Smith, J.D.—50th
Carter, K.	Jackson	Smith, J.H.—8th
Carter, R.	Jefferson	Smith, J.R.—30th
Cazayoux	Johns	St. Germain
Crane	Katz	Strain
Crowe	Kennard	Thompson
Curtis	Kenney	Townsend
Damico	Kleckley	Trahan
Daniel	LaBruzzo	Triche
DeWitt	LaFleur	Tucker
Doerge	LaFonta	Waddell
Dorsey	Lambert	Walker
Dove	Lancaster	Walsworth
Downs	Marchand	White
Durand	Martiny	Winston
Erdey	McDonald	Wooton
Fannin	McVea	
Total - 95		

NAYS

Total - 0

ABSENT

Baylor	Pierre	Toomy
Chandler	Schneider	
Dartez	Smith, G.	
Total - 7		

The resolution was adopted.

HOUSE RESOLUTION NO. 4—
BY REPRESENTATIVES GALLOT, ARNOLD, LAFONTA, AND SMILEY
A RESOLUTION

To amend and readopt House Rules 6.11(A)(6), 6.14(B), 8.14(B), 8.26, 9.14, 14.2(12), 14.43, 14.48(A), 14.49(B), and 14.50(B) of the Rules of Order of the House of Representatives and to repeal House Rules 2.10(A)(14)(g), 6.11(A)(5), 7.19, 7.20, 7.21, and 14.12(B) of the Rules of Order of the House of Representatives to remove provisions relative to duplicate bills; to provide relative to calling instruments which have been returned to the calendar; to revise the motions table and related notes; to provide for permanent committee records and record votes in committee; and to authorize a chairman to establish subcommittees.

Read by title.

Rep. Gallot moved the adoption of the resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Morrell
Alario	Faucheux	Morrish
Alexander	Frith	Odinet
Anders	Gallot	Pinac
Ansardi	Geymann	Pitre
Arnold	Gray	Powell, M.
Badon	Greene	Powell, T.
Baldone	Guillory, E.	Quezaire
Barrow	Guillory, M.	Richmond
Baudoin	Harris	Ritchie
Baylor	Heaton	Robideaux
Beard	Hebert	Romero
Bowler	Hill	Scalise
Bruce	Honey	Schneider
Bruneau	Hunter	Smiley
Burns	Hutter	Smith, J.D.—50th
Burrell	Jackson	Smith, J.H.—8th
Carter, K.	Jefferson	St. Germain
Carter, R.	Johns	Strain
Cazayoux	Katz	Thompson
Crane	Kennard	Townsend
Crowe	Kenney	Trahan
Damico	Kleckley	Triche
Daniel	LaBruzzo	Tucker
DeWitt	LaFleur	Waddell
Doerge	Lambert	Walker
Dorsey	Lancaster	Walsworth
Dove	Marchand	White
Downs	Martiny	Winston
Durand	McDonald	Wooton
Erdey	McVea	
Fannin	Montgomery	
Total - 94		

NAYS

Total - 0

ABSENT

Chandler	LaFonta	Smith, J.R.—30th
Curtis	Pierre	Toomy
Dartez	Smith, G.	
Total - 8		

The resolution was adopted.

HOUSE RESOLUTION NO. 5—
BY REPRESENTATIVE WINSTON
A RESOLUTION

To direct the Clerk of the House of Representatives to compile a list of the customs, usages, and practices of the House of Representatives affecting legislative procedure, to present such list to the Committee on House and Governmental Affairs for its approval prior to the 2007 Regular Session of the Legislature, to compile the customs, usages, and practices which are approved by the Committee on House and Governmental Affairs into an appendix, and to print such appendix to the Rules of Order of the House of Representatives prior to the 2007 Regular Session of the Legislature.

Read by title.

Rep. Winston moved the adoption of the resolution.

ROLL CALL

The roll was called with the following result:

Page 8 HOUSE

6th Day's Proceedings - December 13, 2006

YEAS		
Mr. Speaker	Fannin	Montgomery
Alario	Farrar	Morrell
Alexander	Faucheux	Morrish
Anders	Frith	Odinot
Ansardi	Gallot	Pinac
Arnold	Geymann	Pitre
Badon	Gray	Powell, M.
Baldone	Greene	Powell, T.
Baudoin	Guillory, E.	Quezaire
Baylor	Guillory, M.	Richmond
Beard	Harris	Ritchie
Bowler	Heaton	Robideaux
Bruce	Hebert	Romero
Bruneau	Hill	Scalise
Burns	Honey	Schneider
Burrell	Hunter	Smiley
Carter, K.	Hutter	Smith, J.D.—50th
Carter, R.	Jackson	Smith, J.H.—8th
Cazayoux	Jefferson	Smith, J.R.—30th
Crane	Johns	St. Germain
Crowe	Katz	Strain
Curtis	Kennard	Thompson
Damico	Kleckley	Townsend
Daniel	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	Lambert	Tucker
Dorsey	Lancaster	Waddell
Dove	Marchand	Walker
Downs	Martiny	Walsworth
Durand	McDonald	White
Erdey	McVea	Winston
Total - 93		

NAYS		
Total - 0		

ABSENT		
Barrow	Kenney	Smith, G.
Chandler	LaFonta	Toomy
Dartez	Pierre	Wooton
Total - 9		

The resolution was adopted.

