

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

**TWENTIETH DAY'S PROCEEDINGS**

**Twenty-ninth Regular Session of the Legislature**  
**Under the Adoption of the**  
**Constitution of 1974**

House of Representatives  
State Capitol  
Baton Rouge, Louisiana

Wednesday, May 7, 2003

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

**Morning Hour**

**ROLL CALL**

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

PRESENT

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Peychaud
Alexander	Glover	Pierre
Ansardi	Green	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Quezairé
Baylor	Hebert	Richmond
Beard	Hill	Romero
Bowler	Honey	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Capella	Hutter	Shaw
Carter, K	Iles	Smith, G.—56th
Carter, R	Jackson, L	Smith, J.D.—50th
Cazayoux	Jackson, M	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Crowe	Katz	Sneed
Curtis	Kennard	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Downer	Lucas	Triche
Downs	Martiny	Tucker
Durand	McDonald	Waddell

Erdey	McVea	Walker
Fannin	Montgomery	Walsworth
Farrar	Morrell	Welch
Faucheux	Morrish	Winston
Flavin	Murray	Wooton
Frith	Nevers	Wright
Früge	Odinet	
Total—104		

ABSENT

Doerge  
Total—1

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

**Prayer**

Prayer was offered by Rev. Deven Pedeaux.

**Pledge of Allegiance**

Rep. Swilling 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. Walsworth, the reading of the Journal was dispensed with.

On motion of Rep. Alexander, and under a suspension of the rules, the Journal of May 6, 2003, was corrected to reflect him as voting yea on final passage of House Bill No. 1093.

On motion of Rep. Walsworth, the Journal of May 6, 2003, was adopted.

**Suspension of the Rules**

On motion of Rep. Sneed, 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.

**Petitions, Memorials and Communications**

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

**Message from the Senate**

**HOUSE CONCURRENT RESOLUTIONS**

May 6, 2003

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

I am directed to inform your honorable body that the Senate has concurred in the following House Concurrent Resolutions:

House Concurrent Resolution No. 142  
Returned without amendments.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**SIGNED SENATE CONCURRENT RESOLUTIONS**

May 7, 2003

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

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Concurrent Resolutions:

Senate Concurrent Resolution Nos. 68, 69, and 72

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

The Senate Concurrent Resolutions contained herein were signed by the Speaker of the House.

**Message from the Senate**

**SENATE BILLS**

May 7, 2003

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

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

Senate Bill Nos. 2, 3, 49, 122, 133, 231, 242, 261, 331, 351, 360, 362, 430, 470, 581, 637, 646, 647, 673, 688, 740, 759, 841, 896, 898, 930, 955, 967, and 1032

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Suspension of the Rules**

On motion of Rep. Baldone, the rules were suspended in order to take up the bills contained in the message at this time.

**Senate Bills and Joint Resolutions on First Reading**

The following Senate Bills and Joint Resolutions on first reading were taken up, read, and placed upon the calendar for their second reading:

**SENATE BILL NO. 2—**  
BY SENATOR DUPRE

AN ACT

To enact R.S. 40:940.52, relative to the transportation and sale of a commercial fisherman's catch; to provide that a commercial fisherman is exempt from having to possess a "mobile food vendor's permit" under certain circumstances; and to provide for related matters.

Read by title.

**SENATE BILL NO. 3—**  
BY SENATOR DUPRE

AN ACT

To enact R.S. 56:303.1.1(E), relative to the fresh products license; to authorize the purchase of an additional fresh products license; to authorize the spouse of a commercial fisherman to sell the catch while the commercial fisherman continues to fish; and to provide for related matters.

Read by title.

**SENATE BILL NO. 49—**  
BY SENATOR DUPRE

AN ACT

To enact R.S. 56:306.3(C) and 307.1(D), relative to license and transport fees; to authorize a wholesale/retail dealer to purchase a four-year dealer's license and a four-year transport license; and to provide for related matters.

Read by title.

**SENATE BILL NO. 122—**  
BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 56:499.3(A), relative to butterfly and bottom nets; to authorize such nets in Grand Pass from a fishing boat or vessel whether or not it is motor propelled or underway; and to provide for related matters.

Read by title.

**SENATE BILL NO. 133—**  
BY SENATOR HOYT

AN ACT

To amend and reenact R.S. 38:2251(K) and R.S. 39:1595(J), relative to public contracts; to provide for preferences for certain clay products; and to provide for related matters.

Read by title.

**SENATE BILL NO. 231—**  
BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 17:10.3(C), relative to the School and District Accountability Rewards Fund; to provide for an optional secondary purpose for which monies in the fund may be spent; and to provide for related matters.

Read by title.

**SENATE BILL NO. 242—**  
BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 56:322(I), relative to crawfish traps; to extend the sunset provision for changing the mesh size of commercial crawfish traps; and to provide for related matters.

Read by title.

**SENATE BILL NO. 261—**  
BY SENATOR HOYT

AN ACT

To repeal R.S. 48:491(B)(3), relative to roads and highways; to provide with respect to local and parish roads and eliminate an exception for Vermilion Parish; and to provide for related matters.

Read by title.

**SENATE BILL NO. 331—**

BY SENATOR BAJOE

AN ACT

To amend and reenact R.S. 37:1861(A)(1), 1864, 1871(1), 1874(A) and (B)(13)(a) and (c), 1877, 1879, and 1880, and to enact R.S. 37:1861(A)(3) and (4), 1871(3) and (4), 1874(B)(13)(f), relative to secondhand dealers; to provide for the definition of the term "used building component"; to require reporting of transactions involving "used building components"; and to provide for related matters.

Read by title.

**SENATE BILL NO. 351—**

BY SENATOR HOLDEN AND THOMAS

AN ACT

To amend and reenact R.S. 33:1236(32), relative to the powers of parish governing authorities; to authorize the governing authority of St. Helena, St. Tammany, and Washington parishes to operate, regulate, or subsidize ambulance services; and to provide for related matters.

Read by title.

**SENATE BILL NO. 360—**

BY SENATORS THEUNISSEN, SMITH, CAIN, ELLINGTON AND HINES AND REPRESENTATIVE THOMPSON

AN ACT

To enact R.S. 17:185.5, relative to agricultural education; to establish the Louisiana Center for Agricultural Science and Education; to provide for administration and operation of the center; to specify its purposes; to establish an oversight committee; to provide for funding; to provide for audits; and to provide for related matters.

Read by title.

**SENATE BILL NO. 362—**

BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 44:4.1(B)(8) and to enact R.S. 17:3135, relative to student education records; to provide for the access of parents to the education records of their dependent child in accordance with the federal Family Educational Rights and Privacy Act; to require the postsecondary education management boards to submit institutional policies to the Board of Regents; to authorize institutions to charge a fee for copying or mailing such records; to require compliance with federal law; to exempt such student education records from the public records law; and to provide for related matters.

Read by title.

**SENATE BILL NO. 430—**

BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 37:1744, relative to disclosure of financial interest by referring health care providers; to provide for penalties for referring patients to facilities without disclosure of the provider's financial interest; and to provide for related matters.

Read by title.

**SENATE BILL NO. 470—**

BY SENATOR HOYT

AN ACT

To enact R.S. 32:387(C)(7) and 388(G), relative to permits; to provide for special oversize load permits; to provide for fines and suspension of operating authority under special oversize

load permits for violation of their terms or for falsifying information on permit applications; and to provide for related matters.

Read by title.

**SENATE BILL NO. 581—**

BY SENATOR LENTINI

AN ACT

To enact R.S. 22:1514.3, relative to liability insurance; to prohibit certain acts by bail bond producers; to provide for penalties for prohibited acts; and to provide for related matters.

Read by title.

**SENATE BILL NO. 637—**

BY SENATOR HEITMEIER

AN ACT

To repeal R.S. 48:442(3)(e), relative to expropriation by the Department of Transportation and Development; to repeal the requirement of certain notification to the owners of property; to provide for an effective date; and to provide for related matters.

Read by title.

**SENATE BILL NO. 646—**

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 38:2211(A)(6) and 2212(D)(1), relative to public contracts; to provide for an exception to the formal bid process in the event of an extreme public emergency; and to provide for related matters.

Read by title.

**SENATE BILL NO. 647—**

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 48:81(A), (B)(2) and (4), 82(B)(4), (C), (D)(4), (6), and (10), and (E), and 83(A)(1) and (C), and to enact R.S. 48:83(H), relative to the Louisiana Infrastructure Bank; to provide for legislative finding; to provide for use of funds; to provide for the definition of an "eligible infrastructure project"; to provide for types of loans; to provide for the president and chairman of the board of directors; to authorize the maximum length of infrastructure loans; and to provide for related matters.

Read by title.

**SENATE BILL NO. 673—**

BY SENATOR ULLO

AN ACT

To amend and reenact Section 3 of Act No. 666 of the 1997 Regular Session, as amended by the second Section 2 of Act No. 599 of the 1999 Regular Session, and as amended by Section 2 of Act No. 705 of the 2001 Regular Session, and to amend and reenact R.S. 56:700.2(A)(4), all relative to the Underwater Obstruction Removal Fund; to provide for annual deposits into the fund for an additional three years; to provide for a termination date; and to provide for related matters.

Read by title.

**SENATE BILL NO. 688—**  
BY SENATOR ULLO

AN ACT

To enact R.S. 38:2211(A)(13) and 2212(A)(1)(f), relative to public contracts; to provide for the acceptance of bids via electronic medium; to authorize political subdivisions to accept bids for public works via certain secure electronic interactive environment; to provide for definitions; to provide for exceptions; and to provide for related matters.

Read by title.

**SENATE BILL NO. 740—**  
BY SENATOR SCHEDLER

AN ACT

To enact R.S. 23:1168.1(C), relative to workers' compensation; to provide with respect to liability insurance; to provide self-insurance; to provide an exception when computing security requirements for self-insured hospitals; and to provide for related matters.

Read by title.

**SENATE BILL NO. 759—**  
BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 17:3398.2, relative to business and industry advisory boards for institutions of postsecondary education; to create and provide for the Process Technology Advisory Board; to provide for its membership; to provide for its mission; and to provide for related matters.

Read by title.

**SENATE BILL NO. 841—**  
BY SENATOR GAUTREUX

AN ACT

To amend and reenact R.S. 40:1651, 1652(6) and (7), 1653(A), (B), (C)(1), (D), and (F)(3), 1655(B) and (D), 1657(A), (B), (C), (F), 1658(1)(a), (d), and (e), (2), (3), (4) and (7), 1659(2), (3), (6), 1660, 1660.1, and 1661, to enact R.S. 40:1652(8), and to repeal R.S. 40:1657(I) and 1660.2, relative to fire protection system; to make various technical changes; to provide for licensure and certification of certain persons; to provide for notice, hearing, and revocation of a certificate or license; to provide administrative penalties; to provide for additional penalties; to provide for the use of certain funds; and to provide for related matters.

Read by title.

**SENATE BILL NO. 896—**  
BY SENATORS HOLLIS AND IRONS

AN ACT

To amend and reenact R.S. 36:107(A), 109(J), and 913(B), R.S. 43:111(A)(7), R.S. 47:1125(C) and 6007(B)(5), (D)(1) and (3), and (E), and R.S. 51:938.1(A), (H)(introductory paragraph) and (1), (I), (J)(introductory paragraph), (1), (2), (3)(introductory paragraph), (c), and (d), (6), (7), and (8), and (K), to enact R.S. 51:938.1(H)(3) and (J)(1)(e), and to repeal R.S. 36:108(B)(20) and R.S. 51:938.1(B) through (G), relative to economic development; to provide relative to the Department of Economic Development; to provide for assistant secretaries and duties of offices; to provide for the transfer of certain entities; to provide for advertising; to provide relative to tax relief for motion picture production companies; to provide relative to tax credits for investments in certain productions; to create the governor's office of film and television development; to provide for the

office's duties, staff, and authority; and to provide for related matters.

Read by title.

**SENATE BILL NO. 898—**  
BY SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 47:318(B), relative to the Department of Economic Development; to provide relative to the disposition of certain collections; to provide relative to the Marketing Fund; and to provide for related matters.

Read by title.

**SENATE BILL NO. 930—**  
BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 40:1058.3(C) and R.S. 40:1058.6(B), relative to the licensing of substance abuse/addiction treatment facilities; to provide with respect to the current moratorium upon the certification of additional methadone maintenance programs; to extend the moratorium; to provide with respect to license revocation and review; and to provide for related matters.

Read by title.

**SENATE BILL NO. 955—**  
BY SENATOR GAUTREUX

AN ACT

To amend and reenact R.S. 47:605(A), relative to insurers; to provide for certain requirements for determining the value of surplus and undivided profits; and to provide for related matters.

Read by title.

**SENATE BILL NO. 967—**  
BY SENATOR JOHNSON

AN ACT

To amend and reenact R.S. 51:943, to enact R.S. 36:4.1(D)(17), and to repeal R.S. 36:109(D)(2), relative to the Small and Emerging Business Development Advisory Council; to change the name to the Small Business Entrepreneurship Commission; to provide for additional members of the commission; to provide for revised and additional functions of the commission; and to provide for related matters.

Read by title.

**SENATE BILL NO. 1032—**  
BY SENATOR MARIONNEAUX

AN ACT

To enact R.S. 42:1123(32), relative to ethics; to provide for exceptions for members of public bodies to engage in certain transactions with such public body; to permit public officials of certain governing authorities and their immediate families and legal entities to make application for the subdivision, resubdivision or zoning of property, or building permits and inspections; to provide for exceptions to be based on population; to require written notice to the Board of Ethics and recusal from voting; and to provide for related matters.

Read by title.

**House and House Concurrent Resolutions**

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

**HOUSE CONCURRENT RESOLUTION NO. 143—**

BY REPRESENTATIVE TUCKER

**A CONCURRENT RESOLUTION**

To direct the Department of Health and Hospitals to take all steps necessary to maximize the reimbursement to schools of the cost of administering and providing medical and related services needed by Medicaid-eligible special education students.

Read by title.

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

**Senate Concurrent Resolutions**

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

**SENATE CONCURRENT RESOLUTION NO. 16—**

BY SENATOR DUPRE

**A CONCURRENT RESOLUTION**

To request the Department of Wildlife and Fisheries and the Artificial Reef Commission not to allow rigs to be topped in place.

Read by title.

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

**SENATE CONCURRENT RESOLUTION NO. 18—**

BY SENATOR DUPRE

**A CONCURRENT RESOLUTION**

To memorialize the Congress of the United States to take immediate and focused efforts to improve the enforcement of food import restrictions of seafood imports that contain the use of banned antibiotics, especially in foreign imported shrimp.

Read by title.

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

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

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

**Motion**

On motion of Rep. Martiny, the Committee on Judiciary was discharged from further consideration of House Bill No. 114.

**HOUSE BILL NO. 114—**

BY REPRESENTATIVE MARTINY

**AN ACT**

To amend and reenact R.S. 33:1432(1), relative to the compensation, fees, and costs allowed sheriffs, in parishes other than Orleans, for services in criminal matters; to increase the fees paid to those sheriffs by those parish governing authorities for keeping and feeding prisoners in jail; and to provide for related matters.

Read by title.

**Motion**

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

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

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

**SENATE BILL NO. 6—**

BY SENATOR DUPRE

**AN ACT**

To amend and reenact R.S. 18:463(A)(2), relative to notice of candidacy forms; to provide that the candidacy form include information concerning the disposition of a felony conviction; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 11—**

BY SENATOR DUPRE AND REPRESENTATIVES DOWNER AND BALDONE

**AN ACT**

To amend and reenact R.S. 18:1317, relative to voting; to provide that the vote of an individual who votes absentee and subsequently dies prior to the opening of the polls on the day of the election shall be valid; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 22—**

BY SENATOR MARIONNEAUX

**AN ACT**

To amend and reenact R.S. 9:3518.2(B)(1) and the introductory paragraph of R.S. 9:3518.2(C); relative to credit cards; to prohibit unsolicited mailing or delivery of credit card applications; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 311—**

BY SENATOR SCHEDLER

**AN ACT**

To amend and reenact R.S. 37:2510(A), (B), and (C), relative to disciplinary procedures for nursing facility administrators; to provide for disciplinary criteria; to establish that the board has the authority to initiate an investigation; to provide for disciplinary hearings; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 320—**  
BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 14:98(A)(1)(d) and (e), relative to the offense of driving while intoxicated; to provide relative to driving under the influence of a drug which is not a controlled dangerous substance; to provide an affirmative defense for such charge under certain conditions; to provide relative to driving under the influence of a combination of alcohol and a drug which is not a controlled dangerous substance; to provide an affirmative defense for such charge under certain conditions; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 382—**  
BY SENATORS SCHEDLER AND BAJOIE

AN ACT

To enact Chapter 8-A of Title 46 of Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:978 and 979, relative to health care for the low-income uninsured; to provide for expanding coverage to certain low-income uninsured through Medicaid program waivers; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 406—**  
BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 14:32.1(A)(5) and (6), 39.1(A)(4) and (5), and 39.2(A)(4) and (5), relative to crimes related to assault and battery; to provide relative to vehicular homicide, vehicular negligent injuring, and first degree vehicular negligent injuring; to eliminate certain elements of such crimes; to provide for the lack of such elements to be available as an affirmative defense to certain charges of such crimes; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 752—**  
BY SENATOR LENTINI

AN ACT

To enact Code of Criminal Procedure Art. 324(A)(4), relative to bail; to provide relative to bail through cash deposits; to authorize the court in Jefferson Parish to reduce the percentage amount of the bail to be deposited; to authorize an administrative fee; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 799—**  
BY SENATORS BAJOIE, HINES AND SCHEDLER

AN ACT

To amend and reenact R.S. 46:2116.2(C)(1) and to enact R.S. 46:2116.2(C)(4), relative to the Personal Care Assistance

Services Program; to provide for choice of vendor; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 802—**  
BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 9:315.14, relative to child support; to provide an exception to the mandatory minimum payment in certain cases; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 809—**  
BY SENATOR JOHNSON

AN ACT

To enact R.S. 51:2303(11), relative to economic development; to define the term "Louisiana Entrepreneurial Business"; to provide for qualifications; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 820—**  
BY SENATOR DARDENNE

AN ACT

To enact R.S. 15:147(A)(1)(d), (e), (f), and (g), relative to right to counsel in criminal cases; to provide with respect to the defense of indigents; to provide for the collection of a one-time forty dollar fee from criminal defendants seeking representation by the indigent defender board; to provide for collection and distribution of fees; and to provide for related matters.

Read by title.

**Motion**

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

**SENATE BILL NO. 839—**  
BY SENATORS JOHNSON, BARHAM AND ULLO

AN ACT

To enact R.S. 49:153.3, relative to the displaying of flags; to recognize the flag of the former Republic of Vietnam as the official flag to be displayed in the state; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 855—**  
BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 9:315(C)(4)(a), relative to the determination of child support; to provide for a gift to be included when determining gross income for the purposes of child support; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 897—**

BY SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 51:2311(A)(1) and (2)(a), (b), and (i), (B), (D), and (E) and to repeal R.S. 51:2311(A)(2)(j), relative to economic development; to provide relative to the Louisiana Economic Development Corporation board of directors; to provide for the secretary of the Department of Economic Development; to provide for board appointees; to provide for a quorum of the board; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 926—**

BY SENATOR ADLEY

AN ACT

To enact R.S. 42:7.3, relative to meetings of public bodies; to provide a procedure for the presentation and consideration of an offer to sell natural gas to a public body for use in its gas distribution system sales to retail customers for a certain term, or to assume the operation or acquire the ownership of, a gas utility owned or operated by a public body; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 1048 (Substitute for Senate Bill No. 993 by Senator Theunissen)—**

BY SENATORS THEUNISSEN AND MOUNT AND REPRESENTATIVES FLAVIN, JOHNS, MORRISH AND STELLY

AN ACT

To amend and reenact R.S. 34:202 and 204 and to enact R.S. 34:204.1, relative to the Lake Charles Harbor and Terminal District; to provide relative to the appointment and terms of the district's board of commissioners; to provide relative to the board's responsibility for management of the district; to provide for the employment of a port director including his qualifications and duties; and to provide for related matters.

Read by title.

**Motion**

Rep. Flavin moved that Senate Bill No. 1048 be designated as a duplicate of House Bill No. 1801.

Which motion was agreed to.

**Motion**

On motion of Rep. Flavin, the above bill was referred to the Legislative Bureau.

**SENATE BILL NO. 486—**

BY SENATORS HOLLIS AND MICHOT

AN ACT

To amend and reenact R.S. 6:714(A), (C), and (F) and 1188(C), relative to officers of savings and loan associations and savings banks; to provide for officers; to provide for election by the board of directors; and to provide for related matters.

Called from the calendar.

Read by title.

**Motion**

Rep. Pinac moved that Senate Bill No. 486 be designated as a duplicate of House Bill No. 188.

Which motion was agreed to.

Rep. Pinac moved that Senate Bill No. 486 be amended to conform with House Bill No. 188 and sent up the following floor amendments:

**HOUSE FLOOR AMENDMENTS**

Conforming Amendments proposed by Representative Pinac to Engrossed Senate Bill No. 486 by Senator Hollis (Duplicate of House Bill No. 188)

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 6:" insert "285(A), (C)(1), and (F),"

AMENDMENT NO. 2

On page 1, line 3, after "officers of" delete the remainder of the line and insert "certain financial institutions; to provide"

AMENDMENT NO. 3

On page 1, line 7, after "R.S. 6:" insert "285(A), (C)(1), and (F),"

AMENDMENT NO. 4

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

"§285. Officers and agents; election, powers, duties

A. The board of directors shall elect a president or chief executive officer, a cashier or chief financial officer, and a secretary, who shall each be a different person, and shall elect a chairman of the board. One or more vice presidents may be elected. None of the officers except the president or chief executive officer and the chairman need be a director. No person holding more than one office may sign in more than one capacity any instrument required by law to be signed by two officers.

\* \* \*

C.(1) Every bank shall be deemed to have ~~three~~ the following registered agents, who shall be the president or chief executive officer, the cashier or chief financial officer, and the secretary of the bank. Service of citation or other legal process on a bank shall be made by personal service on ~~either the president, the cashier, or the secretary~~ any one of the named registered agents. If the officer making service certifies that he is unable after diligent effort to have service made on the registered agents, then the service may be made on any officer of the bank at the main office of the bank.

\* \* \*

F. Except as otherwise provided in the articles or bylaws or by resolution of the board, the president or chief executive officer, or cashier or chief financial officer, shall have the power in the name and on behalf of the state bank to authorize the institution, prosecution, or defense of any suit or other legal proceeding; and no exception of want of authority shall lie on the part of any other party. Such persons shall have the authority in the state bank's name to direct the issuance of conservatory writs and to bond property in custodia legis, to execute bonds in connection with any legal proceedings, and to make affidavits required by law or rules of court. Such acts shall have the same force and effect as an act of the state bank itself and be binding upon it.

\* \* \*

AMENDMENT NO. 5

On page 1, at the end of line 10, delete "a" and at the beginning of line 11, delete "cashier," and insert "or chief executive officer, cashier or chief financial officer."

AMENDMENT NO. 6

On page 1, line 14, after "president" insert "or chief executive officer"

AMENDMENT NO. 7

On page 2, at the end of line 4, delete "three" and insert "the following"

AMENDMENT NO. 8

On page 2, line 5, after "president" delete the comma "," and delete "the cashier," and insert "or chief executive officer, the cashier or chief financial officer."

