

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

**TENTH DAY'S PROCEEDINGS**

**Thirtieth Regular Session of the Legislature**  
**Under the Adoption of the**  
**Constitution of 1974**

House of Representatives  
 State Capitol  
 Baton Rouge, Louisiana

Wednesday, April 14, 2004

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

**Morning Hour**

**ROLL CALL**

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

PRESENT

Mr. Speaker	Flavin	Murray
Alario	Frith	Odinet
Alexander	Futrell	Pierre
Ansardi	Gallot	Pinac
Arnold	Geymann	Pitre
Badon	Glover	Powell, M.
Baldone	Gray	Powell, T.
Baudoin	Guillory, E.	Quezaire
Baylor	Guillory, M.	Richmond
Beard	Hammett	Ritchie
Bowler	Heaton	Romero
Broome	Hebert	Scalise
Bruce	Hill	Schneider
Bruneau	Honey	Shepherd
Burns	Hopkins	Smiley
Burrell	Hudson	Smith, G.—56th
Carter, K.	Hunter	Smith, J.D.—50th
Carter, R.	Hutter	Smith, J.H.—8th
Cazayoux	Jackson	Smith, J.R.—30th
Crane	Jefferson	St. Germain
Crowe	Johns	Strain
Curtis	Katz	Thompson
Damico	Kennard	Toomy
Daniel	Kenney	Townsend
Dartez	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	Lambert	Tucker
Dorsey	Lancaster	Waddell
Dove	Marchand	Walker

Downs	Martiny	Walsworth
Durand	McDonald	White
Erdey	McVea	Winston
Fannin	Montgomery	Wooton
Farrar	Morrell	Wright
Faucheux	Morrish	
Total—104		

ABSENT

Total—0

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

**Prayer**

Prayer was offered by Dr. Varette Thomas.

**Pledge of Allegiance**

Rep. Karen Carter 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. Morrish, the reading of the Journal was dispensed with.

On motion of Rep. Katz, the Journal of April 13, 2004, was adopted.

**Petitions, Memorials and Communications**

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

**Message from the Senate**

**HOUSE CONCURRENT RESOLUTIONS**

April 13, 2004

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. 87  
 Returned without amendments.

House Concurrent Resolution No. 89  
 Returned without amendments.

House Concurrent Resolution No. 93  
 Returned without amendments.

Respectfully submitted,

GLENN A. KOEPP  
 Secretary of the Senate

**Message from the Senate**

**ASKING CONCURRENCE IN  
 SENATE CONCURRENT RESOLUTIONS**

April 13, 2004

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. 27, 30, 31, 34, and 55

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Suspension of the Rules**

On motion of Rep. Honey, 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. 55—**  
BY SENATORS HOLDEN AND DARDENNE  
A CONCURRENT RESOLUTION

To recognize October 1, 2004, as World Peace Day in the state of Louisiana.

Read by title.

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

**Introduction of House Bills and Joint Resolutions**

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

**HOUSE BILL NO. 1448—**  
BY REPRESENTATIVE ODINET  
AN ACT

To enact R.S. 17:85.5, relative to naming a stadium; to authorize the parish school board in certain parishes to name a baseball stadium in honor of a former coach; to provide limitations; and to provide for related matters.

Read by title.

**HOUSE BILL NO. 1449—**  
BY REPRESENTATIVE MARCHAND  
AN ACT

To enact R.S. 22:652.5 and to repeal Part XXXI-A of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, comprised of R.S. 22:1481 through 1494, relative to automobile insurance; to prohibit use of credit information; to provide for issuing and renewing policies; to provide for premiums; to provide for cancellation; to provide for notices; to provide for appeals and procedures; to provide for penalties; and to provide for related matters.

Read by title.

**HOUSE BILL NO. 1450—**  
BY REPRESENTATIVE MORRELL  
AN ACT

To amend and reenact R.S. 18:402(B), (E)(1)(b) and (2)(b), and (F)(2), 467(2), 469(D)(2), and 1272(A), relative to election dates; to provide for the dates of the congressional elections and

other elections held at the same time as the congressional elections; to provide for qualifying periods for such elections; and to provide for related matters.

Read by title.

**HOUSE BILL NO. 1451—**  
BY REPRESENTATIVE MORRELL  
AN ACT

To amend and reenact R.S. 49:992(D) and to repeal R.S. 49:992(G), relative to the division of administrative law; to remove certain exemptions for certain boards, commissions, departments, and agencies of the executive branch of state government; to provide for the delegation of certain functions and authority to the division of administrative law; 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. 92—**  
BY REPRESENTATIVES DEWITT, FARRAR, FAUCHEUX, HEBERT, ODINET, GARY SMITH, JACK SMITH, AND TOWNSEND  
A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to adopt and submit for legislative approval a revised minimum foundation program formula for the 2004-2005 school year that provides for a salary increase under Level III of the formula of two thousand dollars for certificated personnel and one thousand dollars for support workers.

Read by title.

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

**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:

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

To enact R.S. 33:2721.14, relative to the parish of Jackson; to authorize the governing authority of the parish to levy and collect an additional sales and use tax; to provide for voter approval; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 181—**  
BY REPRESENTATIVE GARY SMITH  
AN ACT

To amend and reenact R.S. 33:1448(G) and to enact R.S. 33:1448(O), relative to group insurance premiums; to provide for the payment of insurance premiums for certain retired sheriffs and deputy sheriffs in St. Charles Parish; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 271—**  
BY REPRESENTATIVE ST. GERMAIN  
AN ACT

To amend and reenact R.S. 33:4569.3(11), relative to the Iberville Parks and Recreation District; to increase the maximum rate of ad valorem tax which the district is authorized to levy; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 335—**  
BY REPRESENTATIVE JOHNS  
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(F) and (H), relative to the jurisdiction of city courts; to increase the jurisdictional amount in dispute in the City Court of Sulphur; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 388—**  
BY REPRESENTATIVE MURRAY  
AN ACT

To amend and reenact R.S. 13:2492(B) and 2501.1(C), relative to trial courts of limited jurisdiction in the city of New Orleans; to extend the terms of office for the judges of the Municipal Court of New Orleans and the Traffic Court of New Orleans; to provide for elections; to provide for taking office; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 949—**  
BY REPRESENTATIVE FANNIN  
AN ACT

To amend and reenact R.S. 11:1751(E), relative to the Municipal Employees' Retirement System; to allow certain persons to opt out of otherwise mandatory participation; to provide for an effective date; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 964—**  
BY REPRESENTATIVES WHITE, MCVEA, AND HONEY  
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(E)(1) and (H), relative to the jurisdiction of city courts; to increase the jurisdictional amount in dispute in the City Court of Zachary; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 1431—**  
BY REPRESENTATIVE LAMBERT  
AN ACT

To amend and reenact R.S. 37:2551(D), relative to the Board of Examiners of Certified Shorthand Court Reporters; to provide for the payment of per diem to board members; to restrict the number of per diem payments for special meetings; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 1432—**  
BY REPRESENTATIVE THOMPSON  
AN ACT

To amend and reenact R.S. 39:1217.1, relative to public contracts for local depositing authorities; to delete certain exemptions for local depositing authorities located in a parish or municipality with a population of less than one hundred thousand; to provide for an effective date; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 1433—**  
BY REPRESENTATIVE JOHNS  
AN ACT

To enact R.S. 46:1069.1, relative to hospital service districts; to authorize hospital service district hospitals to advance costs for service of process for suits instituted for the collection of debts; to provide for limitations; to provide for applicability; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 1434—**  
BY REPRESENTATIVE DAMICO  
AN ACT

To enact R.S. 17:60, relative to city, parish, and other local public school board members; to provide that any city, parish, or other local public school board member who qualifies for any elective office shall not be required to vacate his school board office or resign from the school board; to provide for exceptions; to provide for an effective date; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 1435—**  
BY REPRESENTATIVE JACKSON  
AN ACT

To amend and reenact R.S. 37:1747 and to enact R.S. 37:920.2, relative to nurses; to provide for practice and reporting procedures of licensees who are hepatitis C carriers; to require registered nurses to participate in continuing education programs relative to hepatitis C; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 1436—**  
BY REPRESENTATIVES BRUNEAU AND DEWITT  
AN ACT

To amend and reenact R.S. 42:1102(2)(a)(ii) and (iii), relative to the definition of agency for purposes of the Code of Governmental Ethics; to provide for the definition of agency for public servants in the office of the governor; 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.

**HOUSE BILL NO. 1437—**  
BY REPRESENTATIVE STRAIN  
AN ACT

To enact R.S. 40:983.1, relative to controlled dangerous substances; to create the crime of the creation or operation of a clandestine laboratory for the unlawful manufacture of a controlled dangerous substance on or within one thousand feet of school property; to provide for definitions; to provide for penalties; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 1438—**  
BY REPRESENTATIVE MURRAY  
AN ACT

To repeal R.S. 23:1021(12) and 1225(D), relative to workers' compensation benefits; to repeal provisions that provide for a reduction or offset of workers' compensation benefits payable to professional athletes.

Read by title.

Under the rules, the above bill was referred to the Committee on Labor and Industrial Relations.

**HOUSE BILL NO. 1439—**  
BY REPRESENTATIVES DOWNS AND SALTER  
AN ACT

To amend and reenact R.S. 22:1194.2(A), relative to the Louisiana Consortium of Insurance and Financial Services; to provide for appointment of board members; to provide for legislative appointments; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 1440—**  
BY REPRESENTATIVE SCALISE  
AN ACT

To enact R.S. 15:740 and 741, relative to the incarceration of prisoners housed in state correctional facilities; to prohibit prisoner access to or use of cable television and weight training equipment; to provide for definitions; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 1441—**  
BY REPRESENTATIVE WRIGHT  
AN ACT

To amend and reenact R.S. 15:1105.1(A), 1105.4(A), and 1105.5, relative to the Central Louisiana Juvenile Detention Center Authority; to provide relative to its board of commissioners; to provide for the general authority of the board; to provide for the domicile of the board of commissioners; 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.

**HOUSE BILL NO. 1442—**  
BY REPRESENTATIVE HUNTER  
AN ACT

To amend and reenact R.S. 24:31.1(A), 502(A), 504(B), 506(A), and 507(B) and to repeal R.S. 24:31.1(E), relative to the compensation of certain elected officials; to provide for the salary of legislators; to provide for the salary of the presiding officers of the legislature; to provide for the salary of the speaker pro tempore of the House of Representatives; to provide for the salary of the president pro tempore of the Senate; to remove certain provisions for a monthly expense allowance; 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.

**HOUSE BILL NO. 1443—**  
BY REPRESENTATIVE SALTER  
AN ACT

To amend and reenact R.S. 36:10, relative to the salary of certain elected officials; to provide for the salary of the statewide elected officials; 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.

**HOUSE BILL NO. 1444—**  
BY REPRESENTATIVE SMILEY (BY REQUEST)  
AN ACT

To amend and reenact R.S. 18:59.2(A)(2) and 1307(A)(3), and to enact R.S. 18:1400.3(D)(5), relative to the election code; to provide for the number of persons who may be employed in the office of a registrar of voters based on population; to provide for the address given to a registrar of voters by a person submitting an application to vote absentee by mail; to provide for the compensation of personnel in the office of a registrar of voters for fulfilling duties related to an election; 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.

**HOUSE BILL NO. 1445—**

BY REPRESENTATIVE JACK SMITH  
AN ACT

To amend and reenact R.S. 40:2616(A)(1), relative to forfeited property; to authorize the sale of forfeited property by a licensed auctioneer; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 1446—**

BY REPRESENTATIVE PINAC  
AN ACT

To enact R.S. 9:3514(C), relative to consumer credit; to require lenders to perfect security interest in motor vehicles with the Department of Public Safety and Corrections; and to provide for related matters.

