

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

SIXTEENTH 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

Thursday, April 22, 2004

The House of Representatives was called to order at 1:00 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	Faucheux	Morrish
Alario	Flavin	Murray
Alexander	Fritch	Odinot
Ansardi	Futrell	Pierre
Arnold	Gallot	Pinac
Badon	Geymann	Pitre
Baldone	Glover	Powell, M.
Baudoin	Gray	Powell, T.
Baylor	Guillory, E.	Quezaire
Beard	Guillory, M.	Richmond
Bowler	Hammett	Ritchie
Broome	Heaton	Romero
Bruce	Hebert	Scalise
Bruneau	Hill	Schneider
Burns	Honey	Shepherd
Burrell	Hopkins	Smiley
Carter, K.	Hudson	Smith, G.—56th
Carter, R.	Hunter	Smith, J.D.—50th
Cazayoux	Hutter	Smith, J.H.—8th
Crane	Jackson	Smith, J.R.—30th
Crowe	Jefferson	St. Germain
Curtis	Johns	Strain
Damico	Katz	Thompson
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
Total—102		

ABSENT

Kennard	Toomy
Total—2	

The Speaker announced that there were 102 members present and a quorum.

Prayer

Prayer was offered by Rev. Conway L. Knighton.

Pledge of Allegiance

Rep. Doerge 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. McDonald, the reading of the Journal was dispensed with.

On motion of Rep. Mickey Guillory, the Journal of April 21, 2004, was adopted.

Petitions, Memorials and Communications

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

Message from The Secretary of State

The following message from the Secretary of State was received and read:

State of Louisiana

SECRETARY OF STATE

April 21, 2004

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

I have the honor to submit to you the name of Joel Robideaux, who has been duly elected to fill the vacancy occurring in your honorable body since the last Session of the Legislature, caused by the resignation of Rep. Jerry Luke LeBlanc.

Joel Robideaux has been officially proclaimed duly and legally elected as Representative from the 45th Representative District of the State of Louisiana.

FOX McKEITHEN
 Secretary of State

United States of America
STATE OF LOUISIANA
Fox McKeithen
Secretary of State

As Secretary of State of the State of Louisiana, I do hereby certify that the following candidate, having run in the election held on April 17, 2004, is declared elected by the people to the office set opposite his name for an unexpired term:

State Representative Joel Robideaux, Representative of District 45.

In testimony whereof, I have hereunto set my hand and caused the seal of my office to be affixed at the city of Baton Rouge on this, the 21st day of April, 2004.

FOX McKEITHEN
Secretary of State

Oath of Office

Mr. Robideaux presented himself before the bar of the House and took the following oath:

"I, Joel Robideaux, do solemnly swear that I will support the constitution and laws of the United States and the constitution and laws of this state and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as a member of the House of Representatives according to the best of my ability and understanding, so help me God".

Message from the Senate

SENATE BILLS

April 22, 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. 118, 291, 375, 385, 433, 434, 443, 659, 690, 692, and 740

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Suspension of the Rules

On motion of Rep. Hutter, 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. 118—
BY SENATORS MCPHERSON AND N. GAUTREAUX
AN ACT

To amend and reenact the introductory paragraph of R.S. 36:801 and to enact R.S. 36:610(J) and Subpart I-1 of Part I of Chapter 2 of Title 56 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 56:799.1 through 799.4, relative to the White Lake Property Fund; to create the White Lake Property Fund in the state treasury as a fund within the Louisiana Wildlife and Fisheries Conservation Fund; to provide for deposits of monies into the fund; to provide for investment and uses of monies in the fund; to create the White Lake Property Advisory Board; to

provide for its domicile, membership, and duties; to authorize the board to solicit and accept donations; to provide for an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 291—
BY SENATOR MOUNT
AN ACT

To amend and reenact R.S. 32:5, relative to traffic control at parade events; to provide for the authority of certain parade marshals in Calcasieu Parish to direct, control, or regulate traffic at parade events; and to provide for related matters.

Read by title.

SENATE BILL NO. 375—
BY SENATOR MARIONNEAUX
AN ACT

To enact R.S. 56:115.1, relative to the definition of a legal buck deer; to provide for uniformity in regulations as to size and number of antlers which an antlered buck deer must possess in order to be legally taken; to provide for exceptions; and to provide for related matters.

Read by title.

SENATE BILL NO. 385—
BY SENATOR LENTINI
AN ACT

To amend and reenact R.S. 47:1979, relative to reporting of property owned by Tax Commission members; to provide for a deadline for the reporting; and to provide for related matters.

Read by title.

SENATE BILL NO. 433—
BY SENATOR THEUNISSEN AND REPRESENTATIVE PIERRE
AN ACT

To enact R.S. 36:610(J) and Subpart A-1 of Part VII of Chapter 1 of Title 56 of the Louisiana Revised Statutes of 1950, comprised of R.S. 56:360.1 through 360.3, relative to non-indigenous aquatic species; to create the Louisiana Aquatic Invasive Species Council and the Louisiana Aquatic Invasive Species Advisory Task Force; to provide for their powers, duties, functions, and responsibilities; and to provide for related matters.

Read by title.

SENATE BILL NO. 434—
BY SENATOR THEUNISSEN
AN ACT

To amend and reenact R.S. 2:903(B), relative to airports; to provide relative to the General Aviation and Reliever Airport Maintenance Grant Program; to authorize the use of Transportation Trust Fund monies; to provide limitations; and to provide for related matters.

Read by title.

SENATE BILL NO. 443—
BY SENATOR ULLO
AN ACT

To amend and reenact R.S. 14:32.6, relative to first degree feticide; to provide for assault by drive-by shooting and second degree kidnapping in the crime of first degree feticide; and to provide for related matters.

Read by title.

SENATE BILL NO. 659—

BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 14:2(13)(m), the introductory paragraph of R.S. 14:43.2(A) and (C), 78.1(B)(1), 107.2(A), R.S. 46:1844(W)(2), Code of Criminal Procedure Arts. 571.1 and 893.3(E)(1)(b), Code of Evidence Art. 412.1, relative to sexual battery; to rename the offense of aggravated sexual battery to second degree sexual battery; and to provide for related matters.

Read by title.

SENATE BILL NO. 690—

BY SENATORS HINES, JACKSON, BAOJIE, N. GAUTREAU, MCPHERSON, SCHEDLER AND HOLDEN

AN ACT

To amend and reenact R.S. 40:1300.133(3) and R.S. 40:2197(D) and to enact Part LXI of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.222 through 1300.227, relative to federally qualified health centers and rural health clinics; to authorize the Department of Health and Hospitals to develop and implement a long-term plan to encourage expansion and development of federally qualified health centers and rural health clinics; to provide findings; to provide definitions; to provide for reports to the legislature; to provide for rules and regulations; and to provide for related matters.

Read by title.

SENATE BILL NO. 692—

BY SENATORS BARHAM, CHEEK, CRAVINS, JONES, LENTINI, MARIONNEAU, ADLEY, AMEDEE, BOASSO, BOISSIERE, CAIN, DARDENNE, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAU, N. GAUTREAU, HAINKEL, HEITMEIER, HINES, HOLDEN, HOLLIS, IRONS, JACKSON, KOSTELKA, MALONE, MCPHERSON, MICHOT, MOUNT, NEVERS, ROMERO, SMITH, THEUNISSEN AND ULLO

AN ACT

To amend and reenact R.S. 14:329.6(E) and to enact Part XII of Chapter 9 of Title 23 of the Louisiana Revised Statutes of 1950 to be comprised of R.S. 23:1017 through 1017.6, relative to offenses affecting the public; to require employers of first responders to homeland security emergencies to maintain the employment, pay rate levels, pensions, and benefits for those first responders; and to provide for related matters.

Read by title.

SENATE BILL NO. 740—

BY SENATOR FIELDS

AN ACT

To enact R.S. 17:7(13), relative to the duties, functions, and responsibilities of the State Board of Elementary and Secondary Education; to provide with regard to the development of certain curricular elements; to provide with regard to inclusion of certain topics; 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:

Motion

On motion of Rep. Hutter, the Committee on Commerce was discharged from further consideration of House Concurrent Resolution No. 35.

HOUSE CONCURRENT RESOLUTION NO. 35—

BY REPRESENTATIVE HUTTER

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to authorize and direct that the United States Army Corps of Engineers close the Mississippi River Gulf Outlet, which has resulted in adverse environmental impacts to the Louisiana coast.

Read by title.

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

House Bills and Joint Resolutions on Second Reading to be Referred

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

Motion

On motion of Rep. Jefferson, the Committee on Administration of Criminal Justice was discharged from further consideration of House Bill No. 678.

HOUSE BILL NO. 678—

BY REPRESENTATIVE JEFFERSON

AN ACT

To amend and reenact Code of Criminal Procedure Article 780(A) and (B), relative to criminal trials; to provide with respect to the waiver of a jury trial by a criminal defendant; to require consent by the district attorney; and to provide for related matters.

Read by title.

Motion

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

Motion

On motion of Rep. Jefferson, the Committee on Administration of Criminal Justice was discharged from further consideration of House Bill No. 683.

HOUSE BILL NO. 683—

BY REPRESENTATIVE JEFFERSON

A JOINT RESOLUTION

Proposing to amend Article I, Section 17(A) of the Constitution of Louisiana, to provide that a waiver by a criminal defendant of the right to a trial by jury must be in writing, must be approved by the court, and must have the consent of the prosecuting attorney; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Motion

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

Motion

On motion of Rep. Pinac, the Committee on Commerce was discharged from further consideration of House Bill No. 1490.

HOUSE BILL NO. 1490—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 45:1162, relative to the Public Service Commission; to increase the salaries of the commission members; and to provide for related matters.

Read by title.

On motion of Rep. Pinac, the bill was recommitted to the Committee on House and Governmental Affairs.

Senate Bills and Joint Resolutions on Second Reading to be Referred

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

SENATE BILL NO. 2—

BY SENATORS MCPHERSON, CAIN, B. GAUTREAUX, N. GAUTREAUX, MALONE, MICHOT AND ROMERO

A JOINT RESOLUTION

Proposing to add Article I, Section 27 of the Constitution of Louisiana, relative to the declaration of rights; to preserve the freedom to hunt, fish, and trap, subject to regulation, restriction, or prohibition imposed pursuant to law; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

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

SENATE BILL NO. 12—

BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 48:1002(A), relative to ferries; to provide for the period of appropriation of state funds for operation and maintenance of the Monkey Island Ferry located in Cameron Parish; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 15—

BY SENATORS DUPRE, B. GAUTREAUX, N. GAUTREAUX, MCPHERSON AND ROMERO

AN ACT

To amend and reenact R.S. 56:326(F)(1), relative to size and possession limits of commercial fish; to provide for an affirmative defense for undersized crab violations; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 30—

BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 32:407(A)(2) and (3), relative to driver's licenses; to increase the time required for possession of a learner's permit prior to obtaining an intermediate license in certain circumstances; 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 Transportation, Highways and Public Works.