AMENDMENT NO. 9

On page 2, at the end of line 7, delete "either the" and at the beginning of line 8, delete "president or secretary." and insert "any of the named registered agents."

AMENDMENT NO. 10

On page 2, line 14, after "president" delete "or cashier" and insert "or chief executive officer, or the cashier or chief financial officer."

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

**Motion**

On motion of Rep. Pinac, the above bill, as amended, was referred to the Legislative Bureau.

**SENATE BILL NO. 487—**  
BY SENATORS HOLLIS AND MICHOT  
AN ACT

To amend and reenact R.S. 6:231(C), relative to amendments to the articles of incorporation of banks; to provide a procedure for after-the-fact approval of amendments to articles; and to provide for related matters.

Called from the calendar.

Read by title.

**Motion**

Rep. Pinac moved that Senate Bill No. 487 be designated as a duplicate of House Bill No. 185.

Which motion was agreed to.

**Motion**

On motion of Rep. Pinac, the above bill was referred to the Legislative Bureau.

**SENATE BILL NO. 489—**  
BY SENATORS HOLLIS AND MICHOT  
AN ACT

To amend and reenact R.S. 6:937 and 1207, relative to dividends and capital surplus; to revise certain dividend and capital surplus requirements; and to provide for related matters.

Called from the calendar.

Read by title.

**Motion**

Rep. Pinac moved that Senate Bill No. 489 be designated as a duplicate of House Bill No. 313.

Which motion was agreed to.

**Motion**

On motion of Rep. Pinac, the above bill was referred to the Legislative Bureau.

**SENATE BILL NO. 496—**  
BY SENATORS HOLLIS AND HEITMEIER  
AN ACT

To amend and reenact R.S. 6:351(C) and 352.1(A), (B)(introductory paragraph), and (H)(2) and to repeal R.S. 6:352.1(H)(3) and (4), relative to share exchanges; to revise the definition of share exchange procedures between state financial institutions; to require commissioner approval for share exchanges; to require shareholder approval for share exchanges; to eliminate certain filing requirements with the commissioner; and to provide for related matters.

Called from the calendar.

Read by title.

**Motion**

Rep. Pinac moved that Senate Bill No. 496 be designated as a duplicate of House Bill No. 190.

Which motion was agreed to.

**Motion**

On motion of Rep. Pinac, the above bill was referred to the Legislative Bureau.

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

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

**HOUSE BILL NO. 147—**

BY REPRESENTATIVE LUCAS

AN ACT

To enact R.S. 47:463.111 and 463.112, relative to motor vehicle prestige license plates; to provide for the creation of the Greater New Orleans Jurisdiction of the Church of God in Christ prestige license plate; to provide for the creation of the Progressive Baptist Church license plate; to provide for the issuance of such plates; to provide relative to the fees for such plates; to provide for use of such fees; to authorize the promulgation of rules and regulations; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Transportation, Highways and Public Works to Original House Bill No. 147 by Representative Lucas

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 47:463.111" delete the comma "," and insert "and 463.112,"

AMENDMENT NO. 2

On page 1, line 3, after "creation of " delete the remainder of the line and at the beginning of line 4, delete "Orleans District prestige license plate;" and insert the following:

"the Greater New Orleans Jurisdiction of the Church of God in Christ prestige license plate; to provide for the creation of the Progressive Baptist Church license plate;"

AMENDMENT NO. 3

On page 1, line 5, after "such" change "plate" to "plates" in both places

AMENDMENT NO. 4

On page 1, line 9, after "R.S. 47:463.111" delete "is" and insert the following:

"and 463.112 are"

AMENDMENT NO. 5

On page 1, line 10, after "plates:" delete the remainder of the line and delete line 11 in its entirety and insert the following:

"Greater New Orleans Jurisdiction of the Church of God in Christ"

AMENDMENT NO. 6

On page 1, line 14, after "the" delete the remainder of the line and insert the following:

"Greater New Orleans Jurisdiction of the Church of God in Christ plate."

AMENDMENT NO. 7

On page 2, line 2, after "Orleans" and before the period "." delete "District" and insert "Jurisdiction"

AMENDMENT NO. 8

On page 2, line 13, after "disbursed to" delete remainder of the line and delete line 14 in its entirety and insert the following:

"Developing Educating Restoring, Inc. to be used for tutorial and educational programs."

AMENDMENT NO. 9

On page 2, after line 16, add the following:

"§463.112. Special prestige license plates; Progressive Baptist Church

A. The secretary of the Department of Public Safety and Corrections shall establish a special prestige license plate, to be known as the Progressive Baptist Church plate, provided there is a minimum of one thousand applicants for such plate. The license plate shall be restricted to passenger cars, pickup trucks, vans, and recreational vehicles. The secretary shall design the plate, and it shall include the words "Progressive Baptist Church".

B. The prestige plate shall be issued, upon application, to any member of the Progressive Baptist Church.

C. The department shall collect an annual fee of twenty-five dollars for this special prestige license plate, which shall be disbursed in accordance with Subsection D of this Section. This fee shall be in addition to the regular motor vehicle license fee provided in R.S. 47:463 and a handling fee of three dollars and fifty cents to be retained by the department to offset a portion of administrative costs.

D. The monies received from the additional twenty-five-dollar fee shall be annually disbursed to the Dr. Murphy W. McCaleb Educational Fund for youth, mentoring, training, volunteer, and after school tutorial programs.

E. The department shall establish rules and regulations as are necessary to implement this Section."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 171—**

BY REPRESENTATIVES ANSARDI AND JOHNS

AN ACT

To amend and reenact Children's Code Articles 412, 603(13), 615(E)(2), 616, 668(A), 675(B)(4), 897(D), 899(D), 1037, 1039, 1115(C), 1120, 1122(C) and (F), 1171, 1173(A)(introductory paragraph) and (3), 1178(B), 1192, 1218(D), 1222(B), 1269.1(A)(introductory paragraph), and 1269.3(A) and to enact Children's Code Articles 603(12.1), 612.1, 1122(B)(11), and 1130.1, relative to the continuous revision of the Children's Code; to provide for the confidentiality of records; to define "institutional abuse or

neglect"; to provide for mandatory reporting of abuse; to provide for the investigation of facilities; to provide for disposition of reports; to provide for the purpose of a central registry; to provide for case plans; to provide for disposition after a delinquent act; to provide formalities in termination judgments; to provide for preplacement approval; to provide for the act of surrender form; to provide for pre-surrender counseling; to provide for the determination of parental capacity; to provide for a current certification in private adoptions; to provide requirements for home study; to provide for disclosure of information in adoptions; to provide for continued contact after adoptions; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 171 by Representative Ansardi

AMENDMENT NO. 1

On page 9, between lines 3 and 4 insert "(11) The attorney general's office."

AMENDMENT NO. 2

On page 12, line 32, after "of" and before "abuse" insert "child"

AMENDMENT NO. 3

On page 13, at the end of line 16, change "or" to "duly ordained deacon, Christian Science practitioner, or"

AMENDMENT NO. 4

On page 13, line 19, after "from" delete the remainder of the line and at the beginning of line 20, delete "clergyman in his professional character as spiritual advisor." and insert the following:

"a person to a member of the clergy who, in the course of the discipline or practice of that church, denomination, or organization, is authorized or accustomed to hearing confidential communications, and under the discipline or tenets of the church, denomination, or organization has a duty to keep such communications confidential."

AMENDMENT NO. 5

On page 17, line 9, after "registry" insert a comma "," and insert "among other uses,"

AMENDMENT NO. 6

On page 44, after line 27, insert the following:

"Section 2. The provisions of Children's Code Article 612.1 shall become effective upon allocation of adequate funding and subject to the approval of the Joint Legislative Committee on the Budget."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 174—**  
BY REPRESENTATIVE DOERGE  
AN ACT

To enact Part XXVI of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3087.191 through 3087.203, to create and provide for the Webster Parish Watershed District; to provide for the boundaries and purposes of the district; to create and provide for a board of commissioners of the district; to provide for the powers and duties of the board; to authorize the board to promulgate rules and regulations and to provide for the enforcement thereof; to provide for violations and penalties; to provide relative to the powers and duties of the Department of Transportation and Development with respect to the district; to provide for the regulation of commercial establishments and to provide relative to licensing of such establishments and fees to be imposed thereon; to provide for creation and construction of playgrounds and recreational facilities; to provide relative to mineral leases; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Transportation, Highways and Public Works to Original House Bill No. 174 by Representative Doerge

AMENDMENT NO. 1

On page 5, line 11, after "donation." delete "assignment."

AMENDMENT NO. 2

On page 8, line 20, after "across any" insert "public"

AMENDMENT NO. 3

On page 9, line 8, after "upon any" insert "public"

AMENDMENT NO. 4

On page 9, at the end of line 10, before the period "." insert "or the Army Corps of Engineers"

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 208—**  
BY REPRESENTATIVE FRUGE  
AN ACT

To amend and reenact Code of Civil Procedure Articles 863 and 2088(9) and (10) and to enact Code of Civil Procedure Article 2088(11), relative to pleadings in civil actions; to provide with respect to the requirement of signing those pleadings; to provide

with respect to the effects of signing those pleadings; to provide with respect to sanctions for filing pleadings for any improper purposes, including the recovery of attorney fees in certain cases; to provide for the continuing jurisdiction of the trial court in sanction proceedings; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 208 by Representative Fruge

##### AMENDMENT NO. 1

On page 3, line 22, after "F." and before "A" delete "(1)"

##### AMENDMENT NO. 2

On page 4, delete lines 11 through 26 in their entirety

##### AMENDMENT NO. 3

On page 5, at the beginning of line 1, change "H." to "G."

##### AMENDMENT NO. 4

On page 5, at the beginning of line 20, change "L." to "H."

##### AMENDMENT NO. 5

On page 5, at the beginning of line 25, change "L." to "L."

##### AMENDMENT NO. 6

On page 6, at the beginning of line 3, change "K." to "L."

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

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

Under the rules, placed on the regular calendar.

#### **HOUSE BILL NO. 243—** BY REPRESENTATIVE ANSARDI

##### AN ACT

To amend and reenact Children's Code Articles 424.1(A), 1015(7), 1101, and 1193(introductory paragraph); to enact Chapter 13 of Title XI of the Children's Code, to be comprised of Articles 1149 through 1160; and to repeal Children's Code Articles 1701 through 1706, relative to safe haven relinquishments of infants; to provide for CASA appointments; to provide for defenses to prosecution; to provide for emergency care facility responsibilities; to provide for medical evaluations of the infant; to provide for hearings for parent to reclaim parental rights; to provide procedures when a non-relinquishing parent cannot be identified; to provide procedural safeguards; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 243 by Representative Ansardi

##### AMENDMENT NO. 1

On page 3, line 27, after the comma "," and before "or" insert "any pregnancy crisis center."

##### AMENDMENT NO. 2

On page 8, line 10, after "C" and before the comma "," insert "and that removal of the child is necessary in order to safeguard his welfare"

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

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

Under the rules, placed on the regular calendar.

#### **HOUSE BILL NO. 251—** BY REPRESENTATIVE GUILLORY AN ACT

To amend and reenact R.S. 32:863(A)(3)(a), relative to license plates; to provide for a maximum reinstatement fee for certain persons; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

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

Under the rules, placed on the regular calendar.

#### **HOUSE BILL NO. 310—** BY REPRESENTATIVE PINAC AN ACT

To amend and reenact R.S. 40:1662.1, 1662.2, 1662.3(1), (8), and (17), 1662.4(B), 1662.6(A), (B)(6), and (C), 1662.7(A), (B), (C), (D)(introductory paragraph), (E), and (F), 1662.8(A) and (B)(introductory paragraph) and (3), 1662.9(C) and (E), 1662.11(A)(2), 1662.12(A)(2) and (5), 1662.13(A)(introductory paragraph) and (1)(b) and (B)(1), 1662.14(A)(2), (3)(introductory paragraph) and (b) and (5) and (C)(2) and (3), 1662.15(B)(2), and 1662.16 and to enact R.S. 40:1662.3(23) through (28), 1662.4(A)(3) and (4), (C), and (D), 1662.6(D), 1662.8(B)(2)(g) and (h), 1662.9(A)(9) through (11), 1662.10, 1662.13(A)(1)(c), and 1662.14(C)(6), relative to the state fire marshal; to provide for the licensure of locksmiths, locksmith shop technicians, locksmithing services companies, and locksmith apprentices; to provide for a purpose; to provide for definitions; to provide for the licensure of persons who engage in certain alarm contracting services; to provide for certain exceptions; to provide for application procedures; to provide for certain notifications; to provide for inspections; to prohibit certain activities; to provide for a provisional locksmith license; to provide relative to license renewal and license fees; to provide relative to the membership of the Alarm Services

Advisory Board; to provide relative to offenses and penalties; to provide relative to local regulations; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Commerce to Original House Bill No. 310 by Representative Pinac

AMENDMENT NO. 1

On page 1, line 2, after "1662.3(1)" and before "and (17)" insert a comma "," and insert "(8),"

AMENDMENT NO. 2

On page 1, line 3, after "1662.6(A)" and before "and (C)" insert a comma "," and insert "(B)(6),"

AMENDMENT NO. 3

On page 1, line 4, after "(B)(introductory paragraph)" and before the comma "," insert "and (3)"

AMENDMENT NO. 4

On page 1, line 8, between "1662.4(A)(3)" and the comma "," insert "and (4)"

AMENDMENT NO. 5

On page 2, line 6, after "1662.3(1)" and before "and (17)" insert a comma "," and insert "(8),"

AMENDMENT NO. 6

On page 2, line 7, after "1662.6(A)" and before "and (C)" insert a comma "," and insert "(B)(6),"

AMENDMENT NO. 7

On page 2, line 8, after "(B)(introductory paragraph)" and before the comma "," insert "and (3)"

AMENDMENT NO. 8

On page 2, line 12, between "1662.4(A)(3)" and the comma "," insert "and (4)"

AMENDMENT NO. 9

On page 3, between lines 18 and 19, insert the following:

"(8) "Electronic protective system" means a device or a series or assembly of interconnected devices which, when activated by automatic or manual means, produces an audible, visual, or electronic signal intended to detect or warn of a threat to a structure or its occupants. This term shall include a burglar alarm, burglar alarm system, a household fire warning system, or a single station fire alarm, all as defined in this Subpart, or a portion or combination of such alarms or systems. However, the term "electronic protective system" shall not include the following:

(a) An alarm or alarm system installed in a motor vehicle.

~~(b) An alarm or alarm system installed upon premises occupied by an agency of the federal government or the state of Louisiana.~~

~~(c)~~ (b) Any device, alarm, or alarm system which is designed solely to detect or give notice of fire or smoke and which is regulated by Subpart E of this Part.

~~(d)~~ (c) A burglar alarm, burglar alarm system, or household fire warning system sold at retail to an individual end user for self-installation.

~~(d) A single station fire alarm installed in a private residence by a fire department, the fire marshal, a public agency, a volunteer association, or their designated representatives where no compensation is received for such installation.~~

\* \* \*

AMENDMENT NO. 10

On page 6, delete line 17 and insert "such person's or entity's employees while such"

AMENDMENT NO. 11

On page 6, between lines 21 and 22, insert the following:

"(4) Any owner, management company, or public institution and such person's or entity's employees while such person or entity is installing, inspecting, repairing, servicing, or testing a burglar alarm system only on the premises of the owner or public institution during the normal course and scope of his duties."

AMENDMENT NO. 12

On page 8, line 3, after "towing service" delete the comma "," and delete the remainder of the line

AMENDMENT NO. 13

On page 8, between lines 20 and 21, insert the following:

"(9) Any company or natural person licensed to perform electrical work by the State Licensing Board for Contractors pursuant to R.S. 37:2156.1 and 2156.2, but only as to locksmithing or other services limited to access control and closed circuit television alarm systems. This exception from licensure shall also apply to the employees of a company or natural person excepted by this Paragraph, but only as to work performed by them on behalf of the excepted employer. Notwithstanding any other provision of this Subpart, no person licensed under this Subpart may install primary power sources of one hundred volts or greater when such power source is being installed to operate low-voltage systems."

AMENDMENT NO. 14

On page 9, between lines 17 and 18, insert the following:

"B. An applicant for a Type A or Type A-1 license shall submit the following to the fire marshal:

\* \* \*

(6)(a) A statement that no officer or principal has been convicted of a felony, has received a first-offender pardon for a

felony, or has entered a plea of guilty or nolo contendere to a felony charge.

(b) A conviction or a plea of guilty or nolo contendere shall not constitute an automatic disqualification as otherwise required pursuant to Subparagraph (a) if ten or more years has elapsed between the date of application and the successful completion or service of any sentence, deferred adjudication, or period of probation or parole, Code of Criminal Procedure Article 893 or equivalent judicial dismissal process granted.

(c) Subparagraph (b) shall not apply to any person convicted of a felony crime of violence as defined specifically enumerated in R.S. 14:2(13) or a sex offense as defined in R.S. 15:541(14.1), with the exception of R.S. 14:92(7) and R.S. 14:80.

~~(d) The office of state fire marshal, code enforcement and building safety may consider the seriousness and circumstances of the offense and subsequent arrests."~~

#### AMENDMENT NO. 12

On page 13, between lines 24 and 25, insert the following:

"(3)(a) A statement by the applicant that he has not been convicted of a felony, received a first-time offender pardon for a felony, or entered a plea of guilty or nolo contendere to a felony charge. A felony that has been dismissed pursuant to Code of Criminal Procedure Article 893 shall not apply to this Paragraph.

(b) A conviction or a plea of guilty or nolo contendere shall not constitute an automatic disqualification as otherwise required pursuant to Subparagraph (a) if ten or more years has elapsed between the date of application and the successful completion or service of any sentence, deferred adjudication, or period of probation or parole, Code of Criminal Procedure Article 893 or equivalent judicial dismissal process granted.

(c) Subparagraph (b) shall not apply to any person convicted of a felony crime of violence specifically enumerated in R.S. 14:2(13) or a sex offense as defined in R.S. 15:541(14.1), with the exception of R.S. 14:92(7) and R.S. 14:80."

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

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

Under the rules, placed on the regular calendar.

#### HOUSE BILL NO. 459—

BY REPRESENTATIVE ALEXANDER  
AN ACT

To enact R.S. 48:461.26(A)(3), relative to parkways; to designate a portion of Louisiana Highway 3025 as a parkway; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways and Public Works to Original House Bill No. 459 by Representative Alexander

#### AMENDMENT NO. 1

On page 1, line 3, after "Highway" change "3073" to "3025"

#### AMENDMENT NO. 2

On page 1, line 11, after "Highway" change "3073" to "3025"

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

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

Under the rules, placed on the regular calendar.

#### HOUSE BILL NO. 467—

BY REPRESENTATIVE PEYCHAUD  
A JOINT RESOLUTION

Proposing to amend Article VII, Section 25(B)(2) of the Constitution of Louisiana, to change the period for redemption of certain property sold for nonpayment of taxes in the city of New Orleans; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported without amendments by the Committee on Civil Law and Procedure.

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

Under the rules, placed on the regular calendar.

#### HOUSE BILL NO. 512—

BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 9:3514(A), 3516(14) and (26), 3530(B), 3550(B)(2), 3560(A)(10), and 3561.1(H), to enact R.S. 9:3515(F) and 3561.1(I), and to repeal R.S. 9:3517(C), 3559, and 3560(9), relative to consumer credit; to provide for agreements to contract; to prohibit certain activities; to provide for definitions; to provide relative to fees; to provide for exemptions; to provide relative to certain licenses and lapses; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

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

Under the rules, placed on the regular calendar.

#### HOUSE BILL NO. 514—

BY REPRESENTATIVE PINAC  
AN ACT

To repeal R.S. 9:3554.2(B) and Part XVIII of Chapter 2 of Code Title XII of Title 9 of the Louisiana Revised Statutes of 1950, comprised of R.S. 9:3576.1 through 3576.24, relative to collection agencies; to provide relative to the Office of Financial Institutions; to repeal licensing and regulatory provisions regarding collection agencies.

Read by title.

Reported favorably by the Committee on Commerce.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 536—**  
BY REPRESENTATIVE BOWLER  
AN ACT

To enact R.S. 32:295.3, relative to the Highway Regulatory Act; to provide for seat belt and motor vehicle liability security checkpoints; to require all law enforcement agencies involved in traffic enforcement to establish guidelines for seat belt and motor vehicle liability security checkpoints; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Transportation, Highways and Public Works to Original House Bill No. 536 by Representative Bowler

AMENDMENT NO. 1

On page 1, at the end of line 3 delete "the" and at the beginning of line 4 delete "office of state police" and insert "all law enforcement agencies involved in traffic enforcement"

AMENDMENT NO. 2

On page 1, line 9, after "checkpoints:" delete the remainder of the line and insert "law enforcement agencies"

AMENDMENT NO. 3

On page 1, at the beginning of line 10, delete "The office of state police" and insert "All law enforcement agencies involved in traffic enforcement"

AMENDMENT NO. 4

On page 1, line 12, after "checkpoints." delete the remainder of the line and delete line 13 in its entirety and at the beginning of line 14 delete "seq."

AMENDMENT NO. 5

On page 2, line 2, after "personnel of the" delete "office of state police" and insert "law enforcement agency"

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 543—**  
BY REPRESENTATIVE DANIEL  
AN ACT

To amend and reenact R.S. 31:149 and to repeal R.S. 31:149.1 through 149.3, relative to prescription of mineral rights; to provide relative to prescription of nonuse when property is acquired by certain governmental agencies or other specified entities; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

On motion of Rep. Daniel, the bill was recommitted to the Committee on Civil Law and Procedure.

**HOUSE BILL NO. 599—**  
BY REPRESENTATIVES JOHNS AND FRUGE  
AN ACT

To amend and reenact R.S. 40:1299.41(A)(1) and to enact R.S. 40:1299.41(A)(21), relative to medical malpractice; to provide for definitions; to provide for emergency medical services rendered in certain circumstances; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 599 by Representative Johns

AMENDMENT NO. 1

On page 1, line 2, after "reenact" change "R.S. 40:1299.41(A)(16)" to "R.S. 40:1299.41(A)(1) and to enact R.S. 40:1299.41(A)(21),"

AMENDMENT NO. 2

On page 1, line 3, after "for" and before the semicolon ";" change "the definition of ambulance service" to "definitions"

AMENDMENT NO. 3

On page 1, line 7, after "Section 1." and before "is" change "R.S. 40:1299.41(A)(16)" to "R.S. 40:1299.41(A)(1)" and at the end of line 7, insert "and R.S. 40:1299.41(A)(21) is hereby enacted"

AMENDMENT NO. 4

On page 1, between lines 10 and 11, insert the following:

"(1) "Health care provider" means a person, partnership, limited liability partnership, limited liability company, corporation, facility, or institution licensed or certified by this state to provide health care or professional services as a physician, hospital, nursing home, community blood center, tissue bank, dentist, registered or licensed practical nurse or certified nurse assistant, offshore health service provider, ambulance service under circumstances in which the provisions of R.S. 40:1299.39 are not applicable, certified registered nurse anesthetist, nurse midwife, licensed midwife, pharmacist, optometrist, podiatrist, chiropractor, physical therapist, occupational therapist, psychologist, social worker, licensed professional

counselor, or any nonprofit facility considered tax-exempt under Section 501(c)(3), Internal Revenue Code, pursuant to 26 U.S.C. 501(c)(3), for the diagnosis and treatment of cancer or cancer-related diseases, whether or not such a facility is required to be licensed by this state, or any professional corporation a health care provider is authorized to form under the provisions of Title 12 of the Louisiana Revised Statutes of 1950, or any partnership, limited liability partnership, limited liability company, or corporation whose business is conducted principally by health care providers, or an officer, employee, partner, member, shareholder, or agent thereof acting in the course and scope of his employment."