HOUSE CONCURRENT RESOLUTION NO. 3—
BY REPRESENTATIVE CROWE
A CONCURRENT RESOLUTION

To adopt Joint Rule No. 5 of the Joint Rules of the Senate and House of Representatives to provide for audio and video broadcast of legislative proceedings and for the creation, nature, and maintenance of records thereof.

Read by title.

Rep. Crowe moved the adoption of the resolution.

ROLL CALL

The roll was called with the following result:

YEAS		
Mr. Speaker	Farrar	Montgomery
Alario	Faucheux	Morrell
Alexander	Frith	Morrish
Anders	Gallot	Odinot
Ansardi	Geymann	Pinac
Arnold	Gray	Pitre
Badon	Greene	Powell, M.
Baldone	Guillory, E.	Powell, T.
Baudoin	Guillory, M.	Quezaire
Baylor	Harris	Richmond

Beard	Heaton	Ritchie
Bowler	Hebert	Robideaux
Bruce	Hill	Romero
Bruneau	Honey	Scalise
Burns	Hunter	Schneider
Burrell	Hutter	Smiley
Carter, K.	Jackson	Smith, J.D.—50th
Carter, R.	Jefferson	Smith, J.H.—8th
Cazayoux	Johns	Smith, J.R.—30th
Crane	Katz	St. Germain
Crowe	Kennard	Strain
Curtis	Kenney	Thompson
Damico	Kleckley	Townsend
Daniel	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	LaFonta	Tucker
Dorsey	Lambert	Waddell
Dove	Lancaster	Walker
Downs	Marchand	Walsworth
Durand	Martiny	White
Erdey	McDonald	Winston
Fannin	McVea	
Total - 95		

NAYS

Total - 0

ABSENT

Barrow	Pierre	Wooton
Chandler	Smith, G.	
Dartez	Toomy	
Total - 7		

The resolution was adopted.

Ordered to the Senate.

Suspension of the Rules

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

Introduction of Resolutions, House and House Concurrent

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

HOUSE RESOLUTION NO. 12—
BY REPRESENTATIVES TRICHE, BALDONE, DOVE, AND PITRE
A RESOLUTION

To urge and request the State Board of Elementary and Secondary Education and the commissioner of administration to take certain actions relative to a proposal to create the Maxine Giardina Charter School as a Type 2 charter school in Lafourche Parish to serve students, beginning with the 2006-2007 school year, in grades one through eight who have language-based learning disorders.

Read by title.

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

HOUSE RESOLUTION NO. 13—
BY REPRESENTATIVE QUEZAIRE
A RESOLUTION

To commend Bob Dudden as he prepares to retire from the office of tourism of the Louisiana Department of Culture, Recreation and Tourism.

Read by title.

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

HOUSE RESOLUTION NO. 14—
BY REPRESENTATIVE FANNIN

A RESOLUTION

To commend the Honorable Harry Mims upon his retirement as the longtime mayor of the village of East Hodge.

Read by title.

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

HOUSE RESOLUTION NO. 15—
BY REPRESENTATIVES MONTGOMERY AND KLECKLEY

A RESOLUTION

To urge and request each public postsecondary education management board, in consultation with the Board of Regents, to develop and implement policies to prohibit each institution under its respective jurisdiction from using any state funds to provide athletic scholarships to foreign students and to report on the status of such implementation to the House Committee on Education prior to the convening of the 2007 Regular Session.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 29—
BY REPRESENTATIVES TRICHE, BALDONE, DOVE, AND PITRE AND SENATORS B. GAUTREUX AND DUPRE

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education and the commissioner of administration to take certain actions relative to a proposal to create the Maxine Giardina Charter School as a Type 2 charter school in Lafourche Parish to serve students, beginning with the 2006-2007 school year, in grades one through eight who have language-based learning disorders.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 30—
BY REPRESENTATIVES MONTGOMERY AND KLECKLEY

A CONCURRENT RESOLUTION

To urge and request each public postsecondary education management board, in consultation with the Board of Regents, to develop and implement policies to prohibit each institution under its respective jurisdiction from using any state funds to provide athletic scholarships to foreign students and to report on the status of such implementation to the House Committee on Education and the Senate Committee on Education prior to the convening of the 2007 Regular Session.

Read by title.

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

Ordered to the Senate.

Suspension of the Rules

On motion of Rep. Damico, the rules were suspended to permit the Committee on Environment to meet on Wednesday, December 13, 2006, without giving the notice required by House Rule 14.24(A) and consider the following legislative instrument:

House Bill No. 122

Leave of Absence

Rep. Dartez - 1 day

Rep. Pierre - 1 day

Adjournment

On motion of Rep. Kenney, at 12:25 P.M., the House agreed to adjourn until Friday, December 15, 2006, at 9:00 A.M.

The Speaker of the House declared the House adjourned until 9:00 A.M., Friday, December 15, 2006.

ALFRED W. SPEER
Clerk of the House