SENATE BILL NO. 41—

BY SENATOR MCPHERSON

AN ACT

To enact Part V-A of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:115, relative to the settlement of claims by the state; to provide for notification to the Joint Legislative Committee on the Budget of certain claims in which the state has an interest; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 67—

BY SENATOR MCPHERSON AND REPRESENTATIVE FARRAR

AN ACT

To enact Part III-H of Title 19 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 19:138 through 138.7, relative to expropriation by municipal corporations; to authorize the city of Pineville to expropriate certain properties for the Susek Drive Project; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 72—

BY SENATOR MCPHERSON

AN ACT

To enact Part V-A of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:115, relative to claims against the state; to provide for notification to the Joint Legislative Committee on the Budget of certain claims against the state; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 98—

BY SENATORS FIELDS, DARDENNE, HOLDEN AND MARIONNEAUX

AN ACT

To amend and reenact R.S. 13:992.1(C) and (D), relative to judicial expense funds of district courts; to provide relative to the building fund of the Nineteenth Judicial District; to provide relative to the construction of a new facility in such district; to extend the time limit for accepting bids for such facility; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 105—

BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 56:2(D), relative to wildlife and fisheries; to provide relative to the Wildlife and Fisheries Commission; to provide for the elections of the chairman and vice-chairman; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 117—
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 56:31.1(E) and 39, relative to wildlife violations; to provide for the use of the first two dollars of any penalty or fine imposed for violations involving fish and wildlife in the state; to create the Fish and Wildlife Violations Reward Fund as a special fund in the state treasury; to provide for appropriations from the fund and for the use of monies in the fund; to authorize the Department of Wildlife and Fisheries to execute a cooperative endeavor agreement to administer and implement a fish and wildlife reward program; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 138—
BY SENATOR SCHEDLER

AN ACT

To enact R.S. 13:2575.2, relative to administrative adjudication procedures and judicial reviews of code violations in the parish of St. Tammany; to provide additional administrative adjudication procedures in St. Tammany Parish; to provide additional judicial review procedures in St. Tammany Parish; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 161—
BY SENATOR B. GAUTREAUX

AN ACT

To enact Part XVI of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:559.1 through 559.9, and R.S. 36:629(Q), relative to the Louisiana Aquatic Chelonian Research and Promotion Board; to provide for definitions; to provide for the composition, powers, and duties of the board; to provide for the powers of the commissioner of agriculture and forestry; to provide for a referendum for imposition of assessments and authorization for certain activities; to provide for the collection and disbursement of assessments; to provide for violations and penalties; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

SENATE BILL NO. 200—
BY SENATOR BARHAM

AN ACT

To amend and reenact R.S. 40:1662.3(26) and (27) and 1662.8(B)(2)(g) and (h), relative to public health and safety; to provide for a license exemption for certain locksmiths; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 295—
BY SENATOR N. GAUTREAUX
AN ACT

To enact R.S. 51:1423, relative to deceptive and unfair trade practices; to prohibit the issuing of a gift certificate with an expiration date or which includes any service fee; 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 Commerce.

SENATE BILL NO. 340—
BY SENATOR CHAISSON
AN ACT

To amend and reenact R.S. 56:1855(L), relative to scenic rivers; to provide relative to certain environmental remediation activities on Bayou Trepagnier; and to provide for related matters.

Read by title.

Motion

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

SENATE BILL NO. 363—
BY SENATOR HOLDEN
AN ACT

To release the city of Baker School Board from certain obligations owed by the school board to the state of Louisiana; to release and discharge the city of Baker School Board from the interest owed to the state; to provide for a repayment schedule; 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 Appropriations.

SENATE BILL NO. 438—
BY SENATOR ULLO
AN ACT

To amend and reenact R.S. 14:67.10(B)(2), relative to theft of goods; to increase the threshold value of misappropriated goods for the purpose of meeting felony status; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 439—
BY SENATOR ULLO
AN ACT

To amend and reenact R.S. 14:78.1 (C), relative to aggravated incest; to provide that consent is not a defense to aggravated incest; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 441—
BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 14:30(A)(7), relative to first degree murder; to provide for intent to inflict great bodily harm while engaged in ritualistic acts; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 444—
BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 14:2(13)(kk) and 64.4, relative to robbery; to rename the offense of aggravated robbery to second degree robbery; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 493—
BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 46:2721 and to rename Chapter 56 of Title 46 of the Louisiana Revised Statutes of 1950, relative to funds; to abolish the Medicaid School-Based Administrative Claiming Trust Fund; to provide for certain reimbursable claims to public schools; 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 Appropriations.

SENATE BILL NO. 496—
BY SENATORS SCHEDLER, ADLEY, AMEDEE, BARHAM, BOASSO, BOISSIERE, CHEEK, CRAVINS, DARDENNE, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HANKEL, HINES, HOLDEN, HOLLIS, IRONS, JONES, KOSTELKA, LENTINI, MICHOT, NEVERS, ROMERO, SMITH AND THEUNISSEN

AN ACT

To designate a portion of Interstate 10 from the Mississippi State Line as the Stephen E. Ambrose Memorial Parkway; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Transportation, Highways and Public Works.

SENATE BILL NO. 538—
BY SENATORS CAIN AND HANKEL

AN ACT

To amend and reenact R.S. 22:228.1(B)(7), (8), (9), (10), (11), (12), and (C) and to enact R.S. 22:228.1(B)(13) and (14), relative to health insurance; to define health savings accounts and high deductible health plans; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 555—
BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 32:361.2, relative to motor vehicle safety; to provide for medical exemptions to restrictions on tint on motor vehicle windows; to provide for the review of such exemptions; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Transportation, Highways and Public Works.

SENATE BILL NO. 596—
BY SENATOR NEVERS

AN ACT

To amend and reenact R.S. 38:1794(B)(2), relative to the compensation of members of the boards of commissioners of certain consolidated gravity drainage districts; to provide for an increase in the maximum per diem of such members; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Transportation, Highways and Public Works.

SENATE BILL NO. 679—
BY SENATORS CHAISSON, AMEDEE AND HANKEL AND REPRESENTATIVE FUTRELL

AN ACT

To amend and reenact R.S. 14:98(D)(1) and (3), (E)(1) and (3), and (I), relative to operating a vehicle while intoxicated; to provide with respect to the criminal penalties for third, fourth, and subsequent offenses of operating a vehicle while intoxicated; to provide for the court's discretion in suspending a portion of the criminal sentence for third, fourth, and subsequent offenses; to provide for the court's discretion in ordering an offender to substance abuse treatment and home incarceration; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 726—
BY SENATORS HOLLIS AND HOLDEN

AN ACT

To amend and reenact R.S. 51:2378(A) and the introductory paragraph of (B), 2382(B)(1), (2), (5), (6), and (7), and 2383(C), and to enact R.S. 51:2378(B)(14) and (15), (C)(15) and (16), and 2381(C), and 2383(A)(13), (14), (15), (16), (17), (18), (19), (20), (21), and (22), relative to the Louisiana Economic Development Council; to increase the membership of the council; to provide for reports by the council to the legislature; to appoint certain subcommittees of the council; to increase the cabinet advisory group on economic development; and to provide for related matters.

Read by title.

Motion

Rep. Pinac moved that Senate Bill No. 726 be designated as a duplicate of House Bill No. 1320.

Which motion was agreed to.

Rep. Pinac moved that Senate Bill No. 726 be amended to conform with House Bill No. 1320 and sent up the following floor amendments:

HOUSE FLOOR AMENDMENTS

Conforming Amendments proposed by Representative Pinac to Reengrossed Senate Bill No. 726 by Senator Hollis (Duplicate of House Bill No. 1320)

AMENDMENT NO. 1

On page 3, at the end of line 2, delete "and the" and delete line 3 in its entirety and insert "recommendations."

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

Motion

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

SENATE BILL NO. 732—

BY SENATORS CAIN AND HAINKEL
AN ACT

To amend and reenact R.S. 22:627(A)(2), 1257, 1258, 1259, 1262.1(B)(1) and (E), the introductory paragraph of R.S. 22:1263, and R.S. 22:1267(A), relative to surplus lines insurance; to require that the premium and premium tax on a surplus lines policy be separately stated on the policy declaration page; to provide for printing of an endorsement on the insurance contract and for the display of such endorsement; to remove requirements that certain insurers file affidavits as to passage of Insurance Regulatory Information Systems tests; to remove the commissioner's authority to remove an insurer from the list of approved unauthorized insurers if the insurer is designated a first, second, or third priority company by failing to pass certain prescribed tests of the Insurance Regulatory Information Systems; to remove the requirement that a surplus line broker keep an office in this state and remove the authority of the commissioner to revoke such insurer's license for failure to maintain such office in the state; to remove the commissioner's authority to revoke a surplus lines broker's license for failure to maintain the required bond or other security requirements; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 743—

BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 29:655(D) and the introductory paragraph of 657(A), relative military affairs; to provide certain benefits for Civil Air Patrol members who are injured or killed or become ill during performance of their duties; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 341—

BY SENATORS CHAISSON AND SCHEDLER AND REPRESENTATIVE FUTRELL

AN ACT

To amend and reenact R.S. 32:300(A), (B)(3)(b), (D) and (E) and to enact R.S. 32:300(F), relative to alcoholic beverages; to prohibit passengers in motor vehicles from possessing open alcoholic beverage containers; to prohibit such persons from consuming alcoholic beverages; to provide for exceptions; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

Rep. Futrell moved that Senate Bill No. 341 be designated as a duplicate of House Bill No. 528.

Which motion was agreed to.

Rep. Futrell moved that Senate Bill No. 341 be amended to conform with House Bill No. 528 and sent up the following floor amendments:

HOUSE FLOOR AMENDMENTS

Conforming Amendments proposed by Representative Futrell to Reengrossed Senate Bill No. 341 by Senator Chaisson (Duplicate of House Bill No. 528)

AMENDMENT NO. 1

On page 1, line 3, after "prohibit" delete the remainder of the line and delete lines 4 and 5 in their entirety and insert the following:

"any passenger in a motor vehicle from possessing an open alcoholic beverage container; to prohibit a passenger from consuming an alcoholic beverage in the passenger area; to provide for exceptions; to provide relative to enforcement; to provide relative to the authority of local governments; and to provide for related"

AMENDMENT NO. 2

On page 1, line 15, after "B." delete the the remainder of the line and insert the following:

"For purposes of this Section, the following words have the following meanings ascribed to them:

* * *

AMENDMENT NO. 3

On page 2, line 2, before "straw" insert "a" and at the end of the line, change "said" to "the"

AMENDMENT NO. 4

On page 2, delete lines 5 and 6 in their entirety

AMENDMENT NO. 5

On page 2, line 7, after "D." insert "(1)"

AMENDMENT NO. 6

On page 2, between lines 9 and 10, insert the following:

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"(2) For purposes of enforcement, the observance of a glass, cup, or other container that, on its face, does not indicate that the container contains an alcoholic beverage, shall not, absent other circumstances, constitute probable cause for a law enforcement officer to stop and question a person."

AMENDMENT NO. 7

On page 2, line 12, after "However," insert "the"

AMENDMENT NO. 8

On page 2, delete line 13 in its entirety and insert "governing authority of a local governmental subdivision with a population of over fifty thousand as of the most recent federal decennial census may enact a"

AMENDMENT NO. 9

On page 2, line 15, insert a comma "," after "Section" and change "codes or ordinances" to "code or ordinance"

AMENDMENT NO. 10

On page 2, line 17, after "Section," change "This" to "The" and after "preemption" insert "contained in this Subsection"

AMENDMENT NO. 11

On page 2, line 19, insert a comma "," after "state"

AMENDMENT NO. 12

On page 2, line 21, after "jurisdiction," delete the remainder of the line and delete lines 22 through 25 in their entirety.