**AMENDMENT NO. 5**

On page 1, delete lines 12 through 18 and on page 2, delete lines 1 through 9 in their entirety

**AMENDMENT NO. 6**

On page 2, after line 9, add the following:

"(21) "Offshore health service provider" means any individual or entity which provides any health care service rendered by an emergency medical technician-basic, or at the intermediate or paramedic levels, or one who is a registered nurse, when such medical care is rendered on a fixed platform in Louisiana territorial waters or on the Outer Continental Shelf, adjacent to Louisiana territorial waters, or any instance on the Outer Continental Shelf where the applicable law, under the Outer Continental Shelf Lands Act, 43 U.S.C. 1331 et seq., is the law of the state of Louisiana.

\* \* \*

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 603—**

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 37:2150.1(4), (6), and (11) and to enact R.S. 37:2157(A)(9), relative to contractors; to provide for definitions; to provide for an exemption for certain persons; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 604—**

BY REPRESENTATIVES DEVILLIER AND MURRAY

A JOINT RESOLUTION

Proposing to amend Article I, Section 4 of the Constitution of Louisiana, relative to the right to property; to provide for the protection of the ownership rights of personal property; to clarify that contraband has no such protection; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 604 by Representative Devillier

**AMENDMENT NO. 1**

On page 2, line 15, after the period "." and before "following" change "But the" to "(D) The"

**AMENDMENT NO. 2**

On page 2, at the beginning of line 24, change "(D)" to "(E)"

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 605—**

BY REPRESENTATIVES DIEZ AND MCVEA

AN ACT

To amend and reenact R.S. 48:250.2(A) and (C), to enact R.S. 48:250.3, and to repeal R.S. 48:250.2(B), relative to contracts let by the Department of Transportation and Development; to provide relative to design-build contracts; to remove certain limitations of the design-build program; to authorize the department to construct the New Mississippi River Bridge at St. Francisville, including approach structures and connecting roadways, using the design-build method; to provide relative to procedures regarding the design-build method; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Transportation, Highways and Public Works to Original House Bill No. 605 by Representative Diez

**AMENDMENT NO. 1**

On page 1, line 2, after "R.S. 48:250.2(A)" delete the comma "," and the remainder of the line and delete line 3 in its entirety and insert the following:

"and (C), to enact R.S. 48:250.3, and to repeal R.S. 48:250.2(B), relative to contracts let by the Department of"

**AMENDMENT NO. 2**

On page 1, line 7, after "St. Francisville" insert a comma "," and delete the remainder of the line and line 8 in its entirety and insert the following:

"including approach structures and connecting roadways, using the design-build method; to provide relative to procedures regarding the design-build method; and to provide for related"

AMENDMENT NO. 3

On page 1, line 11, after "R.S. 48:250.2(A)" delete the comma "," and the remainder of the line and delete line 12 in its entirety and insert the following:

"and (C) are hereby amended and reenacted and R.S. 48:250.3 is hereby enacted to read as follows:"

AMENDMENT NO. 4

On page 2, line 2, after "transportation" delete "facility," and insert "facilities not intended for human occupancy."

AMENDMENT NO. 5

On page 2, line 3, after "interchanges," insert "or" and after "bridges," delete "or buildings"

AMENDMENT NO. 6

On page 2, delete lines 4 through 14 in their entirety

AMENDMENT NO. 7

On page 2, line 20, after "(connection to US 61)" and before the comma "," insert "including approach structures and connecting roadways"

AMENDMENT NO. 8

On page 2, after line 25, insert the following:

"§250.3. Design-build contracts; qualification of bidders; public announcement procedures; letters of interest; selection of short list; bid proposals by competitors; technical review committee; selection and process of award

A. To qualify for a design-build contract with the department, a single legal entity shall possess professional engineering design capability or qualified construction contracting capability. The department's standard technical qualification requirements for firms providing professional engineering services as provided for in R.S. 48:290 shall apply to the components providing design services, and the standard contractor qualifications as provided for in R.S. 37:2150 through 2164 and the current rules and regulations of the State of Louisiana Licensing Board for Contractors shall apply to the component providing construction services utilized by the design-build firm, based upon the applicable categories for the specific project. All qualification requirements for each component shall be finalized by the department prior to the closing date for the submittal of letters of interest.

B.(1) A notice of intent to select a firm for design-build services and to request letters of interest and statements of qualifications from qualified firms or teams shall be distributed by the department through advertisement in the Daily Journal of Commerce, the Baton Rouge Advocate, by appearance on the Department of Transportation and Development's internet home page, and by other means to ensure adequate response including newspapers, trade journals, and other forms of media which may be appropriate for specialty services. All notices of intent shall be advertised a minimum of thirty days prior to the deadline for receipt of responses and shall contain a brief description of the project, the required scope of services, and

sufficient information for design or construction firms to determine their interest and to enable them to submit a letter of interest and statement of qualifications. The department may re-advertise the notice of intent using additional media or publications in an attempt to solicit additional responses if the number of responses received by the department is inadequate.

(2)(a) The department may use a private design professional to develop the description of the project and the required scope of services; however, if the department uses a private design professional, the private design professional shall be selected in accordance with the provisions of R.S. 48:291(A).

(b) The description of the project and the required scope of services shall include design criteria, analyses, reports, and cost estimates for the design-build project as prepared by a private design professional or the department.

(c) The department or the private design professional shall provide technical advice, construction review services, and professional expertise as needed throughout the design-build process.

(d) The design-build team shall include a registered design professional who shall be independent from the department's design professional and shall be named in the team's proposal and retained for the duration of the design-build project.

C. The department shall identify all required information in the notice of intent and in the standard response forms provided by the department. The notice of intent shall include statements of qualification by credential and experience of design team members for the areas of expertise specific to the project and statements of qualification by experience and resources of the construction team component. The completed response form and any other required information shall be transmitted to the department by the responding firm prior to the deadline to submit such forms and information as provided in the notice of intent. Any response failing to meet all of the requirements contained in the notice of intent shall not be considered by the department. False or misrepresented information furnished in response to a notice of intent shall be grounds for rejection by the department.

D.(1) A primary design-build evaluation committee, whose membership is provided for in R.S. 48:291(A), shall evaluate the responses to the notice of intent received by the department. The following general criteria used by the primary evaluation committee in evaluating responses to the notice of intent for design-build services shall apply to both the design entity and the construction entity of any responding firm or team:

(a) Experience of both the firm and of key personnel as related to the project under consideration.

(b) Past performance on department projects.

(c) Any project-specific criteria as may apply to project needs.

(2) The primary evaluation committee shall evaluate the responding firms or teams on the basis of the criteria set forth in this Subsection and shall select a short list of not less than three nor more than five of the highest rated firms. The selected firms shall be invited to submit a detailed technical and cost proposal for the design-build project. The primary evaluation committee may, at its discretion, be assisted by other department personnel but shall not consider recommendations by others in its evaluation of firms' qualifications.

E.(1) Depending upon the complexity of the project and the degree of flexibility towards the design or construction method, the

specific requirements of the technical proposal shall be identified by the department to the firms making the short list by means of a "Scope of Services Package". Generally, the technical proposal shall include discussions of design strategy and preliminary design concepts, construction sequencing, technique, materials and methods, the estimated time for commencement and completion of all phases of work, and a lump sum cost for all services in fulfillment of the requirements and within the constraints of the "Scope of Services Package".

(2) For more complex projects and projects with scopes which permit flexibility and innovation in the design and construction approach, the department shall compensate all short list firms for the expense of preparing the technical proposal. The amount of compensation paid for the technical proposal shall be predetermined by the department and shall be revealed to the firm at the time the firm is notified of its selection to the short list.

F. The technical review committee shall include representatives from the construction, road design, bridge design, and planning divisions of the department. With the approval of the chief engineer, the technical review committee shall assign a project manager, who will become a member of the technical review committee for the project. The technical review committee, including the project manager, shall identify specific technical elements of the project, depending on the characteristics of the project, to be included in the technical score. Additionally, the technical review committee shall, with the approval of the chief engineer, select additional committee members to score each technical element of the project. Members of the technical review committee shall not have served as members of the primary evaluation committee. Each member of the technical review committee shall make his scoring of assigned elements available for public review. Such scores shall be considered public record.

G.(1) An adjusted score approach shall be used by the department in determining the winning proposal. An adjusted score shall be determined using the following three components:

(a) The technical score determined by the technical review committee. Weighing factors may be assigned to each element depending on its relative magnitude or significance to the overall project. Each technical review committee member shall rate his assigned element for the proposal from each of the firms on the short list and shall submit such scores to the chairman of the technical review committee. The price bid shall not be made known to the technical review committee during the scoring process. The chairman of the technical review committee shall adjust the scores for any applicable weighing factors and shall determine the total technical score for each proposal.

(b) The time value, consisting of the product of the proposed contract time expressed in days and the value-per-day expressed in dollars established by the department and included in the "Scope of Services Package". The design-build process shall normally include a bid adjustment for the value of time based on the firm's proposed number of days to complete the project multiplied by the value-per-day established by the department. This adjustment shall be used for selection purposes and shall not affect the department's liquidated damages schedule or constitute an incentive or disincentive to the contract.

(c) The price proposal.

(2) The adjusted score shall be the sum of the time value and price proposal divided by the technical score. The winning proposal shall be the proposal with the lowest adjusted score. The adjusted score for each technical proposal shall be determined by the

following formula:  $\text{Adjusted Score} = \frac{(\text{Price Bid} + \text{Time Value})}{\text{Technical Score}}$ . If the Time Value is not used, the Adjusted Score shall be determined by the following formula:  $\text{Adjusted Score} = \frac{\text{Price Bid}}{\text{Technical Score}}$ .

Section 2. R.S. 48:250.2(B) is hereby repealed in its entirety."

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

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

Under the rules, placed on the regular calendar.

#### HOUSE BILL NO. 622—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 32:1252(10) and 1254(N)(1)(a) and to enact R.S. 32:1254.1(D), relative to motor vehicles; to revise the definition of "franchise"; to provide for the effect of enactments and rules on licensees; to provide relative to warranty and sales incentive audits; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Original House Bill No. 622 by Representative Pinac

##### AMENDMENT NO. 1

On page 1, line 2, after "1254(N)(1)(a)" and before the comma "," insert "and to enact R.S. 32:1254.1(D)"

##### AMENDMENT NO. 2

On page 1, line 4, between "licensees;" and "and to provide" insert "to provide relative to warranty and sales incentive audits;"

##### AMENDMENT NO. 3

On page 1, line 7, between "reenacted" and "to read" insert "and R.S. 32:1254.1(D) is hereby enacted"

##### AMENDMENT NO. 4

On page 2, line 8, between "agreement" and "shall" insert a comma "," and insert "which changes the rights and obligations of the parties to the original franchise agreement."

##### AMENDMENT NO. 5

On page 3, after line 7, insert the following:

"§1254.1. Audits of dealer records

\* \* \*

D. Limitations on warranty parts or service compensation, sales incentive audits, rebates, or other forms of incentive compensation, chargebacks for warranty parts or service compensation, and service incentives and chargebacks for sales compensation only shall not be effective in the case of intentionally false or fraudulent claims."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 632—**

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:427(A)(1) and (3) and to enact R.S. 32:427(A) (5), relative to commercial motor vehicle drivers; increases the penalty for commercial motor vehicle driver convictions for violations of out-of-service orders; imposes a penalty against employers for certain convictions; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 686—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:966(A), relative to motor vehicles sales finance; to provide for seizure and disposition of collateral; to provide for the confession of judgment; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 687—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 32:1260, relative to motor vehicle damage disclosure; to broaden the application of the motor vehicle damage disclosure provisions; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 699—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 40:1578.6(C), relative to fire protection; to require the application of certain fire protection codes to campus housing; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Commerce to Original House Bill No. 699 by Representative Pinac

AMENDMENT NO. 1

On page 2, line 12, between "measures" and "to alleviate" insert a comma "," and insert "on or before June 30, 2006."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 714—**

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 37:1731(A)(2)(a) and to enact R.S. 37:1731(A)(2)(c) and (d), relative to emergency care at public and private hospitals; to provide for a limitation of liability of certain persons providing gratuitous emergency care; to define "on-call physician"; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 714 by Representative Johns

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 37:1731(A)(2)(a)" insert "and to enact R.S. 37:1731(A)(2)(c) and (d)"

AMENDMENT NO. 2

On page 1, line 4, after the semicolon ";" and before "and" insert "to define "on-call physician";"

AMENDMENT NO. 3

On page 1, line 7, after "reenacted" insert "and R.S. 37:1731(A)(2)(c) and (d) are hereby enacted"

AMENDMENT NO. 4

On page 1, line 12, after "physician" and before "or" insert a comma "," and insert "on-call physician."

AMENDMENT NO. 5

On page 1, at the end of line 16, delete the colon ":"

AMENDMENT NO. 6

On page 2, at the beginning of line 1, delete "(i) In" and insert "in"

AMENDMENT NO. 7

On page 2, at the end of line 8, delete the semicolon ";" and delete "or" and insert a period "."

AMENDMENT NO. 8

On page 2, delete lines 9 through 14 in their entirety and insert the following:

\* \* \*

(c) An on-call physician who attends, assists,

AMENDMENT NO. 9

On page 2, at the beginning of line 16, delete "without expectation of payment from such a patient"

AMENDMENT NO. 10

On page 2, line 18, after "patient" and before "or" insert a comma "," and insert the following:

"including any appropriate standard of care treatment necessitated by the patient's emergent condition."

AMENDMENT NO. 11

On page 2, between lines 21 and 22, and insert the following:

"(d) For purposes of this Subsection, "on-call physician" means a physician, or his professional medical corporation or limited liability company, who is not primarily employed or contracted by the hospital or other licensed medical health care facility to treat emergency room or department patients, but whose actual duties may include treating emergency room or department patients due to the requirements of 42 C.F.R. 489.24 or R.S. 40:2113.4 to respond to the emergency room or department on an on-call basis, without expectation of payment from or on behalf of the patient, and as a condition of the privilege or ability to practice his profession within the hospital or facility."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 769—**

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:412(D)(3)(c), relative to Class "D" or "E" driver's license renewals; to provide for the period that a license may be expired but still eligible for renewal by mail or electronic commerce; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 771—**

BY REPRESENTATIVE FUTRELL

AN ACT

To amend and reenact R.S. 32:295.1(B), relative to seat belts; to require that every person thirteen or older who is an occupant in certain vehicles wear a safety belt; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 784—**

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 9:2721.1(A), relative to the recordation of leases of immovable property; to provide for recordation of certain mineral leases; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 789—**

BY REPRESENTATIVE DANIEL

AN ACT

To enact Chapter 49 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:3025 through 3027, relative to energy; to enact the Louisiana Renewable Energy Development Act; to authorize the use of net energy metering in Louisiana; to require the Public Service Commission to set certain rates, terms, and contents of net energy metering contracts; to provide for definitions; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Commerce to Original House Bill No. 789 by Representative Daniel

AMENDMENT NO. 1

On page 2, line 2, after "technologies" delete the remainder of the line, delete line 3, and at the beginning of line 4, before the period "." delete "electricity"

AMENDMENT NO. 2

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On page 2, line 7, after "energy fuels" insert "and" and delete the remainder of the line

### AMENDMENT NO. 3

On page 2, line 9, after "state" delete the remainder of the line and delete lines 10 and 11 and insert a period "."

### AMENDMENT NO. 4

On page 2, line 14, after "metering" change "would" to "could"

### AMENDMENT NO. 5

On page 2, line 26, after "consumer" delete the remainder of the line and insert a period "."

### AMENDMENT NO. 6

On page 3, line 3, after "and" and before "back" change "fed" to "sold"

### AMENDMENT NO. 7

On page 3, line 17, after "operate" and before "with" delete "in parallel"

### AMENDMENT NO. 8

On page 3, line 24, after "using a" delete "standard"

### AMENDMENT NO. 9

On page 4, line 5, after "(2)" change "May" to "Shall"

### AMENDMENT NO. 10

On page 4, line 10, add the following:

"The net metering customer shall reimburse the utility for any costs in excess of those to serve a traditional customer."

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

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

Under the rules, placed on the regular calendar.

### **HOUSE BILL NO. 803—**

BY REPRESENTATIVES PEYCHAUD AND MURRAY  
AN ACT

To amend and reenact R.S. 9:5633(A)(1), (2)(a), (3), (4), (6), (7), (8)(a), (9), and (10), (D), (E), (F), and (G) and to enact R.S. 9:5633(I), (J), and (K), relative to the acquisition of blighted property; to provide for certain municipalities; to provide for the ownership of an immovable which has been declared blighted; to provide for the improvement of the property by the possessor; to provide for the costs incurred by the possessor; to provide for privileges and security interests; to provide for the enforcement of privileges and security interests; to provide for filing and cancellation of certain documents with the clerk of court and the recorder of mortgages; to provide for the acquisition of blighted property by a prescriptive period of less than three years; to provide for the failure to comply with certain requisites; to provide for penalties for filing certain forged documents or false statements; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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

Under the rules, placed on the regular calendar.

### **HOUSE BILL NO. 920—**

BY REPRESENTATIVE PINAC

AN ACT

To enact R.S. 48:251.10, relative to highway construction projects let by the Department of Transportation and Development; to require the department to reduce the allowable time for completion of highway construction projects; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Transportation, Highways and Public Works.

The substitute was read by title as follows:

### **HOUSE BILL NO. 2006 (Substitute Bill For House Bill No. 920**

**by Representative Pinac)—**  
BY REPRESENTATIVE PINAC

AN ACT

To enact R.S. 48:228.2, relative to highway construction projects let by the Department of Transportation and Development; to require the department to let certain classes of projects in a specified form; to authorize the department to include an incentive for early completion of such projects; and to provide for related matters.

Read by title.

On motion of Rep. Diez, the substitute was adopted and became House Bill No. 2006 by Rep. Pinac, on behalf of the Committee on Transportation, Highways and Public Works, as a substitute for House Bill No. 920 by Rep. Pinac.

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

### **HOUSE BILL NO. 1002—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 9:3578.4(C) and 3578.6(A)(1), relative to consumer credit; to provide relative to deferred presentment transactions and small loans; to provide for an exception for attorney fees and costs; to provide for prohibited acts; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1164—**

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 48:261(A)(1), relative to maintenance work not performed by employees of the Department of Transportation and Development; to provide with respect to contracts for maintenance work to be let in accordance with the construction and maintenance bid procedures of the department; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1171—**

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 48:442(3)(b), (c), and (d) and to repeal R.S. 48:442(3)(e), relative to expropriation by the Department of Transportation and Development; to delete references to the office of highways; to provide relative to the persons required to sign or approve certain information annexed to the petition to expropriate; to repeal requirements relative to mailing notification to property owners; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1207—**

BY REPRESENTATIVE PITRE

AN ACT

To enact R.S. 33:31, relative to local governmental subdivisions; to provide for state preemption relative to regulation of cellular telephone or other electronic communications device usage in motor vehicles; to prohibit local governmental subdivisions from enacting ordinances or other provisions regulating the use of cellular telephones or other electronic communications devices in motor vehicles; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1234—**

BY REPRESENTATIVE PINAC

AN ACT

To enact R.S. 6:242(A)(17), R.S. 9:3572.2(B)(9), and R.S. 51:1910(1)(b)(xi), relative to loans; to authorize banks to make refund anticipation loans; to provide relative to loan brokers; to

provide for certain exceptions; to provide relative to refund anticipation loans; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Commerce to Original House Bill No. 1234 by Representative Pinac

AMENDMENT NO. 1

On page 1, line 2, between "enact" and "R.S. 9:3572.2(B)(9)" insert "R.S. 6:242(A)(17)," and after "R.S. 9:3572.2(B)(9)" insert a comma ","

AMENDMENT NO. 2

On page 1, line 2, between "loans;" and "to" insert "to authorize banks to make refund anticipation loans;"

AMENDMENT NO. 3

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

"Section 1. R.S. 6:242(A)(17) is hereby enacted to read as follows:

§242. Banking powers

A. In addition to the general corporate powers conferred in R.S. 6:241 and the powers conferred by other provisions of the laws of this state, a state bank shall have the following banking powers and those incidental to the exercise of these powers:

\* \* \*

(17) Notwithstanding any other provision of law to the contrary, to engage in the business of making and facilitating refund anticipation loans. For purposes of this Paragraph, the term "refund anticipation loan" means a loan whereby the creditor arranges to be repaid directly by the Internal Revenue Service from the anticipated proceeds of the debtor's income tax refund.

\* \* \*

AMENDMENT NO. 4

On page 1, at the beginning of line 7, change "Section 1." to "Section 2."

AMENDMENT NO. 5

On page 2, at the beginning of line 3, change "Section 2." to "Section 3."

AMENDMENT NO. 6

On page 2, at the beginning of line 14, change "Section 3." to "Section 4."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1251—**  
BY REPRESENTATIVES POWELL AND BALDONE  
AN ACT

To enact R.S. 9:5167.2, relative to the cancellation of mortgages; to require the mortgagee, servicing agent, or holder of the note to cancel the mortgage inscription; to provide for a limitation of liability; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 1251 by Representative Powell

AMENDMENT NO. 1

On page 1, line 3, after "mortgagee" and before "to" insert "servicing agent, or holder of the note"

AMENDMENT NO. 2

On page 1, line 3, after the semicolon ";" delete the remainder of the line and insert "to provide for a limitation of liability;"

AMENDMENT NO. 3

On page 1, line 4, delete "penalties;"

AMENDMENT NO. 4

On page 1, line 7, after "mortgagee" and before the semicolon ";" insert "servicing agent or holder of the note"

AMENDMENT NO. 5

On page 1, line 8, after "mortgagee" and before "shall" insert "servicing agent or any holder of the note"

AMENDMENT NO. 6

On page 1, line 9, after "the" and before "clerk" insert "recorder of mortgages for the parish of Orleans or the"

AMENDMENT NO. 7

On page 1, line 10, after "mortgages" and before "for" insert "for the parish where the mortgaged property is located."

AMENDMENT NO. 8

On page 1, at the end of line 10, after "a" and before "mortgage" insert "residential"

AMENDMENT NO. 9

On page 1, at the end of line 10, after "mortgage" insert a comma "," and insert the following:

"where a mortgage has been granted on a consumer's principal dwelling to finance the acquisition or initial construction of that dwelling."

AMENDMENT NO. 10

On page 1, line 11, change "thirty" to "sixty"

AMENDMENT NO. 11

On page 1, line 12, change the period "." to a comma "," and change "The mortgagee shall pay" to "if the mortgagor pays"

AMENDMENT NO. 12

On page 1, at the beginning of line 13, change "costs" to "actual filing fees"

AMENDMENT NO. 13

On page 1, at the beginning of line 19, after "C." delete the remainder of the line and delete line 20 in its entirety.