Read by title.

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

### **House and House Concurrent Resolutions Reported by Committee**

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

**HOUSE CONCURRENT RESOLUTION NO. 46—**

BY REPRESENTATIVE LAMBERT  
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study the feasibility of constructing an interstate interchange along Interstate 10 at Louisiana Highway 74 in Ascension Parish.

Read by title.

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

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

**HOUSE CONCURRENT RESOLUTION NO. 52—**

BY REPRESENTATIVE JOHNS  
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to designate U.S. Highway 90 within Calcasieu Parish as a Blue Star Memorial Highway in honor of the citizens of Calcasieu Parish who have served, are now serving, or will serve in the armed forces of the United States and to authorize placement of a Blue Star Memorial Highway monument along this route.

Read by title.

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

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

**HOUSE CONCURRENT RESOLUTION NO. 55—**

BY REPRESENTATIVE FAUCHEUX  
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study the practicality and feasibility of designing and utilizing traffic roundabouts as an alternative to traffic signals at heavily traveled and congested intersections along state highways and to report its findings to the House and Senate Transportation, Highways and Public Works Committees prior to the convening of the 2005 Regular Session.

Read by title.

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

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

**HOUSE CONCURRENT RESOLUTION NO. 56—**

BY REPRESENTATIVE FAUCHEUX (BY REQUEST)  
A CONCURRENT RESOLUTION

To amend the Department of Health and Hospitals, Board of Embalmers and Funeral Directors, continuing education rule (LAC 46:XXXVII.709(E)(6)), regarding continuing education credits for instructors of approved courses, and to direct the Louisiana Register to print the amendments in the Louisiana Administrative Code.

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 Concurrent Resolution No. 56 by Representative Fauchaux

**AMENDMENT NO. 1**

On page 1, line 14, after "credit" delete the remainder of the line and insert in lieu thereof "for each class they instruct; however, each course shall be a different and distinct course; and"

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

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

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

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

**HOUSE BILL NO. 7—**

BY REPRESENTATIVES STRAIN, ERDEY, AND DANIEL  
AN ACT

To name a portion of U.S. Highway 190 from the Mississippi River in East Baton Rouge Parish to the Louisiana-Mississippi state line the Ronald Reagan Highway; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 30—**  
BY REPRESENTATIVE BRUNEAU  
AN ACT

To amend and reenact R.S. 47:2183(C), relative to tax sales of immovable property; to provide for notice to the prior owner; to provide for applicability; 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. 30 by Representative Bruneau

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 47:2183(C)" and before the comma "," delete "and to repeal R.S. 47:2183(D)"

AMENDMENT NO. 2

On page 1, line 12, after "by" delete the remainder of the line

AMENDMENT NO. 3

On page 1, at the beginning of line 13, change "(1) Mailing" to "mailing"

AMENDMENT NO. 4

On page 2, line 6, after "notice" delete the remainder of the line and insert "by"

AMENDMENT NO. 5

On page 2, at the beginning of line 7, change "(2) Delivering" to "delivering"

AMENDMENT NO. 6

On page 2, delete line 14 in its entirety

AMENDMENT NO. 7

On page 2, line 15, change "Section 3." to "Section 2."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 39—**  
BY REPRESENTATIVE BRUNEAU  
AN ACT

To amend and reenact Civil Code Article 1582.1, relative to donations; to provide for witnesses; to prohibit persons from witnessing testaments; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 40—**  
BY REPRESENTATIVE BRUNEAU  
AN ACT

To amend and reenact Code of Civil Procedure Article 971(A)(3) and (B), relative to the special motion to strike; to provide for admissibility of the court's determination in evidence; to provide for attorney fees and costs; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 79—**  
BY REPRESENTATIVE HUTTER  
AN ACT

To amend and reenact R.S. 38:301(A)(3), relative to the authority of levee boards; to authorize the construction of bicycle paths and walkways along the main line levees of the Mississippi River in St. Bernard Parish; and to provide for related matters.

Read by title.

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

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

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

**HOUSE BILL NO. 99—**  
BY REPRESENTATIVE BALDONE  
AN ACT

To amend and reenact R.S. 35:191(C)(3) and 202(G) and to enact R.S. 35:202(H), relative to non-attorney notaries; to provide for required bonds and insurance coverage; to provide for the notification of actions; to provide for applicability; to provide for annual reporting; 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. 1447 (Substitute for House Bill No. 99 by Representative Baldone)—**

BY REPRESENTATIVE BALDONE  
AN ACT

To amend and reenact R.S. 35:1.1, 71(A) through (E), 191(C)(3), and 201(A), relative to non-attorney notaries; to provide for the filing and renewal of required bonds or insurance coverage; to provide for the granting and suspension of notary commissions; to provide for the qualifications of non-attorney notaries; and to provide for related matters.

Read by title.

On motion of Rep. Ansardi, the substitute was adopted and became House Bill No. 1447 by Rep. Baldone, on behalf of the Committee on Civil Law and Procedure, as a substitute for House Bill No. 99 by Rep. Baldone.

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

**HOUSE BILL NO. 139—**

BY REPRESENTATIVES HUTTER, BEARD, DANIEL, DOVE, DOWNS, ERDEY, FANNIN, M. GUILLORY, LAMBERT, PITRE, M. POWELL, SMILEY, AND TUCKER

AN ACT

To amend and reenact R.S. 47:463.4(D) and 463.11(E), relative to motor vehicle special license plates; to require the Department of Public Safety and Corrections to issue mobility impaired hang tags to persons with or receiving disabled veterans special license plates; to provide relative to fees, renewals, and replacements for such hang tags; 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. 139 by Representative Hutter

AMENDMENT NO. 1

On page 1, delete line 18 in its entirety

AMENDMENT NO. 2

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

"\* \* \*

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 312—**

BY REPRESENTATIVE PINAC  
AN ACT

To enact R.S. 9:3530(C)(4), relative to the Louisiana Consumer Credit Law; to provide for an alternative documentation fee that a lender may charge in connection with certain non-real estate consumer loans; 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. 317—**

BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 6:243(B)(2), relative to immovable property held by state banks; to revise the procedure for appraisal of such property; 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. 329—**

BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 6:312(A) and 765(B) and to repeal R.S. 6:325(E) and 768(E), relative to financial institutions; to delete certain obsolete provisions relating to state inheritance taxes; 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. 337—**

BY REPRESENTATIVE LAFLEUR  
AN ACT

To enact R.S. 9:5214(D), relative to mortgage certificates; to provide for the duty of the register of mortgages and parish recorders when issuing mortgage certificates; 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. 337 by Representative LaFleur

AMENDMENT NO. 1

On page 1, line 11, after "required to list" and before "on" delete the comma "," and "and shall not be liable for failing to list."

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

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

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10th Day's Proceedings - April 14, 2004

Under the rules, placed on the regular calendar.

## HOUSE BILL NO. 360—

BY REPRESENTATIVE PINAC

AN ACT

To enact R.S. 40:1728.1, relative to the state uniform construction code; to provide for a fee schedule for enforcement of the code by the state fire marshal on behalf of political subdivisions; 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. 360 by Representative Pinac

#### AMENDMENT NO. 1

On page 1, line 9, after "political subdivision" and before "for compliance" insert "and others"

#### AMENDMENT NO. 2

On page 1, line 10, after "40:1728(C), the" change "political subdivision" to "applicant"

#### AMENDMENT NO. 3

On page 2, line 2, change "over \$100,000" to "over 100,000"

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. 372

BY REPRESENTATIVE ANSARDI

(On Recommendation of the Louisiana State Law Institute)

AN ACT

To amend and reenact Children's Code Articles 1124(B) and (C), 1125, 1137(D), 1169(3), 1172, 1185, 1188(A), 1189, 1190(C), 1191(A)(4) and (B), 1192, 1269.1, 1269.2(B), 1269.6, and 1272(D); to enact Children's Code Articles 1122(B)(12) and (F)(18), 1188(C), 1189.1, 1190(D) and (E), 1191.1, 1269.1(D) and 1269.1.1, relative to the adoption of children, to provide for the act of surrender; to provide for the statement of family history; to provide for the age of a child eligible for adoption; to provide for the validity of continued contact agreements; to provide for the pre-placement home study; to provide for counseling pursuant to the voluntary registry law; to correct cross-references; to instruct the Law Institute to redesignate certain statutes; to provide for an effective date; and to provide for related matters.

Read by title.

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

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 372 by Representative Ansardi

#### AMENDMENT NO. 1

On page 9, at the beginning of line 22, change "Art. 1189.1" to "Art. 1189.1."

#### AMENDMENT NO. 2

On page 9, line 23, after "adoptee" and before "may" change "over the age of eighteen years" to "who is at least twenty-one years of age"

#### AMENDMENT NO. 3

On page 9, line 23, after "obtain" and before "information" insert "identifying"

#### AMENDMENT NO. 4

On page 9, at the end of line 23, delete "from his"

#### AMENDMENT NO. 5

On page 9, at the beginning of line 24, delete "original birth certificate"

#### AMENDMENT NO. 6

On page 10, at the end of line 26, delete "from an original"

#### AMENDMENT NO. 7

On page 10, at the beginning of line 27, delete "birth certificate"

#### AMENDMENT NO. 8

On page 10, at the beginning of line 29, before "licensed child" insert "private"

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

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

Under the rules, placed on the regular calendar.

## HOUSE BILL NO. 389—

BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 19:136, 136.1(1), (3), and (4)(d), 136.2(B), 136.3(2) and (3)(a), 136.6 through 136.8, 136.9(B), and 136.11, to enact R.S. 19:136.12, and to repeal R.S. 19:136.1(4)(e) and 136.10, relative to the expropriation of blighted or abandoned property by the city of New Orleans; to provide for the applicability to redemptive periods; to provide relative to the definition of "abandoned property"; to provide for notice to the owner; to provide for substantial rehabilitation and the payment of taxes and liens; to provide for the contents and notice of the petition for expropriation; to provide relative to the answer and opposition to the petition and for the waiver of defenses; to provide for the cancellation of inscriptions; to provide for the sale or transfer of expropriated property to third persons; 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. 389 by Representative Murray

**AMENDMENT NO. 1**

On page 4, at the end of line 25, delete "or are in the" and at the beginning of line 26, delete "process of being"

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 390—**

BY REPRESENTATIVE MURRAY  
AN ACT

To amend and reenact R.S. 19:132, 132.1(A), and 132.8, relative to expropriations by the city of New Orleans; to provide for the expropriation of property needed for a street, drainage, water, utility, sewerage, or other capital project prior to judgment in the trial court fixing the amount of compensation due to the owner of the property; to provide for the application of existing expropriation laws; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 393—**

BY REPRESENTATIVES ANSARDI, BOWLER, DAMICO, LABRUZZO, LANCASTER, MARTINY, SCALISE, TOOMY, AND TUCKER AND SENATORS BOISSIERE, HAINKEL, HOLLIS, LENTINI, AND ULLO  
AN ACT

To amend and reenact R.S. 34:1(B)(2), relative to the Port of New Orleans; to provide relative to nominations for membership on the port's board of commissioners; and to provide for related matters.

Read by title.

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

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

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

**HOUSE BILL NO. 401—**

BY REPRESENTATIVE FLAVIN  
AN ACT

To amend and reenact R.S. 9:3144(A)(3) and (B)(1), relative to the New Home Warranty Act; to reduce the warranty period for certain major structural defects; to clarify the warranty exclusion for trees; 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. 405—**

BY REPRESENTATIVE BOWLER  
AN ACT

To amend and reenact R.S. 9:5212 and R.S. 35:12(D) and 392.1, relative to ex officio notaries; to provide relative to the authority of ex officio notaries; to provide for the rejection of certain documents; to provide for actions exceeding the authority granted; 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. 405 by Representative Bowler

**AMENDMENT NO. 1**

On page 1, delete lines 18 through 20 and insert the following:

"D. (1) Any document notarized in this state on or after January 1, 2005, submitted for filing or recording in the office of notarial records, register of conveyances, or recorder of mortgages in and for the parish of Orleans, or in the office of any clerk of court or recorder of mortgages or conveyances may be refused by the clerk or his employee if the document fails to contain the notary identification or attorney bar roll number and the typed or printed name of the notary and the witnesses. However, documents filed in the civil or criminal suit records of any court shall not be subject to the provisions of this Subsection.