AMENDMENT NO. 13

On page 3, line 1, change "Persons" to "Any person"

AMENDMENT NO. 14

On page 3, at the beginning of line 2, change "their" to "his" and at the end of the line change "are" to "is"

AMENDMENT NO. 15

On page 3, line 4, change "passengers do" to "passenger does"

AMENDMENT NO. 16

On page 3, line 5, change "Paid" to "Any paid" and change "passengers" to "passenger"

AMENDMENT NO. 17

On page 3, line 7, change "Paid" to "Any paid" and change "passengers" to "passenger"

AMENDMENT NO. 18

On page 3, line 9, change "Passengers" to "Any passenger"

AMENDMENT NO. 19

On page 3, line 10, change "Passengers" to "Any passenger"

AMENDMENT NO. 20

On page 3, after line 18, insert the following:

"(8) Passengers and krewe members riding on a parade float."

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

Motion

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

Motion

On motion of Rep. Damico, the Committee on Civil Law and Procedure was discharged from further consideration of Senate Bill No. 467.

SENATE BILL NO. 467— BY SENATOR FONTENOT

AN ACT

To enact R.S. 30:2025(H), relative to environmental quality; to provide a limitation on the time within which actions, suits, or proceedings for the assessment or enforcement of any civil fine or penalty may be instituted; and to provide for related matters.

Read by title.

Motion

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

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. 62— BY REPRESENTATIVE ODINET A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries and the Department of Health and Hospitals to study the correlation between nighttime water and air temperature and the development of *Vibrio vulnificus* in oysters harvested during those times.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

HOUSE CONCURRENT RESOLUTION NO. 65— BY REPRESENTATIVE ODINET A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries to study the development and implementation of a plan for the management of nuisance fish around oyster beds.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

House Bills and Joint Resolutions on Second Reading Reported by Committee

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

HOUSE BILL NO. 42—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact enact R.S. 14:35.3(B)(2), relative to the crime of domestic abuse battery; to define "household member" to include certain minor children; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 43—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact R.S. 14:30(A)(9) and to amend and reenact R.S. 14:30(B), relative to homicide; to provide with respect to the crime of first degree murder; to provide for definitions; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 73—
BY REPRESENTATIVE PITRE
A JOINT RESOLUTION

Proposing to amend Article XIII, Section 2 of the Constitution of Louisiana, relative to constitutional conventions; to provide that the law calling for a constitutional convention may limit the matters to be considered by the constitutional convention; to provide relative to the effectiveness of certain proposals by a constitutional convention; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

Under the rules, the above bill was ordered engrossed and recommitted to the Committee on Civil Law and Procedure.

HOUSE BILL NO. 97—
BY REPRESENTATIVE SALTER
AN ACT

To enact Children's Code Article 815(E), relative to preadjudication custody of children; to provide with respect to the costs of such

custody; to provide for the responsibility of bearing such costs; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 123—
BY REPRESENTATIVE PITRE
AN ACT

To provide for the calling of a constitutional convention; to provide for the qualifications and election of delegates thereto; to fix the time and place for the organizational session of the convention; to provide for the organization of the convention; to provide relative to restrictions on the convention; to provide for certain actions by the legislature; to provide for penalties for violations relating to elections; to provide with respect to the disbursement of funds appropriated for the convention; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 134—
BY REPRESENTATIVES BRUCE, MONTGOMERY, BURRELL, ROMERO,
WHITE, AND WOOTON
AN ACT

To amend and reenact R.S. 15:283(A)(introductory paragraph), 440.2(A)(1), 440.4(A)(introductory paragraph) and (1) and (2), and 440.5(A)(introductory paragraph) and (6) and Children's Code Articles 322, 324(A), 326(A)(introductory paragraph), 329(A)(introductory paragraph), 652(A)(4), and 1027(A)(4), relative to testimony of children; to authorize the taking of testimony outside of the courtroom from children under the age of seventeen in certain circumstances; to authorize the videotaped recordation of a statement from children under the age of seventeen in certain circumstances; to delete provisions restricting the use of closed circuit television and videotaped statements to children who have been sexually or physically abused; to provide with respect to the admissibility of videotaped statements; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

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HOUSE BILL NO. 160—

BY REPRESENTATIVE FRITH

AN ACT

To amend and reenact R.S. 56:435.1(A), (C), and (G), to enact R.S. 56:435.1.1, and to repeal R.S. 56:435.1(H), relative to oyster harvesting; to authorize the use of certain dredges in Calcasieu Lake; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 160 by Representative Frith

AMENDMENT NO. 1

On page 3, line 12, after "with" insert "no mechanical assist and"

AMENDMENT NO. 2

On page 3, line 12, change "that" to "than"

AMENDMENT NO. 3

On page 3, between lines 28 and 29, insert the following:

"E. Any violation of the provisions of this Section shall be considered a class four violation subject to the penalties contained in R.S. 56:34."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 272—

BY REPRESENTATIVES DURAND, THOMPSON, SALTER, JOHN SMITH, STRAIN, TOOMY, CURTIS, DOERGE, DORSEY, GRAY, E. GUILLORY, M. GUILLORY, KATZ, MARCHAND, MCDONALD, STRAIN, WADDELL, WALKER, AND WINSTON AND SENATORS BARHAM, HINES, JONES, MCPHERSON, AND SCHEDLER

AN ACT

To amend and reenact R.S. 36:801.1(A) and to enact R.S. 36:259(J) and Chapter 34 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2841 through 2846, relative to the Louisiana Emergency Response Network (LERN); to provide for statement of purpose; to provide for definitions; to provide for the creation of the Louisiana Emergency Response Network; to provide for the board and its membership, appointments, terms of office, vacancies, meetings, compensation, functions, powers, and duties; to provide for rules and regulations; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 272 by Representative Durand

AMENDMENT NO. 1

On page 3, line 6, change "will" to "shall"

AMENDMENT NO. 2

On page 3, line 8, change "will" to "shall"

AMENDMENT NO. 3

On page 3, line 15, change "seventeen" to "twenty"

AMENDMENT NO. 4

On page 3, line 25, change "One member" to "Two members"

AMENDMENT NO. 5

On page 3, line 26, after "Hospitals" insert "which shall include a member from the office of mental health"

AMENDMENT NO. 6

On page 4, line 1, change "One member" to "Two members"

AMENDMENT NO. 7

On page 4, line 2, after "Society" insert "which shall include a member specializing in pediatric surgery"

AMENDMENT NO. 8

On page 4, between lines 14 and 15 insert "(14) One member from nominees submitted by the Louisiana State Coroners Association."

AMENDMENT NO. 9

On page 4, line 15, change "(14)" to "(15)"

AMENDMENT NO. 10

On page 4, line 16, change "(15)" to "(16)"

AMENDMENT NO. 11

On page 4, line 17, change "(13)" to "(14)"

AMENDMENT NO. 12

On page 4, line 20, change "(13)" to "(14)"

AMENDMENT NO. 13

On page 4, line 23, change "(14)" to "(15)" and change "(15)" to "(16)"

AMENDMENT NO. 14

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

"(4) Shall apply for all available appropriate public and all available appropriate public and private federal grants, donations, or gifts of money or services from any available source."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 292—
BY REPRESENTATIVE DORSEY
AN ACT

To enact R.S. 15:831(E), relative to medical care of inmates; to require the secretary of the Department of Public Safety and Corrections to adopt rules for the monitoring of diets of inmates diagnosed with a medical condition or disease; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 402—
BY REPRESENTATIVE FLAVIN
AN ACT

To amend and reenact Code of Criminal Procedure Article 734(C), relative to subpoenas; to authorize service of subpoenas by investigators employed by district attorneys; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 402 by Representative Flavin

AMENDMENT NO. 1

On page 1, line 12, after "attorney" insert "and who are P.O.S.T."

AMENDMENT NO. 2

On page 1, at the beginning of line 13 before "may" insert "certified commissioned law enforcement officers"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 421—
BY REPRESENTATIVE BEARD
AN ACT

To enact R.S. 44:3.2, relative to public records; to exempt certain proprietary and trade secret information from the laws relative to public records; to provide for certain determinations by a

custodian; to provide for certain notification procedures; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 421 by Representative Beard

AMENDMENT NO. 1

On page 2, line 10, after "custodian" delete the period "." and insert "within thirty days of a submission; however, if a custodian receives a public records request during the period of thirty days, the determination shall be made within the time period provided in R.S. 44:32(D) and 33(B)."

AMENDMENT NO. 2

On page 2, line 21, after "any record" and before "which is not" insert "or part of a record"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 426—
BY REPRESENTATIVE DURAND
AN ACT

To amend and reenact R.S. 37:1290, relative to the Louisiana State Board of Medical Examiners; to provide for penalties for the unauthorized practice of medicine; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 426 by Representative Durand

AMENDMENT NO. 1

On page 1, line 8, delete "Where a" and insert "When an administrative complaint or"

AMENDMENT NO. 2

On page 1, line 9, after "license" and before "or" insert ", permit,"

AMENDMENT NO. 3

On page 1, line 11, after "license" and before "or" insert ", permit,"

AMENDMENT NO. 4

On page 1, line 17, delete "constitutes" and insert "of engaging in the practice of medicine shall constitute"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 450—
BY REPRESENTATIVE ODINET
AN ACT

To amend and reenact R.S.56:424(E)(2) and 433(J), relative to taking oysters; to require the use of a vessel monitoring system by a person convicted of violations of the laws governing the taking of oysters; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 450 by Representative Odinet

AMENDMENT NO. 1

On page 1, line 2, change "56:424(D)" to "56:424(E)(2)"

AMENDMENT NO. 2

On page 1, line 6, change "56:424(D)" to "56:424(E)(2)"

AMENDMENT NO. 3

On page 1, delete lines 10 through 16 in their entirety and on line 17, delete "(2)" and insert in lieu thereof the following:

"E.

* * *

(2) ~~Violation of the provisions of this Subsection constitutes a class four violation, unless otherwise provided.~~ In addition to all other penalties provided hereunder, whoever violates this Subsection shall have oyster harvester's license or licenses under which the violation occurred revoked for the period for which it or they were issued. For the first offense, the license or licenses shall not be reinstated for one year thereafter. For the second and subsequent offenses, the license or licenses shall not be reinstated for three years thereafter."