AMENDMENT NO. 14

On page 2, delete lines 1 through 4 in their entirety and insert the following:

"This Section shall not apply to collateral mortgages as defined in R.S. 9:5550 or mortgages to secure future advances as defined in Civil Code Article 3298."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1264—**  
BY REPRESENTATIVES SALTER AND ILES  
AN ACT

To amend and reenact R.S. 38:2325(A), relative to the powers of the Sabine River Authority; to establish a conservation pool level; to prohibit the generation of hydroelectric power under certain circumstances; to provide relative to limitations on other uses of water in the reservoir; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Commerce to Original House Bill No. 1264 by Representative Salter

AMENDMENT NO. 1

On page 1, line 3, between "Authority;" and "to prohibit", insert "to establish a conservation pool level;"

AMENDMENT NO. 2

On page 5, line 12, between "production of" and "power", delete "electric" and insert "hydroelectric"

AMENDMENT NO. 3

On page 5, at the beginning of line 22, change "electric" to "hydroelectric"

AMENDMENT NO. 4

On page 5, line 24, between "System" and the period "." insert "and deter saltwater encroachment"

AMENDMENT NO. 5

On page 5, at the beginning of line 26, change "electric" to "hydroelectric"

AMENDMENT NO. 6

On page 5, at the end of line 26, delete "reservoir." and insert "Sabine River Estuaries."

AMENDMENT NO. 7

On page 6, at the end of line 21, between "feet" and the period "." insert a comma "," and insert "provided however, that during any time period that the Sabine River Authority restricts the use of water for electric generation, the utility shall not pay the Authority for power that it was prevented from generating"

AMENDMENT NO. 8

On page 6, after line 22, insert the following:

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1297—**

BY REPRESENTATIVE TRICHE  
AN ACT

To amend and reenact R.S. 47:1577, relative to state tax obligations constituting a lien, privilege, and mortgage; to conform provisions to the Internal Revenue Code; to specify that state tax liens, privileges, and mortgages prime all others; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1373—**

BY REPRESENTATIVE DANIEL  
AN ACT

To amend and reenact Civil Code Article 493, relative to ownership of improvements permanently attached to the ground; provides for ownership when the owner of the improvements no longer has the right to keep them on the land; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1374—**

BY REPRESENTATIVE DANIEL  
AN ACT

To amend and reenact R.S. 9:2791(A), relative to property not used for commercial recreational activities; provides relative to responsibility by the owner; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1502—**

BY REPRESENTATIVE LANDRIEU  
AN ACT

To enact Part III-F of Title 19 of the Louisiana Revised Statutes of 1950 to be comprised of R.S. 19:136 through 136.8, relative to expropriation by a declaration of taking; to provide for applicability to municipalities with a population in excess of 450,000; to provide for the authority to expropriate; to provide for the contents of the petition; to provide for a determination of value; to provide for vesting of title; to provide for notice; to provide for opposition and waiver of defenses; to provide for procedures and delays for filing an answer; to provide for the return of property after a period of nonuse; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Civil Law and Procedure.

The substitute was read by title as follows:

**HOUSE BILL NO. 2007 (Substitute for House Bill No. 1502 by Representative Landrieu)—**

BY REPRESENTATIVE LANDRIEU  
AN ACT

To enact Part III-F of Title 19 of the Louisiana Revised Statutes of 1950 to be comprised of R.S. 19:136 through 136.9, relative to expropriation by a declaration of taking; to provide for legislative intent; to provide for definitions; to provide for applicability to municipalities with a population greater than four hundred fifty thousand; to provide for the authority to expropriate; to provide for the contents of the petition; to provide for a determination of value; to provide for vesting of title; to provide for notice; to provide for opposition and waiver of defenses; to provide for procedures and delays for filing an answer; and to provide for related matters.

Read by title.

On motion of Rep. Johns, the substitute was adopted and became House Bill No. 2007 by Rep. Landrieu, on behalf of the Committee on Civil Law and Procedure, as a substitute for House Bill No. 1502 by Rep. Landrieu.

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

**HOUSE BILL NO. 1582—**  
BY REPRESENTATIVE DANIEL  
AN ACT

To amend and reenact R.S. 47:1992(C), relative to the assessment of property for ad valorem tax purposes; to provide that complaints may be filed with local boards of review by facsimile transmission to the board office; to provide for an effective date; 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 Original House Bill No. 1582 by Representative Daniel

AMENDMENT NO. 1

On page 1, line 3, after "complaints" and before "filed" insert "may be"

AMENDMENT NO. 2

On page 1, delete lines 4 and 5 in their entirety, and insert the following:

"boards of review by facsimile transmission to the board office; to provide for an"

AMENDMENT NO. 3

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

"or by facsimile transmission to the board office. Contrary provisions of law"

"Section 2. This Act shall become effective on May 1, 2004; provided however that this Act shall become effective prior to such date if and when all contracts and other obligations to which the Authority is a party for the production of hydroelectric power are amended to allow for the accommodation of the restriction of the reservoir water level."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1621—**  
BY REPRESENTATIVE HAMMETT  
AN ACT

To amend and reenact R.S. 47:303.1(B), (C), and (D), relative to state and local sales and use taxes; to provide that private, nonprofit, tax-exempt organizations may apply for a direct payment number for the purpose of payment of taxes owed; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1676—**  
BY REPRESENTATIVE KENNARD  
AN ACT

To amend and reenact R.S. 13:3041, 3042, 3044, 3047, 3049(A), and 3106 and R.S. 23:965(A)(1) and to enact R.S. 13:3042.1, 3050, and 3107, relative to jury service; to provide for public policy; to provide for waivers of petit jury service; to provide for postponements of petit jury service; to provide for jury service by sessions rather than by weeks; to provide for frequency of service on juries; to provide for penalties for failure to serve on juries; to provide for the Lengthy Trial Fund; to provide for applicability in Orleans Parish; to provide for the prohibition against dismissal of employees for jury service; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Civil Law and Procedure.

The substitute was read by title as follows:

**HOUSE BILL NO. 2008 (Substitute for House Bill No. 1676 by Representatives Kennard and Ansardi)—**  
BY REPRESENTATIVES ANSARDI AND KENNARD  
AN ACT

To amend and reenact R.S. 13:3041, 3042, 3044, 3047, and 3106 and R.S. 23:965(A)(1) and to enact R.S. 13:3042.1 and 3050, relative to jury service; to provide for public policy; to provide for waivers of petit jury service; to provide for postponements of petit jury service; to provide for jury service by sessions ; to provide for frequency of service on juries; to provide for the Lengthy Trial Fund; to provide for applicability of certain provisions in Orleans Parish; to provide for the prohibition against dismissal of employees for jury service; and to provide for related matters.

Read by title.

On motion of Rep. Johns, the substitute was adopted and became House Bill No. 2008 by Rep. Kennard, on behalf of the Committee on Civil Law and Procedure, as a substitute for House Bill No. 1676 by Rep. Kennard.

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

**HOUSE BILL NO. 1690—**  
BY REPRESENTATIVE DIEZ  
AN ACT

To amend and reenact R.S. 48:81(A)(1) and (2) and (B)(2) and (4), 82(B)(4), (C), (D)(4), (6), and (10), and (E), and 83(A)(1) and (C) and to enact R.S. 48:83(H), relative to the Louisiana Infrastructure Bank; to authorize loans from the bank to fund Department of Transportation and Development approved infrastructure projects of public entities; to require the state treasurer to serve as president and chairman of the board; to provide for the length of time for repayment of loans; to authorize certain public and private entities to invest and enter into financing agreements with the bank; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways and Public Works to Original House Bill No. 1690 by Representative Diez

##### AMENDMENT NO. 1

On page 1, line 2, after "83(A)(1) and (C)" delete the comma "," and insert the following:

"and to enact R.S. 48:83(H), "

##### AMENDMENT NO. 2

On page 1, line 8, after "loans;" and before "and" insert the following:

"to authorize certain public and private entities to invest and enter into financing agreements with the bank;

##### AMENDMENT NO. 3

On page 1, line 12, after "reenacted" and before "to read" insert the following:

"and R.S. 48:83(H) is hereby enacted"

##### AMENDMENT NO. 4

On page 6, line 12, after "not exceeding" and before "years" change "ten" to "thirty"

##### AMENDMENT NO. 5

On page 6, after line 16, add the following:

"H. Notwithstanding any provisions of law to the contrary:

(1) Bonds, notes, or other evidence of indebtedness issued or any infrastructure bank loan entered into pursuant to this Section shall be a legal investment for all public or private entities, including but not limited to state or statewide public retirement systems.

(2) Public or private entities may purchase or guarantee bonds of the infrastructure bank.

(3) Public or private entities may enhance the performance of the infrastructure bank by entering into financial arrangements pursuant to a financing agreement containing such terms as necessary or convenient to further the purposes of this Subpart."

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

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

Under the rules, placed on the regular calendar.

#### HOUSE BILL NO. 1796—

BY REPRESENTATIVE BRUNEAU  
AN ACT

To amend and reenact R.S. 12:954 (introductory paragraph) and (3), 959, 965 and 969 and to enact R.S. 12:954(4); relative to corporations; to make technical corrections to the Industrial or Economic Development Corporations law; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

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

Under the rules, placed on the regular calendar.

#### HOUSE BILL NO. 1828—

BY REPRESENTATIVE DANIEL  
AN ACT

To enact R.S. 47:118(H), relative to individual income tax; to require the secretary of the Department of Revenue to notify certain taxpayers of the requirement for filing a declaration of estimated tax; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

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

Under the rules, placed on the regular calendar.

#### HOUSE BILL NO. 1838—

BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 9:1131.2(20) and (22), 1131.4(A), (B), (C)(2), (5), and (6), and (D), 1131.8, 1131.9(B) and (C), 1131.10.1, 1131.12(B), (C)(3), (D)(introductory paragraph), (E)(6), (F), and (G)(2) and (3), 1131.13(A) (B), and (E), 1131.20(B), (C), (D), (J), and (K), 1131.21(B) and (C), 1131.23(A)(introductory paragraph) and (G), 1131.28(A) and R.S. 37:1437.1(B)(1)(a) and (C), to enact R.S. 9:1131.3(E) through (H), 1131.4(F), 1131.9.1, 1131.9.2, 1131.12(D)(3) through (7), 1131.16.1 and R.S. 37:1437.1(G), and to repeal R.S. 9:1131.4(C)(7) through (13), 1131.10, 1131.12(E)(14) and (18), 1131.12(G)(4) through (8), 1131.13(F), 1131.14, 1131.15, 1131.16, 1131.20(E) through (I), 1131.21(D), and 1131.28(B) and (C), relative to the Louisiana Timesharing Act; to provide for various revisions to the Act; to repeal certain provisions of the Act; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Original House Bill No. 1838 by Representative Pinac

##### AMENDMENT NO. 1

On page 37, at the end of line 17, insert the following:

"Collect and remit all state and local hotel and motel occupancy taxes as those taxes apply to persons renting transient use of accommodations from the association or managing entity. Timeshare owners and persons occupying accommodations through an exchange program are not transient guests and are not subject to occupancy taxes for the use of accommodations, and comply with all applicable state and local health and safety regulations."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1845—**  
BY REPRESENTATIVES DAMICO, PERKINS, PEYCHAUD, JANE SMITH,  
AND WADDELL

AN ACT

To amend and reenact R.S. 30:2418(H)(introductory paragraph) and (3) and to enact R.S. 36:104(B)(8), relative to waste tires; to provide for agreements between the Departments of Environmental Quality and Economic Development; to provide for use of the Waste Tire Management Fund; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Environment.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Environment to Original House Bill No. 1845 by Representative Damico

AMENDMENT NO. 1

On page 2, at the end of line 11, insert the following:

"The departments shall make recommendations to the House Committee on the Environment and Senate Committee on Environmental Quality for tax credits to encourage the development and implementation of technologies utilizing used and recycled tire rubber."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1863—**  
BY REPRESENTATIVES BRUCE AND PINAC  
AN ACT

To amend and reenact R.S. 37:2167(B)(1), relative to residential building contractors; to authorize the submission of a certificate evidencing liability protection provided by a liability trust fund in lieu of liability insurance; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Commerce to Original House Bill No. 1863 by Representatives Bruce and Pinac

AMENDMENT NO. 1

On page 1, line 14, after "compensation" and before "coverage" delete "insurance"

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1887—**  
BY REPRESENTATIVES LEBLANC AND DEWITT AND SENATOR  
DARDENNE

AN ACT

To amend and reenact R.S. 39:98.3(A), relative to the Millennium Trust; to provide for the determination of the amount of aggregate investment earnings available for appropriation; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Appropriations to Original House Bill No. 1887 by Representatives LeBlanc and DeWitt

AMENDMENT NO. 1

On page 1, line 2, after "R.S." delete the remainder of the line and delete lines 3 through 6 in their entirety and insert:

"39:98.3(A), relative to the Millennium Trust; to provide for the determination of the amount of aggregate investment earnings available for appropriation; to provide for an effective date; and to provide for"

AMENDMENT NO. 2

On page 1, line 9, after "R.S." delete the remainder of the line and insert: "39:98.3(A) is hereby amended and"

AMENDMENT NO. 3

On page 1, delete lines 11 through 17 and on page 2, delete lines 1 through 19, all in their entirety.

AMENDMENT NO. 4

On page 3, delete lines 2 and 3 and at the beginning of line 4, delete "national inflation indices" and insert:

"shall be those aggregate investment earnings which are in excess of an inflation factor as determined by the Revenue Estimating Conference. The amount of estimated aggregate investment earnings available for appropriation shall be determined by subtracting the product of the inflation factor multiplied by the amount of aggregate investment earnings for the previous fiscal year from the amount of such estimated aggregate investment earnings"

**AMENDMENT NO. 5**

On page 3, delete lines 12 through 16 in their entirety and insert:

"Section 2. This Act shall be effective for Fiscal Year 2002-2003 and thereafter.

Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

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

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

Under the rules, placed on the regular calendar.

**Senate Instruments on Second Reading Returned from the Legislative Bureau**

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

**SENATE BILL NO. 466—**

BY SENATOR HOLLIS

AN ACT

To repeal R.S. 6:829, relative to savings and loan association investments; to repeal the restriction on investments in non-liquid assets; and to provide for related matters.

Read by title.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 493—**

BY SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 6:822(2)(r), relative to loans and investments by associations; to increase the percentage of assets of associations of which loans entered into by the association may not exceed; and to provide for related matters.

Read by title.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 495—**

BY SENATORS HOLLIS AND HEITMEIER

AN ACT

To repeal R.S. 6:124.1(B), relative to financial condition statements; to delete certain requirements from financial condition

statements regarding community reinvestment ratings; and to provide for related matters.

Read by title.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 791 (Duplicate of House Bill No. 1658)—**

BY SENATOR BARHAM AND REPRESENTATIVE ALARIO

AN ACT

To enact R.S. 47:301(16)(l), relative to political subdivision sales tax; to provide that tangible personal property shall not include other constructions permanently attached to the land; and to provide for related matters.

Read by title.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**House Bills and Joint Resolutions on Third Reading and Final Passage**

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

**Regular Calendar**

**HOUSE BILL NO. 1385—**

BY REPRESENTATIVE GUILLORY

AN ACT

To enact R.S. 33:2866.1, relative to property adjudicated to parishes and municipalities; to provide relative to the payment of commissions to licensed realtors who assist parishes and municipalities in selling property adjudicated to them for nonpayment of taxes; to provide with respect to guidelines; and to provide for related matters.

Read by title.

Rep. Guillory moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Fruge	Odinet
Alario	Futrell	Perkins
Alexander	Gallot	Peychaud
Ansardi	Glover	Pierre
Arnold	Green	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Quezaire
Beard	Hebert	Richmond
Bowler	Honey	Romero
Broome	Hopkins	Salter

Bruce	Hudson	Scalise
Bruneau	Hunter	Schneider
Capella	Hutter	Schwegmann
Carter, K	Iles	Smith, G.—56th
Carter, R	Jackson, L	Smith, J.D.—50th
Cazayoux	Jackson, M	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Crowe	Katz	Sneed
Curtis	Kennard	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Downer	Lucas	Triche
Downs	Martiny	Tucker
Durand	McDonald	Waddell
Erdey	McVea	Walker
Fannin	Montgomery	Walsworth
Farrar	Morrell	Welch
Faucheux	Morrish	Winston
Flavin	Murray	Wooton
Frith	Nevers	Wright

Total—102

NAYS

Total—0

ABSENT

Doerge	Hill	Shaw
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 1394—**  
 BY REPRESENTATIVES THOMPSON, ALEXANDER, CURTIS, HONEY, HUDSON, KENNARD, NEVERS, PEYCHAUD, POWELL, AND STELLY AND SENATOR THEUNISSEN

AN ACT

To enact R.S. 17:185.5, relative to agricultural education; to establish the Louisiana Center for Agricultural Science and Education; to provide for center purposes, administration, and operation; to provide for oversight, funding, and auditing of the center; to require annual reporting of center activities; and to provide for related matters.

Read by title.

**Motion**

Rep. Thompson moved that House Bill No. 1394 be designated as a duplicate of Senate Bill No. 360.

Which motion was agreed to.

Rep. Thompson moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Perkins
Alario	Futrell	Peychaud
Alexander	Glover	Pierre
Ansardi	Green	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Quezaire
Baylor	Hebert	Romero
Beard	Hill	Salter
Bowler	Honey	Scalise
Broome	Hopkins	Schneider
Bruce	Hudson	Schwegmann
Bruneau	Hunter	Shaw
Capella	Hutter	Smith, G.—56th
Carter, K	Iles	Smith, J.D.—50th
Carter, R	Jackson, M	Smith, J.H.—8th
Cazayoux	Johns	Smith, J.R.—30th
Crane	Katz	Sneed
Crowe	Kennard	Stelly
Curtis	Kenney	Strain
Damico	LaFleur	Swilling
Daniel	Lancaster	Thompson
Dartez	Landrieu	Toomy
Devillier	LeBlanc	Townsend
Diez	Lucas	Triche
Downs	Martiny	Tucker
Durand	McDonald	Waddell
Erdey	McVea	Walker
Fannin	Morrell	Walsworth
Farrar	Morrish	Welch
Faucheux	Murray	Winston
Flavin	Nevers	Wooton
Frith	Odinet	Wright

Total—99

NAYS

Total—0

ABSENT

Doerge	Gallot	Montgomery
Downer	Jackson, L	Richmond
Total—6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 1470—**  
 BY REPRESENTATIVE SALTER AND NEVERS  
 AN ACT

To amend and reenact R.S. 17:3129.1(A) and to enact R.S. 17:3351(D), relative to the articulation of courses among and recognition of course credit by state public colleges and universities; to provide for certain written reports by the Board of Regents; to provide relative to the duties and responsibilities of public postsecondary management boards; to require that students and prospective students at any state public college and university receive certain information relative to course offerings at the institution; to provide for effectiveness; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Salter to Engrossed House Bill No. 1470 by Representative Salter

AMENDMENT NO. 1

On page 2, line 14, after "in" and before "2003," delete "July,"

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Futrell	Psychaud
Alario	Glover	Pierre
Alexander	Green	Pinac
Ansardi	Guillory	Pitre
Arnold	Hammett	Powell
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Beard	Hill	Romero
Bowler	Honey	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Capella	Hutter	Shaw
Carter, K	Iles	Smith, G.—56th
Carter, R	Jackson, L	Smith, J.D.—50th
Cazayoux	Jackson, M	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Crowe	Katz	Sneed
Curtis	Kennard	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Downer	Lucas	Triche
Downs	Martiny	Tucker
Durand	McDonald	Waddell
Erdey	McVea	Walker
Fannin	Morrell	Walsworth
Farrar	Morrish	Welch
Faucheux	Murray	Winston
Flavin	Nevers	Wooton
Frith	Odinet	Wright
Frige	Perkins	
Total—101		

**NAYS**

Total—0

**ABSENT**

Baldone	Gallot
Doerge	Montgomery
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 1610—**

BY REPRESENTATIVES SNEED, BRUNEAU, LANCASTER, AND SCALISE

**AN ACT**

To amend and reenact R.S. 18:402(F), 532.1(E)(2) and (3) and (G)(2)(e), 534(B), 536(A)(introductory paragraph), 1285(B)(1)(a), 1300(C)(1), 1400.3(A) and (B)(2), and 1400.4(A) and (B)(2), relative to election dates; to provide that bond, tax, or other elections at which a proposition or question is to be submitted to the voters must be held on certain dates; to provide exceptions; to eliminate certain dates on which such elections may be held; to eliminate the authority of the State Bond Commission to approve the conduct of any such election on any other date; to provide for the deadline for submission of notice of such an election to various officials; and to provide for related matters.

Read by title.

**Motion**

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

**HOUSE BILL NO. 1640—**

BY REPRESENTATIVES TOOMY AND FAUCHEUX

**AN ACT**

To amend and reenact R.S. 32:57.1(B) and to enact R.S. 32:57.2, relative to suspended driver's license; to provide for the reinstatement penalty of an operator's license when an arrested person fails to honor a written promise to appear in court; to provide for an additional fee to be paid to the office of district attorney for certain expenses relative to the suspended driver's license; and to provide for related matters.

Read by title.

**Motion**

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

**HOUSE BILL NO. 1682—**

BY REPRESENTATIVE K. CARTER

**AN ACT**

To amend and reenact R.S. 33:1243(B)(2), relative to maximum penalties; to provide with respect to the maximum penalties that can be imposed by ordinance in certain parishes; to provide with respect to dumping of trash and other substances; to provide with respect to such substances; to provide with respect to places where dumping may be so penalized; to provide with respect to activities in which dumping may not be penalized; and to provide for related matters.

Read by title.