(2) Except as otherwise provided in this Section, no state office, agency, department, or political subdivision shall accept, file, or record any document notarized in this state on or after January 1, 2005, unless the document contains the notary identification or attorney bar roll number and the typed or printed name of the notary and the witnesses.

(3) No office, agency, department, or political subdivision, or any officer or employee thereof, refusing to accept, file, or record any notarized document pursuant to the provisions of this Section shall be liable for any damages resulting from the refusal to accept, file, or record a notarized document for its failure to comply with the provisions of this Section."

**AMENDMENT NO. 2**

On page 2, delete lines 1 through 8 in their entirety

**AMENDMENT NO. 3**

On page 2, line 20, after "void" insert a period "." and delete the remainder of the line

**AMENDMENT NO. 4**

On page 2, delete line 21 in its entirety

**AMENDMENT NO. 5**

On page 2, line 22, after "applicable" and before "documents" insert "to"

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## AMENDMENT NO. 6

On page 2, line 23, after "of court" and before "when" insert "who are employees of the clerk"

## AMENDMENT NO. 7

On page 2, line 24, after "scope of" and before "the" insert "their employment with"

## AMENDMENT NO. 8

On page 2, line 24, after "court" insert a period "." and delete the remainder of the line and delete line 25 in its entirety

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

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

Under the rules, placed on the regular calendar.

## **HOUSE BILL NO. 409—**

BY REPRESENTATIVES DAMICO, ANSARDI, LANCASTER, MARTINY,  
AND TOOMY AND SENATORS BOISSIERE, LENTINI, AND ULLO  
AN ACT

To enact R.S. 13:5112.1, relative to the production of documents by governmental entities; to provide relative to subpoena duces tecum; to provide for the reimbursement of costs incurred; to provide for disputes of the costs incurred; to provide for procedures; to provide for service and delays for production; to provide for a definition of "governmental entity"; to provide for applicability to the present laws of discovery and evidence; 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. 409 by Representative Damico

## AMENDMENT NO. 1

On page 1, at the end of line 12, change "served" to "requested"

## AMENDMENT NO. 2

On page 1, line 13, after "least" and before "days" change "ten" to "fifteen"

## AMENDMENT NO. 3

On page 1, line 14, after the comma "," delete the remainder of the line and delete lines 15 through 19 in their entirety

## AMENDMENT NO. 4

On page 2, delete lines 1 through 8 in their entirety and insert the following:

"no governmental entity shall be obligated pursuant to a subpoena or subpoena duces tecum to provide any document, record, or any other item for which a reasonable cost or fee has not been paid.

C. Notwithstanding the provisions of Subsection B, when a party to litigation in a civil action is allowed to proceed in forma pauperis and a defendant in a criminal action is designated as an indigent, the court may order the governmental entity to furnish documents requested by such parties without the advance payment of costs or fees. In such instances, the copies of the requested documents shall contain a certificate indicating the cost of reproduction of the documents. This certificate shall be filed into the court record and in civil proceedings such costs shall be paid by the party cast in judgment and in criminal proceedings such costs shall be paid by the defendant upon conviction."

## AMENDMENT NO. 5

On page 2, at the beginning of line 9, change "C." to "D."

## AMENDMENT NO. 6

On page 2, delete line 23 in its entirety and at the beginning of line 24, change "certified" to "E. Certified"

## AMENDMENT NO. 7

On page 2, line 25, after "and" and before "certified" delete "to"

## AMENDMENT NO. 8

On page 2, line 26, after "seq." delete the remainder of the line and delete lines 27 through 29 in their entirety and insert the following:

"shall be deemed authentic and admissible into evidence in accordance with Code of Evidence Article 905 and Code of Evidence Article 1002 shall not be applicable to these documents."

## AMENDMENT NO. 9

On page 3, at the beginning of line 1, change "E." to "F."

## AMENDMENT NO. 10

On page 3, line 1, after "any" delete "of" and delete lines 2 through 5 in their entirety and at the beginning of line 6, delete "(2) Any"

## AMENDMENT NO. 11

On page 3, between lines 8 and 9, insert the following:

"G. Nothing in this Section shall preclude a party to litigation from making a request for appropriate documents pursuant to R.S. 44:1 et seq. and being furnished with certified copies in accordance with R.S. 44:32.

H. Nothing in this Section shall preclude a party to litigation from issuing a separate subpoena to the custodian of the records or any other person for the purpose of questioning about the documents and any other relevant matters."

## AMENDMENT NO. 12

On page 3, at the beginning of line 9, change "F." to "I."

## AMENDMENT NO. 13

On page 3, line 9, after "preclude" delete the remainder of the line and at the beginning of line 10, delete "affected party to the litigation" and insert "any affected party to the litigation or the governmental entity"

AMENDMENT NO. 14

On page 3, line 11, after "to" and before "the" insert "the issuance of a subpoena, subpoena duces tecum, or"

AMENDMENT NO. 15

On page 3, line 12, after "a" and before "subpoena" insert "subpoena or a"

AMENDMENT NO. 16

On page 3, after line 15, add the following:

"Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided 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. Ansardi, the amendments were adopted.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 538—**

BY REPRESENTATIVE LAFLEUR

AN ACT

To amend and reenact R.S. 9:2945(C) and to enact R.S. 9:2945(D), relative to bond for deed contracts; to provide for satisfaction of bond for deed contracts; to provide for cancellation of bond for deed contracts; to clarify reference to certain fees for registry of the cancellation; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 552—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 32:778(B) and 1254(N)(1)(d), relative to warranty and repair services on school buses; to provide that school bus warranty and repair services may be performed by certain heavy truck dealers; 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. 553—**

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 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. 628—**

BY REPRESENTATIVE QUEZAIRE

AN ACT

To amend and reenact R.S. 47:820.2(B)(1)(a), relative to the Transportation Infrastructure Model for Economic Development Program; to provide relative to certain project descriptions; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 631—**

BY REPRESENTATIVE QUEZAIRE

AN ACT

To repeal R.S. 48:35(E), relative to the Department of Transportation and Development general powers, duties, and functions; to repeal provisions requiring the Department of Transportation and Development to adopt rules for minimum safety standards for reflective work-site materials.

Read by title.

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 636—**

BY REPRESENTATIVE QUEZAIRE

AN ACT

To amend and reenact R.S. 36:508.3(A) and R.S. 38:84, relative to office of public works and intermodal transportation in the Department of Transportation and Development; to provide that the office is responsible for state administration of the National Flood Insurance Program; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

## **HOUSE BILL NO. 638—**

BY REPRESENTATIVE QUEZAIRE  
AN ACT

To enact R.S. 48:461.27, relative to outdoor advertising devices; to provide for permits for outdoor advertising devices in forestry management areas; to provide relative to applications for permits; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

## **HOUSE BILL NO. 704—**

BY REPRESENTATIVES BRUNEAU AND MURRAY  
AN ACT

To amend and reenact R.S. 37:848(D)(2) and (3) and to enact R.S. 37:848(D)(7), relative to embalming; to allow for refrigeration of remains by funeral establishments; to provide an exception from embalming; 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. 745 (Duplicate of Sente Bill No. 560)—**

BY REPRESENTATIVE WALSWORTH AND SENATOR FONTENOT  
AN ACT

To amend and reenact R.S. 30:2194(B)(4), (9), and (11) through (15) and (C)(introductory paragraph), 2195(A) and (E), 2195.2(A)(1)(introductory paragraph), (a), and (c)(i), (2), (3), (4), and (5), 2195.3(A)(1)(b) and (7), 2195.4(A)(1), (2), and (3)(c)(ii) and (B)(1), 2195.6, 2195.7, 2195.8(A), (B)(introductory paragraph) and (1), and (C), 2195.9(A), and 2195.10, to enact R.S. 30:2195.8(D), (E), and (F) and 2195.11, and to repeal R.S. 30:2194(B)(16), relative to underground storage tanks; to provide for uses of money in the Motor Fuels Underground Storage Tank Trust Fund, especially relative to those who are eligible for disbursements from the fund; to provide relative to penalties for failure to pay fees that are paid into the trust fund; to provide relative to financial obligations of tank owners for environmental damage resulting from releases to provide relative to the advisory board; 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. 745 by Representative Walsworth

#### AMENDMENT NO. 1

On page 2, line 1, change "2195.10" to "2195.11"

#### AMENDMENT NO. 2

On page 3, line 14, after "groundwater" and before "or" insert a comma "," and "surface water."

#### AMENDMENT NO. 3

On page 4, line 9, after "groundwater" and before "or" insert a comma "," and "surface water."

#### AMENDMENT NO. 4

On page 4, line 24, after "groundwater" and before "or" insert a comma "," and "surface water."

#### AMENDMENT NO. 5

On page 4, line 27, after "department." delete the remainder of the line and delete line 28 in its entirety and at the beginning of line 29, delete "science."

#### AMENDMENT NO. 6

On page 5, line 28, after "groundwater" and before "or" insert a comma "," and "surface water."

#### AMENDMENT NO. 7

On page 6, line 6, after "groundwater" and before "or" insert a comma "," and "surface water."

#### AMENDMENT NO. 8

On page 6, line 29, after "30:2195" and before the period "." insert "and 2195.10"

#### AMENDMENT NO. 9

On page 7, at the end of line 8, delete "and" and at the beginning of line 9, delete "whose tank was not in substantial compliance"

#### AMENDMENT NO. 10

On page 10, line 16, after "30:2195.9" and before "toward" delete "and 2195.10"

#### AMENDMENT NO. 11

On page 11, line 12, after "review" delete "and comment on any changes to"

#### AMENDMENT NO. 12

On page 11, line 13, after "Document" and before the period "." insert "and may make recommendations for changes"

#### AMENDMENT NO. 13

On page 12, line 2, after "action" and before "by" insert "and paying third-party judgments"

#### AMENDMENT NO. 14

On page 12, line 3, after "owners" and before "are" insert "who are eligible participants in the Tank Trust Fund"

AMENDMENT NO. 15

On page 13, line 10, delete "Noncompliance" and insert "Absent any other evidence, noncompliance"

AMENDMENT NO. 16

On page 13, line 12, delete "amounts:" insert "of no less than the following amounts for assessment or remediation:"

AMENDMENT NO. 17

On page 13, line 13, delete "Five thousand" and insert "Seven thousand five hundred"

AMENDMENT NO. 18

On page 14, line 6, after "noncompliance" and before "is" insert a comma "," and "absent any other evidence."

AMENDMENT NO. 19

On page 14, line 10, change "two" to "three"

AMENDMENT NO. 20

On page 14, between line 13 and 14 insert the following:

"E. Annually the advisory board shall review the financial responsibility requirements for noncompliance and may recommend to the secretary adjusting the requirements. The secretary shall determine and set the financial responsibility amounts for noncompliance annually."