AMENDMENT NO. 4

On page 1, line 18, change "Section may" to "Subsection shall"

AMENDMENT NO. 5

On page 2, line 2, change "Section" to "Subsection"

AMENDMENT NO. 6

On page 2, line 9, change "may" to "shall"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 474—
BY REPRESENTATIVE DURAND
AN ACT

To amend and reenact R.S. 37:1285(C) and (D) and to enact R.S. 37:1285(A)(32), (33), (34), and (35), relative to the Louisiana State Board of Medical Examiners; to provide for additional causes for nonissuance, suspension, revocation, or imposition of other restrictions on a licensee; to provide for costs and fines; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 474 by Representative Durand

AMENDMENT NO. 1

On page 2, line 26, delete "and any" and insert ", expenses, and"

AMENDMENT NO. 2

On page 2, line 27, delete "Any cost or" and insert "All costs, expenses, and"

AMENDMENT NO. 3

On page 3, line 5, delete "where" and insert "when"

AMENDMENT NO. 4

On page 3, line 6, delete "and" and insert ", expenses, or"

AMENDMENT NO. 5

On page 3, line 9, delete "lie" and insert "be" and delete "in which" and insert "where"

AMENDMENT NO. 6

On page 3, line 10, delete "offices are" and insert "office is"

AMENDMENT NO. 7

On page 3, line 11, after "D." and before "Any" insert "(1)"

AMENDMENT NO. 8

On page 3, line 12, after "board." and before "A physician" insert "(2)"

AMENDMENT NO. 9

On page 3, line 13, delete "may" and insert "shall"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 494—
BY REPRESENTATIVE ODINET

AN ACT

To amend and reenact R.S. 3:4631(E), 40:5.3(E) and (F), and 56:449(A) and (C), relative to the National Shellfish Sanitation Program; to remove from the statutes references to the standards as adopted by the program; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 494 by Representative Odinet

AMENDMENT NO. 1

On page 2, delete lines 1 through 3 in their entirety and insert in lieu thereof the following:

"E. The"

AMENDMENT NO. 2

On page 2, line 4, delete "ISSC's" and after "purpose" insert "of this Section"

AMENDMENT NO. 3

On page 2, line 5, after "wholesome." delete the remainder of the line and delete lines 6 through 9 in their entirety and insert "The Department"

AMENDMENT NO. 4

On page 2, line 10, after "shall" delete the remainder of the line and delete lines 11 through 15 in their entirety and insert in lieu thereof the following:

"enforce the requirements for classification of shellfish growing areas and for certifying, processing, and distributing shellfish, which requirements are contained in Louisiana Administrative Code Title 51, Part IX and promulgated under the provisions of R.S. 49:953(B)."

AMENDMENT NO. 5

On page 2, line 22, delete "rules adopted to provide specific"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 544—
BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 24:31.3, relative to newly elected members of the legislature; to allow for reimbursement for expenses related to attendance at certain orientation seminars for newly elected members of the legislature; to allow for certain actions and expenditures to establish a district office for such members-elect; to allow the employment of legislative assistants by such members-elect; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 556—
BY REPRESENTATIVE CRANE
AN ACT

To amend and reenact Section 1(B) of Act No. 991 of the 1999 Regular Session of the Legislature, relative to the authority granted to the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to impose specified increases in tuition amounts at the university laboratory school; to remove exceptions relative to the payment of certain authorized amount increases provided for certain families based on gross annual household income; to provide for the applicability of exceptions previously authorized by law; to provide an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 556 by Representative Crane

AMENDMENT NO. 1

On page 1, line 7, after "income;" and before "to" insert "to provide for the applicability of exceptions previously authorized by law;"

AMENDMENT NO. 2

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

"Additionally, any family provided an exemption from or reduction in payment of specified increases in tuition amounts for a student pursuant to the provisions of Subsection 1(B) of Act No. 991 of the 1999 Regular Session of the Legislature prior to its amendment by this Act shall continue to be provided such exemption or reduction for the student under the same terms and conditions as provided by Act No. 991 prior to its amendment."

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

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

Under the rules, placed on the regular calendar.

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HOUSE BILL NO. 561—

BY REPRESENTATIVE WALSWORTH
AN ACT

To enact R.S. 14:61, relative to unauthorized entry of a critical infrastructure; to define unauthorized entry of a critical infrastructure; to provide for penalties; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 561 by Representative Walsworth

AMENDMENT NO. 1

On page 1, line 2, after "critical" and before "infrastructure" delete "industrial"

AMENDMENT NO. 2

On page 1, line 3, after "critical" and before "infrastructure" delete "industrial"

AMENDMENT NO. 3

On page 1, line 7, after "critical" and before "infrastructure" delete "industrial"

AMENDMENT NO. 4

On page 1, line 8, after "critical" and before "infrastructure" delete "industrial"

AMENDMENT NO. 5

On page 1, line 10, after "critical" and before "infrastructure" delete "industrial"

AMENDMENT NO. 6

On page 1, delete line 11 in its entirety and insert "that is completely enclosed by any type of physical barrier."

AMENDMENT NO. 7

On page 1, at the end of line 13, delete "for industrial" and insert in lieu thereof "and water treatment"

AMENDMENT NO. 8

On page 1, line 14, after "transportation facilities" and before the comma, delete "at industrial facilities"

AMENDMENT NO. 9

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

AMENDMENT NO. 10

On page 1, between lines 18 and 19 insert the following:

"C. Nothing in this Section shall be construed to prevent lawful assembly and peaceful and orderly petition for the redress of grievances, including but not limited to any labor dispute between any employer and its employee."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 580—

BY REPRESENTATIVE DORSEY
AN ACT

To enact R.S. 46:2525.1, relative to violence against women; to create the Louisiana Task Force on Violent Crime Against Women; to provide for the membership and the duties of that task force; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 580 by Representative Dorsey

AMENDMENT NO. 1

On page 1, line 2, after "enact" delete the remainder of the line and delete line 3 in its entirety and insert in lieu thereof "R.S. 46:2525.1, relative to violence against women; to create the Louisiana"

AMENDMENT NO. 2

On page 1, at the beginning of line 4, change "Commission" to "Task Force"

AMENDMENT NO. 3

On page 1, line 5, after "that" and before the semicolon change "commission" to "task force"

AMENDMENT NO. 4

On page 1, delete lines 7 and 10 in their entirety and insert in lieu thereof the following:

"Section 1. R.S. 46:2525.1 is hereby enacted to read as follows:"

AMENDMENT NO. 5

On page 1, at the beginning of line 11, change "§2841." to "§2525.1" and after "Louisiana" change "Commission" to "Task Force"

AMENDMENT NO. 6

On page 1, deletes line 12 through 14 and insert in lieu thereof "A. There is hereby established the Louisiana Task Force on Violent Crime Against Women to advise the Louisiana Women's Policy and Research Commission and the governor's Office on Women's Policy"

on matters pertaining to the occurrence of violent crime against women."

AMENDMENT NO. 7

On page 1, at the beginning of line 15, delete "B." after "The" and before "shall" change "commission" to "task force" and after "of" and before "members" change "nine" to "thirteen"

AMENDMENT NO. 8

On page 2, between lines 8 and 9, insert the following:

"(8) One member appointed by the superintendent of the office of state police.

(9) One member appointed by the Louisiana Coalition Against Domestic Violence.

(10) One member appointed by the Louisiana Foundation Against Sexual Assault.

(11) One member appointed by Victims and Citizens Against Crime, Inc."

AMENDMENT NO. 9

On page 2, line 14, after "the" and before "shall" change "commission" to "task force"

AMENDMENT NO. 10

On page 2, line 15, after "the" and before "deem" change "commission" to "task force"

AMENDMENT NO. 11

On page 2, at the beginning of line 17, change "commission" to "task force"

AMENDMENT NO. 12

On page 2, line 19, after "the" and before "shall" change "commission" to "task force"

AMENDMENT NO. 13

On page 2, line 21, after "The" and before "shall" change "commission" to "task force"

AMENDMENT NO. 14

On page 2, delete lines 23 and 24 and insert in lieu thereof the following:

"G. The duties of the task force shall include the following:

(1) Examining the statistics of violent crimes against"

AMENDMENT NO. 15

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

"(2) Publishing an annual report of its findings to the Louisiana Women's Policy and Research Commission, together"

AMENDMENT NO. 16

On page 3, line 9, after "the" and before "for" change "commission" to "task force"

AMENDMENT NO. 17

On page 3, delete line 13 and insert in lieu thereof the following:

"(3) Recommending to the Louisiana Women's Policy and Research Commission an educational campaign to instruct women"

AMENDMENT NO. 18

On page 3, line 17, after "women." delete the remainder of the line and delete lines 18 through 29 in their entirety

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 591—

BY REPRESENTATIVE HOPKINS

AN ACT

To enact R.S. 27:306(A)(8), relative to the Video Draw Poker Devices Control Law; to provide for limitations on the location of qualified truck stop facilities to be licensed after a certain date; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 591 by Representative Hopkins

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "relative" delete "amend and reenact R.S. 27:306(A)(4)(a) and to enact R.S. 27:306.1," and insert "enact R.S. 27:306(A)(8),"

AMENDMENT NO. 2

On page 1, line 3, after "Law;" delete the remainder of the line and delete lines 4 through 6 in their entirety and insert "to provide for limitations on the location of qualified truck stop facilities to be licensed after a certain date; and to provide for related matters."

AMENDMENT NO. 3

On page 1, line 8, after "Section 1." delete the remainder of the line and insert "R.S. 27:306(A)(8)"

AMENDMENT NO. 4

On page 1, delete lines 13 through 20 in their entirety and on page 2, delete lines 1 through 22 in their entirety and insert in lieu thereof the following:

"(8) Any truck stop facility applying for a video draw poker license after December 31, 2005, shall be located within one thousand feet of a federal interstate highway exit."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 653—
BY REPRESENTATIVE PIERRE
AN ACT

To enact R.S. 56:424(H), relative to taking of oysters; to authorize the Department of Natural Resources to sample oyster leases for matters related to coastal restoration; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 653 by Representative Pierre

AMENDMENT NO. 1

On page 1, line 14, after "writing." delete the remainder of the line and delete lines 15 and 16 in their entirety and insert in lieu thereof the following:

"The request shall be sent by certified mail. If the lease holder has not granted permission within thirty days after the written request for permission was submitted, the department shall select randomly from the list of biologists maintained by the Oyster Lease Damage Evaluation Board, under the provisions of R.S. 56:700.13(C), a biologist to survey the lease and shall notify the lease holder the date and time that the lease will be surveyed. The lease holder may accompany the biologist during the survey or may authorize another person to accompany the biologist during the survey. Such surveys shall be conducted in the same manner as provided in rules adopted by the Department of Natural Resources under the provisions of R.S. 56:700.14(D)."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 787—
BY REPRESENTATIVE HUNTER
AN ACT

To enact R.S. 24:7, relative to the legislature; to provide relative to committee meetings; to allow certain committee meetings to be conducted by video conference; to allow each house of the legislature to adopt rules to facilitate meetings by video conference; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 787 by Representative Hunter

AMENDMENT NO. 1

On page 1, at the end of line 9, after "legislature" insert "during which no vote is required to be taken on any matter having the effect of law"

AMENDMENT NO. 2

On page 1, at the end of line 19, after "each other." insert "The provisions of this Section shall be null and of no effect on August 15, 2006, and thereafter."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 876—
BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact R.S. 47:9004(B)(1), relative to the board of directors for the Louisiana Lottery Corporation; to provide for the appointment of one member of the board; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 876 by Representative Townsend

AMENDMENT NO. 1

On page 1, line 3, change "two" to "one" and change "members" to "member"

AMENDMENT NO. 2

On page 1, line 11, after "B.(1)" and before "Members" delete "(a)"

AMENDMENT NO. 3

On page 1, at the end of line 14, insert "Of the members appointed by the governor, one of the at-large members shall be selected from a list of five potential candidates to be submitted to the governor by the Louisiana Oil Marketers and Convenience Store Association."