**Motion**

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

**HOUSE BILL NO. 1691—**

BY REPRESENTATIVE HEBERT

**AN ACT**

To enact Part V-A of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:191 through 200, and R.S. 22:1078(19) and (20), and to repeal Part V-B of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, comprised of R.S. 22:201 through 210.1, relative to viatical settlements of life insurance; to provide for licenses; to provide for revocation and denial; to provide for contracts; to provide for privacy; to provide for examinations and investigations; to provide for disclosures; to provide for rules; to provide for prohibitions; to provide for advertising; to provide for fraud; to provide for legal proceedings; to provide for unfair trade practices; to provide for authority of the commissioner of insurance; to provide for fees; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Salter on behalf of the Legislative Bureau to Engrossed House Bill No. 1691 by Representative Hebert

AMENDMENT NO. 1

On page 1, line 4, before "and to repeal" change "22:1078(19) and (20)" to "22:1078(B)(19) and (20)"

AMENDMENT NO. 2

On page 1, lines 16 and 17, following "and R.S." change "22:1078(19) and (20)" to "22:1078(B)(19) and (20)"

AMENDMENT NO. 3

On page 4, line 16, following "evidence of" and before "viatical" insert "a"

AMENDMENT NO. 4

On page 15, line 3, following "trust;" delete "or"

AMENDMENT NO. 5

On page 15, line 5, following "Part" delete the period "." and insert in lieu thereof "; or"

AMENDMENT NO. 6

On page 41, line 24, before "(1)" change "E" to "F"

AMENDMENT NO. 7

On page 44, line 8, before "An" change "F" to "G"

AMENDMENT NO. 8

On page 44, line 11, before "An" change "G" to "H"

AMENDMENT NO. 9

On page 44, line 15, before "The" change "H" to "I"

AMENDMENT NO. 10

On page 44, line 24, before "An" change "I" to "J"

AMENDMENT NO. 11

On page 45, line 9, before "An" change "J" to "K"

AMENDMENT NO. 12

On page 45, line 17, before "An" change "K" to "L"

AMENDMENT NO. 13

On page 45, line 25, before "An" change "L" to "M"

AMENDMENT NO. 14

On page 46, line 4, before "The" change "M" to "N"

AMENDMENT NO. 15

On page 46, line 12, before "An" change "N" to "O"

AMENDMENT NO. 16

On page 46, line 22, before "If" change "O" to "P"

AMENDMENT NO. 17

On page 47, line 1, before "If" change "P" to "Q"

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Futrell	Psychaud
Alario	Gallot	Pierre
Alexander	Glover	Pinac
Ansardi	Green	Pitre
Arnold	Guillory	Quezaire
Baldone	Hammett	Richmond
Baudoin	Heaton	Romero
Baylor	Hebert	Salter
Bead	Hill	Scalise
Bowler	Honey	Schneider
Bruce	Hopkins	Schwegmann
Bruneau	Hudson	Shaw
Capella	Hutter	Smith, G.—56th
Carter, K	Iles	Smith, J.D.—50th
Carter, R	Jackson, L	Smith, J.H.—8th
Cazayoux	Johns	Smith, J.R.—30th
Crane	Katz	Sneed
Curtis	Kennard	Stelly
Damico	Kennedy	Strain
Daniel	LaFleur	Swilling
Dartz	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Downer	Lucas	Triche
Downs	Martiny	Tucker
Durand	McDonald	Waddell

Erdey	McVea	Walker
Fannin	Montgomery	Walsworth
Farrar	Morrell	Welch
Faucheux	Morrish	Winston
Flavin	Murray	Wooton
Frith	Nevers	Wright
Fruge	Odinot	
Total—98		

NAYS

Crowe	Perkins
Total—2	

ABSENT

Broome	Hunter	Powell
Doerge	Jackson, M	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 1770—**  
BY REPRESENTATIVE JACK SMITH  
AN ACT

To amend and reenact R.S. 23:921(B) and (C), relative to employment contracts; to provide that interested parties may agree to refrain from engaging in similar businesses under certain circumstances; to provide that employees may not engage in similar businesses under certain circumstances; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Pitre to Engrossed House Bill No. 1770 by Representative Jack Smith

AMENDMENT NO. 1

On page 1, line 2, change "(C)"to " to enact R.S. 23:921 (D)

AMENDMENT NO. 2

On page 1, line 8, delete "and (C) are" and insert "is" and at the end of the line insert "and R.S. 23:921(D) is hereby enacted"

AMENDMENT NO. 3

On page 2, line 20, after "contract." insert "D."

AMENDMENT NO. 4

On page 2, line 22, delete "of employer"

AMENDMENT NO. 5

On page 2, line 25, delete "employer." and insert "party having a contractual right to prevent that person from competing."

AMENDMENT NO. 6

On page 2, after line 26, add the following:

"Section 2. Upon passage of this Act and signature by the governor, the Law Institute is hereby instructed to redesignate Subsections D through G of R.S. 23:921 as Subsections E through H of that same Section."

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Perkins to Engrossed House Bill No. 1770 by Representative Smith

AMENDMENT NO. 1

On page 1, line 16, remove "or other interested party in the transaction."

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Hebert to Engrossed House Bill No. 1770 by Representative Jack Smith

AMENDMENT NO. 1

On page 2, line 21, between "person" and "who" insert "who earns more than fifty thousand dollars a year or more and"

Rep. Hebert moved the adoption of the amendments.

Rep. Jack Smith objected.

By a vote of 23 yeas and 72 nays, the amendments were rejected.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Pierre
Alario	Futrell	Pinac
Alexander	Gallot	Pitre
Ansardi	Glover	Powell
Arnold	Guillory	Richmond
Baldone	Hammett	Romero
Baylor	Heaton	Salter
Bear	Hill	Scalise
Bruce	Honey	Schneider
Capella	Hopkins	Schwegmann
Carter, K	Hutter	Shaw
Carter, R	Iles	Smith, G.—56th
Cazayoux	Jackson, L	Smith, J.D.—50th
Crane	Johns	Smith, J.H.—8th
Crowe	Katz	Smith, J.R.—30th

Curtis	Kennard	Sneed
Damico	Kenney	Stelly
Daniel	LaFleur	Strain
Dartez	Lancaster	Swilling
Devillier	Landrieu	Thompson
Diez	LeBlanc	Toomy
Downer	Martiny	Townsend
Downs	McDonald	Triche
Durand	McVea	Tucker
Erdey	Montgomery	Waddell
Fannin	Morrish	Walker
Farrar	Nevers	Walsworth
Faucheux	Odinot	Winston
Flavin	Perkins	Wooton
Frith	Peychaud	Wright
Total—90		

NAYS

Baudoin	Hebert	Murray
Bowler	Hunter	Quezairé
Broome	Jackson, M	Welch
Bruneau	Lucas	
Green	Morrell	
Total—13		

ABSENT

Doerge	Hudson
Total—2	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 1788—**  
BY REPRESENTATIVE MORRISH AND SENATOR DARDENNE  
AN ACT

To enact Subpart B of Part XXX of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1430 through 1430.17, and to repeal R.S. 22:1406.1 through 1406.13 and 1431 through 1445, relative to residential and commercial property insurance; to provide for the Louisiana Citizens Property Insurance Corporation; to provide for the FAIR Plan; to provide for the Coastal Plan; to provide for a board of directors; to provide for the Louisiana Insurance Rating Commission; to provide for corporate powers; to provide for certain immunity; to provide for a plan of operation; to provide for assessments; to provide for charges and surcharges; to provide for participating insurers; to provide for eligibility; to provide for insurance; to provide for rates; to provide for contributions by the state; to provide for plan deficits; and to provide for related matters.

Read by title.

**Motion**

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

**HOUSE BILL NO. 1806—**  
BY REPRESENTATIVE TOOMY  
AN ACT

To enact R.S. 15:587.4, relative to criminal history records checks; to provide with respect to the authority of a municipal or parish fire department, a fire protection district, or a volunteer fire department to require such background checks; to provide for fees for processing such records checks; and to provide for related matters.

Read by title.

**Motion**

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

**HOUSE BILL NO. 1640—**  
BY REPRESENTATIVES TOOMY AND FAUCHEUX  
AN ACT

To amend and reenact R.S. 32:57.1(B) and to enact R.S. 32:57.2, relative to suspended driver's license; to provide for the reinstatement penalty of an operator's license when an arrested person fails to honor a written promise to appear in court; to provide for an additional fee to be paid to the office of district attorney for certain expenses relative to the suspended driver's license; and to provide for related matters.

Called from the calendar.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Toomy to Engrossed House Bill No. 1640 by

AMENDMENT NO. 1

On page 1, line 6, after "of" and before "for" change "district attorney" to "the prosecuting authority"

AMENDMENT NO. 2

On page 2, at the beginning of line 1, before "shall" change "the office of district attorney" to "the prosecuting authority"

AMENDMENT NO. 3

On page 2, line 11, after "district" delete the remainder of the line and insert in lieu thereof "attorney; city prosecutor"

AMENDMENT NO. 4

On page 2, line 14, after "the" and before "an" change "district attorney" to "prosecuting authority"

AMENDMENT NO. 5

On page 2, line 15, after "by the" and before "in" delete "district attorney's office" and insert in lieu thereof "office of prosecuting authority"

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Flavin	Odinet
Alario	Frith	Perkins
Ansardi	Gallot	Pinac
Arnold	Green	Pitre
Baldone	Guillory	Quezaire
Baudoin	Hammett	Richmond
Baylor	Heaton	Romero
Bruce	Hill	Salter
Bruneau	Honey	Schneider
Capella	Hopkins	Schwegmann
Carter, R	Hutter	Smith, G.—56th
Cazayoux	Iles	Smith, J.D.—50th
Crane	Jackson, L	Smith, J.H.—8th
Crowe	Johns	Smith, J.R.—30th
Curtis	Kenney	Stelly
Damico	LaFleur	Strain
Daniel	Lancaster	Swilling
Dartez	Landrieu	Thompson
Devillier	LeBlanc	Toomy
Diez	Martiny	Townsend
Durand	McDonald	Triche
Erdey	McVea	Waddell
Farrar	Montgomery	Walker
Faucheux	Morrish	Wooton
Total—72		

**NAYS**

Alexander	Hebert	Powell
Beard	Hunter	Scalise
Bowler	Jackson, M	Shaw
Broome	Katz	Sneed
Carter, K	Lucas	Walsworth
Downer	Murray	Welch
Fannin	Nevers	Winston
Frige	Peychaud	
Glover	Pierre	
Total—25		

**ABSENT**

Doerge	Hudson	Tucker
Downs	Kennard	Wright
Futrell	Morrell	
Total—8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**Acting Speaker LeBlanc in the Chair**

**HOUSE BILL NO. 1849—**  
BY REPRESENTATIVE DEWITT

**AN ACT**

To amend and reenact R.S. 4:714(B) and to enact R.S. 4:725.1, relative to charitable gaming; to authorize the conducting of progressive pull-tabs; to create an exception to the total amount

of prizes which can be awarded in any one charitable gaming session; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Salter on behalf of the Legislative Bureau to Engrossed House Bill No. 1849 by Representative DeWitt

AMENDMENT NO. 1

On page 2, line 8, following "shall" and before "during" change "only offer progressive pull-tabs" to "offer progressive pull-tabs only"

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Green	Odinet
Alario	Guillory	Peychaud
Ansardi	Hammett	Pierre
Arnold	Heaton	Pinac
Baldone	Hebert	Pitre
Baylor	Hill	Quezaire
Bowler	Honey	Richmond
Bruce	Hopkins	Romero
Capella	Hunter	Salter
Carter, K	Hutter	Schwegmann
Cazayoux	Iles	Smith, G.—56th
Curtis	Jackson, L	Smith, J.D.—50th
Damico	Jackson, M	Smith, J.H.—8th
Daniel	Johns	Smith, J.R.—30th
Dartez	LaFleur	Sneed
Devillier	Lancaster	Stelly
Durand	Landrieu	Strain
Faucheux	LeBlanc	Swilling
Flavin	Martiny	Toomy
Frith	McVea	Townsend
Frige	Montgomery	Triche
Futrell	Morrell	Walker
Gallot	Morrish	Welch
Glover	Murray	Wooton
Total—72		

**NAYS**

Alexander	Erdey	Perkins
Baudoin	Fannin	Powell
Beard	Katz	Shaw
Broome	Kenney	Thompson
Crane	Lucas	Tucker
Crowe	McDonald	Walsworth
Diez	Nevers	
Total—20		

**ABSENT**

Bruneau	Farrar	Waddell
Carter, R	Hudson	Winston

Doerge	Kennard	Wright
Downer	Scalise	
Downs	Schneider	
Total—13		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 2003 (Substitute for House Bill No. 396 by Representative Baldone)—**  
 BY REPRESENTATIVES BALDONE, ODINET, AND JACK SMITH AND SENATOR DUPRE

AN ACT

To amend and reenact R.S. 56:325.3(A)(1) and (C) and 333(B)(1), relative to commercial fishing; to provide for open season, quotas, and allowable gear for the taking of mullet and spotted sea trout; and to provide for related matters.

Read by title.

**Motion**

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

**HOUSE BILL NO. 2004 (Substitute for House Bill No. 386 by Representative Crowe)—**  
 BY REPRESENTATIVE CROWE

AN ACT

To enact R.S. 22:10, relative to life insurance policies; to provide for a central database; to provide for a search for policies; to provide for the Department of Insurance; to provide for procedures; and to provide for related matters.

Read by title.

Rep. Crowe moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Peychaud
Alario	Glover	Pierre
Alexander	Green	Pinac
Ansardi	Guillory	Pitre
Arnold	Hammett	Powell
Baldone	Heaton	Quezaire
Baudoin	Hebert	Richmond
Baylor	Hill	Romero
Beard	Honey	Salter
Bowler	Hopkins	Scalise
Broome	Hunter	Schneider
Bruce	Hutter	Schwegmann
Bruneau	Iles	Shaw
Capella	Jackson, L	Smith, G.—56th
Carter, K	Jackson, M	Smith, J.D.—50th
Carter, R	Johns	Smith, J.H.—8th
Cazayoux	Katz	Smith, J.R.—30th
Crane	Kennard	Sneed
Crowe	Kenney	Stelly
Curtis	LaFleur	Strain

Damico	Lancaster	Swilling
Daniel	Landrieu	Thompson
Dartez	LeBlanc	Toomy
Devillier	Lucas	Townsend
Diez	Martiny	Triche
Downer	McDonald	Tucker
Durand	McVea	Waddell
Erdey	Morrell	Walker
Fannin	Morrish	Walsworth
Farrar	Murray	Welch
Faucheux	Nevers	Winston
Flavin	Odinet	Wooton
Frith	Perkins	Wright

Total—99

NAYS

Total—0

ABSENT

Doerge	Fruge	Hudson
Downs	Gallot	Montgomery
Total—6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Crowe 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 DeWitt in the Chair**

**HOUSE BILL NO. 2005 (Substitute for House Bill No. 1082 by Representative Hebert)—**  
 BY REPRESENTATIVE HEBERT

AN ACT

To enact R.S. 22:1513.1, relative to review of dental claims; to provide relative to appeals of denied dental claims; and to provide for related matters.

Read by title.

Rep. Hebert moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Odinet
Alario	Glover	Perkins
Alexander	Green	Peychaud
Ansardi	Guillory	Pierre
Arnold	Hammett	Pinac
Baldone	Heaton	Pitre
Baudoin	Hebert	Powell
Baylor	Hill	Quezaire
Beard	Honey	Richmond
Bowler	Hopkins	Romero
Broome	Hudson	Scalise
Bruce	Hunter	Schneider
Bruneau	Hutter	Schwegmann
Capella	Iles	Shaw
Carter, K	Jackson, L	Smith, G.—56th
Carter, R	Jackson, M	Smith, J.D.—50th
Cazayoux	Johns	Smith, J.H.—8th

Crane	Katz	Smith, J.R.—30th
Crowe	Kennard	Sneed
Curtis	Kenney	Strain
Damico	LaFleur	Swilling
Daniel	Lancaster	Thompson
Dartez	Landrieu	Toomy
Devillier	LeBlanc	Townsend
Diez	Lucas	Triche
Downer	Martiny	Tucker
Durand	McDonald	Waddell
Erdey	McVea	Walker
Fannin	Morrell	Walsworth
Farrar	Morrish	Welch
Faucheux	Murray	Winston
Frith	Nevers	

Total—95

NAYS

Total—0

ABSENT

Doerge	Gallot	Wooton
Downs	Montgomery	Wright
Flavin	Salter	
Futrell	Stelly	

Total—10

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Hebert 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. LeBlanc, the rules were suspended in order to take up and consider House Bill No. 1887 at this time.

#### HOUSE BILL NO. 1887—

BY REPRESENTATIVES LEBLANC AND DEWITT AND SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 39:98.3(A), relative to the Millennium Trust; to provide for the determination of the amount of aggregate investment earnings available for appropriation; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. LeBlanc moved the final passage of the bill.

#### ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Peychaud
Alexander	Glover	Pierre
Ansardi	Green	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Beard	Hill	Romero

Bowler	Honey	Salter
Broome	Hunter	Scalise
Bruce	Hutter	Schneider
Bruneau	Iles	Schwegmann
Capella	Jackson, L	Shaw
Carter, K	Jackson, M	Smith, G.—56th
Carter, R	Johns	Smith, J.D.—50th
Cazayoux	Katz	Smith, J.H.—8th
Crane	Kennard	Smith, J.R.—30th
Crowe	Kenney	Sneed
Curtis	LaFleur	Strain
Damico	Lancaster	Swilling
Daniel	Landrieu	Thompson
Dartez	LeBlanc	Toomy
Devillier	Lucas	Townsend
Diez	Martiny	Triche
Downer	McDonald	Tucker
Durand	McVea	Waddell
Erdey	Montgomery	Walker
Fannin	Morrell	Walsworth
Farrar	Morrish	Welch
Faucheux	Murray	Winston
Frith	Nevers	Wooton
Frige	Odinet	Wright

Total—99

NAYS

Total—0

ABSENT

Doerge	Flavin	Hudson
Downs	Hopkins	Stelly

Total—6

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

#### HOUSE BILL NO. 1472—

BY REPRESENTATIVES THOMPSON, HILL, LAFLEUR, MORRISH, BAUDOIN, BRUCE, DEVILLIER, DOWNS, FRITH, FRUGE, HUDSON, ILES, KENNEY, JACK SMITH, AND STRAIN

AN ACT

To amend and reenact R.S. 3:3409(E), 3411(D) and (E), 3414.3(G), 3422(A), and 3423 and to enact R.S. 3:3422(D), relative to agricultural commodity dealer and warehouse fees; to increase certain agricultural commodity dealer and warehouse fees; to create the Agricultural Commodity Dealers and Warehouse Fund; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Thompson moved the final passage of the bill.

#### ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Green	Odinet
Alario	Guillory	Peychaud
Ansardi	Hammett	Pierre

Arnold	Hebert	Pinac
Baldone	Hill	Pitre
Baudoin	Honey	Powell
Baylor	Hudson	Quezaire
Broome	Hunter	Richmond
Bruce	Hutter	Salter
Bruneau	Iles	Schwegmann
Carter, K	Jackson, L	Smith, G.—56th
Carter, R	Jackson, M	Smith, J.D.—50th
Cazayoux	Johns	Smith, J.H.—8th
Damico	Kennard	Smith, J.R.—30th
Daniel	Kenney	Sneed
Dartez	LaFleur	Stelly
Diez	Lancaster	Strain
Durand	Landrieu	Swilling
Erdey	LeBlanc	Thompson
Fannin	Lucas	Toomy
Farrar	Martiny	Townsend
Faucheux	McDonald	Triche
Flavin	McVea	Walker
Frith	Montgomery	Welch
Fruge	Morrell	Wooton
Gallot	Morrish	Wright
Glover	Murray	
Total—80		

NAYS

Alexander	Futrell	Schneider
Beard	Hopkins	Shaw
Bowler	Katz	Waddell
Capella	Nevers	Walsworth
Crane	Perkins	Winston
Downer	Scalise	
Total—17		

ABSENT

Crowe	Doerge	Romero
Curtis	Downs	Tucker
Devillier	Heaton	
Total—8		

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

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 1402—**

BY REPRESENTATIVES THOMPSON, HILL, LAFLEUR, MORRISH, BAUDOIN, BRUCE, DEVILLIER, DOWNS, FRITH, FRUGE, HUDSON, ILES, KENNEY, JACK SMITH, AND STRAIN

AN ACT

To amend and reenact R.S. 3:3806(A)(2), (B), (C), (D), and (G), relative to horticulture fees; to increase certain horticulture fees; to create the Horticulture Commission Fund; and to provide for related matters.

**Suspension of the Rules**

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

Called from the calendar.

Read by title.

Rep. Thompson moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Glover	Murray
Alario	Green	Odinet
Ansardi	Guillory	Peychaud
Arnold	Hammett	Pierre
Baldone	Hebert	Pinac
Baudoin	Hill	Powell
Baylor	Honey	Quezaire
Broome	Hopkins	Richmond
Bruce	Hudson	Schwegmann
Carter, K	Hutter	Shaw
Carter, R	Iles	Smith, G.—56th
Curtis	Jackson, L	Smith, J.D.—50th
Damico	Jackson, M	Smith, J.H.—8th
Daniel	Johns	Smith, J.R.—30th
Dartez	Kenney	Stelly
Devillier	LaFleur	Strain
Diez	Lancaster	Swilling
Erdey	Landrieu	Thompson
Fannin	LeBlanc	Toomy
Farrar	Lucas	Walker
Faucheux	McDonald	Welch
Flavin	McVea	Wooton
Frith	Montgomery	Wright
Fruge	Morrell	
Gallot	Morrish	
Total—73		

NAYS

Alexander	Downer	Schneider
Beard	Futrell	Sneed
Bowler	Katz	Triche
Bruneau	Nevers	Tucker
Capella	Perkins	Waddell
Crane	Pitre	Walsworth
Crowe	Scalise	Winston
Total—21		

ABSENT

Cazayoux	Heaton	Romero
Doerge	Hunter	Salter
Downs	Kennard	Townsend
Durand	Martiny	
Total—11		

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

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 1120—**

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 8:70 and 73(B), relative to cemeteries; to increase the fee for new or renewal certificates of authority to operate a cemetery; to increase annual regulatory fees; and to provide for related matters.

**Suspension of the Rules**

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

Called from the calendar.

Read by title.

Rep. Damico moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Gallot	Odinet
Alario	Glover	Peychaud
Ansardi	Green	Pierre
Arnold	Guillory	Pinac
Baldone	Hammett	Pitre
Baudoin	Heaton	Quezaire
Baylor	Honey	Richmond
Bowler	Hopkins	Salter
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Carter, K	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.H.—8th
Crane	Jackson, M	Stelly
Curtis	Johns	Strain
Damico	Kenney	Swilling
Daniel	LaFleur	Thompson
Dartez	Lancaster	Toomy
Devillier	Landrieu	Townsend
Diez	LeBlanc	Triche
Downer	Lucas	Tucker
Durand	Martiny	Waddell
Fannin	McDonald	Walker
Farrar	McVea	Welch
Faucheux	Montgomery	Winston
Flavin	Morrell	Wooton
Frith	Morrish	Wright
Fruge	Murray	
Total—83		

**NAYS**

Alexander	Hill	Scalise
Beard	Katz	Shaw
Crowe	Nevers	Smith, J.R.—30th
Erdey	Perkins	Sneed
Futrell	Powell	Walsworth
Hebert	Romero	
Total—17		

**ABSENT**

Broome	Doerge	Kennard
Capella	Downs	
Total—5		

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

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 1523—**

BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 6:969.37(B) and R.S. 9:3512(4) and 3514(A), relative to Louisiana Motor Vehicle Sales Finance Act; to increase certain fees; to provide for regulation of certain transactions under the Act; and to provide for related matters.

**Suspension of the Rules**

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

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	Frith	Montgomery
Alario	Fruge	Morrish
Alexander	Futrell	Nevers
Ansardi	Gallot	Odinet
Arnold	Glover	Pierre
Baldone	Green	Pinac
Baudoin	Guillory	Pitre
Baylor	Hammett	Salter
Broome	Heaton	Schwegmann
Bruce	Hill	Shaw
Carter, R	Honey	Smith, G.—56th
Cazayoux	Hopkins	Smith, J.D.—50th
Crane	Hudson	Smith, J.H.—8th
Curtis	Hunter	Stelly
Damico	Hutter	Strain
Daniel	Iles	Swilling
Dartez	Jackson, M	Thompson
Devillier	Johns	Toomy
Diez	Kenney	Townsend
Downer	LaFleur	Triche
Durand	Lancaster	Waddell
Fannin	LeBlanc	Walker
Farrar	Lucas	Walsworth
Faucheux	Martiny	Wooton
Flavin	McDonald	Wright
Total—75		

**NAYS**

Beard	Jackson, L	Richmond
Bowler	Katz	Romero
Bruneau	McVea	Scalise
Carter, K	Morrell	Schneider
Crowe	Murray	Tucker
Erdey	Peychaud	Welch
Hebert	Powell	Winston
Total—21		

**ABSENT**

Capella	Kennard	Quezaire
---------	---------	----------

Doerge  
Downs  
Total—9

Landrieu  
Perkins

Smith, J.R.—30th  
Sneed

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

The title of the above bill was read and adopted.