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. 764—**

BY REPRESENTATIVES BRUNEAU AND MURRAY  
AN ACT

To amend and reenact R.S. 37:845 and 875, relative to fees imposed by the Louisiana State Board of Embalmers and Funeral Directors; to increase fees for licensure; to add fees for work permits; to add fees for inspections; 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. 838—**

BY REPRESENTATIVE DAMICO  
AN ACT

To amend and reenact R.S. 30:2025(E)(1)(a), relative to civil penalties for violations of the Environmental Quality Act; to increase the maximum civil penalty; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Environment.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 904—**

BY REPRESENTATIVE HAMMETT  
AN ACT

To enact R.S. 47:463.126, relative to motor vehicle license plates; to provide for creation of a NASCAR special prestige license plate; to provide relative to the design and color of such plate; to authorize the commissioner of motor vehicles to enter into an agreement with the supplier of such plate; to provide relative to the fees for such plate; to authorize 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. 904 by Representative Hammett

AMENDMENT NO. 1

On page 1, line 2, after "R.S." delete "47:463.126," and insert "47:463.2.1 and 463.126,"

AMENDMENT NO. 2

On page 1, line 6, after "regulations;" insert "to require issuance of certain established plates;"

AMENDMENT NO. 3

On page 1, line 9, after "R.S." change "47:463.126 is" to "47:463.2.1 and 463.126 are"

AMENDMENT NO. 4

On page 1, between lines 9 and 10, insert the following:

"§463.2.1. Military plates

A.(1) The legislature finds that military service is absolutely essential to the protection of the way of life and form of government enjoyed by the citizens of this state and country. Indeed without the risks and sacrifice of the men and women who serve and have served our country in uniform, the liberties and democracy exercised in this state and country would not exist.

(2) The legislature further finds that the state has an obligation to express its gratitude and debt to its veterans and military personnel. For decades the state has used motor vehicle license plates to express this governmental expression of gratitude and debt. Through the issuance of official plates, the state honors those who have, in many cases, placed themselves in harm's way in order to protect our freedom and our way of life. Furthermore, honoring those who have served raises public awareness of such service. This awareness in turn serves to aid in recruitment of young people to military service.

(3) The legislature further finds that these plates are unique and distinct from other prestige plates, are issued to an easily identified class of individuals, are often issued and renewed without additional fees, do not require a minimum number of applicants, and are not used to raise funds for institutions or organizations.

(4) The legislature concludes from these findings that the state has a legitimate governmental interest in the issuance of prestige license plates to military personnel and veterans as a way to both honor veterans and to raise public awareness of their service. The legislature further concludes that these plates are issued in accordance with a "narrow, objective, and definitive standard" as is recommended by the Henderson vs. Stalder decision.

B. Therefore, the Department of Public Safety and Corrections shall resume issuing license plates pursuant to and in accordance with the following provisions of law: R.S. 47:463.7, 463.10, 463.11, 463.13, 463.15, 463.16, 463.18, 463.20, 463.25, 463.26, 463.27, 463.29, 463.34, 463.38, 463.42, 463.55, and 463.65.

\* \* \*

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1067—**  
BY REPRESENTATIVE FLAVIN  
AN ACT

To amend and reenact R.S. 32:5, relative to the Louisiana Highway Regulatory Act; to authorize parade marshals to direct, control, and regulate traffic along or near parade routes in Lake Charles and Calcasieu Parish; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1102—**  
BY REPRESENTATIVE DANIEL  
AN ACT

To amend and reenact R.S. 34:3474(B)(1), relative to the Millennium Port Authority; to provide relative to membership on the board of commissioners; to authorize certain commissioners to appoint designees to serve on the board; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1253—**

BY REPRESENTATIVES PINAC, CROWE, DOERGE, FLAVIN, FRITH, JACKSON, MARCHAND, H. POWELL, RITCHIE, SHEPHERD, GARY SMITH, STRAIN, TRAHAN, WADDELL, WHITE, AND WINSTON  
AN ACT

To enact R.S. 32:1254(N)(3)(k), relative to motor vehicle dealer disclosure; to provide relative to dealer participation in finance charges; 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. 1284—**

BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 32:1253(A)(introductory paragraph) and (2), relative to the Louisiana Motor Vehicle Commission; to correct reference to the number of board members; to delete special provision for broker member; to require one member to be primarily engaged in the business of lease or rental; 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. 1351—**

BY REPRESENTATIVE TOWNSEND  
AN ACT

To amend and reenact R.S. 13:3667.1, 3667.3, and 4163, relative to legislators and legislative employees; to provide with respect to court appearances as witnesses during legislative activities; to require certification of service or employment of legislative employees; to eliminate witness exemptions for certain criminal felony trials; to require a hearing to compel the appearance of a legislator as a witness; to provide for appeal of an order compelling appearance as witness; to provide for continuances and extensions during performance of legislative duties; to provide for appeals of orders relating thereto; 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. 1351 by Representative Townsend

AMENDMENT NO. 1

On page 1, line 2, after "4163," delete the remainder of the line and at the beginning of line 3, delete "13:4163(A)(3)(d),"

**AMENDMENT NO. 2**

On page 1, at the end of line 12, delete "and" and on line 13, delete "R.S. 13:4163(A)(3)(d) is hereby enacted"

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

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

Under the rules, placed on the regular calendar.

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

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

**HOUSE CONCURRENT RESOLUTION NO. 8—**  
BY REPRESENTATIVE FAUCHEUX  
A CONCURRENT RESOLUTION

To urge and request the Department of Insurance to pursue with certain exceptions the insurance regulatory modernization action plan formulated by the National Association of Insurance Commissioners.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 14—**  
BY REPRESENTATIVE TUCKER  
A CONCURRENT RESOLUTION

To express that the intent of the Louisiana Legislature in enacting Act No. 351 of the 2003 Regular Session, relative to creating a flexible rating process for property and casualty insurance rates, was to restrict any one insurance company to cumulatively increasing such rates by not more than ten percent in any twelve-month period following January 1, 2004, using such flexible rating process.

Read by title.

Rep. Tucker moved the adoption of the resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Frith	Odinet
Alario	Futrell	Pierre
Alexander	Gallot	Pinac
Ansardi	Geymann	Pitre
Arnold	Glover	Powell, M.
Badon	Gray	Powell, T.
Baldone	Guillory, E.	Quezaire
Baudoin	Guillory, M.	Richmond
Baylor	Hammett	Ritchie
Beard	Hebert	Romero
Bowler	Hill	Scalise
Broome	Honey	Schneider
Bruce	Hopkins	Shepherd
Bruneau	Hudson	Smiley
Burns	Hunter	Smith, G.—56th

Burrell	Hutter	Smith, J.D.—50th
Carter, K.	Jackson	Smith, J.H.—8th
Carter, R.	Jefferson	Smith, J.R.—30th
Cazayoux	Johns	St. Germain
Crane	Katz	Strain
Crowe	Kennard	Thompson
Curtis	Kenney	Toomy
Damico	LaBruzzo	Townsend
Daniel	LaFleur	Trahan
Dartez	Lambert	Triche
DeWitt	Lancaster	Tucker
Doerge	Marchand	Waddell
Dorsey	Martiny	Walker
Dove	McDonald	Walsworth
Downs	McVea	Winston
Durand	Montgomery	Wooton
Fannin	Morrell	Wright
Farrar	Morrish	
Flavin	Murray	
Total—100		

NAYS

Total—0

ABSENT

Erdey	Heaton
Faucheux	White
Total—4	

The resolution was adopted.

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 36—**  
BY REPRESENTATIVE BOWLER  
A CONCURRENT RESOLUTION

To urge and request the state legislatures in the United States to oppose legislation to participate in the Interstate Insurance Product Regulation Compact.

Read by title.

**Motion**

On motion of Rep. Lancaster, the resolution was returned to the calendar.

**HOUSE CONCURRENT RESOLUTION NO. 23—**  
BY REPRESENTATIVES LAFLEUR AND TRAHAN  
A CONCURRENT RESOLUTION

To memorialize congress to take appropriate action to expedite the approval process necessary for foreign teachers to teach in the state's French immersion program.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 24—**  
BY REPRESENTATIVES LAFLEUR AND TRAHAN  
A CONCURRENT RESOLUTION

To continue the existence of the Louisiana Commission on French, created in 2001, to assess the condition of the French language in Louisiana.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 36—**

BY REPRESENTATIVE BOWLER

**A CONCURRENT RESOLUTION**

To urge and request the state legislatures in the United States to oppose legislation to participate in the Interstate Insurance Product Regulation Compact.

Called from the calendar.

Read by title.

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

Ordered to the Senate.

**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. 1031—**

BY REPRESENTATIVE LANCASTER  
AN ACT

To enact R.S. 18:59.4, relative to a certification program for registrars of voters, chief deputy registrars, and confidential assistants to registrars of voters; to establish a certification program for registrars of voters, chief deputy registrars, and confidential assistants to registrars of voters; to provide for requirements of the program; to provide for a percent salary increase for registrars of voters, chief deputy registrars, and confidential assistants to registrars of voters who have completed all requirements of the program; and to provide for related matters.

Read by title.

Rep. Lancaster moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Farrar	Odinet
Alario	Faucheux	Pierre
Alexander	Flavin	Pinac
Ansardi	Frith	Pitre
Arnold	Futrell	Powell, M.
Badon	Gallot	Quezaire
Baldone	Geymann	Richmond
Baudoin	Glover	Ritchie
Baylor	Gray	Romero
Beard	Guillory, E.	Scalise
Bowler	Guillory, M.	Schneider
Broome	Hammett	Shepherd
Bruce	Heaton	Smiley
Bruneau	Honey	Smith, G.—56th
Burns	Hopkins	Smith, J.D.—50th
Burrell	Hudson	Smith, J.H.—8th
Carter, K.	Hunter	Smith, J.R.—30th
Carter, R.	Hutter	St. Germain

Cazayoux  
Crane  
Crowe  
Curtis  
Damico  
Daniel  
Dartez  
DeWitt  
Doerge  
Dorsey  
Dove  
Downs  
Durand  
Erdey  
Fannin  
Total—98

Jackson  
Jefferson  
Johns  
Kennard  
Kenney  
LaFleur  
Lambert  
Lancaster  
Marchand  
McDonald  
McVea  
Montgomery  
Morrell  
Morrish  
Murray

Strain  
Thompson  
Toomy  
Townsend  
Trahan  
Triche  
Tucker  
Waddell  
Walker  
Walsworth  
White  
Winston  
Wooton  
Wright

**NAYS**

Katz  
Total—2

Powell, T.

**ABSENT**

Hebert  
Hill  
Total—4

LaBruzzo  
Martiny

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Lancaster 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. Katz, and under a suspension of the rules, the above roll call was corrected to reflect her as voting nay.

**Speaker Pro Tempore Broome in the Chair**

**HOUSE BILL NO. 1044—**

BY REPRESENTATIVE MURRAY  
AN ACT

To repeal R.S. 17:335 and 349.2, relative to operations and control of schools; to repeal antiquated and unconstitutional provisions relative to the operation and control of certain schools.

Read by title.

Rep. Murray moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Frith	Odinet
Alario	Futrell	Pierre
Alexander	Gallot	Pinac
Ansardi	Geymann	Pitre
Arnold	Glover	Powell, M.
Badon	Gray	Powell, T.
Baldone	Guillory, E.	Quezaire
Baudoin	Guillory, M.	Richmond
Baylor	Hammett	Ritchie
Beard	Heaton	Romero
Bowler	Hill	Scalise



Broome	Honey	Shepherd
Bruce	Hopkins	Smiley
Burns	Hudson	Smith, G.—56th
Burrell	Hunter	Smith, J.D.—50th
Carter, K.	Hutter	Smith, J.H.—8th
Carter, R.	Jackson	Smith, J.R.—30th
Cazayoux	Jefferson	St. Germain
Crane	Johns	Strain
Crowe	Katz	Thompson
Curtis	Kennard	Toomy
Damico	Kenney	Townsend
Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Triche
DeWitt	Lambert	Tucker
Doerge	Lancaster	Waddell
Dorsey	Marchand	Walker
Dove	Martiny	Walsworth
Downs	McDonald	White
Durand	McVea	Winston
Fannin	Montgomery	Wooton
Farrar	Morrell	Wright
Faucheux	Morrish	
Flavin	Murray	
Total—100		

NAYS

Total—0

ABSENT

Bruneau	Hebert
Erdey	Schneider
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Murray 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 joint motion of Reps. Burrell and Fannin, and under a suspension of the rules, the above roll call was corrected to reflect them as voting yea.