AMENDMENT NO. 4

On page 1, delete lines 15 and 16 in their entirety

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 896—
BY REPRESENTATIVE MARTINY
AN ACT

To enact R.S. 27:30.3 and to repeal R.S. 27:114 and 365(5), relative to the monitoring and reading of certain electronic gaming devices; to provide that electronic gaming devices at certain gaming establishments shall be linked by telecommunication to a central computer system for purposes of monitoring and reading device activities; to provide for the assessment and collection of fees; to provide for the adoption of rules; to provide for exceptions; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 896 by Representative Martiny

AMENDMENT NO. 1

On page 1, at the end of line 6, after the semicolon ";" add "to provide for exceptions;"

AMENDMENT NO. 2

On page 5, between lines 18 and 19 insert the following:

"M. The provisions of this Section shall not apply to the casino gaming operator conducting gaming operations at the official gaming establishment pursuant to the provisions of the Louisiana Economic Development and Gaming Control Law as provided for in Chapter 5 of this Title."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 925—
BY REPRESENTATIVE JACK SMITH
AN ACT

To enact R.S. 15:542(B)(6), relative to notification by sex offenders; to provide with respect to posting of notices in certain places of business; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 992—
BY REPRESENTATIVE CRANE
AN ACT

To enact R.S. 17:3351.11, relative to authorizing the public postsecondary education management boards to impose an additional academic excellence fee for students attending institutions under the management and supervision of each; to provide for the fee amount; to provide relative to waivers for certain students; to provide limitations; to provide for effectiveness; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 993—
BY REPRESENTATIVE CRANE
AN ACT

To amend and reenact R.S. 17:3351(A)(5)(b)(vii), relative to the powers, duties, and responsibilities of public postsecondary education management boards; to extend the authority of such boards relative to the establishment of tuition and mandatory fee amounts for resident students; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 993 by Representative Crane

AMENDMENT NO. 1

On page 2, line 10, after "July 1," and before "or" change "2010" to "2008."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1135—
BY REPRESENTATIVE LAFLEUR
AN ACT

To amend and reenact R.S. 22:622.2, relative to automobile liability insurance; to provide for coverage; to provide for prohibitions on limitations; to provide for public policy; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Insurance.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1244—
BY REPRESENTATIVE TRICHE
AN ACT

To enact R.S. 14:102.19, relative to offenses affecting the public sensibility; to create the crime of hog and canine fighting; to provide for exceptions; to provide for penalties; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 1244 by Representative Triche

AMENDMENT NO. 1

On page 1, line 3, after "hog" and before "to" delete "baiting;" and insert "and canine fighting;"

AMENDMENT NO. 2

On page 1, line 3, after "penalties;" delete the remainder of the line and at the beginning of line 4, delete "for definitions;"

AMENDMENT NO. 3

On page 1, line 7, after "Hog" and before "prohibited" delete "baiting" and insert "and canine fighting"

AMENDMENT NO. 4

On page 1, line 8, after "to" delete the remainder of the line and delete lines 9 through 19 in their entirety and on page 2, delete lines 1 through 3 in their entirety and insert in lieu thereof the following:

"organize or conduct any commercial or private event, wherein there is a display of combat or fighting among one or more domestic or feral canines and feral or domestic hogs and in which it is intended or reasonably foreseeable that the canines or hogs would be injured, maimed, mutilated, or killed.

B. It shall be unlawful for any person to intentionally do any of the following for the purpose of organizing, conducting, or financially or materially supporting any event as provided in Subsection A of this Section:

- (1) Finance, commercially advertise, sell admission tickets, or employ persons.
- (2) Own, manage, or operate any facility or property.
- (3) Supply, breed, train, or keep canines or hogs.
- (4) Knowingly purchase tickets of admission.

C. The provisions of this Section shall not apply to any competitive event in which canines, which are trained for hunting or

herding activities, are released in an enclosed area to locate and corner hogs, and in which competitive points are deducted if a hog is caught and held, unless by such actions it is reasonably foreseeable that the canines or hogs would be injured, maimed, mutilated, or killed."

AMENDMENT NO. 5

On page 2, line 4, change "C." to "D."

AMENDMENT NO. 6

On page 2, line 5, after "dogs" insert a period "." and delete the remainder of the line

AMENDMENT NO. 7

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

"E. The provisions of this Section shall not apply to "Uncle Earl's Hog Dog Trials," as defined in R.S. 49:170.10."

AMENDMENT NO. 8

On page 2, at the beginning of line 6, change "D." to "E."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1266—
BY REPRESENTATIVE DAMICO
AN ACT

To amend and reenact R.S. 49:214.30(C)(2)(a) and 214.42(C) and (D), relative to coastal management; to provide relative to notification of multiple landowners of proposed activities under a coastal use permit; to provide for use of the funds in the Coastal Mitigation Account; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 1266 by Representative Damico

AMENDMENT NO. 1

On page 2, line 11, after "secretary may" delete the remainder of the line in its entirety and delete lines 12 through 15 in their entirety and insert the following:

"deem the application complete upon proof that fifty percent of the persons owning or having an undivided interest in the property have been provided with a copy of the application. The"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1297—
BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact R.S. 1:13 and to enact R.S. 24:177, all relative to interpretation of laws; to specifically provide that certain elements of a bill are not law; to provide with respect to legislative intent; to define the extent to which certain elements of a bill are considered to determine legislative intent; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 1297 by Representative Townsend

AMENDMENT NO. 1

On page 1, line 7, after "hereby" delete "amendment" and insert "amended"

AMENDMENT NO. 2

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

AMENDMENT NO. 3

On page 2, between lines 3 and 4, insert the following:

"(b) The legislature may express the intended meaning of a law in a duly adopted concurrent resolution."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1338—
BY REPRESENTATIVE DAMICO
AN ACT

To amend and reenact R.S. 56:700.12(4) and (5) and 700.13(C) and to enact R.S. 56:700.13(F), relative to the Oyster Lease Damage Evaluation Board; to provide for biological surveys of oyster leases; to authorize such surveys to be conducted by the board; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 1338 by Representative Damico

AMENDMENT NO. 1

On page 1, line 17, delete "at the expense of the owner of the oil and gas activity"

AMENDMENT NO. 2

On page 2, at the end of line 2, add "The owner of the oil and gas activity shall donate to the board an amount sufficient to pay the costs of the biological survey. Any funds donated to pay the costs of the biological survey shall be used only for that purpose."

AMENDMENT NO. 3

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

"If the lease holder has not granted permission within thirty days after the written request for permission was submitted, the representatives or assigns of the board shall notify the lease holder the date and time that the lease will be surveyed. The lease holder may accompany the biologist during the survey or may authorize another person to accompany the biologist during the survey."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1375—
BY REPRESENTATIVES ALARIO AND SALTER
AN ACT

To enact R.S. 24:31.1(F), relative to chairmen and vice chairmen of legislative committees; to provide for salaries for certain chairmen and vice chairmen of legislative committees; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 1375 by Representatives Alario and Salter

AMENDMENT NO. 1

On page 1, line 2, after "To enact" change "R.S. 24:651.1," to "R.S. 24:31.1(F),"

AMENDMENT NO. 2

On page 1, line 6, after "Section 1." change "R.S. 24:651.1" to "R.S. 24:31.1(F)"

AMENDMENT NO. 3

On page 1, delete lines 7 through 15 and insert the following:

"§31.1. Salary for members; expense allowance; mileage allowance; additional compensation

* * *

F. In addition to the salary, compensation, and all other allowances provided by law for members of the legislature, the vice chairman of the House Committee on Appropriations shall be paid additional compensation in the amount of twenty thousand dollars per annum for the performance of duties in connection with his service to the House Committee on Appropriations and the Joint Legislative Committee on the Budget. This additional compensation shall be payable in accordance with and in the same manner as provided in Subsection B of this Section.

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

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

Under the rules, placed on the regular calendar.

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.

Reported favorably by the Committee on House and Governmental Affairs.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1443—

BY REPRESENTATIVE GALLOT
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.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 1443 by Representative Salter

AMENDMENT NO. 1

On page 1, at the top of the page, change "REPRESENTATIVE SALTER" to "REPRESENTATIVE GALLOT"

AMENDMENT NO. 2

On page 1, delete lines 7 through 9, and insert the following:

"A. The salary of the governor shall be ~~ninety-five~~ ten thousand dollars ~~more than the salary of the other statewide elected officials provided in Subsection B of this Section, shall be payable monthly upon his own warrant, and shall not be increased except by Act of the legislature.~~"

AMENDMENT NO. 3

On page 1, at the beginning of line 10, before "The salary" insert "B."

AMENDMENT NO. 4

On page 1, line 10, after "elected official" insert a comma "," and "except the governor,"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1474—

BY REPRESENTATIVES DOVE AND BALDONE
AN ACT

To amend and reenact R.S. 17:3351(A)(5)(b)(iii), to provide relative to tuition and mandatory attendance fee amounts established by the Board of Supervisors of Community and Technical Colleges and applicable to students enrolled in technical community colleges under the board's supervision and management; to provide limitations; to require certain reports; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 1474 by Representatives Dove and Baldone

AMENDMENT NO. 1

On page 1, line 6, after "limitations;" and before "to provide for an" insert "to require certain reports;"

AMENDMENT NO. 2

On page 2, at the end of line 19, add the following:

"The Board of Supervisors of Community and Technical Colleges shall report in writing to the House and Senate Committees on Education by not later than sixty days prior to the beginning of each regular session of the legislature on the purposes for which monies received from the tuition increase authorized by this Subitem have been expended."

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

On motion of Rep. Crane, 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. 68—

BY REPRESENTATIVE ODINET

A CONCURRENT RESOLUTION

To memorialize the United States Congress, the Louisiana Congressional Delegation, and the United States Army Corps of Engineers to promptly close the Mississippi River Gulf Outlet in the manner contemplated by the Coast 2050 Plan.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Odinet to Engrossed House Concurrent Resolution No. 68 by Representative Odinet

AMENDMENT NO. 1

On page 1, at the end of line 4, delete the period "." and insert the following:

"and to memorialize the United States Congress and the Louisiana Congressional Delegation to authorize the full funding capability of the United States Army Corps of Engineers for the Inner Harbor Navigation Canal lock project."

AMENDMENT NO. 2

On page 3, at the end of line 4, delete the period "." and insert a semicolon ";," and "and"

AMENDMENT NO. 3

On page 3, between lines 4 and 5, insert the following:

"WHEREAS, the Congress of the United States has authorized the construction of a new lock on the Inner Harbor Navigation Canal which will serve to provide access to ocean going vessels which are now using the MRGO; and

WHEREAS, the Congress of the United States has failed to provide full funding capability for the lock project and thereby delayed its completion.

THEREFORE BE IT RESOLVED by the Legislature of Louisiana that the United States Congress and the Louisiana Congressional Delegation are hereby memorialized to authorize the full funding capability of the United States Army Corps of Engineers for the Inner Harbor Navigation Canal lock project."

AMENDMENT NO. 4

On page 3, line 5, between "IT" and "RESOLVED" insert "FURTHER"

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

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

Rep. Dove objected.

By a vote of 66 yeas and 19 nays, the resolution, as amended, was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 71—

BY REPRESENTATIVE JACK SMITH

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to install traffic warning devices at certain locations in St. Mary Parish.

Read by title.

On motion of Rep. Jack Smith, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 61—

BY REPRESENTATIVE MCDONALD

A CONCURRENT RESOLUTION

To memorialize the United States Congress to appropriate funds for design and construction assistance for water-related environmental infrastructure and resource development and protection projects in Louisiana.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 63—

BY REPRESENTATIVE GARY SMITH

A CONCURRENT RESOLUTION

To urge and request the office of motor vehicles and the state Board of Elementary and Secondary Education to include in their training and testing of drivers' information relative to sharing the road with motorcycles and tractor/trailer trucks.