Rep. 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.

**Suspension of the Rules**

On motion of Rep. Johns, the rules were suspended in order to call from the calendar House Bill No. 1035 at this time.

**HOUSE BILL NO. 1035—**  
BY REPRESENTATIVES JOHNS AND DIEZ  
AN ACT

To amend and reenact R.S. 48:35(F)(1) and (2) and to enact R.S. 13:5106(F) and R.S. 48:35(F)(3) through (5) and (J), relative to limitation of public liability; to provide relative to liability of the state and its political subdivisions for public roads; to provide for the failure to wear safety restraint while driving on public roads; to provide for persons driving while intoxicated on public roads; to specify the evidentiary admissibility and effect of failure to wear seat belts in actions against the state; to provide for minimum safety standards of highway design, maintenance, and construction and the prioritization and liability of the state and its political subdivisions for such standards; to exempt the state and its political subdivisions from liability for things of which it does not have custody; and to provide for related matters.

Called from the calendar.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Johns to Engrossed House Bill No. 1035 by Representative Johns

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "enact" delete "amend and reenact R.S. 48:35(F)(1) and (2) and to"

AMENDMENT NO. 2

On page 1, at the beginning of line 3, delete "and R.S. 48:35(F)(3) through (5) and (J)"

AMENDMENT NO. 3

On page 1, line 4, after the semicolon ";" delete the remainder of the line and at the beginning of line 5, delete "subdivisions for public roads;"

AMENDMENT NO. 4

On page 1, line 9, after the semicolon ";" delete the remainder of the line and delete lines 10 through 12 in their entirety, and at the beginning of line 13, delete "does not have custody;"

AMENDMENT NO. 5

On page 2, at the beginning of line 1, change "F.(1)(a)" to "F.(1)"

AMENDMENT NO. 6

On page 2, line 3, after "person" and before "to" insert "eighteen years of age or older"

AMENDMENT NO. 7

On page 2, line 4, after "system" and before "while" insert "as required by law"

AMENDMENT NO. 8

On page 2, line 5, after "vehicle," delete the remainder of the line

AMENDMENT NO. 9

On page 2, line 6, after the period "." delete the remainder of the line and delete lines 7 through 18 in their entirety

AMENDMENT NO. 10

On page 2, line 19, after "person" and before "may" insert a comma "," and insert "except for a forced heir."

AMENDMENT NO. 11

On page 2, at the end of line 21, delete "other"

AMENDMENT NO. 12

On page 2, line 22, after "older" and before "the" delete "if" and insert a comma "," and insert the following:

"who knew or should have known that the operator of the motor vehicle was using or consuming a controlled dangerous substance or was consuming an alcoholic beverage, when"

AMENDMENT NO. 13

On page 2, line 23, after "of" and before "vehicle" change "that" to "the motor"

AMENDMENT NO. 14

On page 2, line 24, after "or" and before "passenger" delete "other"

AMENDMENT NO. 15

On page 3, line 2, after "of" and before "vehicle" change "that" to "the motor"

AMENDMENT NO. 16

On page 3, line 6, after "child" and before the period "." insert the following:

"when the parent or parents knew or should have known that the operator of the motor vehicle had been consuming or using a controlled dangerous substance or consuming an alcoholic beverage"

AMENDMENT NO. 17

On page 3, between lines 7 and 8, insert the following:

"(c) The provisions of Subparagraph (2)(b) of this Paragraph shall not affect the duties, obligations, or authority of a parent, a tutor, or a succession representative to bring an action on behalf of the estate or the succession of the minor child pursuant to Civil Code Article 2315.1 or Code of Civil Procedure Articles 426, 683, 685, 801, 3196, or 3211."

AMENDMENT NO. 18

On page 3, delete lines 8 through 26 in their entirety and delete pages 4 through 6 in their entirety

AMENDMENT NO. 19

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

AMENDMENT NO. 20

On page 7, at the beginning of line 3, change "Section 3." to "Section 2."

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Futrell to Engrossed House Bill No. 1035 by Representative Johns, et al

AMENDMENT NO. 1

On page 2, line 6, after "evidence" change the period "." to a comma "," and insert the following:

"provided the failure to wear a seat belt, safety belt, safety harness, or other safety restraint system is substantially related to that injury or death."

AMENDMENT NO. 2

On page 3, between lines 7 and 8, insert the following:

"(3) If any person operating a motor vehicle on behalf of the state, a state agency, or a political subdivision of the state is involved in an accident with one or more other vehicles and such operator was intoxicated, as defined in R.S. 14:98, or under the influence of any illegal substance or drug at the time of the accident, the provision of Subparagraph (1)(b) and Paragraph (2) of this Subsection shall not apply to the occupant of any other vehicle involved in the accident."

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Cazayoux to Engrossed House Bill No. 1035 by Representative Johns

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "enact" delete "amend and reenact R.S. 48:35(F)(1) and (2) and to" and after "R.S. 13:5106(F)" insert a comma ","

AMENDMENT NO. 2

On page 1, delete lines 3 through 13 in their entirety and insert the following:

"relative to driving while intoxicated; to provide for the injury or death of certain operators of motor vehicles; to provide a limitation of liability for the state, state agencies, and political subdivisions; and to provide for related matters."

AMENDMENT NO. 3

On page 2, delete lines 1 through 18 in their entirety and at the beginning of line 19, change "(2)(a)" to "F.(1)"

AMENDMENT NO. 4

On page 2, at the end of line 21, delete "or any other" and at the beginning of line 22, delete "passenger in the vehicle eighteen years of age or older"

AMENDMENT NO. 5

On page 2, at the end of line 24, delete "or other passenger", delete lines 25 and 26 in their entirety, and insert the following:

"(2) The provisions of Paragraph (1) of this Subsection shall not affect the duties, obligations, or authority of a parent, tutor, or a succession representative to bring an action on behalf of the estate or the succession of the minor child pursuant to Civil Code Article 2315.1 or Code of Civil Procedure Articles 426, 683, 685, 801, 3196, or 3211."

AMENDMENT NO. 6

Delete pages 3 through 6 in their entirety and on page 7, delete lines 1 through 8 in their entirety

Rep. Cazayoux moved the adoption of the amendments.

Rep. Johns objected.

By a vote of 73 yeas and 26 nays, the amendments were adopted.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Townsend to Engrossed House Bill No. 1035 by Representative Johns

AMENDMENT NO.1

On page 1, line 5, after "roads;" delete the remainder of the line, and at the beginning of line 6, delete "restraint while driving on public roads;"

AMENDMENT NO. 2

On page 1, line 7, after "roads;" delete the remainder of the line, delete line 8, and at the beginning of line 9 delete "the state;"

AMENDMENT NO. 3

On page 2, delete lines 1 through 18

AMENDMENT NO. 4

On page 2, at the beginning of line 19, change "(2)(a)" to "F.(1)"

AMENDMENT NO. 5

On page 2, at the beginning of line 25 change "(b)" to "(2)"

**Motion**

Rep. Townsend moved to end consideration of amendments.

Rep. Swilling objected.

By a vote of 67 yeas and 27 nays, the House agreed to end consideration of amendments.

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Pitre
Alario	Glover	Powell
Alexander	Green	Quezaire
Ansardi	Guillory	Salter
Arnold	Hammett	Scalise
Baldone	Heaton	Schneider
Baudoin	Hebert	Schwegmann
Beard	Hill	Shaw
Broome	Honey	Smith, G.—56th
Bruneau	Hopkins	Smith, J.D.—50th
Capella	Hutter	Smith, J.H.—8th
Carter, K	Iles	Smith, J.R.—30th
Carter, R	Johns	Sneed
Cazayoux	Katz	Stelly
Crane	Kennard	Strain
Damico	Kenney	Swilling
Daniel	LaFleur	Thompson
Dartez	Lancaster	Toomy
Devillier	Landrieu	Townsend
Diez	LeBlanc	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Walsworth
Farrar	Morrish	Winston
Faucheux	Nevers	Wooton
Flavin	Odinet	Wright
Fruge	Perkins	
Futrell	Pinac	
Total—85		

NAYS

Bowler	Jackson, L	Pierre
Crowe	Jackson, M	Richmond
Curtis	Lucas	Romero
Frith	Morrell	Welch
Hudson	Murray	

Hunter	Peychaud
Total—16	ABSENT

Baylor	Doerge
Bruce	Fannin
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 1089—**  
BY REPRESENTATIVE MCVEA  
AN ACT

To amend and reenact R.S. 13:966.1(B), relative to court reporters for the Twentieth Judicial District Court, comprised of the parishes of East and West Feliciana; to provide for the annual salary of court reporters; and to provide for related matters.

**Suspension of the Rules**

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

Called from the calendar.

Read by title.

Rep. McVea moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Peychaud
Alexander	Glover	Pierre
Ansardi	Green	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Beard	Hill	Romero
Bowler	Hopkins	Salter
Broome	Hudson	Schneider
Bruce	Hunter	Schwegmann
Bruneau	Hutter	Shaw
Capella	Iles	Smith, G.—56th
Carter, K	Jackson, L	Smith, J.D.—50th
Carter, R	Jackson, M	Smith, J.H.—8th
Cazayoux	Johns	Smith, J.R.—30th
Crane	Katz	Sneed
Crowe	Kennard	Stelly
Curtis	Kenney	Strain
Damico	LaFleur	Swilling
Daniel	Lancaster	Thompson
Dartez	Landrieu	Toomy
Devillier	LeBlanc	Townsend
Diez	Lucas	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell

Durand	McVea	Walker
Erdey	Montgomery	Welch
Fannin	Morrell	Winston
Farrar	Morrish	Wooton
Faucheux	Murray	Wright
Flavin	Nevers	
Fruge	Odinet	
Total—100		

NAYS

Total—0

ABSENT

Doerge	Honey	Walsworth
Frith	Scalise	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. McVea 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.

**Local and Consent Calendar**

**HOUSE BILL NO. 904—**  
BY REPRESENTATIVE SCHNEIDER  
AN ACT

To enact R.S. 11:1139, relative to the Louisiana School Employees' Retirement System; to provide for creditable service; to provide for purchase of credit for service as an employee of an out-of-state school board; and to provide for related matters.

Read by title.

Rep. Schneider moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Peychaud
Alexander	Glover	Pierre
Ansardi	Green	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Beard	Hill	Romero
Bowler	Honey	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Capella	Hutter	Shaw
Carter, K	Iles	Smith, G.—56th
Carter, R	Jackson, L	Smith, J.D.—50th
Cazayoux	Jackson, M	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Crowe	Katz	Sneed
Curtis	Kennard	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson

Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Downer	Lucas	Triche
Downs	Martiny	Tucker
Durand	McDonald	Waddell
Erdey	McVea	Walker
Fannin	Montgomery	Welch
Farrar	Morrell	Winston
Faucheux	Morrish	Wooton
Flavin	Murray	Wright
Frith	Nevers	
Fruge	Odinet	
Total—103		

NAYS

Total—0

ABSENT

Doerge	Walsworth
Total—2	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 905—**  
BY REPRESENTATIVE SCHNEIDER  
AN ACT

To amend and reenact R.S. 11:1137, relative to the Louisiana School Employees' Retirement System; to provide with respect to the purchase of substitute service by any active, contributing member of the retirement system; to establish the procedure for such purchases; and to provide for related matters.

Read by title.

Rep. Schneider moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Peychaud
Alexander	Glover	Pierre
Ansardi	Green	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Beard	Hill	Romero
Bowler	Honey	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hutter	Schwegmann
Capella	Iles	Shaw
Carter, K	Jackson, L	Smith, G.—56th
Carter, R	Jackson, M	Smith, J.D.—50th
Cazayoux	Johns	Smith, J.H.—8th
Crane	Katz	Smith, J.R.—30th
Crowe	Kennard	Sneed
Curtis	Kenney	Stelly

Damico	LaFleur	Strain
Daniel	Lancaster	Swilling
Dartez	Landrieu	Thompson
Devillier	LeBlanc	Toomy
Diez	Lucas	Townsend
Downer	Martiny	Triche
Downs	McDonald	Tucker
Durand	McVea	Waddell
Erdey	Montgomery	Walker
Fannin	Morrell	Walsworth
Farrar	Morrish	Welch
Faucheux	Murray	Winston
Flavin	Nevers	Wooton
Frith	Odinet	Wright

Total—102

NAYS

Total—0

ABSENT

Doerge	Fruge	Hunter
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 906—**  
BY REPRESENTATIVE SCHNEIDER  
AN ACT

To amend and reenact R.S. 11:1641(B) and (C) and 1642(A)(introductory paragraph) and (3), relative to the Louisiana District Attorneys' Retirement System; to provide relative to Deferred Retirement Option Plan subaccounts; to provide for the investment of funds in such subaccounts after a member ceases participation in the plan and the crediting of interest to such subaccounts; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Schneider to Engrossed House Bill No. 906 by Representative Schneider

AMENDMENT NO. 1

On page 2, delete lines 18 through 20 and insert in lieu thereof:

"The total amount of any disbursements from the member's Subaccount shall in no case be less than the amount of funds credited to the member's subaccount at the time of termination of participation in the plan."

AMENDMENT NO. 2

On page 3, lines 8 and 9, delete "less one-half of one percent per anum." and insert in lieu thereof a period "." and the following:

"The total amount of any disbursements from the member's Subaccount shall in no case be less than the amount of funds credited

to the member's subaccount at the time of termination of participation in the plan."

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Odinet
Alario	Gallot	Perkins
Alexander	Glover	Psychaud
Ansardi	Green	Pierre
Arnold	Guillory	Pinac
Baldone	Hammett	Pitre
Baudoin	Heaton	Powell
Baylor	Hebert	Quezaire
Beard	Hill	Richmond
Bowler	Honey	Romero
Broome	Hopkins	Salter
Bruce	Hudson	Scalise
Bruneau	Hunter	Schneider
Capella	Hutter	Schwegmann
Carter, K	Iles	Shaw
Cazayoux	Jackson, L	Smith, G.—56th
Crane	Jackson, M	Smith, J.D.—50th
Crowe	Johns	Smith, J.H.—8th
Curtis	Katz	Smith, J.R.—30th
Damico	Kennard	Sneed
Daniel	Kenney	Stelly
Dartez	LaFleur	Strain
Devillier	Lancaster	Swilling
Diez	Landrieu	Thompson
Downer	LeBlanc	Toomy
Downs	Lucas	Townsend
Durand	Martiny	Triche
Erdey	McDonald	Tucker
Fannin	McVea	Waddell
Farrar	Montgomery	Walker
Faucheux	Morrell	Welch
Flavin	Morrish	Winston
Frith	Murray	Wright
Fruge	Nevers	

Total—101

NAYS

Total—0

ABSENT

Carter, R	Walsworth
Doerge	Wooton
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 911—**

BY REPRESENTATIVES SCHNEIDER AND MCVEA  
AN ACT

To amend and reenact R.S. 11:1516, relative to the Clerks of Court Retirement and Relief Fund; to provide with respect to the repayment of withdrawn accumulated employee contributions; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Schneider moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Fruge	Odinet
Alario	Futrell	Perkins
Alexander	Gallot	Psychaud
Ansardi	Glover	Pierre
Arnold	Green	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Quezaire
Beard	Hebert	Richmond
Bowler	Hill	Romero
Broome	Honey	Salter
Bruce	Hudson	Scalise
Bruneau	Hunter	Schneider
Capella	Hutter	Schwegmann
Carter, K	Iles	Shaw
Carter, R	Jackson, L	Smith, G.—56th
Cazayoux	Jackson, M	Smith, J.D.—50th
Crane	Johns	Smith, J.H.—8th
Crowe	Katz	Smith, J.R.—30th
Curtis	Kennard	Sneed
Damico	Kenney	Stelly
Daniel	LaFleur	Strain
Dartez	Lancaster	Swilling
Devillier	Landrieu	Thompson
Diez	LeBlanc	Toomy
Downer	Lucas	Townsend
Downs	Martiny	Triche
Durand	McDonald	Tucker
Erdey	McVea	Waddell
Fannin	Montgomery	Walsworth
Farrar	Morrell	Welch
Faucheux	Morrish	Winston
Flavin	Murray	Wooton
Frith	Nevers	Wright

Total—102

**NAYS**

Total—0

**ABSENT**

Doerge	Hopkins	Walker
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 912—**

BY REPRESENTATIVE SCHNEIDER  
AN ACT

To enact R.S. 11:1305(D), relative to the Louisiana State Police Retirement System; to provide for the purchase of service credit for employment with certain law enforcement agencies; and to provide for related matters.

Read by title.

Rep. Schneider moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Futrell	Psychaud
Alario	Gallot	Pierre
Alexander	Glover	Pinac
Ansardi	Green	Pitre
Arnold	Guillory	Powell
Baldone	Hammett	Quezaire
Baudoin	Heaton	Richmond
Baylor	Hebert	Romero
Beard	Hill	Salter
Bowler	Honey	Scalise
Broome	Hopkins	Schneider
Bruce	Hudson	Schwegmann
Bruneau	Hunter	Shaw
Capella	Hutter	Smith, G.—56th
Carter, K	Iles	Smith, J.D.—50th
Carter, R	Jackson, L	Smith, J.H.—8th
Cazayoux	Jackson, M	Smith, J.R.—30th
Crane	Johns	Sneed
Crowe	Katz	Stelly
Curtis	Kennard	Strain
Damico	LaFleur	Swilling
Daniel	Lancaster	Thompson
Dartez	Landrieu	Toomy
Devillier	LeBlanc	Townsend
Diez	Lucas	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Walsworth
Fannin	Morrell	Welch
Farrar	Morrish	Winston
Faucheux	Murray	Wooton
Flavin	Nevers	Wright
Frith	Odinet	
Fruge	Perkins	

Total—103

**NAYS**

Total—0

**ABSENT**

Doerge	Kennard
Total—2	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 914—**

BY REPRESENTATIVE SCHNEIDER  
AN ACT

To amend and reenact R.S. 11:1331(A), relative to the Louisiana State Police Retirement System; to provide for cost-of-living adjustments; to specify the circumstances under which such adjustments may be granted; to provide for the calculation of such adjustments; and to provide for related matters.

Read by title.

Rep. Schneider moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Fruge	Nevers
Alario	Futrell	Odinet
Alexander	Gallot	Perkins
Ansardi	Glover	Psychaud
Arnold	Green	Pierre
Baldone	Guillory	Pinac
Baudoin	Hammett	Pitre
Baylor	Heaton	Powell
Beard	Hebert	Quezaire
Bowler	Hill	Richmond
Broome	Honey	Romero
Bruce	Hopkins	Salter
Bruneau	Hudson	Scalise
Capella	Hunter	Schneider
Carter, K	Hutter	Schwegmann
Carter, R	Iles	Shaw
Cazayoux	Jackson, L	Smith, G.—56th
Crane	Jackson, M	Smith, J.D.—50th
Crowe	Johns	Smith, J.H.—8th
Curtis	Katz	Smith, J.R.—30th
Damico	Kennard	Sneed
Daniel	Kenney	Strain
Dartez	LaFleur	Swilling
Devillier	Lancaster	Thompson
Diez	Landrieu	Toomy
Downer	LeBlanc	Townsend
Downs	Lucas	Triche
Durand	Martiny	Tucker
Erdey	McDonald	Waddell
Fannin	McVea	Walker
Farrar	Montgomery	Welch
Faucheux	Morrell	Winston
Flavin	Morrish	Wooton
Frith	Murray	Wright
Total—102		

**NAYS**

Total—0

**ABSENT**

Doerge	Stelly	Walsworth
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 1279—**

BY REPRESENTATIVE SCHNEIDER  
AN ACT

To amend and reenact R.S. 11:1301, to enact R.S. 11:1336 through 1338, to designate R.S. 11:1301 through 1338 as Part I of Chapter 4 of Title 11 of the Louisiana Revised Statutes of 1950, and to enact Part II of said Chapter 4, to be comprised of R.S. 11:1341 through 1344, relative to the Louisiana State Police Retirement System; to provide for definitions; to create an excess benefit plan; to provide with respect to qualification of the retirement system under Section 401(a) of the Internal Revenue Code; to provide for an effective date; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Schneider to Original House Bill No. 1279 by Representative Schneider

AMENDMENT NO. 1

On page 9, line 7, delete "401(a)(9)(D)" and insert in lieu thereof "401(a)(9)(G)"

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Glover	Psychaud
Alario	Green	Pierre
Alexander	Guillory	Pinac
Ansardi	Hammett	Pitre
Arnold	Heaton	Powell
Baldone	Hebert	Quezaire
Baudoin	Hill	Richmond
Baylor	Honey	Romero
Beard	Hopkins	Salter
Bowler	Hudson	Scalise
Broome	Hunter	Schneider
Bruce	Hutter	Schwegmann
Bruneau	Iles	Shaw
Capella	Jackson, L	Smith, G.—56th
Carter, K	Jackson, M	Smith, J.D.—50th
Cazayoux	Johns	Smith, J.H.—8th
Crane	Katz	Smith, J.R.—30th
Curtis	Kennard	Sneed
Damico	Kenney	Stelly
Daniel	LaFleur	Strain
Dartez	Lancaster	Swilling

Devillier	Landrieu	Thompson
Diez	LeBlanc	Toomy
Downer	Lucas	Townsend
Downs	Martiny	Triche
Durand	McDonald	Tucker
Erdey	McVea	Waddell
Fannin	Montgomery	Walker
Farrar	Morrill	Walsworth
Faucheux	Morrish	Welch
Flavin	Murray	Winston
Frith	Nevers	Wooton
Fruge	Odinet	Wright
Gallot	Perkins	

Total—101

NAYS

Total—0

ABSENT

Carter, R	Doerge
Crowe	Futrell

Total—4

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Schneider 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. Crane, the rules were suspended in order to take up and consider Conference Committee Reports for Consideration at this time.

### Conference Committee Reports for Consideration

The following Conference Committee Reports were taken up and acted upon as follows:

#### CONFERENCE COMMITTEE REPORT

#### Senate Bill No. 710 by Senator Theunissen

April 30, 2003

To the Honorable President and Members of the Senate and to the Honorable Speaker and Members of the House of Representatives:

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill 710 by Senator Theunissen recommend the following concerning the Reengrossed bill:

1. That House Floor Amendments No. 1 through 39 proposed by Representative Crane and adopted by the House on April 24, 2003 be adopted.
2. That House Floor Amendments No. 1 through 3 proposed by the Legislative Bureau and adopted by the House on April 28, 2003 be adopted.