### HOUSE BILL NO. 1072— BY REPRESENTATIVES MURRAY AND DURAND AN ACT

To amend and reenact R.S. 46:230.1(A) and (C), 231(14), 231.6(B), 231.7(A)(1)(introductory paragraph), (B)(2)(introductory paragraph) and (3), and (D)(1), and 231.8(B), relative to TANF; to provide for coordination between the Louisiana Workforce Commission and the Department of Social Services; to provide for collaboration in relation to the STEP program; and to provide for related matters.

Read by title.

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

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative McDonald on behalf of the Legislative Bureau to Engrossed House Bill No. 1072 by Representative Murray

### AMENDMENT NO. 1

On page 1, line 13 following "self-reliant" and before "as" insert "so"

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

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

### ROLL CALL

The roll was called with the following result:

### YEAS

Mr. Speaker	Farrar	Morrell
Alario	Faucheux	Morrish
Alexander	Flavin	Murray
Ansardi	Frith	Pierre
Arnold	Futrell	Pinac
Badon	Gallot	Pitre
Baldone	Geymann	Powell, M.
Baudoin	Glover	Powell, T.
Baylor	Gray	Quezaire
Beard	Guillory, E.	Richmond
Bowler	Guillory, M.	Ritchie
Broome	Hammett	Romero
Bruce	Heaton	Shepherd
Bruneau	Hebert	Smiley
Burns	Hill	Smith, G.—56th
Burrell	Honey	Smith, J.D.—50th
Carter, K.	Hopkins	Smith, J.H.—8th
Carter, R.	Hudson	Smith, J.R.—30th
Cazayoux	Hunter	St. Germain
Crane	Hutter	Strain
Crowe	Jackson	Thompson
Curtis	Jefferson	Toomy
Damico	Johns	Townsend
Daniel	Kennard	Trahan
Dartez	Kenney	Triche
DeWitt	LaFleur	Tucker
Doerge	Lambert	Waddell
Dorsey	Lancaster	Walker
Dove	Marchand	Walsworth
Downs	Martiny	White
Durand	McDonald	Winston
Erdey	McVea	Wooton
Fannin	Montgomery	Wright
Total—99		

NAYS

Katz	Scalise	Schneider
Total—3		

ABSENT

LaBruzzo	Odinot
Total—2	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Murray 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 joint motion of Reps. Baylor and Burrell, and under a suspension of the rules, the above roll call was corrected to reflect them as voting yea.

**Suspension of the Rules**

On motion of Rep. Pinac, the rules were suspended to limit the author or proponent handling the legislative instrument to ten minutes for opening remarks and all subsequent speakers on the instrument to five minutes.

**Speaker Salter in the Chair**

**HOUSE BILL NO. 1140 (Duplicate of Senate Bill No. 674)—**  
BY REPRESENTATIVE DURAND AND SENATOR HINES  
AN ACT

To enact R.S. 37:1360.31(B)(8), relative to physician assistants; to provide for prescriptive authority under certain circumstances; and to provide for related matters.

Read by title.

**Motion**

Rep. Durand moved that House Bill No. 1140 be designated as a duplicate of Senate Bill No. 674.

Which motion was agreed to.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Durand to Engrossed House Bill No. 1140 by Representative Durand

AMENDMENT NO. 1

On page 1, line 8, after "B." insert the following:

"The practice of a physician assistant shall include the performance of medical services within the scope of his education, training, and experience, which are delegated by the supervising physician. Medical services rendered by a physician assistant may include but are not limited to:"

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative LaBruzzo to Engrossed House Bill No. 1140 by Representative Durand

AMENDMENT NO. 1

On page 1, line 3, after "circumstances;" and before "and" insert "to provide for certain limitations;"

AMENDMENT NO. 2

On page 1, at the beginning of line 12, change "of one year" to "of two years"

AMENDMENT NO. 3

On page 1, at the beginning of line 13, change "of one year" to "of two years"

AMENDMENT NO. 4

On page 1, at the end of line 17, add the following:

"Notwithstanding the provisions of R.S. 37:1360.28 or any other provision of law to the contrary, no physician assistant shall prescribe any drugs or medical devices pursuant to this Paragraph unless the supervising physician is physically located within a ten mile radius of the prescribing physician assistant at the time that the physician assistant is exercising such prescriptive authority."

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

Rep. LaBruzzo moved adoption of Amendment No. 2.

Rep. Durand objected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Arnold	Guillory, E.	Richmond
Baudoin	Hunter	Ritchie
Beard	Hutter	Scalise
Bowler	Jackson	Schneider
Bruneau	Johns	Shepherd
Burns	Katz	Smiley
Dove	LaBruzzo	Smith, J.H.—8th
Downs	Lancaster	Strain
Erdey	McVea	Toomy
Fannin	Murray	Tucker
Flavin	Pitre	Waddell
Geymann	Powell, T.	Walsworth
Total—36		

**NAYS**

Mr. Speaker	Faucheux	Morrish
Alexander	Frith	Odinot
Ansardi	Futrell	Pierre
Baldone	Gallot	Pinac
Baylor	Glover	Powell, M.
Broome	Gray	Quezaire
Burrell	Guillory, M.	Romero
Carter, K.	Hammett	Smith, G.—56th
Carter, R.	Heaton	Smith, J.D.—50th
Cazayoux	Hebert	St. Germain
Crane	Hill	Thompson
Crowe	Honey	Townsend
Curtis	Hopkins	Trahan
Damico	Jefferson	Triche
Daniel	Kenney	Walker
Dartez	LaFleur	White
DeWitt	Lambert	Winston
Doerge	Marchand	Wooton
Dorsey	Martiny	Wright
Durand	McDonald	
Farrar	Montgomery	
Total—61		

**ABSENT**

Alario	Hudson	Smith, J.R.—30th
Badon	Kennard	
Bruce	Morrell	
Total—7		

Amendment No. 2 was rejected.

Rep. LaBruzzo moved adoption of Amendment No. 3.

Rep. Durand objected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Arnold	Hunter	Ritchie
Baudoin	Hutter	Scalise
Beard	Johns	Schneider
Bowler	Katz	Shepherd
Bruneau	LaBruzzo	Smiley
Burns	LaFleur	Smith, G.—56th
DeWitt	Lancaster	Smith, J.D.—50th
Downs	Marchand	Strain
Fannin	McVea	Toomy
Flavin	Murray	Tucker
Geymann	Pitre	Waddell
Gray	Powell, T.	Walsworth
Guillory, E.	Richmond	White
Total—39		

**NAYS**

Mr. Speaker	Erdey	Montgomery
Alexander	Farrar	Morrish
Ansardi	Faucheux	Odinot
Baldone	Frith	Pierre
Baylor	Futrell	Pinac
Broome	Gallot	Powell, M.
Burrell	Glover	Quezaire
Carter, K.	Guillory, M.	Romero
Carter, R.	Hammett	Smith, J.H.—8th
Cazayoux	Heaton	St. Germain
Crane	Hebert	Thompson
Crowe	Hill	Townsend
Curtis	Honey	Trahan
Damico	Hopkins	Triche
Daniel	Jackson	Walker
Dartez	Jefferson	Winston
Doerge	Kenney	Wooton
Dorsey	Lambert	Wright
Dove	Martiny	
Durand	McDonald	
Total—58		

**ABSENT**

Alario	Hudson	Smith, J.R.—30th
Badon	Kennard	
Bruce	Morrell	
Total—7		

Amendment No. 3 was rejected.

Rep. LaBruzzo moved adoption of Amendment No. 4.

Rep. Durand objected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Bruneau	LaBruzzo	Richmond
Burns	LaFleur	Scalise
Fannin	Lancaster	Schneider
Flavin	Martiny	Smiley
Geymann	McVea	Strain
Guillory, E.	Murray	Tucker
Johns	Pitre	Walsworth
Katz	Powell, T.	White
Total—24		

**NAYS**

Mr. Speaker	Durand	Montgomery
Alexander	Erdey	Morrish
Ansardi	Farrar	Odinot
Arnold	Faucheux	Pierre
Baldone	Frith	Pinac
Baudoin	Futrell	Powell, M.
Baylor	Gallot	Quezaire
Beard	Glover	Ritchie
Bowler	Gray	Romero
Broome	Guillory, M.	Shepherd
Burrell	Hammett	Smith, G.—56th
Carter, K.	Heaton	Smith, J.D.—50th
Carter, R.	Hebert	Smith, J.H.—8th
Cazayoux	Hill	St. Germain
Crane	Honey	Thompson
Crowe	Hopkins	Toomy
Damico	Hunter	Townsend
Daniel	Hutter	Trahan
Dartez	Jackson	Triche
DeWitt	Jefferson	Waddell
Doerge	Kenney	Walker
Dorsey	Lambert	Winston
Dove	Marchand	Wooton
Downs	McDonald	Wright
Total—72		

**ABSENT**

Alario	Curtis	Morrell
Badon	Hudson	Smith, J.R.—30th
Bruce	Kennard	
Total—8		

Amendment No. 4 was rejected.

On motion of Rep. LaBruzzo, Amendment No. 1 was withdrawn.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Montgomery to Engrossed House Bill No. 1140 by Representative Durand

AMENDMENT NO. 1

On page 1, line 13, change "one year" to "two years"

**Point of Order**

Rep. Durand asked for a ruling from the Chair as to whether the House could consider the above amendment inasmuch as it was the same as a previously defeated amendment.

**Ruling of the Chair**

The Chair ruled that, under House Rule 11.5, the above amendment could not be considered inasmuch as it was the same as a previously defeated amendment.

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Walsworth to Engrossed House Bill No. 1140 by Representative Durand and Senator Hines

AMENDMENT NO. 1

On page 1, line 10, after "(8)" and before "Prescribing" insert "(a)"

AMENDMENT NO. 2

On page 1, at the end of line 17, add "The provisions of this Paragraph shall not be construed to permit a physician assistant to administer or prescribe a narcotic. For purposes of this Paragraph "narcotic" shall be defined as it is in R.S. 40:961(26)."

AMENDMENT NO. 3

On page 1, between lines 17 and 18 insert "(b) A physician assistant shall prescribe only in consultation and collaboration with the patient's primary or attending physician, and with the concurrence of that physician. Concurrence shall be evidenced by the physician's signature on the prescription or his verbal authorization. The physician assistant shall document the consultation in the patient's medical record. Failure to comply with the provisions of this Subparagraph shall constitute a violation of this Part."

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

Rep. Walsworth moved adoption of Amendment No. 2.

Rep. Durand objected.

By a vote of 60 yeas and 40 nays, Amendment No. 2 was adopted.

**Suspension of the Rules**

On joint motion of Reps. Broome and Jackson, and under a suspension of the rules, the above roll call was corrected to reflect them as voting yea.

Rep. Walsworth moved adoption of Amendment Nos. 1 and 3.

Rep. Durand objected.

By a vote of 32 yeas and 69 nays, Amendment Nos. 1 and 3 were rejected.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representatives Hunter and Murray to Engrossed House Bill No. 1140 by Representative Durand

AMENDMENT NO. 1

On page 1, delete line 13 in its entirety and insert the following:

"of three years under a supervising physician, such practice shall have been performed in the same physical location or facility as the supervising physician. Drugs which may be prescribed are those"

Rep. Hunter moved the adoption of the amendments.

Rep. Durand objected.