Read by title.

On motion of Rep. Gary Smith, the resolution was adopted.

Ordered to the Senate.

House Bills and Joint Resolutions Returned from the Senate with Amendments

The following House Bills and Joint Resolutions returned from the Senate with amendments to be concurred in by the House were taken up and acted upon as follows:

HOUSE BILL NO. 367—

BY REPRESENTATIVE THOMPSON

AN ACT

To amend and reenact R.S. 3:556.3(B)(4) and (E) and to repeal R.S. 3:556.3(B)(5), relative to the Louisiana Crawfish Promotion and Research Board; to provide for changes in membership of the board; to provide relative to vacancies; and to provide for related matters.

Read by title.

Motion

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

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16th Day's Proceedings - April 22, 2004

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.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Conforming Amendments proposed by Senator Hines to Reengrossed House Bill No. 1140 by Representative Durand (Duplicate of Senate Bill No. 674)

AMENDMENT NO. 1

On page 1, line 2, between "relative to" and "physician" insert the following:

"prescriptive authority for"

AMENDMENT NO. 2

On page 1, line 2, between "for" and "prescriptive" insert "such"

AMENDMENT NO. 3

On page 1, line 3, between "authority" and "under" "for physician assistants"

AMENDMENT NO. 4

On page 1, between lines 11 and 12, insert the following:

"(1)"

AMENDMENT NO. 5

On page 1, delete lines 16 and 17 in their entirety and insert in lieu thereof the following:

"of one year under a supervising physician. Drugs which"

AMENDMENT NO. 6

On page 2, line 1, delete "The" and delete lines 2 through 4 in their entirety.

Rep. Durand moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Durand	McDonald
Alario	Erdey	McVea
Alexander	Farrar	Montgomery
Ansardi	Faucheux	Morrell
Arnold	Frith	Odinet
Badon	Futrell	Pierre
Baldone	Gallot	Pinac
Baudoin	Geymann	Powell, M.

Baylor	Glover	Quezaire
Beard	Gray	Ritchie
Bruce	Guillory, E.	Romero
Burns	Guillory, M.	Scalise
Burrell	Hammett	Shepherd
Carter, K.	Heaton	Smiley
Carter, R.	Hebert	Smith, G.—56th
Cazayoux	Hill	Smith, J.D.—50th
Crane	Honey	Smith, J.R.—30th
Crowe	Hunter	St. Germain
Curtis	Hutter	Thompson
Damico	Jefferson	Townsend
Daniel	Johns	Trahan
Dartez	Kenney	Triche
DeWitt	LaBruzzo	Walker
Dorsey	LaFleur	White
Dove	Lambert	Winston
Downs	Marchand	Wooton
Total—78		

NAYS

Bowler	Martiny	Schneider
Bruneau	Morrish	Smith, J.H.—8th
Doerge	Murray	Strain
Fannin	Pitre	Tucker
Flavin	Powell, T.	Waddell
Katz	Richmond	Walsworth
Lancaster	Robideaux	Wright
Total—21		

ABSENT

Broome	Hudson	Kennard
Hopkins	Jackson	Toomy
Total—6		

The amendments proposed by the Senate were concurred in by the House.

Suspension of the Rules

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

Suspension of the Rules

Rep. Hebert moved for a suspension of the rules in order to take up and consider House Bills and Joint Resolutions on Second Reading Reported by Committee at this time.

Rep. Triche 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	Durand	Pinac
Alario	Fannin	Quezaire
Arnold	Farrar	Richmond
Badon	Gallot	Ritchie
Baylor	Gray	Romero
Bowler	Hammett	Shepherd
Bruce	Hebert	Smith, G.—56th
Carter, R.	Hill	Smith, J.D.—50th
Curtis	Hunter	Smith, J.H.—8th

Damico	Jefferson	St. Germain
Daniel	Kenney	Townsend
Dartez	LaBruzzo	Trahan
DeWitt	Martiny	Tucker
Doerge	Montgomery	Waddell
Dorsey	Morrell	White
Dove	Odinet	Wright
Total—48		

NAYS

Alexander	Guillory, E.	Pitre
Baldone	Guillory, M.	Powell, M.
Baudoin	Hutter	Powell, T.
Beard	Johns	Robideaux
Bruneau	Katz	Scalise
Cazayoux	LaFleur	Schneider
Crane	Lambert	Smiley
Crowe	Marchand	Strain
Erdey	McDonald	Triche
Faucheux	McVea	Walsworth
Frith	Morrish	Winston
Futrell	Murray	Wooton
Geymann	Pierre	
Total—38		

ABSENT

Ansardi	Glover	Lancaster
Broome	Heaton	Smith, J.R.—30th
Burns	Honey	Thompson
Burrell	Hopkins	Toomy
Carter, K.	Hudson	Walker
Downs	Jackson	
Flavin	Kennard	
Total—19		

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

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. 108—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact Code of Civil Procedure Article 2412(A), relative to garnishments; to provide for notice of garnishment to the judgment debtor; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Faucheux to Engrossed House Bill No. 108 by Representative Faucheux

AMENDMENT NO. 1

On page 1, at the beginning of line 9, change "A." to "A.(1)"

AMENDMENT NO. 2

On page 1, line 11, after "debtor" change the comma "," to a period "." and change "and the" to "(2) The"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Flavin	Odinet
Alario	Frith	Pierre
Alexander	Futrell	Pinac
Arnold	Gallot	Pitre
Badon	Geymann	Powell, M.
Baldone	Glover	Powell, T.
Baudoin	Gray	Quezaire
Baylor	Guillory, E.	Richmond
Beard	Guillory, M.	Ritchie
Bowler	Hammett	Robideaux
Bruce	Heaton	Romero
Bruneau	Hebert	Scalise
Burns	Hill	Schneider
Burrell	Honey	Shepherd
Carter, K.	Hopkins	Smiley
Carter, R.	Hudson	Smith, G.—56th
Cazayoux	Hunter	Smith, J.D.—50th
Crane	Hutter	Smith, J.H.—8th
Crowe	Jefferson	Smith, J.R.—30th
Curtis	Johns	Strain
Damico	Katz	Thompson
Daniel	Kenney	Townsend
Dartez	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	Lambert	Tucker
Dorsey	Lancaster	Waddell
Dove	Marchand	Walker
Downs	McDonald	White
Durand	McVea	Winston
Erdey	Montgomery	Wooton
Fannin	Morrell	Wright
Farrar	Morrish	
Faucheux	Murray	
Total—97		

NAYS

Total—0

ABSENT

Ansardi	Kennard	Toomy
Broome	Martiny	Walsworth
Jackson	St. Germain	
Total—8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Faucheux 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. 246—
BY REPRESENTATIVES DANIEL AND JACKSON
AN ACT

To enact R.S. 47:463.126 and 463.127, relative to motor vehicles; to provide relative to license plates; to create the Louisiana State University National Champions and the Southern University Black College National Champions prestige license plates; to provide for the issuance of such plates; to provide for the design and color of such plates; to provide relative to the fees for such plates, including a royalty fee for the use of the organizational design and logo on such plates; to designate the use of such royalty fees; to authorize the promulgation of rules and regulations; to require a contract relative to royalty fees; 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. 246 by Representative Daniel

AMENDMENT NO. 1

On page 3, line 11, following "license" and before "be" change "plates hall" to "plate shall"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Daniel to Engrossed House Bill No. 246 by Representatives Daniel and Jackson

AMENDMENT NO. 1

On page 2, at the beginning of line 5, change "C.(1)" to "C."

AMENDMENT NO. 2

On page 2, delete lines 10 and 11 in their entirety and insert "The handling fee"

AMENDMENT NO. 3

On page 3, at the beginning of line 13, change "C.(1)" to "C."

AMENDMENT NO. 4

On page 3, delete lines 19 and 20 in their entirety and insert "The handling fee"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Flavin	Odinet
Alario	Frith	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	Robideaux
Bowler	Heaton	Romero
Bruce	Hebert	Scalise
Bruneau	Hill	Schneider
Burrell	Honey	Shepherd
Carter, K.	Hopkins	Smiley
Carter, R.	Hudson	Smith, G.—56th
Cazayoux	Hunter	Smith, J.D.—50th
Crane	Hutter	Smith, J.H.—8th
Crowe	Jefferson	Smith, J.R.—30th
Curtis	Johns	St. Germain
Damico	Kenney	Strain
Daniel	LaBruzzo	Thompson
Dartez	LaFleur	Townsend
DeWitt	Lambert	Trahan
Doerge	Lancaster	Triche
Dorsey	Martiny	Waddell
Dove	McDonald	Walker
Durand	McVea	White
Erdey	Montgomery	Winston
Fannin	Morrell	Wooton
Farrar	Morrish	Wright
Faucheux	Murray	
Total—95		

NAYS

Katz	Tucker
Total—2	

ABSENT

Broome	Jackson	Toomy
Burns	Kennard	Walsworth
Downs	Marchand	
Total—8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Daniel 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. 276—
BY REPRESENTATIVE JACK SMITH
AN ACT

To repeal R.S. 6:1010, relative to the Louisiana Check-Cashing Law; to repeal the requirement of posting a surety bond.

Read by title.

Rep. Jack Smith moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Flavin	Odinet
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	Robideaux
Bowler	Heaton	Romero
Bruce	Hebert	Scalise
Bruneau	Hill	Schneider
Burns	Honey	Shepherd
Burrell	Hopkins	Smiley
Carter, K.	Hudson	Smith, G.—56th
Carter, R.	Hunter	Smith, J.D.—50th
Cazayoux	Hutter	Smith, J.H.—8th
Crane	Jefferson	Smith, J.R.—30th
Crowe	Johns	St. Germain
Curtis	Katz	Strain
Damico	Kenney	Thompson
Daniel	LaBruzzo	Townsend
Dartez	LaFleur	Trahan
DeWitt	Lambert	Triche
Doerge	Lancaster	Tucker
Dorsey	Marchand	Waddell
Dove	Martiny	Walker
Downs	McDonald	Walsworth
Durand	McVea	White
Erdey	Montgomery	Winston
Fannin	Morrell	Wooton
Farrar	Morrish	Wright
Faucheux	Murray	
Total—101		

NAYS

Total—0

ABSENT

Broome	Kennard
Jackson	Toomy
Total—4	

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. 285—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 32:1720.1, relative to towing and storage of motor vehicles; to provide relative to stored motor vehicles; to remove certain requirements applicable to surrender of such vehicles to a secured party; and to provide for related matters.

Read by title.