3. That House Floor Amendments No. 1 through 4 proposed by Representative Crane and adopted by the House on April 29, 2003 be adopted.
4. That House Floor Amendments No. 1 through 3 proposed by Representative Townsend and adopted by the House on April 29, 2003 be adopted.
5. That House Floor Amendment No. 1 proposed by Representative Swilling and adopted by the House on April 29, 2003 be adopted.
6. That House Floor Amendment No. 2 proposed by Representative Swilling and adopted by the House on April 29, 2003 be rejected.

Respectfully submitted,

Senator Gerald J. Theunissen  
 Senator Willie L. Mount  
 Senator Bill Jones  
 Representative Carl Crane  
 Representative Vic Stelly  
 Representative Pat Swilling

Rep. Crane moved to adopt the Conference Committee Report.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Fruge	Peychaud
Alario	Futrell	Pierre
Alexander	Gallot	Pinac
Ansardi	Glover	Pitre
Arnold	Green	Powell
Baldone	Guillory	Quezaire
Baudoin	Hammett	Richmond
Baylor	Heaton	Salter
Beard	Hebert	Scalise
Bowler	Hill	Schneider
Broome	Honey	Schwegmann
Bruce	Hopkins	Shaw
Bruneau	Hudson	Smith, G.—56th
Capella	Hutter	Smith, J.D.—50th
Carter, K	Iles	Smith, J.H.—8th
Cazayoux	Jackson, L	Smith, J.R.—30th
Crane	Jackson, M	Sneed
Crowe	Johns	Stelly
Curtis	Katz	Strain
Damico	Kennard	Swilling
Daniel	Kennedy	Thompson
Dartez	LaFleur	Toomy
Devillier	Lancaster	Townsend
Diez	Landrieu	Triche
Downer	LeBlanc	Tucker
Downs	Martiny	Waddell
Durand	McDonald	Walker
Erdey	McVea	Walsworth
Fannin	Montgomery	Winston
Farrar	Morrish	Wooton
Faucheux	Nevers	Wright
Flavin	Odinet	
Frith	Perkins	
Total—97		

NAYS

Carter, R  
Hunter  
Lucas  
Total—7

Morrell  
Murray  
Romero

Welch

ABSENT

Doerge  
Total—1

The Conference Committee Report was adopted.

**Suspension of the Rules**

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

**Petitions, Memorials and Communications**

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

**Message from the Senate**

**SENATE BILLS**

May 7, 2003

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

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

House Bill No. 779  
Returned without amendments.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

May 7, 2003

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

I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreement to Senate Bill No. 710.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**ASKING CONCURRENCE IN  
SENATE CONCURRENT RESOLUTIONS**

May 7, 2003

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

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution Nos. 38 and 75

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Suspension of the Rules**

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

**Senate Concurrent Resolutions**

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

**SENATE CONCURRENT RESOLUTION NO. 75—**  
BY SENATORS MCPHERSON, ELLINGTON, SMITH AND REPRESENTATIVES CURTIS, DEWITT AND FARRAR  
A CONCURRENT RESOLUTION

To commend and congratulate the players and coaches of the Louisiana College Lady Wildcat Softball Team on winning the American Southwest Conference East Division, and the National Christian Collegiate Athletic Association's National Tournament.

Read by title.

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

**Message from the Senate**

**SENATE BILLS**

May 7, 2003

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

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

Senate Bill Nos. 39, 342, 353, 359, 423, 475, 720, 727, 947, 1018, 1024, 1035, 1050, 1056, 1099, 1103, 1106, and 1131

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Suspension of the Rules**

On motion of Rep. Pitre, the rules were suspended in order to take up the bills contained in the message at this time.

### Senate Bills and Joint Resolutions on First Reading

The following Senate Bills and Joint Resolutions on first reading were taken up, read, and placed upon the calendar for their second reading:

**SENATE BILL NO. 39—**

BY SENATOR DUPRE AND REPRESENTATIVE PITRE  
AN ACT

To enact Part VI-B of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:126, and to repeal R.S. 49:121(A)(2), relative to public vehicles; to provide for the placement of certain promotional stickers on public vehicles; and to provide for related matters.

Read by title.

**SENATE BILL NO. 342—**

BY SENATOR BOISSIERE

AN ACT

To enact R.S. 11:2178(M), relative to the Sheriffs' Pension and Relief Fund; to provide for a one-time cost-of-living adjustment; to provide for retroactive application; and to provide for related matters.

Read by title.

**SENATE BILL NO. 353—**

BY SENATOR MCPHERSON

AN ACT

To enact R.S. 32:408(B)(6), relative to driver's licenses; to provide for the office of motor vehicles to issue a temporary driver's permit under certain conditions; and to provide for related matters.

Read by title.

**SENATE BILL NO. 359—**

BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 39:1572(B)(4) and to enact R.S. 39:1572(B)(7), relative to central purchasing; to exempt the Louisiana Community and Technical College System from the requirement to conduct procurement through the central purchasing agency; and to provide for related matters.

Read by title.

**SENATE BILL NO. 423—**

BY SENATOR MCPHERSON

AN ACT

To enact R.S. 9:203(E), relative to marriage; to authorize federal court judges to perform marriage ceremonies within the state; and to provide for related matters.

Read by title.

**SENATE BILL NO. 475—**

BY SENATOR THOMAS

AN ACT

To enact R.S. 36:509(S) and Part XXVI of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3087.191 through 3087.205, to create the Washington Parish Reservoir District as a political subdivision and state agency; to provide for a board of commissioners to manage the reservoir district; to provide for the powers and duties of the district including the power to levy taxes and issue bonds to prohibit certain actions and to provide penalties; to provide relative to

the district's relationship with the Department of Transportation and Development and the Louisiana Wildlife and Fisheries Commission; and to provide for related matters.

Read by title.

**SENATE BILL NO. 720—**

BY SENATOR HAINKEL

AN ACT

To enact Chapter 10-E of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4549.1 through 4549.5, relative to the Local Government Capital Outlay Projects Fund Program; to provide legislative findings; to establish the Local Government Capital Outlay Projects Fund Program; to provide for funding of the program; to provide for the administration of the program; to provide for financing conditions and repayment; and to provide for related matters.

Read by title.

**SENATE BILL NO. 727—**

BY SENATOR MCPHERSON

AN ACT

To enact R.S. 24:653(K) and Part VIII-B of Chapter 1 of Subtitle 1 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:310, relative to legislative review; to require private entities to provide to the legislature information relative to the expenditure of revenue generated from the operation, management or control of public lands or facilities; to require the division of administration to develop a reporting form; and to provide for related matters.

Read by title.

**SENATE BILL NO. 947—**

BY SENATOR SMITH

AN ACT

To enact R.S. 9:275.5, relative to covenant marriage; to provide for limitation of liability for a pastoral counselor; to provide for an exception; and to provide for related matters.

Read by title.

**SENATE BILL NO. 1018—**

BY SENATOR B. JONES

AN ACT

To enact R.S. 33:2740.55, relative to municipalities and parishes; to provide for the creation, composition and powers of a downtown development district in the city of Ruston; to provide for the preparation of plans, levy of special ad valorem taxes, and issuance of bonds and other instruments of indebtedness; and to provide for related matters.

Read by title.

**SENATE BILL NO. 1024—**

BY SENATOR ROMERO

AN ACT

To amend and reenact R.S. 56:40.9(A), and to enact R.S. 56:10(B)(12), relative to the Conservation Fund; to create the enforcement emergency situation response account as a special account in the fund; to provide for the deposit of monies into the account and for the use of such monies for enforcement purposes; and to provide for related matters.

Read by title.

**SENATE BILL NO. 1035—**  
BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 11:1732(14)(a), relative to the Municipal Employees' Retirement System of Louisiana; to provide with respect to the definition of employer; to allow employees of planning and development commissions to join the retirement system; to provide for an effective date; and to provide for related matters.

Read by title.

**SENATE BILL NO. 1050—**  
BY SENATOR ADLEY

AN ACT

To enact R.S. 11:1751(E), relative to the Municipal Employees' Retirement System of Louisiana; to provide with respect to membership; to provide that retired persons over the age of sixty-five shall not be required to participate in the retirement system; to provide for an effective date; and to provide for related matters.

Read by title.

**SENATE BILL NO. 1056—**  
BY SENATOR HOYT

AN ACT

To amend and reenact the introductory paragraph of R.S. 33:130.562(A)(1), and to enact R.S. 33:130.562(A)(1)(d) and (e), relative to the Vermilion Parish Economic Development District; to provide for additional members to the Vermilion Parish Economic Development District board of commissioners; to provide for appointment of members; and to provide for related matters.

Read by title.

**SENATE BILL NO. 1099—**  
BY SENATOR DARDENNE

AN ACT

To enact R.S. 49:321.1, relative to state funds; to provide with respect to the authority of the treasurer to manage state funds; to authorize the reinvestment of cash collateral; to provide for an effective date; and to provide for related matters.

Read by title.

**SENATE BILL NO. 1103—**  
BY SENATORS SCHEDLER AND HAINKEL AND REPRESENTATIVES CROWE, SCHNEIDER, STRAIN AND WINSTON

AN ACT

To amend and reenact R.S. 48:233, relative to roads and highways; to provide for projects in the highway priority program; and to provide for related matters.

Read by title.

**SENATE BILL NO. 1106—**  
BY SENATOR THOMAS

AN ACT

To designate a portion of Louisiana Highway 424 in Washington Parish as the "Simon S. Thomas Memorial Highway".

Read by title.

**SENATE BILL NO. 1131 (Substitute for Senate Bill No. 679)—**  
BY SENATOR SCHEDLER

AN ACT

To enact R.S. 28:382.1, relative to regionalization of human services delivery; to provide a statewide framework to govern the delivery of mental health, developmental disabilities and addictive disorders services funded by appropriations from the state; and to provide for related matters.

Read by title.

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

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

**HOUSE CONCURRENT RESOLUTION NO. 144—**  
BY REPRESENTATIVE SALTER

A CONCURRENT RESOLUTION

To create the Sabine River Authority Conservation Pool Level Advisory Council to study the issues and concerns relative to the establishment of a conservation pool level and prohibition of hydroelectric power generation by the Sabine River Authority at Toledo Bend Reservoir under certain circumstances.

Read by title.

Lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 145—**  
BY REPRESENTATIVE MORRELL

A CONCURRENT RESOLUTION

To urge and request the Board of Supervisors of Southern University and Agricultural and Mechanical College to use land on the campus of Southern University at New Orleans solely for education purposes.

Read by title.

Lies over under the rules.

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

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

**Motion**

On motion of Rep. Welch, the Committee on Administration of Criminal Justice was discharged from further consideration of House Bill No. 1186.

**HOUSE BILL NO. 1186—**  
BY REPRESENTATIVE WELCH

AN ACT

To enact R.S. 13:1000.6, relative to fees in certain criminal cases; to provide for additional fees for drug violations in the Nineteenth Judicial District Court; to provide for the use of the fees; to provide for collection and accounting of the fees; and to provide for related matters.

Read by title.

On motion of Rep. Welch, the bill was recommitted to the Committee on Judiciary.

### Motion

On motion of Rep. Devillier, the Committee on Judiciary was discharged from further consideration of House Bill No. 1851.

#### HOUSE BILL NO. 1851—

BY REPRESENTATIVE DEVILLIER

AN ACT

To amend and reenact R.S. 40:1563.1(C) and to enact R.S. 40:1563.1(D), relative to local arson investigators; to provide for training, certification, and qualification; to clarify their powers and duties; and to provide for related matters.

Read by title.

On motion of Rep. Devillier, the bill was recommitted to the Committee on Administration of Criminal Justice.

### 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. 485—

BY SENATOR HOLLIS

AN ACT

To enact R.S. 6:506(E) and 507(D), relative to financial institution branch offices; to provide for leased branch offices; to provide for waiver of certain closure requirements; and to provide for related matters.

Called from the calendar.

Read by title.

### Motion

Rep. Pinac moved that Senate Bill No. 485 be designated as a duplicate of House Bill No. 164.

Which motion was agreed to.

### Motion

On motion of Rep. Pinac, the above bill was referred to the Legislative Bureau.

#### SENATE BILL NO. 691—

BY SENATORS ULLO AND SCHEDLER

AN ACT

To enact R.S. 37:1737, relative to immunity from liability; to exempt from liability those engaged in certain "Amber Alert" activities; to provide immunity to state and local law enforcement, radio, television and cable operators, the Lottery Corporation and those associations and foundations engaged in the "Amber Alert" effort; and to provide for related matters.

Called from the calendar.

Read by title.

### Motion

Rep. Johns moved that Senate Bill No. 691 be designated as a duplicate of House Bill No. 519.

Which motion was agreed to.

### Motion

On motion of Rep. Johns, the above bill was referred to the Legislative Bureau.

### Reports of Committees

The following reports of committees were received and read:

#### Report of the Committee on Administration of Criminal Justice

May 7, 2003

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Administration of Criminal Justice to submit the following report:

House Bill No. 161, by Glover  
Reported with amendments. (7-0) (Regular)

House Bill No. 481, by Martiny  
Reported favorably. (6-0) (Regular)

House Bill No. 864, by Devillier  
Reported with amendments. (7-1) (Regular)

House Bill No. 1011, by Devillier  
Reported favorably. (7-0) (Regular)

House Bill No. 1012, by Devillier  
Reported by substitute. (6-0) (Regular)

House Bill No. 1014, by Devillier  
Reported favorably. (6-0) (Regular)

House Bill No. 1015, by Devillier  
Reported favorably. (6-0) (Regular)

House Bill No. 1016, by Devillier  
Reported favorably. (6-0) (Regular)

House Bill No. 1129, by Gallot  
Reported favorably. (6-0) (Regular)

House Bill No. 1855, by Morrell  
Reported favorably. (7-0) (Regular)

House Bill No. 1856, by LaFleur  
Reported with amendments. (7-0) (Regular)

House Bill No. 1940, by Wooton  
Reported favorably. (6-0) (Regular)

House Bill No. 1944, by Montgomery  
Reported with amendments. (6-0) (Regular)

House Bill No. 1965, by Hopkins  
Reported favorably. (8-1) (Regular)

Senate Bill No. 346, by Dardenne  
Reported with amendments. (8-1) (Regular)

DANIEL MARTINY  
Chairman

The above Senate Bills reported favorably or with amendments  
were referred to the Legislative Bureau.

**Report of the Committee on Education**

May 7, 2003

To the Speaker and Members of the House of Representatives:

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

House Concurrent Resolution No. 37, by Welch  
Reported favorably. (10-0)

House Bill No. 33, by Nevers  
Reported with amendments. (9-2) (Regular)

House Bill No. 616, by Fauchaux  
Reported with amendments. (13-0) (Regular)

House Bill No. 1075, by Broome  
Reported with amendments with recommendation to recommit the  
bill to the Committee on Appropriations. (11-0)

House Bill No. 1317, by Broome  
Reported with amendments with recommendation to recommit the  
bill to the Committee on Appropriations. (12-0)

House Bill No. 1905, by Curtis  
Reported favorably. (10-0) (Regular)

CARL CRANE  
Chairman

**Report of the Committee on Health and Welfare**

May 7, 2003

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Health and Welfare to  
submit the following report:

House Bill No. 954, by Winston  
Reported with amendments. (10-0) (Regular)

House Bill No. 1044, by Murray  
Reported by substitute. (9-0) (Regular)

House Bill No. 1321, by K. Carter  
Reported with amendments. (12-0) (Regular)

House Bill No. 1904, by Durand  
Reported favorably. (9-0) (Regular)

SYDNIE MAE DURAND  
Chairman

**Report of the Committee on  
House and Governmental Affairs**

May 7, 2003

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on House and Governmental  
Affairs to submit the following report:

House Bill No. 1382, by Lancaster  
Reported by substitute. (12-3) (Regular)

Senate Bill No. 927, by Adley  
Reported favorably. (13-0) (Regular)

CHARLES D. LANCASTER, JR.  
Chairman

The above Senate Bills reported favorably or with amendments  
were referred to the Legislative Bureau.

**Report of the Committee on Insurance**

May 7, 2003

To the Speaker and Members of the House of Representatives:

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

House Bill No. 1476, by Hebert  
Reported with amendments. (12-4) (Regular)

House Bill No. 1765, by Ansardi  
Reported favorably. (10-0) (Regular)

House Bill No. 1780, by Tucker  
Reported with amendments. (10-0) (Regular)

House Bill No. 1989, by Hebert  
Reported with amendments. (10-0) (Regular)

TROY HEBERT  
Chairman

**Report of the Committee on Natural Resources**

May 7, 2003

To the Speaker and Members of the House of Representatives:

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

House Bill No. 165, by Powell  
Reported favorably. (10-0) (Regular)

House Bill No. 170, by Powell  
Reported favorably. (11-0) (Regular)

House Bill No. 1894, by Wooton  
Reported favorably. (10-0) (Regular)

House Bill No. 1917, by Downs  
Reported favorably. (9-0) (Regular)

Senate Bill No. 210, by Barham  
Reported favorably. (10-0) (Regular)

Senate Bill No. 246, by M Smith

Reported favorably. (11-0) (Regular)

Senate Bill No. 463, by McPherson  
Reported favorably. (10-0) (Regular)

Senate Bill No. 597, by McPherson  
Reported favorably. (10-0) (Regular)

WILFRED PIERRE  
Chairman

The above Senate Bills reported favorably or with amendments  
were referred to the Legislative Bureau.

### Privileged Report of the Legislative Bureau

May 7, 2003

To the Speaker and Members of the House of Representatives:

I am directed by your Legislative Bureau to submit the following  
report:

Senate Bill No. 99  
Reported with amendments.

Senate Bill No. 779  
Reported without amendments.

Respectfully submitted,

JOE SALTER  
Chairman

### Privileged Report of the Legislative Bureau

May 7, 2003

To the Speaker and Members of the House of Representatives:

I am directed by your Legislative Bureau to submit the following  
report:

Senate Bill No. 927  
Reported without amendments.

Respectfully submitted,

JOE SALTER  
Chairman

### Senate Instruments on Second Reading Returned from the Legislative Bureau

Rep. Bruneau asked for and obtained a suspension of the rules  
to take up at this time the following Senate Bills and Joint  
Resolutions on second reading just returned from the Legislative  
Bureau, with a view of acting on the same:

#### SENATE BILL NO. 927— BY SENATOR ADLEY

AN ACT

To amend and reenact R.S. 24:35.1(A)(36) and (37), relative to  
senate districts; to provide for the redistricting of Senate  
Districts 36 and 37; to provide for the effectiveness of this Act;  
and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and  
Governmental Affairs.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

### Privileged Report of the Committee on Enrollment

May 7, 2003

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. 44— BY REPRESENTATIVE PINAC

A RESOLUTION

To commend Mary Alice Fontenot upon being recognized as a  
"Living Legend" by the Acadian Museum of Erath.

#### HOUSE RESOLUTION NO. 45— BY REPRESENTATIVE DURAND

A RESOLUTION

To recognize and congratulate the Louisiana Dental Association on  
its 125th anniversary.

Respectfully submitted,

DONALD RAY KENNARD  
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

May 7, 2003

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. 779— BY REPRESENTATIVES DEWITT, BRUNEAU, AND LANCASTER

AN ACT

To amend and reenact R.S. 24:35.5(A)(11), (12), (13), (19), (20),  
(21), (62), (72), (73), (74), (75), (77), (82), (89), (91), (93),  
(94), (95), (96), (97), (98), (99), (100), and (101) and (B) as  
enacted by Act No. 3 of the Second Extraordinary Session of  
2001, to provide with respect to the composition of House of  
Representative Districts 11, 12, 13, 19, 20, 21, 62, 72, 73, 74,  
75, 77, 82, 89, 91, 93, 94, 95, 96, 97, 98, 99, 100, and 101, all

to legislatively adopt, approve, and ratify the agreement of the parties in *The Louisiana House of Representatives, et al. v. John Ashcroft, et al.*, CA No. 1:02CV00062 (United States District Court for the District of Columbia) to secure a consent declaratory judgment in said matter; to provide for effective dates; and to generally and specifically and otherwise provide with respect thereto.

Respectfully submitted,

DONALD RAY KENNARD  
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.

**Suspension of the Rules**

On motion of Rep. Crane, the rules were suspended to permit the Committee on Education to meet on Thursday, May 8, 2003, and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill No. 800

**Adjournment**

On motion of Rep. Kenney, at 5:50 P.M., the House agreed to adjourn until Thursday, May 8, 2003, at 1:30 P.M.

The Speaker of the House declared the House adjourned until 1:30 P.M., Thursday, May 8, 2003.