By a vote of 52 yeas and 48 nays, the amendments were adopted.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Beard to Engrossed House Bill No. 1140 by Representative Durand

AMENDMENT NO. 1

In House Floor Amendment No. 2 in the set of three amendments proposed by Representative Walsworth and adopted by the House on April 14, 2004, on line 5, after "narcotic" and before "For" insert "unless under the supervision of a physician."

Rep. Beard moved the adoption of the amendments.

Rep. Jack Smith objected.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Dartez	Hunter
Badon	Dorsey	Kenney
Beard	Durand	LaFleur
Burrell	Gray	St. Germain
Carter, K.	Guillory, M.	Walker
Damico	Hill	White
Daniel	Hopkins	Wright
Total—21		

NAYS

Alexander	Gallot	Pinac
Ansardi	Geymann	Pitre
Arnold	Glover	Powell, M.
Baldone	Guillory, E.	Powell, T.
Baudoin	Hammett	Quezaire
Baylor	Hebert	Richmond
Bowler	Honey	Ritchie
Broome	Hutter	Scalise
Bruneau	Jackson	Schneider
Burns	Jefferson	Shepherd
Carter, R.	Johns	Smiley
Cazayoux	Katz	Smith, G.—56th
Crane	LaBruzzo	Smith, J.D.—50th
Crowe	Lambert	Smith, J.H.—8th
DeWitt	Lancaster	Strain
Doerge	Marchand	Thompson
Dove	Martiny	Toomy

Downs	McDonald	Townsend
Erdey	McVea	Trahan
Fannin	Montgomery	Triche
Farrar	Morrell	Tucker
Faucheux	Morrish	Waddell
Flavin	Murray	Walsworth
Frith	Odinet	Winston
Futrell	Pierre	Wooton
Total—75		

ABSENT

Alario	Heaton	Romero
Bruce	Hudson	Smith, J.R.—30th
Curtis	Kennard	
Total—8		

The amendments were rejected.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Downs	Montgomery
Alexander	Durand	Pierre
Ansardi	Erdey	Pinac
Arnold	Farrar	Powell, M.
Badon	Faucheux	Powell, T.
Baldone	Frith	Quezaire
Baudoin	Futrell	Ritchie
Baylor	Gallot	Romero
Beard	Glover	Scalise
Broome	Gray	Shepherd
Bruce	Guillory, M.	Smiley
Burns	Hill	Smith, G.—56th
Burrell	Honey	Smith, J.D.—50th
Carter, K.	Hunter	St. Germain
Carter, R.	Hutter	Strain
Cazayoux	Jackson	Toomy
Crane	Jefferson	Townsend
Crowe	Kenney	Trahan
Damico	LaFleur	Triche
Daniel	Lambert	Walker
Dartez	Marchand	White
DeWitt	Martiny	Winston
Dorsey	McDonald	Wooton
Dove	McVea	Wright
Total—72		

NAYS

Bowler	Hopkins	Pitre
Bruneau	Johns	Richmond
Doerge	Katz	Schneider
Fannin	LaBruzzo	Smith, J.H.—8th
Flavin	Lancaster	Thompson
Geymann	Morrell	Tucker
Guillory, E.	Morrish	Waddell
Hammett	Murray	Walsworth
Heaton	Odinet	
Total—26		

ABSENT

Alario	Hebert	Kennard
Curtis	Hudson	Smith, J.R.—30th
Total—6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 1172—**  
BY REPRESENTATIVE ODINET  
AN ACT

To amend and reenact R.S. 56:333(B)(1), relative to the commercial taking of mullet; to provide relative to seasons and times when fishermen are authorized to commercially take mullet; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative McDonald on behalf of the Legislative Bureau to Engrossed House Bill No. 1172 by Representative Odinet

AMENDMENT NO. 1

On page 1, line 21 following "prohibited" and before "the" change "everyday" to "every day"

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

**Motion**

Rep. Triche moved to table the entire subject matter.

Rep. Odinet objected.

By a vote of 27 yeas, and 71 nays, the House refused to table the entire subject matter.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Murray
Alario	Gray	Odinet
Ansardi	Guillory, E.	Pierre
Arnold	Guillory, M.	Powell, M.
Badon	Hammett	Quezaire
Baldone	Heaton	Richmond
Baylor	Hill	Ritchie
Broome	Honey	Romero
Bruce	Hunter	Shepherd
Burrell	Hutter	Smith, G.—56th
Carter, K.	Jackson	Smith, J.D.—50th
Carter, R.	Jefferson	St. Germain
Curtis	Kenney	Thompson
Damico	LaFleur	Townsend
Daniel	Marchand	Tucker
Dartez	Martiny	Walker

DeWitt  
Durand  
Farrar  
Total—56

McDonald  
Montgomery  
Morrell

White  
Wooton

NAYS

Alexander  
Baudoin  
Beard  
Bowler  
Bruneau  
Burns  
Cazayoux  
Crane  
Crowe  
Doerge  
Dorsey  
Dove  
Downs  
Erdey  
Fannin  
Total—43

Faucheux  
Flavin  
Frith  
Futrell  
Geymann  
Glover  
Hopkins  
Johns  
Katz  
Lambert  
Lancaster  
McVea  
Morrish  
Pinac  
Pitre

Powell, T.  
Scalise  
Schneider  
Smiley  
Smith, J.H.—8th  
Strain  
Toomy  
Trahan  
Triche  
Waddell  
Walsworth  
Winston  
Wright

ABSENT

Hebert  
Hudson  
Total—5

Kennard  
LaBruzzo

Smith, J.R.—30th

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 1363—**

BY REPRESENTATIVES WINSTON, MARTINY, BURNS, R. CARTER, DOERGE, DURAND, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HUNTER, KATZ, LABRUZZO, MARCHAND, MCDONALD, MONTGOMERY, STRAIN, WADDELL, AND WALKER AND SENATORS MOUNT, CRAVINS, JONES, AND LENTINI

AN ACT

To amend and reenact R.S. 46:1941.1, 1941.2, 1941.5, and 1941.8, and to repeal R.S. 46:1941.3(1), 1941.4, 1941.6, 1941.7, 1941.9 through 1941.13, relative to youth services; to provide for the creation of youth services planning boards; to provide for the purpose of such boards; to provide with respect to membership; to repeal provisions of law providing for parish youth services programs; to repeal provisions providing for parish youth services subsidy program; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Winston to Engrossed House Bill No. 1363 by Representative Winston

AMENDMENT NO. 1

On page 3, line 10, after "bench," and before "public" insert "early childhood."

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker  
Alexander  
Ansardi  
Arnold  
Badon  
Baldone  
Baudoin  
Baylor  
Beard  
Bowler  
Broome  
Bruce  
Bruneau  
Burrell  
Carter, K.  
Carter, R.  
Cazayoux  
Crane  
Crowe  
Curtis  
Damico  
Daniel  
Dartez  
DeWitt  
Doerge  
Dorsey  
Dove  
Downs  
Durand  
Erdey  
Fannin  
Farrar  
Faucheux  
Flavin  
Total—100

Frith  
Futrell  
Gallot  
Geymann  
Glover  
Gray  
Guillory, E.  
Guillory, M.  
Hammett  
Heaton  
Hebert  
Hill  
Honey  
Hopkins  
Hudson  
Hunter  
Hutter  
Jackson  
Jefferson  
Johns  
Katz  
Kennard  
Kenney  
LaBruzzo  
LaFleur  
Lambert  
Lancaster  
Marchand  
Martiny  
McDonald  
McVea  
Montgomery  
Morrell  
Morrish

Murray  
Odinot  
Pierre  
Pinac  
Pitre  
Powell, M.  
Powell, T.  
Quezaire  
Richmond  
Ritchie  
Romero  
Scalise  
Schneider  
Shepherd  
Smiley  
Smith, G.—56th  
Smith, J.D.—50th  
Smith, J.H.—8th  
Strain  
Thompson  
Toomy  
Townsend  
Trahan  
Triche  
Tucker  
Waddell  
Walker  
Walsworth  
White  
Winston  
Wooton  
Wright

NAYS

Total—0

ABSENT

Alario  
Burns  
Total—4

Smith, J.R.—30th  
St. Germain

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 1374—**

BY REPRESENTATIVE JACK SMITH  
AN ACT

To enact R.S. 56:303(F), relative to commercial fishing; to provide for a senior commercial fishing license for persons seventy and older; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Triche to Engrossed House Bill No. 1374 by Representative Jack Smith

**AMENDMENT NO. 1**

On page 1, line 3, after "persons" and before "and older;" change "seventy" to "sixty-five"

**AMENDMENT NO. 2**

On page 1, line 8, after "is" and before "years" change "seventy" to "sixty-five"

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

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	Frith	Murray
Alario	Futrell	Pierre
Ansardi	Gallot	Pinac
Arnold	Geymann	Pitre
Badon	Glover	Powell, M.
Baldone	Gray	Quezaire
Baylor	Guillory, E.	Richmond
Beard	Guillory, M.	Romero
Bowler	Hammett	Scalise
Broome	Heaton	Schneider
Bruce	Hebert	Shepherd
Bruneau	Hill	Smith, G.—56th
Burns	Honey	Smith, J.D.—50th
Burrell	Hopkins	Smith, J.H.—8th
Carter, R.	Hudson	Smith, J.R.—30th
Crane	Hunter	Strain
Crowe	Hutter	Thompson
Damico	Jackson	Toomy
Dartez	Jefferson	Townsend
DeWitt	Johns	Triche
Doerge	Kenney	Tucker
Dorsey	LaBruzzo	Waddell
Dove	LaFleur	Walker
Downs	Lambert	Walsworth
Durand	Lancaster	White
Erdey	Marchand	Winston
Fannin	Martiny	Wooton
Farrar	McDonald	Wright
Faucheux	Montgomery	
Flavin	Morrell	
Total—88		

**NAYS**

Alexander	Katz	Ritchie
Cazayoux	McVea	Smiley
Daniel	Powell, T.	Trahan
Total—9		

**ABSENT**

Baudoin	Kennard	St. Germain
Carter, K.	Morrish	
Curtis	Odinet	
Total—7		

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. 96—**

BY REPRESENTATIVE CRANE AND SENATOR ULLO  
AN ACT

To enact R.S. 37:2950(D)(1)(a)(xiv), relative to professions and occupations; to add the State Board of Elementary and Secondary Education to the list of exempt agencies from the general prohibition against the state disqualifying an applicant for employment or for a license, permit, or certificate for an occupation, trade, or profession solely based upon a prior criminal record; and to provide for related matters.

Read by title.

Rep. Crane moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Faucheux	Odinet
Alario	Flavin	Pinac
Alexander	Frith	Pitre
Ansardi	Futrell	Powell, M.
Arnold	Gallot	Powell, T.
Baldone	Geymann	Ritchie
Baudoin	Glover	Romero
Baylor	Guillory, E.	Scalise
Beard	Guillory, M.	Schneider
Broome	Hammett	Smiley
Bruce	Hebert	Smith, G.—56th
Bruneau	Hill	Smith, J.D.—50th
Burns	Honey	Smith, J.H.—8th
Burrell	Hopkins	Smith, J.R.—30th
Carter, R.	Hudson	St. Germain
Cazayoux	Hutter	Strain
Crane	Jackson	Thompson
Crowe	Katz	Toomy
Curtis	Kennard	Townsend
Damico	Kenney	Trahan
Daniel	LaBruzzo	Triche
Dartez	LaFleur	Tucker
DeWitt	Lambert	Waddell
Doerge	Lancaster	Walker
Dove	Martiny	Walsworth
Downs	McDonald	White
Durand	McVea	Winston
Erdey	Montgomery	Wooton
Fannin	Morrish	Wright
Farrar	Murray	
Total—89		

**NAYS**

Badon	Hunter	Quezaire
Bowler	Jefferson	Richmond
Carter, K.	Marchand	Shepherd
Dorsey	Morrell	
Gray	Pierre	
Total—13		

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ABSENT

Heaton  
Total—2

Johns

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Crane 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. 130—**  
BY REPRESENTATIVE LANCASTER  
AN ACT

To amend and reenact R.S. 49:190.1, 191, and 193(E)(introductory paragraph), relative to the termination and re-creation of departments and statutory entities; to change the termination dates of departments and statutory entities; to provide for the effective termination date for all statutory authority for the existence of each department and statutory entity; to change the time for the study and evaluation of a statutory entity by standing committees of the legislature; and to provide for related matters.