Rep. Daniel moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Morrish
Alario	Flavin	Odinet
Alexander	Frith	Pierre
Ansardi	Futrell	Pinac
Arnold	Gallot	Pitre
Badon	Geymann	Powell, M.
Baldone	Glover	Powell, T.
Baudoin	Gray	Quezaire
Baylor	Guillory, E.	Richmond
Beard	Guillory, M.	Ritchie
Bowler	Hammett	Robideaux
Broome	Heaton	Romero
Bruce	Hebert	Scalise
Bruneau	Hill	Schneider
Burns	Honey	Shepherd
Burrell	Hopkins	Smiley
Carter, K.	Hudson	Smith, G.—56th
Carter, R.	Hunter	Smith, J.D.—50th
Cazayoux	Hutter	Smith, J.H.—8th
Crane	Jackson	Smith, J.R.—30th
Crowe	Jefferson	St. Germain
Curtis	Johns	Strain
Damico	Katz	Thompson
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
Total—102		

NAYS

Murray
Total—1

ABSENT

Kennard	Toomy
Total—2	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Daniel 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. 332—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:1087(B)(1) and (C), relative to the residential mortgage lenders; to provide for an exemption from licensure and continuing education requirements for employees and exclusive agents of direct or indirect subsidiaries of holding companies; and to provide for related matters.

Read by title.

Rep. Pinac moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Morrish
Alario	Flavin	Murray
Alexander	Frith	Odinot
Ansardi	Futrell	Pierre
Arnold	Gallot	Pinac
Badon	Geymann	Pitre
Baldone	Glover	Powell, M.
Baudoin	Gray	Quezaire
Baylor	Guillory, E.	Richmond
Beard	Guillory, M.	Ritchie
Bowler	Hammett	Robideaux
Broome	Heaton	Romero
Bruce	Hebert	Scalise
Bruneau	Hill	Schneider
Burns	Honey	Shepherd
Burrell	Hopkins	Smiley
Carter, K.	Hudson	Smith, G.—56th
Carter, R.	Hunter	Smith, J.D.—50th
Cazayoux	Hutter	Smith, J.H.—8th
Crane	Jackson	Smith, J.R.—30th
Crowe	Jefferson	St. Germain
Curtis	Johns	Strain
Damico	Katz	Thompson
Daniel	Kenney	Townsend
Dartez	LaBruzzo	Triche
DeWitt	LaFleur	Waddell
Doerge	Lambert	Walker
Dorsey	Lancaster	Walsworth
Dove	Marchand	White
Downs	Martiny	Winston
Durand	McDonald	Wooton
Erdey	McVea	Wright
Fannin	Montgomery	
Farrar	Morrell	
Total—100		

NAYS

Powell, T.	Trahan
Total—2	

ABSENT

Kennard	Toomy	Tucker
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Pinac 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. 336—
BY REPRESENTATIVE QUEZAIRE
AN ACT

To amend and reenact R.S. 32:414(R)(3), relative to the suspension of drivers' licenses; to provide relative to economic hardship licenses, especially when a license is suspended for nonpayment of individual income taxes; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative DeWitt to Engrossed House Bill No. 336 by Representative Quezaire

AMENDMENT NO. 1

On page 1, at the beginning of line 12, after "(3)" insert the following:

"Any taxpayer whose license has been suspended or denied for failure to pay individual income taxes shall be eligible to apply for and receive an economic hardship license."

AMENDMENT NO. 2

On page 1, line 13, after "shall" and before "issue" delete "not" and insert the following:

"be authorized to"

Rep. DeWitt moved the adoption of the amendments.

Rep. Quezaire objected.

By a vote of 66 yeas and 26 nays, the amendments were adopted.

Motion

On motion of Rep. Quezaire, the bill, as amended, was returned to the calendar.

HOUSE BILL NO. 353—
BY REPRESENTATIVE TOOMY
AN ACT

To amend and reenact Civil Code Article 2818, relative to partnerships; to provide for the causes of cessation of membership; to provide for plans of liquidation or appointments of trustees; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 384—
BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact R.S. 32:80(B), relative to school buses; to provide relative to the use of visual stop-indicator signals on school buses; and to provide for related matters.

Read by title.

Rep. Townsend moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Morrell
Alario	Futrell	Morrish
Arnold	Gallot	Murray
Badon	Geymann	Odinot
Baldone	Glover	Pierre
Baudoin	Gray	Pinac
Baylor	Guillory, E.	Pitre
Beard	Guillory, M.	Powell, M.
Bowler	Hammett	Richmond
Broome	Heaton	Ritchie

Bruce	Hebert	Robideaux
Bruneau	Hill	Romero
Burns	Honey	Scalise
Burrell	Hopkins	Schneider
Cazayoux	Hudson	Shepherd
Crane	Hunter	Smith, G.—56th
Crowe	Hutter	Smith, J.D.—50th
Curtis	Jackson	Smith, J.H.—8th
Damico	Jefferson	Smith, J.R.—30th
Dartez	Johns	St. Germain
DeWitt	Kenney	Strain
Doerge	LaBruzzo	Thompson
Dorsey	LaFleur	Townsend
Dove	Lambert	Trahan
Durand	Lancaster	Triche
Erdey	Marchand	Waddell
Fannin	Martiny	Walker
Farrar	McDonald	White
Fauchoux	McVea	Wright
Flavin	Montgomery	
Total—89		

NAYS

Alexander	Katz	Tucker
Carter, K.	Powell, T.	Walsworth
Daniel	Quezaire	Winston
Downs	Smiley	
Total—11		

ABSENT

Ansardi	Kennard	Wooton
Carter, R.	Toomy	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Suspension of the Rules

On motion of Rep. Thompson, 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.

HOUSE BILL NO. 428—
BY REPRESENTATIVE DURAND
AN ACT

To enact R.S. 37:1285.4, relative to the Louisiana State Board of Medical Examiners; to require that security accompany any judicial review of a final decision of the board; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Durand to Engrossed House Bill No. 428 by Representative Durand

AMENDMENT NO. 1

On page 1, line 2, change "37:1285.4" to "37:1285.3"

AMENDMENT NO. 2

On page 1, line 6, change "37:1285.4" to "37:1285.3"

AMENDMENT NO. 3

On page 1, line 7, change "§1285.4" to "§1285.3"

AMENDMENT NO. 4

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

"Section 2. This Act shall take effect and become operative if and when the Act which originated as House Bill No. 473 of this 2004 Regular Session of the Legislature is enacted and becomes effective."

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

Motion

On motion of Rep. Durand, the bill, as amended, was returned to the calendar.

HOUSE BILL NO. 473—
BY REPRESENTATIVE DURAND
AN ACT

To enact R.S. 37:1285(G), (H), and (I), relative to the Louisiana State Board of Medical Examiners; to provide for strict limitations and conditions on staying or continuing an adjudication proceeding, decision, or order of the board prior to the issuance of a final decision; and to provide for related matters.

Read by title.

Rep. Durand moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Pinac
Alario	Futrell	Pitre
Alexander	Gallot	Powell, M.
Ansardi	Geymann	Powell, T.
Arnold	Glover	Quezaire
Badon	Gray	Richmond
Baldone	Guillory, E.	Ritchie
Baudoin	Guillory, M.	Robideaux
Baylor	Hammett	Romero
Beard	Heaton	Scalise
Bowler	Hebert	Schneider
Broome	Hill	Shepherd
Bruce	Honey	Smiley
Bruneau	Hopkins	Smith, G.—56th
Burrell	Hudson	Smith, J.D.—50th
Carter, R.	Hutter	Smith, J.H.—8th
Cazayoux	Jackson	Smith, J.R.—30th
Crane	Johns	St. Germain
Crowe	Katz	Strain
Curtis	Kenney	Thompson
Damico	LaBruzzo	Townsend
Daniel	LaFleur	Trahan

Dartez	Lambert	Triche
DeWitt	Lancaster	Tucker
Doerge	Marchand	Waddell
Dove	Martiny	Walker
Downs	McDonald	Walsworth
Durand	Montgomery	White
Erdey	Morrell	Winston
Fannin	Morrish	Wooton
Faucheux	Odinet	Wright
Flavin	Pierre	
Total—95		

NAYS

Carter, K.	Hunter	Murray
Dorsey	Jefferson	
Total—5		

ABSENT

Burns	Kennard	Toomy
Farrar	McVea	
Total—5		

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. 528—
BY REPRESENTATIVE FUTRELL
AN ACT

To amend and reenact R.S. 32:300(A), (B)(3)(b), (D), and (E) and to enact R.S. 32:300(F), relative to alcoholic beverages; to prohibit any passenger in a motor vehicle from possessing an open alcoholic beverage container; to prohibit a passenger from consuming an alcoholic beverage in the passenger area; to provide for exceptions; to provide relative to enforcement; to provide relative to the authority of local governments; and to provide for related matters.

Read by title.

Motion

Rep. Futrell moved that House Bill No. 528 be designated as a duplicate of Senate Bill No. 341.

Which motion was agreed to.

Motion

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

HOUSE BILL NO. 570—
BY REPRESENTATIVE GARY SMITH
AN ACT

To amend and reenact R.S. 17:270(A) and 271(A)(2) and R.S. 32:402.1(A)(1) and (2)(introductory paragraph), 402.2, 407(A)(2)(a), and 408(A)(1), relative to driver education, training, and testing; to require instruction relative to sharing the road with motorcycles and tractor/trailer trucks during driver education, training, improvement, and remediation programs; 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. 570 by Representative Gary Smith

AMENDMENT NO. 1

On page 1, line 2, following "32:402.1(A)" and before "(1)" insert "(introductory paragraph) and"

AMENDMENT NO. 2

On page 3, line 1, following "32:420.1(A)" and before "(1)" insert "(introductory paragraph) and"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Murray
Alario	Faucheux	Odinet
Alexander	Flavin	Pierre
Ansardi	Frith	Pinac
Badon	Gallot	Pitre
Baldone	Geymann	Powell, M.
Baudoin	Glover	Powell, T.
Baylor	Gray	Quezaire
Beard	Guillory, E.	Richmond
Bowler	Guillory, M.	Robideaux
Broome	Heaton	Romero
Bruce	Hebert	Scalise
Bruneau	Hill	Schneider
Burns	Honey	Shepherd
Burrell	Hopkins	Smiley
Carter, K.	Hudson	Smith, G.—56th
Carter, R.	Hunter	Smith, J.D.—50th
Cazayoux	Hutter	Smith, J.H.—8th
Crane	Jackson	Smith, J.R.—30th
Crowe	Jefferson	Strain
Curtis	Johns	Thompson
Damico	Katz	Townsend
Daniel	Kenney	Trahan
Dartez	LaBruzzo	Triche
DeWitt	LaFleur	Tucker
Doerge	Lambert	Waddell
Dorsey	Marchand	Walker
Dove	Martiny	Walsworth
Downs	McDonald	White
Durand	Montgomery	Winston
Erdey	Morrell	Wooton
Fannin	Morrish	Wright
Total—96		

NAYS

Total—0

ABSENT

Arnold	Kennard	Ritchie
Futrell	Lancaster	St. Germain
Hammett	McVea	Toomy
Total—9		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Gary 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. 573—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact Code of Civil Procedure Article 3601 and to enact Code of Civil Procedure Article 3603(C), relative to civil procedure; to prohibit the issuance of injunctions or restraining orders which prevent the enforcement of child support orders; and to provide for related matters.

Read by title.