ALFRED W. SPEER  
Clerk of the House

**Committee Meeting Notices**

**Committee on Education**

Will meet at: 9:00 A.M. Date: May 8, 2003

Location: Committee Room 1

**HB 261 FARRAR – STUDENT/HOME STUDY:** Provides eligibility for students in BESE-approved home study programs to participate in public school extracurricular activities under specified circumstances

**HB 488 ANSARDI – STUDENTS:** Limits excluding certain students from extracurricular interscholastic athletic activities

**HB 808 GREEN – SCHOOLS/HIGH SCHOOL:** Provides for the determination of eligibility to participate in athletic activities

**HB 979 J D SMITH – STUDENTS:** Limits excluding certain students from extracurricular interscholastic athletic activities

**HB 1836 BAYLOR – PUBLIC BUILDINGS/GROUNDS:** Renames the band hall at Southern University at Baton Rouge

**HB 1890 TOWNSEND – SCHOOLS/LA MATH, SCIENCE:** Permits students attending the La. School for Math, Science, and the Arts to be eligible to participate in extracurricular activities at certain state-approved nonpublic schools

**HCR 42 CRANE – STUDENTS:** Establishes a multi-disciplinary advisory council to address the health care concerns of students in Louisiana schools

**HB 1212 K CARTER – SCHOOLS/FOOD PROGRAMS:** Permits school lunch departments in certain school systems to be operated for profit and removes limitation on use of state funds for such purpose

**HB 1662 K CARTER – SCHOOLS/EMPLOYEES:** Requires the employment of social workers in local public schools that have been identified as failing schools

**HB 1689 K CARTER – TEACHERS/CERTIFICATION:** Requires teachers to complete a specified minimum number of hours of continuing teacher education each year specified

**HB 800 POWELL (TBA) – SCHOOLS/CHARTER:** Authorizes BESE to enter into charters for type 4 schools only (SUBJECT TO RULE SUSPENSION)

CARL CRANE  
Chairman

**Committee on Health and Welfare**

Will meet at: 9:30 A.M. Date: May 8, 2003

Location: Committee Room 4

**HB 196 ANSARDI – HEALTH CARE/FACILITIES:** Provides with respect to licensure of alternate health care models

**HB 918 SCHNEIDER – VITAL STATS/BIRTH CERT:** Provides for a certificate of stillbirth

**HB 967 WELCH – MEDICAID:** Provides relative to the medical assistance drug program

**HB 1020 DURAND – FEES/LICENSES/PERMITS:** Sets maximum fees that the Louisiana State Board of Medical Examiners may establish, by rule, for any license, certificate, permit or registration issued, renewed, or reinstated

**HB 1282 TRICHE – CHILDREN/SUPPORT:** Authorizes the interception of gaming winnings for the collection of past due child support

**HB 1449 SCALISE – WELFARE:** Reduces public assistance benefits under certain circumstances

**HB 1874 J R SMITH – HOSPITALS:** Adds to the definition of rural hospital

SYDNIE MAE DURAND  
Chairman

**Committee on House and Governmental Affairs**

Will meet at: 9:30 A.M. Date: May 8, 2003

Location: Committee Room 3

**HCR 40 WADDELL – ELECTIONS DEPARTMENT:** Urges and requests the Department of State and the Department of Elections and Registration to develop and implement a system for providing voting information on the Internet

**HB 524 RICHMOND – ELECTIONS/DATES:** Provides for the dates of the congressional elections and other elections held at the time of the congressional elections

**HB 653 K CARTER – SCHOOLS/BOARDS:** (Constitutional Amendment) Requires members of city, parish, and other local public school boards to take a specified oath of office

**HB 1038 MORRELL – ELECTIONS:** Provides for a closed party primary election system with candidates and voters participating in a first and second primary according to party affiliation, except the party state central committee may permit voting by unaffiliated voters

**HB 1058 LANCASTER – ELECTIONS/DATES:** Provides for the dates of the congressional elections and other elections held at the time of the congressional elections

**HB 1263 PITRE – ELECTIONS/CONGRESSIONAL :** Provides for the election to the office of U.S. representative and U.S. senator only at a general election

**HB 1688 LAFLEUR – ELECTIONS/COMMISSIONERS :** Provides for the timely payment of commissioners who serve at the polls on election day

**HCR 4 FAUCHEUX – VOTERS/VOTING:** Urges and requests the secretary of state to study Internet voting and report his findings to the legislature

**HB 591 GALLOT – VOTERS/VOTING:** Provides for a person convicted of a felony prior to adoption of the 1974 Constitution of Louisiana who has fully satisfied and completed his sentence to register to vote

**HB 1313 GLOVER – VOTERS/VOTING:** Changes the requirements for a voter to qualify to receive assistance in voting

**HB 1594 K CARTER – VOTERS/VOTING:** Provides for the commissioner of elections/secretary of state to promulgate rules and standards for voter education and provides for the creation of voter registration week

**HCR 11 MARTINY – CIVIL/COMMITMENT:** Directs the Louisiana State Law Institute to study Kendra's law and the implementation of assisted outpatient treatment

**HCR 38 BOWLER – CHILDREN/VISITATION RGTS:** Urges the Marriage/Persons Committee of the Louisiana State Law Institute to study child visitation laws

**HB 122 BALDONE – ELECTIONS:** Prohibits certain conduct which is intended to mislead or misinform any person about the voting record, position, belief, or character of a candidate for public office

**HB 857 FARRAR – ELECTIONS/CAMPAIGNS:** Removes certain exemptions from prohibition against knowingly false statements and disclosure requirement and requires "paid for by" disclosure for certain statements relative to a candidate

**HB 1306 LANCASTER – PUBLIC OFFICIALS:** Prohibits a public official who qualifies for election from using public funds for a public service announcement using his likeness or voice between the close of qualifying and the promulgation of returns

CHARLES D. LANCASTER, JR.  
Chairman

#### Committee on Insurance

Will meet at: 9:00 A.M. Date: May 8, 2003

Location: Committee Room 2

! Presentation of the Louisiana Department of Insurance's Actuarial Cost Analysis Report on Statutory Mandates

**HB 1422 HEBERT – INSURANCE:** Amends provisions relative to the standard nonforfeiture law for individual deferred annuities

**HB 1437 HEBERT – INSURANCE/HEALTH:** Provides relative to underpayment of health insurance claims and retroactive contractual rate adjustments

**HB 1438 HEBERT – INSURANCE/HEALTH:** Authorizes the Department of Insurance with the Department of Health and Hospitals to establish a pilot health insurance program for small employers

**HB 1447 HEBERT – INSURANCE/HMO:** Provides for solvency requirements and insolvency protection for health maintenance organizations

**HB 1453 HEBERT – INSURANCE/HMO:** Provides for solvency requirements for health maintenance organizations, including insolvency protections through the La. Life and Health Insurance Guaranty Association

**HB 1508 HEBERT – INSURANCE DEPARTMENT:** Provides for the organization and functions of the office of property and casualty in the Department of Insurance and the Louisiana Insurance Rating Commission

**HB 1510 HEBERT – INSURANCE/FIRE-CASUALTY:** Provides for the standard provisions of fire insurance contracts including cancellation notice, loss payable, and terrorism

**HB 1538 TUCKER – INSURANCE/HMO:** Implements risk-based capital for health maintenance organizations.

**HB 1606 MORRISH – INSURANCE/HEALTH:** Places a moratorium on additional statutorily mandated health insurance benefits and options

**HB 1666 LAFLEUR – INSURANCE CLAIMS:** Provides for damages for the breach of a good faith duty to settle an insurance claim

**HB 1709 HEBERT – INSURANCE/HEALTH:** Provides for continuity of care under health insurance coverage

**HB 1784 TOWNSEND – INSURANCE/LIABILITY:** Requires written notice by liability insurers to a payee-obligee of payment of claims in third-party settlements

**HB 1833 MORRISH – INSURANCE DEPARTMENT:** Provides for insurance fraud and funding

**HB 1877 G SMITH – INSURANCE/HEALTH:** Requires health care providers and hospitals to provide patients with a claim form and certain information upon request

**HB 1995 HEBERT – INSURANCE COMMISSIONER:** Repeals the use of directives by the commissioner of insurance

**HB 2000 ODINET – INSURANCE/HOMEOWNERS:** Provides that rates for homeowners insurance may not vary more than 5% between parishes that are contiguous

TROY HEBERT  
Chairman

**Weekly Committee Schedules**

The following committees posted weekly committee schedules as follows:

**Committee on Appropriations**

**Monday, May 12, 2003**  
**Committee Room No. 5**  
**9:30 A.M.**

INSTRUMENTS TO BE HEARD:

**HB 1 LEBLANC — APPROPRIATIONS:** Provides for the ordinary operating expenses of state government

**Tuesday, May 13, 2003**  
**9:30 A.M.**

INSTRUMENTS TO BE HEARD:

**HB 1 LEBLANC — APPROPRIATIONS:** Provides for the ordinary operating expenses of state government

JERRY LUKE LEBLANC  
Chairman

**Committee on Civil Law and Procedure**

**Monday, May 12, 2003**  
**Committee Room No. 3**  
**9:00 A.M.**

INSTRUMENTS TO BE HEARD:

**HB 499 TOWNSEND — PRESCRIPTION:** Provides for prescription of debts due institutions of higher education in ten years

**HB 520 JOHNS — MALPRACTICE/MEDICAL:** Provides for qualifications of medical expert witnesses in certain medical malpractice actions

**HB 794 JOHNS — CIVIL/DAMAGES:** Provides for comparative fault and liability of certain tortfeasors for damages

**HB 1145 HUTTER — CIVIL/DONATIONS:** Prohibits certain persons from witnessing testaments

**HB 1223 DEWITT — MALPRACTICE/MEDICAL:** Provides relative to the medical review panel under the Medical Malpractice Act

**HB 1224 WALSWORTH — MALPRACTICE/MEDICAL:** Provides for the dismissal of state and private medical malpractice claims for failure to appoint an attorney chairman for the medical review panel

**HB 1243 HUNTER — MALPRACTICE/MEDICAL:** Increases the maximum amount recoverable for medical malpractice claims

**HB 1377 DEWITT — MALPRACTICE/MEDICAL:** Provides relative to the Medical Malpractice Act

**HB 1405 TUCKER — INSURANCE/POLICIES:** Provides relative to uninsured motorist coverage

**HB 1408 DEWITT — MALPRACTICE/MEDICAL:** Provides relative to the Medical Malpractice Act and the Patient's Compensation Fund

**HB 1495 QUEZAIRE — CIVIL/DAMAGES:** Provides for persons who may bring a wrongful death action

**HB 1505 PITRE — LIABILITY/CIVIL:** Provides for causation and evidence of negligence for injury or damage related to the transportation of material

**HB 1549 DEWITT — MALPRACTICE/MEDICAL:** Provides relative to the Medical Malpractice Act and the Patient's Compensation Fund

**HB 1577 CAZAYOUX — LIABILITY/CIVIL:** Provides for liability of a tortfeasor for injuries received from subsequent medical treatment

**HB 1585 PITRE — LIABILITY/CIVIL:** Provides with respect to liability for damages related to transportation of material

**HB 1697 HUNTER — PRESCRIPTION:** Changes the prescriptive period for filing a tort action to two years

**HB 1896 PITRE — LIABILITY/CIVIL:** Provides relative to damages for violation of statutes regulating transportation

**Tuesday, May 13, 2003**  
**9:00 A.M.**

INSTRUMENTS TO BE HEARD:

**HB 42 HUTTER — CHILDREN/SUPPORT:** Provides for the federal and state tax dependency deductions

**HB 364 G SMITH — CHILDREN/SUPPORT:** Provides for the reporting of nonpayment of child support to consumer reporting agencies

**HB 365 G SMITH — CHILDREN/SUPPORT:** Authorizes the suspension of licenses for a pattern of nonpayment of support

**HB 851 PERKINS — CHILDREN/SUPPORT:** Provides for reductions in child support for unemployment and disability

**HB 1320 FRITH — CHILDREN/SUPPORT:** Provides for the calculation of child support obligations

**HB 1333 DAMICO — NOTARIES:** Provides for appointment of ex officio notaries for university police departments

**HB 1386 WALSWORTH — CONTRACTORS:** Provides a limitation of liability for contractors

**HB 1395 TOWNSEND — DIVORCE:** Provides for the termination of interim spousal support

- HB 1527 PERKINS** — CHILDREN: Provides for the costs of paternity testing
- HB 1636 PERKINS** — CHILDREN/SUPPORT: Provides for a deviation from the child support guidelines
- HB 1766 J R SMITH** — PROPERTY/COMMUNITY: Provides that all retirement plans are separate property of a spouse
- HB 1794 R CARTER** — CIVIL/PROCEDURE: Provides for the award of attorney fees in offer of judgment procedures
- HB 1808 JOHNS** — EVIDENCE: Provides for the use of data stored in portable electronic storage devices in court proceedings
- HB 1812 FAUCHEUX** — CIVIL/CLAIMS: Authorizes certain causes of action against sponsors and participants of bonfire presentations on the Mississippi River levee
- HB 1843 MARTINY** — WILLS/TESTAMENTS: Provides for the continued validity of certain previously executed testaments
- HB 1907 WINSTON** — CHILDREN/CUSTODY: Provides with respect to the relocation of a child's residence
- HB 1998 BEARD** — FAMILY LAW/PATERNITY: Provides with respect to the payment of support
- SB 1041 IRONS** — WILLS/TESTAMENTS: Provides for the continued validity of certain previously executed testaments.

RONNIE JOHNS  
Chairman

**Committee on Commerce**

**Monday, May 12, 2003**  
**Committee Room No. 1**  
**10:00 A.M.**

INSTRUMENTS TO BE HEARD:

- HB 52 G SMITH** — EMERGENCY PREPAREDNESS: Prohibits telemarketing activities during declared states of emergency
- HB 132 PINAC** — FIRE PROTECTION: Provides for the regulation of firestop contracting
- HB 312 PINAC** — CREDIT/CONSUMER: Exempts nonpublic elementary and secondary schools that finance their tuition from the requirement to file a notice with the commissioner of financial institutions
- HB 414 MORRELL** — MTR VEHICLE/SALES FIN: Provides penalties for a seller's failure to offer gap insurance
- HB 613 FAUCHEUX** — ECONOMIC DEVELOPMENT: Creates the Mississippi River Parishes Heritage Area
- HB 802 TRICHE** — AMUSEMENTS/CARNIVALS: Creates the Louisiana Carnival and Amusement Rider Safety Act
- HB 837 PINAC** — MTR VEHICLE/DEALERS: Provides for surety bonds for motor vehicle dealers, speciality vehicle dealers, manufacturers, distributors, brokers, satellite warranty and repair centers, and used motor vehicle dealers

**HB 1166 J D SMITH** — CONSUMERS/FOOD-BEVERAGES: Provides relative to claims on restaurant menus regarding seafood

**HB 1795 FUTRELL** — COMMERCIAL REGS/ANTITRUST: Limits the capacity of parent entities to conspire with wholly-owned subsidiaries

**HB 1869 PINAC** — UTILITIES: Changes the definition of "proposed schedule" to include only rates of services deemed noncompetitive by the Public Service Commission

**HB 1889 LUCAS** — CREDIT/CONSUMER: Provides relative to certain fees and charges under the Louisiana Consumer Credit Law

**HB 1908 MONTGOMERY** — MTR VEHICLE/DEALERS: Provides relative to areas of responsibility restrictions for certain marine dealers

**HB 1912 SWILLING** — CONTRACTORS: Raises the minimum cost threshold for the requirement to obtain a license as a residential building subcontractor

**HB 1994 WELCH** — SECONDHAND DEALERS: Prohibits a second hand dealer from selling or offering for sale articles of clothing which displays the insignia of a law enforcement agency or public utility company

**HR 17 SALTER** — LICENSING: Requests the House Committee on Commerce to study the possibility of licensing persons who install landscape irrigation systems

**HR 42 MONTGOMERY** — RACING/COMMISSION: Allows Louisiana State Racing Commission additional time to study the potential ramifications of licensing any additional racing facilities in Louisiana

**Tuesday, May 13, 2003**  
**9:00 A.M.**

INSTRUMENTS TO BE HEARD:

**HB 744 PINAC** — COMMERCE & INDUSTRY BD: Provides for staggered terms of office for members of the State Board of Commerce and Industry

**HB 922 DOWNER** — CONTRACTORS: Sets maximum fees for certain licensees and requires that all fee changes be made in accordance with the Administrative Procedure Act

**HB 993 LAFLEUR** — TELECOMMUNICATIONS: Prohibits the transmission of unsolicited commercial electronic mail advertisements from Louisiana or to a Louisiana electronic mail address

**HB 1152 PINAC** — ECONOMIC DEVELOPMENT: Creates the Louisiana Major Projects Development Authority Act

**HB 1182 PINAC** — ECONOMIC DEVELOPMENT: Changes the name of the Small and Emerging Business Advisory Council to the Small Business Development Council and provides for additional members and functions

**HB 1267 PINAC** — UTILITIES: Establishes the Louisiana Utilities Assistance Fund and authorizes the assessment of fees and promulgation of rules and regulations regarding the funding and operation of the fund

**HB 1548 PINAC** — ECONOMIC DEVELOPMENT: Creates the Louisiana Applied Polymer Technology Extension Consortium

**HB 1572 FAUCHEUX** — RACING/HORSE: Authorizes the conduct of harness or standard bred races by a licensed racing association in the state

GIL PINAC  
Chairman

**Committee on Transportation, Highways and Public Works**

**Monday, May 12, 2003**  
**Committee Room No. 2**  
**9:30 A.M.**

INSTRUMENTS TO BE HEARD:

**HB 129 LANCASTER** — CURRICULA/DRIVER ED: Requires instruction relative to organ and tissue donation

**HB 238 CURTIS** — HIGHWAYS: Prohibits bicycle riders from crossing certain highways

**HB 350 THOMPSON** — MTR VEHICLE/OFFICE: Requires the office of motor vehicles to collect certain statistical information

**HB 696 JOHNS** — TRAFFIC: Provides for the payment of traffic fines by mail when a person pleads nolo contendere

**HB 976 J D SMITH** — TRAFFIC/SPEED LIMITS: Sets certain speed limits on La. Hwy. 182

**HB 1092 CAZAYOUX** — AIRCRAFT/AIRPORTS: Expands the territorial jurisdiction of the Louisiana Airport Authority and adds members to the board of commissioners

**HB 1122 QUEZAIRE** — AIRCRAFT/AIRPORTS: Adds members to the board of commissioners of the Louisiana Airport Authority and provides relative to the powers of such board

**HB 1521 DOWNER** — MTR VEHICLE/DRIVER LIC: Provides relative to acceptable documents of identification for issuance of a driver's license

**HB 1600 RICHMOND** — LEVEES: Creates the Lake Pontchartrain Marina Management District to manage Orleans Levee Board marina properties

**HB 1695 FAUCHEUX** — AIRCRAFT/AVIATION: Requires registration of towers less than two hundred feet tall

**HB 1708 HAMMETT** — HIGHWAYS: Designates Louisiana Great River Road as a scenic byway

**HB 1717 HOPKINS** — TRAFFIC: Prohibits commercial truck traffic from traveling within the corporate limits of the town of Greenwood

**HB 1728 PINAC** — HIGHWAYS: Provides for the adding and deleting of certain highways and sections of highways in the statutory provisions of the Louisiana Byways

**HB 1793 DEWITT** — MTR VEHICLE/LICEN PLATES: Increases the fee for issuance of certain special personalized prestige license plates

**HB 1829 RICHMOND** — MTR VEHICLE/TOWING: Provides for an exception to the Louisiana Towing and Storage Act

**HB 1834 SWILLING** — MTR VEHICLE/LICEN PLATES: Provides for the creation of the Beacon Light Baptist Church, Greater St. Stephens Ministries, and the New Home Ministries prestige license plates

**HB 1850 HOPKINS** — MTR VEHICLE/TOWING: Provides relative to the surrender of a vehicle to a lien holder

**HB 1879 J D SMITH** — MTR VEHICLE/TOWING: Provide relative to the towing of unauthorized vehicles from private property

**HB 1880 G SMITH** — AUCTIONS/SALES: Authorizes out-of-state salvage dealers to buy in this state

**HB 1915 HUTTER** — BRIDGES/FERRIES: Requires the Crescent City Connection division, within DOTD to erect signs at the Lower Algiers/Chalmette, Canal Street/Algiers, and Jackson Avenue/Gretna ferries for certain purposes

**HB 1920 SCHWEGMANN** — MTR VEHICLE/LICEN PLATES: Creates the "PFLAG" prestige license plate

**HB 1967 HONEY** — MTR VEHICLE/LICEN PLATES: Provides for the creation of the Zeta Phi Beta Sorority prestige license plate

**SB 367 SCHEDLER** — PUBLIC SFTY/CORRECT DEPT: Requires the office of motor vehicles to collect certain statistical information. (gov sig)

**SB 583 MARIONNEAUX** — AIRCRAFT/AVIATION: Adds a member from Iberville Parish and a member from West Baton Rouge Parish to the board of commissioners of the Louisiana Airport Authority. (gov sig)

**Tuesday, May 13, 2003**  
**10:00 A.M.**

INSTRUMENTS TO BE HEARD:

**HCR 53 LAFLEUR** — COMMERCIAL REGULATIONS: Amends certain administrative rules relative to professional land surveyors and professional engineers

**HB 241 MORRELL** — TRAFFIC/VIOLATIONS: Prohibits certain trucks from passing motor vehicles on certain streets and highways

**HB 388 DAMICO** — EXCEP PERSON/DISABLED: Provides for handicapped parking spaces on ferries for certain vehicles

**HB 432 POWELL** — AIRCRAFT/AIRPORTS: Provides relative to the extension of certain airport leases

**HB 458 WELCH** — LEVEES/BDS & DISTRICTS: Authorizes construction of bike paths and walkways along the tops of certain levees in East Baton Rouge Parish

**HB 713 HUTTER** — MTR VEHICLE/SEAT BELTS: Requires child passenger restraint systems, according to age and weight, for children transported in motor vehicles

**HB 1006 MORRELL** — TRAFFIC/VIOLATIONS: Prohibits certain trucks passing motor vehicles on certain highways or bridges

**HB 1431 MORRELL** — MTR VEHICLE/VIOLATIONS: Prohibits the use of a cellular telephone while operating a motor vehicle

**HB 1478 MORRELL** — TRAFFIC/VIOLATIONS: Authorize municipalities to restrict certain trucks to the right lane on all streets, roads, and highways within the municipality provided signs are posted by DOTD

**HB 1814 DIEZ** — TRANSPORTATION DEPT: Authorizes the Dept. of Transportation and Development to contract with a third party relative to logo signs and supports

**HB 1870 THOMPSON** — WATERWAYS/RESERVOIRS: Increases the membership of the board of the commissioners of the Poverty Point Reservoir District

**HB 1878 M STRAIN** — HIGHWAYS: Provides relative to substitutes for delayed projects under the highway priority program

**HB 1882 SCHNEIDER** — HIGHWAYS: Provides relative to substitutes for delayed projects under the highway priority program

**HB 1899 DIEZ** — MTR VEHICLE/TRUCKS: Increases the width of vehicles in regular operation on certain highways

**HB 1900 DIEZ** — MTR VEHICLE/TRUCKS: Provides relative to the fees collected from issuance of special permits and payments for penalties

**HB 1903 McVEA** — PUBLIC CONTRACT/BIDS: Provides a temporary exception to the public bid law for certain bridges constructed or reconstructed by a parish governing authority

**HB 1926 FRUGE** — TRAFFIC/SPEED LIMITS: Increases speed limit on certain highways

JOHN C. "JUBA" DIEZ  
Chairman

**Committee on Ways and Means**

**Monday, May 12, 2003**  
**Committee Room No. 6**

INSTRUMENTS TO BE HEARD:

**NO MEETING IS SCHEDULED.**

**Tuesday, May 13, 2003**  
**9:00 A.M.**

INSTRUMENTS TO BE HEARD:

**HCR 131 FAUCHEUX** — TAX/INCOME TAX: Suspends the provision of law which imposes penalty for underpayment of state income tax

**HCR 133 DANIEL** — TAX/INCOME TAX: Suspends the provision of law which imposes penalty for underpayment of state income tax

**HB 965 J R SMITH** — ASSESSORS: Provides for membership of the Insurance Committee of the Assessors' Insurance Fund

**HB 1194 TRICHE** — TAX/TAXATION: Authorizes a cease and desist order for failure to pay any state tax

**HB 1257 TRICHE** — TAX/TAXATION: Increases the penalty for failure to file certain state tax returns or filing incorrect returns

**HB 1303 TRICHE** — TAX/TAXATION: Authorizes jeopardy assessments by the secretary of the Department of Revenue

**HB 1310 TRICHE** — TAX/TAXATION: Authorizes the secretary of the Department of Revenue to take a rule to cease a business activity and suspend a state-granted trade, occupational, or professional license for willful failure to pay individual income tax and related charges

**HB 1329 TRICHE** — TAX/TAXATION: Imposes penalties for certain conduct by tax return preparers

**SB 551 B JONES** — TAX/TAXATION: Enacts the Uniform Local Sales Tax Code [the UTC] by gathering various provisions applicable to local sales and use taxes and requires local sales tax to be administered and collected in conformity with such provisions. (7/1/03)

**SB 1029 HOLLIS** — ECONOMIC DEVELOPMENT: Makes technical and grammatical corrections and specifies that out-of-state employees relocating to Louisiana qualify as "new direct jobs" under the "Louisiana Quality Jobs Program Act". (gov sig)

**Review of proposed rule relative to the definition of "payout" for severance tax purposes.**

BRYANT O. HAMMETT, JR.  
Chairman

**LEGISLATIVE INSTRUMENTS MAY BE DELETED (DOES NOT REQUIRE HOUSE RULES SUSPENSION) OR ADDED (REQUIRES HOUSE RULES SUSPENSION) PRIOR TO THE MEETING DATE. (HOUSE RULES 14.23 AND 14.24) SEE THE DAILY NOTICE OF COMMITTEE MEETINGS POSTED PRIOR TO MEETING DATE.**