Read by title.

Rep. Lancaster moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Odinet
Alario	Futrell	Pierre
Alexander	Gallot	Pinac
Ansardi	Geymann	Pitre
Arnold	Glover	Powell, M.
Badon	Gray	Powell, T.
Baldone	Guillory, E.	Quezaire
Baudoin	Guillory, M.	Richmond
Baylor	Hammett	Ritchie
Beard	Heaton	Romero
Bowler	Hebert	Scalise
Broome	Hill	Schneider
Bruce	Honey	Shepherd
Bruneau	Hopkins	Smiley
Burns	Hudson	Smith, G.—56th
Burrell	Hunter	Smith, J.D.—50th
Carter, K.	Hutter	Smith, J.H.—8th
Carter, R.	Jackson	Smith, J.R.—30th
Cazayoux	Jefferson	St. Germain
Crane	Johns	Strain
Crowe	Katz	Thompson
Damico	Kennard	Toomy
Daniel	Kenney	Townsend
Dartez	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	Lambert	Tucker
Dorsey	Lancaster	Waddell
Dove	Marchand	Walker
Downs	Martiny	Walsworth
Durand	McDonald	White
Erdey	McVea	Winston
Fannin	Montgomery	Wooton

Farrar  
Fauchoux  
Flavin  
Total—103

Morrell  
Morrish  
Murray  
  
NAYS

Wright

Total—0

ABSENT

Curtis  
Total—1

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Lancaster 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. 173—**  
BY REPRESENTATIVE CRANE AND SENATOR ULLO  
AN ACT

To amend and reenact R.S. 17:421.9(B), 421.10(B), and 421.11(B), relative to school employees; to provide relative to salary supplements for certain school employees who have acquired certain credentials; to provide conditions and guidelines for receiving the supplement; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Crane to Engrossed House Bill No. 173 by Representative Crane

AMENDMENT NO. 1

On page 3, after line 6, insert the following:

"Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided 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. Crane, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Fauchoux	Odinet
Alario	Flavin	Pierre
Alexander	Frith	Pinac
Ansardi	Futrell	Pitre
Arnold	Geymann	Powell, M.
Badon	Glover	Powell, T.
Baldone	Gray	Quezaire
Baudoin	Guillory, E.	Richmond



Baylor	Guillory, M.	Ritchie
Beard	Hammett	Romero
Bowler	Heaton	Scalise
Broome	Hebert	Schneider
Bruce	Hill	Shepherd
Bruneau	Honey	Smiley
Burns	Hopkins	Smith, G.—56th
Burrell	Hudson	Smith, J.D.—50th
Carter, K.	Hunter	Smith, J.H.—8th
Carter, R.	Hutter	Smith, J.R.—30th
Cazayoux	Jackson	St. Germain
Crane	Jefferson	Strain
Crowe	Katz	Thompson
Curtis	Kennard	Toomy
Damico	Kenney	Townsend
Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Triche
DeWitt	Lambert	Tucker
Doerge	Lancaster	Waddell
Dorsey	Marchand	Walker
Dove	Martiny	Walsworth
Downs	McDonald	White
Durand	McVea	Winston
Erdey	Morrell	Wooton
Fannin	Morrish	Wright
Farrar	Murray	

Total—101

NAYS

Total—0

ABSENT

Gallot	Johns	Montgomery
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Crane 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. 213—**

BY REPRESENTATIVE CRANE AND SENATOR ULLO  
AN ACT

To amend and reenact R.S. 17:1954(A)(introductory paragraph) and (C)(1), (3), (4), and (5), relative to a special education advisory panel; to specify that the panel shall be appointed by the State Board of Elementary and Secondary Education; to specify that the panel shall advise the State Board of Elementary and Secondary Education in certain matters; and to provide for related matters.

Read by title.

Rep. Crane moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Flavin	Odinot
Alario	Frith	Pierre
Alexander	Futrell	Pinac
Ansardi	Gallot	Pitre
Arnold	Geymann	Powell, M.

Badon	Glover	Powell, T.
Baldone	Gray	Quezaire
Baudoin	Guillory, E.	Richmond
Baylor	Guillory, M.	Ritchie
Beard	Hammett	Romero
Bowler	Heaton	Scalise
Broome	Hill	Shepherd
Bruce	Honey	Smiley
Bruneau	Hopkins	Smith, G.—56th
Burns	Hudson	Smith, J.D.—50th
Burrell	Hunter	Smith, J.H.—8th
Carter, K.	Hutter	Smith, J.R.—30th
Carter, R.	Jackson	St. Germain
Cazayoux	Jefferson	Strain
Crane	Katz	Thompson
Crowe	Kennard	Toomy
Damico	Kenney	Townsend
Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Triche
DeWitt	Lambert	Tucker
Doerge	Lancaster	Waddell
Dorsey	Marchand	Walker
Dove	Martiny	Walsworth
Downs	McDonald	White
Durand	McVea	Winston
Erdey	Montgomery	Wooton
Fannin	Morrell	Wright
Farrar	Morrish	
Faucheux	Murray	

Total—100

NAYS

Schneider
Total—1

ABSENT

Curtis	Hebert	Johns
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Crane 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. 1403—**

BY REPRESENTATIVE GRAY  
AN ACT

To amend and reenact R.S. 40:1058.2(A)(9), relative to substance abuse/addiction treatment facilities; to delete the requirement that rules and regulations contain procedures for annual on-site surveys and complaint investigations; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Scalise to Engrossed House Bill No. 1403 by Representative Gray

AMENDMENT NO. 1

On page 1, at the end of line 15, before the period ".", insert the following:

"and procedures for annual on-site surveys and complaint investigations for substance abuse and addiction treatment centers located in residential neighborhoods"

Rep. Scalise moved the adoption of the amendments.

Rep. Gray objected.

By a vote of 53 yeas and 47 nays, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Durand	Montgomery
Badon	Farrar	Morrell
Baldone	Faucheux	Morrish
Baudoin	Frith	Murray
Baylor	Gallot	Powell, M.
Bowler	Glover	Quezaire
Broome	Gray	Richmond
Bruce	Guillory, E.	Ritchie
Burns	Guillory, M.	Shepherd
Burrell	Hammett	Smith, G.—56th
Carter, K.	Honey	Smith, J.D.—50th
Carter, R.	Hunter	St. Germain
Cazayoux	Jackson	Thompson
Curtis	Jefferson	Townsend
Daniel	LaFleur	Walker
Dartez	Lambert	White
DeWitt	Marchand	Winston
Dorsey	Martiny	Wooton
Dove	McDonald	
Total—56		

**NAYS**

Alexander	Johns	Smith, J.H.—8th
Beard	Kenney	Strain
Bruneau	LaBruzzo	Toomy
Crane	Lancaster	Trahan
Damico	McVea	Triche
Doerge	Odinet	Tucker
Downs	Pitre	Waddell
Erdey	Powell, T.	Walsworth
Flavin	Scalise	Wright
Futrell	Schneider	
Hutter	Smiley	
Total—31		

**ABSENT**

Alario	Heaton	Kennard
Ansardi	Hebert	Pierre
Arnold	Hill	Pinac
Crowe	Hopkins	Romero
Fannin	Hudson	Smith, J.R.—30th
Geymann	Katz	
Total—17		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**Suspension of the Rules**

On motion of Rep. Morrish, 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**

**ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS**

April 14, 2004

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

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution No. 60

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Suspension of the Rules**

On motion of Rep. Morrish, 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. 60—**  
BY SENATOR THEUNISSEN

**A CONCURRENT RESOLUTION**

To memorialize Congress of the United States to continue to provide southwest Louisiana veterans a community based outpatient clinic in Jennings, Louisiana.

Read by title.

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

**Message from the Senate**

**SENATE BILLS**

April 14, 2004

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. 10, 28, 35, 57, 96, 97, 119, 120, 126, 140, 160, 191, and 248

Respectfully submitted,

GLENN A. KOEPP  
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. 10—**  
BY SENATOR DUPRE

AN ACT

To authorize and empower the Terrebonne Parish School Board to negotiate and lease certain described properties to the Terrebonne Council on Aging, Inc.; to provide for execution of lease documents; to provide for reservation of mineral rights; and to provide for related matters.

Read by title.

**SENATE BILL NO. 28—**  
BY SENATOR DUPRE

AN ACT

To enact R.S. 48:229(A)(11), relative to transportation; to provide relative to priority reports on construction projects; to provide relative to factors to be considered in the order of priorities; to add as a factor the safe evacuation of population when necessitated by catastrophic events; and to provide for related matters.

Read by title.

**SENATE BILL NO. 35—**  
BY SENATORS N. GAUTREAUX, CAIN, B. GAUTREAUX, MALONE,  
MCPHERSON AND MICHOT

AN ACT

To enact R.S. 56:699.7, relative to firearm and hunter education; to allow the Department of Wildlife and Fisheries to offer instruction for safely riding "four wheeler" or all-terrain vehicles in the firearm and hunter education program; and to provide for related matters.

Read by title.

**SENATE BILL NO. 57—**  
BY SENATOR HOLDEN

AN ACT

To enact R.S. 17:176.1, relative to field trips and extracurricular activities; to require that school boards develop policies and procedures effecting bonding and insurance limits relating to travel or booking agents that provide travel and lodging arrangements for students; to prohibit school principals from approving certain excursions unless in conformity with school board policies and procedures; and to provide for related matters.

Read by title.

**SENATE BILL NO. 96—**

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 24:14(A), relative to Senate confirmation; to provide for removal from office upon expiration of an appointed term; and to provide for related matters.

Read by title.

**SENATE BILL NO. 97—**

BY SENATOR ADLEY (By Request)

AN ACT

To amend and reenact R.S. 37:2301, 2302(2) and (3), 2303(A)(5), 2308, 2309(B), (D),(G), (H), (K) and (L), 2313(A)(2)(d) and (e), and 2317(B), relative to the maintenance and repair of citizen band radios; to repeal requirements that a person must be licensed by the Louisiana State Radio and Technicians Board in order to repair a citizen band radio; and to provide for related matters.

Read by title.

**SENATE BILL NO. 119—**

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 37:2504(G), relative to the Louisiana Board of Examiners of Nursing Facility Administrators; to authorize the board to purchase property and office space and to incur debt in such purchase; to provide for an effective date; and to provide for related matters.

Read by title.

**SENATE BILL NO. 120—**

BY SENATOR MCPHERSON

AN ACT

To enact R.S. 56:1847(58), (59), (60), (61), (62), and (63), relative to state natural and scenic rivers; to include certain waters within the state natural and scenic rivers system; and to provide for related matters.

Read by title.

**SENATE BILL NO. 126—**

BY SENATOR ULLO

AN ACT

To enact R.S. 24:511(E), relative to the legislative auditor; to authorize the legislative auditor to appoint a first assistant; to provide that the legislative auditor shall establish the salary, duties and authority of the first assistant legislative auditor; to provide for the first assistant legislative auditor to serve as acting legislative auditor in absence of the legislative auditor or vacancy in the office of the legislative auditor; and to provide for related matters.

Read by title.

**SENATE BILL NO. 140—**

BY SENATOR BAJOIE

AN ACT

To amend and reenact R.S. 40:1300.51(3) and to enact R.S. 40:1300.51(2)(h), (i) and (j), relative to those employed to care for the infirm; to provide for criminal background checks on those seeking employment at agencies that care for the infirm; to provide a bar to employment in these agencies of persons convicted of certain offenses; to provide for an effective date; and to provide for related matters.

Read by title.

**SENATE BILL NO. 160—**  
BY SENATOR HAINKEL

AN ACT

To repeal R.S. 56:1855(K), relative to natural and scenic rivers; to provide relative to exceptions; to repeal the exception authorizing certain commercial or suburban agricultural zoning exemptions for tracts of land located along the Tchefuncte River between Louisiana Highway No. 22 and Lake Pontchartrain; and to provide for related matters.

Read by title.

**SENATE BILL NO. 191—**  
BY SENATORS IRONS AND DUPRE

AN ACT

To repeal R.S. 39:1220(A)(2), relative to local agencies; to remove certain limits on the amount of deposit to a financial institution; and to provide for related matters.

Read by title.

**SENATE BILL NO. 248—**  
BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 8:606, relative to internment; to require submission of certain information to the Louisiana Cemetery Board; to provide for the initiation of construction of mausoleums or similar structures within a specified period pursuant to plans and contracts; to provide for timely delivery of acceptable interment space; to provide for imposition of penalties for failure to comply; and to provide for related matters.

Read by title.

**Message from the Senate**

**SIGNED SENATE CONCURRENT RESOLUTIONS**

April 14, 2004

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. 50, 51, and 52

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

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

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

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

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

**HOUSE RESOLUTION NO. 24—**  
BY REPRESENTATIVE SCALISE

A RESOLUTION

To recognize April 17, 2004, as Walk-A-Thon Day in support of raising awareness of and searching for a cure for Parkinson's Disease.

Read by title.

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

**HOUSE RESOLUTION NO. 25—**  
BY REPRESENTATIVE MCVEA

A RESOLUTION

To recognize Al Lemoine, principal of West Feliciana Middle School, for being awarded the prestigious Louisiana Middle School Association Award of Excellence and to recognize his outstanding contributions to the education of the youth of Louisiana.

Read by title.

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

**HOUSE RESOLUTION NO. 26—**  
BY REPRESENTATIVE CRANE

A RESOLUTION

To recognize Wednesday, May 19, 2004, as Dental Hygiene Day in the state of Louisiana and to commend dental hygienists throughout the state for their outstanding contributions to the oral health of citizens of the state of Louisiana.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 94—**  
BY REPRESENTATIVES JOHNS, ALEXANDER, BALDONE, DANIEL, ERDEY, T. POWELL, TRICHE, WALSWORTH, AND WHITE AND SENATORS DARDENNE, FONTENOT, B. GAUTREAUX, KOSTELKA, MICHOT, MOUNT, AND SCHEDLER

A CONCURRENT RESOLUTION

To commend the recipients of the 2004 Louisiana Young Heroes Award.

Read by title.

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

Ordered to the Senate.

**Introduction of House Bills  
and Joint Resolutions**

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

**HOUSE BILL NO. 1452—**  
BY REPRESENTATIVE E. GUILLORY

AN ACT

To enact R.S. 22:1477 and to repeal Part XXXI-A of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, consisting of R.S. 22:1481 through 1494, relative to the use of credit reports for insurance; to provide for prohibitions; and to provide for related matters.

Read by title.

**HOUSE BILL NO. 1453—**BY REPRESENTATIVE FAUCHEUX  
AN ACT

To repeal R.S. 38:2212(A)(3)(g), relative to public contracts; to repeal certain provisions requiring construction management service contracts to be advertised and awarded through the competitive bid process.

Read by title.

**HOUSE BILL NO. 1454—**BY REPRESENTATIVE KENNEY  
AN ACT

To enact R.S. 33:4712.10, relative to naming a welcoming center; to authorize the municipal governing authority in certain municipalities to name a welcoming center in honor of a legislator; to provide limitations; and to provide for related matters.

Read by title.

**HOUSE BILL NO. 1455—**BY REPRESENTATIVE BURNS  
AN ACT

To amend and reenact R.S. 48:229(A), relative to the state highway system; to provide relative to the factors to be considered when prioritizing highway projects; and to provide for related matters.

Read by title.

**HOUSE BILL NO. 1456—**BY REPRESENTATIVE PIERRE  
AN ACT

To amend and reenact R.S. 56:109(D)(5) and 647.1 and to enact R.S. 56:302.2(C), relative to hunting and fishing licenses; to authorize exemptions from certain licensing requirements; and to provide for related matters.

Read by title.

**HOUSE BILL NO. 1457—**BY REPRESENTATIVE CAZAYOUX  
AN ACT

To amend and reenact Code of Criminal Procedure Article 793(A) and to enact Code of Criminal Procedure Article 801(B)(3), relative to trial by jury; to authorize the use of written jury charges during jury deliberations; and to provide for related matters.

Read by title.

**HOUSE BILL NO. 1458—**BY REPRESENTATIVE LAFLEUR  
AN ACT

To amend and reenact Code of Criminal Procedure Article 930.8(C), relative the prescriptive period for post-conviction relief; to provide for notice to the defendant of the prescriptive period for post-conviction relief; to provide for waiver of rights; and to provide for related matters.

Read by title.

**HOUSE BILL NO. 1459—**BY REPRESENTATIVE MONTGOMERY  
AN ACT

To amend and reenact R.S. 27:392(B)(2)(b), relative to the use of certain gaming proceeds derived under the Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to provide for the use of a portion of such monies to

support functions of the Racing Commission; to provide an effective date; and to provide for related matters.

Read by title.

**HOUSE BILL NO. 1460—**BY REPRESENTATIVE WALKER  
AN ACT

To amend and reenact R.S. 37:751(A)(5), 788(B)(4) and 793(B) and (F) and to enact R.S. 37:795(B)(2)(q) and (r), relative to the practice of dentistry; revises the definition of dentistry; to provide for administration of certain types of anesthesia; to provide for fees and costs; and to provide for related matters.

Read by title.

**HOUSE BILL NO. 1461—**BY REPRESENTATIVE QUEZAIRE  
AN ACT

To amend and reenact R.S. 32:389(D)(2), relative to weights and standards stationary scale police; to provide relative to appointment of the panel that reviews citations issued by weights and standards stationary scale police officers; and to provide for related matters.

Read by title.

**HOUSE BILL NO. 1462—**BY REPRESENTATIVE DARTEZ  
AN ACT

To enact R.S. 14:75, relative to nonpayment of child support obligations; to enact the Deadbeat Parents Punishment Act of Louisiana; to create the crime of failure to pay legal child support obligation; to provide for presumptions; to provide for penalties; to provide for restitution; to provide for venue; to provide for definitions; and to provide for related matters.

Read by title.

**Reports of Committees**

The following reports of committees were received and read:

**Report of the Committee on  
Administration of Criminal Justice**

April 14, 2004

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. 19, by Shepherd  
Reported favorably. (8-0) (Regular)

House Bill No. 33, by Farrar  
Reported with amendments. (7-0) (Regular)

House Bill No. 188, by Richmond  
Reported favorably. (8-0) (Regular)

House Bill No. 640, by M. Guillory  
Reported with amendments. (9-0) (Regular)

House Bill No. 663, by Winston  
Reported favorably. (9-0) (Regular)

DANIEL MARTINY  
Chairman

**Report of the Committee on House and Governmental Affairs**

April 14, 2004

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. 182, by Jackson  
Reported with amendments. (8-0) (Regular)

House Bill No. 217, by Martiny  
Reported favorably. (8-0) (Regular)

House Bill No. 492, by Wright  
Reported favorably. (7-0) (Regular)

House Bill No. 744, by Lancaster  
Reported with amendments. (9-0) (Regular)

CHARLES D. LANCASTER, JR.  
Chairman

**Report of the Committee on Health and Welfare**

April 14, 2004

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 Concurrent Resolution No. 5, by Walker  
Reported favorably. (12-0)

House Bill No. 699, by Durand  
Reported favorably. (12-0) (Regular)

House Bill No. 742, by Cazayoux  
Reported favorably. (14-0) (Regular)

House Bill No. 889, by Gray  
Reported with amendments. (11-0) (Regular)

House Bill No. 1042, by Triche  
Reported with amendments. (17-0) (Regular)

House Bill No. 1426, by Salter (Duplicate of Senate Bill No. 754)  
Reported with amendments. (13-5) (Regular)

SYDNE MAE DURAND  
Chairman

**Report of the Committee on Insurance**

April 14, 2004

To the Speaker and Members of the House of Representatives:

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

House Resolution No. 18, by Farrar  
Reported with amendments. (12-0)

House Bill No. 269, by Erdey  
Reported with amendments. (10-0) (Regular)

House Bill No. 398, by Johns  
Reported with amendments. (14-0) (Regular)

House Bill No. 423, by Morrish  
Reported favorably. (12-0) (Regular)

House Bill No. 517, by Johns  
Reported favorably. (11-0) (Regular)

House Bill No. 643, by Hebert  
Reported favorably. (10-0) (Regular)

House Bill No. 711, by Broome  
Reported favorably. (12-0) (Regular)

House Bill No. 752, by Morrish  
Reported favorably. (12-0) (Regular)

House Bill No. 1051, by Farrar  
Reported favorably. (11-0) (Regular)

House Bill No. 1052, by Farrar  
Reported with amendments. (15-0) (Regular)

House Bill No. 1424, by Bowler  
Reported favorably. (10-0) (Regular)

KAREN CARTER  
Chairperson

**Report of the Committee on Natural Resources**

April 14, 2004

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. 115, by Pitre  
Reported with amendments. (13-0) (Regular)

House Bill No. 595, by J. D. Smith  
Reported favorably. (10-0) (Regular)

House Bill No. 599, by G. Smith  
Reported favorably. (12-0) (Regular)

House Bill No. 605, by Frith  
Reported favorably. (14-0) (Regular)

House Bill No. 606, by J.D. Smith  
Reported favorably. (10-0) (Regular)

House Bill No. 609, by J.D. Smith  
Reported with amendments. (11-0) (Regular)

House Bill No. 914, by McVea  
Reported favorably. (12-0) (Regular)

House Bill No. 1317, by Daniel  
Reported favorably. (11-0) (Regular)

House Bill No. 1319, by Triche  
Reported favorably. (14-0) (Regular)

WILFRED PIERRE  
Chairman

**Privileged Report of the Committee on Enrollment**

April 14, 2004

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. 23—**

BY REPRESENTATIVES KENNARD AND DORSEY

**A RESOLUTION**

To commend and congratulate the Louisiana State University Lady Tigers basketball team upon advancing to its first National Collegiate Athletic Association (NCAA) Final Four and to extend best wishes to the players and coaches as they celebrate this historic occasion and prepare for another successful season.

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.

**Suspension of the Rules**

On motion of Rep. Martiny, the rules were suspended to permit the Committee on Administration of Criminal Justice to meet on Thursday, April 15, 2004, and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill Nos. 585 and 591

**Suspension of the Rules**

On motion of Rep. Lancaster, the rules were suspended to permit the Committee on House and Governmental Affairs to meet on Thursday, April 15, 2004, 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. 256

**Suspension of the Rules**

On motion of Rep. Toomy, the rules were suspended to permit the Committee on Judiciary to meet upon adjournment on Thursday, April 15, 2004.

**Adjournment**

On motion of Rep. Kenney, at 6:15 P.M., the House agreed to adjourn until Thursday, April 15, 2004, at 2:00 P.M.

The Speaker of the House declared the House adjourned until 2:00 P.M., Thursday, April 15, 2004.

ALFRED W. SPEER  
Clerk of the House