Rep. Johns moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Pinac
Alario	Flavin	Pitre
Alexander	Frith	Powell, M.
Ansardi	Futrell	Powell, T.
Arnold	Gallot	Quezaire
Badone	Geymann	Richmond
Baldone	Glover	Ritchie
Baudoin	Gray	Robideaux
Baylor	Guillory, E.	Romero
Beard	Guillory, M.	Scalise
Bowler	Hammett	Schneider
Broome	Heaton	Shepherd
Bruce	Hebert	Smiley
Bruneau	Hill	Smith, G.—56th
Burns	Honey	Smith, J.D.—50th
Burrell	Hopkins	Smith, J.H.—8th
Carter, R.	Hudson	Smith, J.R.—30th
Cazayoux	Hutter	St. Germain
Crane	Jackson	Strain
Crowe	Jefferson	Thompson
Curtis	Johns	Townsend
Damico	Katz	Trahan
Daniel	Kenney	Triche
Dartez	LaBruzzo	Tucker
DeWitt	LaFleur	Waddell
Doerge	Lambert	Walker
Dorsey	Lancaster	Walsworth
Dove	Martiny	White
Downs	McDonald	Winston
Durand	Montgomery	Wooton
Erdey	Morrish	Wright
Fannin	Odinet	
Farrar	Pierre	
Total—97		

NAYS

Carter, K.	Marchand	Murray
Hunter	Morrell	
Total—5		

ABSENT

Kennard	McVea	Toomy
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 576—

BY REPRESENTATIVE BOWLER

AN ACT

To amend and reenact Civil Code Articles 571 and 573 and to repeal Code of Civil Procedure Article 3154.1, relative to usufructuaries; to provide for the giving of security; to provide for the type of security; to prohibit dispensing with security for certain testamentary usufructs; and to provide for related matters.

Read by title.

Rep. Bowler moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Pinac
Alario	Flavin	Pitre
Alexander	Frith	Powell, T.
Ansardi	Futrell	Quezaire
Arnold	Gallot	Ritchie
Baldone	Geymann	Scalise
Baudoin	Glover	Smiley
Bowler	Hammett	Smith, G.—56th
Bruce	Hebert	Smith, J.D.—50th
Burns	Hill	Smith, J.H.—8th
Carter, R.	Hopkins	Strain
Cazayoux	Hudson	Thompson
Crane	Hutter	Townsend
Daniel	Johns	Trahan
Dartez	Kenney	Tucker
DeWitt	LaBruzzo	Waddell
Dove	LaFleur	Walsworth
Downs	Martiny	Winston
Durand	McDonald	Wooton
Erdey	Montgomery	Wright
Fannin	Morrish	
Farrar	Odinet	
Total—64		

NAYS

Badone	Doerge	Katz
Baylor	Dorsey	Lambert
Beard	Gray	Marchand
Broome	Guillory, E.	Morrell
Bruneau	Guillory, M.	Murray
Burrell	Heaton	Pierre
Carter, K.	Honey	Powell, M.
Crowe	Hunter	Richmond
Curtis	Jackson	Romero
Damico	Jefferson	St. Germain
Total—30		

ABSENT

Kennard	Schneider	Triche
Lancaster	Shepherd	Walker
McVea	Smith, J.R.—30th	White
Robideaux	Toomy	
Total—11		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Bowler 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. 578—
BY REPRESENTATIVE BALDONE
AN ACT

To enact R.S. 9:5702, relative to periods of prescription; to provide for a thirty-year prescriptive period for victims of certain offenses; and to provide for related matters.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule 8.26(A), Rep. Baldone gives notice of his intention to call House Bill No. 578 from the calendar for future action.

HOUSE BILL NO. 626—
BY REPRESENTATIVE QUEZAIRE
AN ACT

To enact R.S. 32:666(C), relative to refusal to submit to chemical tests; to provide with respect to law enforcement officers who are appointed as ex officio notaries public; and to provide for related matters.

Read by title.

Rep. Quezaire moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Erdey	Morrish
Alario	Fannin	Odinot
Alexander	Faucheux	Pinac
Ansardi	Futrell	Pitre
Arnold	Gallot	Powell, M.
Badon	Geymann	Powell, T.
Baldone	Guillory, E.	Quezaire
Baudoin	Guillory, M.	Ritchie
Beard	Hammett	Scalise
Bowler	Hill	Schneider
Broome	Honey	Smiley
Bruce	Hopkins	Smith, G.—56th
Bruneau	Hudson	Smith, J.H.—8th
Burns	Hunter	St. Germain
Carter, R.	Jackson	Strain

Cazayoux	Johns	Thompson
Crane	Katz	Trahan
Crowe	Kenney	Tucker
Curtis	LaBruzzo	Waddell
Damico	LaFleur	Walker
Daniel	Lambert	Walsworth
Dartez	Lancaster	White
Doerge	Martiny	Winston
Dove	McDonald	Wright
Downs	McVea	
Durand	Montgomery	
Total—76		

NAYS

Baylor	Gray	Pierre
Burrell	Heaton	Richmond
Carter, K.	Hebert	Romero
DeWitt	Jefferson	Shepherd
Dorsey	Marchand	Smith, J.D.—50th
Farrar	Morrell	Townsend
Glover	Murray	
Total—20		

ABSENT

Flavin	Kennard	Toomy
Frith	Robideaux	Triche
Hutter	Smith, J.R.—30th	Wooton
Total—9		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Quezaire 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. 664—
BY REPRESENTATIVE HUTTER
A JOINT RESOLUTION

Proposing to add Article VIII, Section 5(D)(6) of the Constitution of Louisiana, to require the Board of Regents to develop and implement a common course designation and numbering system; to require full implementation of the system by the beginning of the 2005-2006 academic year; to provide relative to the awarding of credits and recognition to students transferring among public postsecondary education institutions; to provide for penalties for noncompliance by any postsecondary education management board or institution; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule 8.26(A), Rep. Hutter gives notice of her intention to call House Bill No. 664 from the calendar for future action.

HOUSE BILL NO. 717—

BY REPRESENTATIVE MONTGOMERY
A JOINT RESOLUTION

Proposing to amend Article X, Section 20 of the Constitution of Louisiana, relative to political activities of employees in the classified fire and police civil service in municipalities, parishes, and fire protection districts; to authorize certain such employees, subject to certain conditions, to publicly express certain political positions or endorsements; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule 8.26(A), Rep. Montgomery gives notice of his intention to call House Bill No. 717 from the calendar for future action.

HOUSE BILL NO. 817—

BY REPRESENTATIVE QUEZAIRE
AN ACT

To amend and reenact R.S. 32:414.2(D), relative to commercial motor vehicles; to provide relative to violations committed by commercial motor vehicle drivers; to provide relative to the definition of "conviction"; and to provide for related matters.

Read by title.

On motion of Rep. Quezaire, the bill was recommitted to the Committee on Administration of Criminal Justice.

HOUSE BILL NO. 839—

BY REPRESENTATIVE DAMICO
AN ACT

To enact R.S. 30:2025(H), relative to enforcement of the Louisiana Environmental Quality Act; to provide for time limitations on the institution of enforcement actions; and to provide for related matters.

Read by title.

Motion

Rep. Damico moved that House Bill No. 839 be designated as a duplicate of Senate Bill No. 467.

Which motion was agreed to.

Motion

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

HOUSE BILL NO. 853—

BY REPRESENTATIVE HUNTER
AN ACT

To amend and reenact R.S. 23:1378(A)(5), relative to the second injury fund; to allow the second injury fund to intervene in third-party actions; and to provide for related matters.

Read by title.

Rep. Hunter moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Flavin	Odinet
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	Robideaux
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	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—103		

NAYS

Total—0

ABSENT

Kennard
Total—2

Toomy

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Hunter 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. 868—

BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 47:510(A), relative to vehicle registration; to provide relative to the requirement that vehicle manufacturers and dealers give notice regarding vehicle transfers; to provide relative to certain exemptions; and to provide for related matters.

Read by title.

Rep. Montgomery moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Morrish
Alario	Flavin	Murray
Alexander	Frith	Odinot
Ansardi	Futrell	Pierre
Arnold	Gallot	Pinac
Badon	Geymann	Pitre
Baldone	Glover	Powell, M.
Baudoin	Gray	Powell, T.
Baylor	Guillory, E.	Quezaire
Beard	Guillory, M.	Richmond
Bowler	Hammett	Ritchie
Broome	Heaton	Robideaux
Bruce	Hebert	Romero
Bruneau	Hill	Scalise
Burns	Honey	Schneider
Burrell	Hopkins	Shepherd
Carter, K.	Hudson	Smiley
Carter, R.	Hunter	Smith, G.—56th
Cazayoux	Hutter	Smith, J.D.—50th
Crane	Jackson	Smith, J.H.—8th
Crowe	Jefferson	St. Germain
Curtis	Johns	Strain
Damico	Katz	Thompson
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
Total—102		

NAYS

Total—0

ABSENT

Kennard	Smith, J.R.—30th	Toomy
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Montgomery 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. 885—
BY REPRESENTATIVE BEARD
AN ACT

To enact R.S. 30:2394(E), relative to the water quality; to provide for permit requirements for irrigating with water from certain sources; and to provide for related matters.

Read by title.

Rep. Beard moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Murray
Alario	Flavin	Odinot
Alexander	Frith	Pierre
Ansardi	Futrell	Pinac
Arnold	Gallot	Pitre
Badon	Geymann	Powell, M.
Baldone	Glover	Powell, T.
Baudoin	Gray	Quezaire
Baylor	Guillory, E.	Richmond
Beard	Guillory, M.	Ritchie
Bowler	Hammett	Robideaux
Broome	Heaton	Romero
Bruce	Hebert	Scalise
Bruneau	Hill	Schneider
Burns	Honey	Shepherd
Burrell	Hopkins	Smiley
Carter, K.	Hudson	Smith, G.—56th
Carter, R.	Hunter	Smith, J.D.—50th
Cazayoux	Hutter	Smith, J.H.—8th
Crane	Jackson	St. Germain
Crowe	Jefferson	Strain
Curtis	Johns	Thompson
Damico	Katz	Townsend
Daniel	Kenney	Trahan
Dartez	LaBruzzo	Triche
DeWitt	LaFleur	Tucker
Doerge	Lambert	Waddell
Dorsey	Marchand	Walker
Dove	Martiny	Walsworth
Downs	McDonald	White
Durand	McVea	Winston
Erdey	Montgomery	Wooton
Fannin	Morrell	Wright
Farrar	Morrish	
Total—101		

NAYS

Total—0

ABSENT

Kennard	Smith, J.R.—30th
Lancaster	Toomy
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 905—
BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact R.S. 9:4752, relative to privileges; to provide an exception to the privilege on proceeds collected for hospitals; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Futrell to Engrossed House Bill No. 905 by Representative Townsend

AMENDMENT NO. 1

On page 2, at the end of line 4, insert the following:

"The injured party may not claim or recover medical expenses for hospital charges for which there is no privilege under this Section."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Baylor	Heaton	Morrell
Carter, R.	Hebert	Murray
Cazayoux	Hill	Powell, M.
DeWitt	Honey	Richmond
Farrar	Hunter	Romero
Faucheux	Jefferson	Shepherd
Guillory, M.	LaFleur	Smith, G.—56th
Hammett	Lambert	Townsend
Total—24		

NAYS

Mr. Speaker	Erdey	Pierre
Alexander	Fannin	Pinac
Ansardi	Flavin	Pitre
Arnold	Frith	Powell, T.
Badon	Futrell	Quezaire
Baldone	Gallot	Ritchie
Baudoin	Geymann	Robideaux
Beard	Glover	Scalise
Bowler	Gray	Schneider
Broome	Guillory, E.	Smiley
Bruce	Hopkins	Smith, J.D.—50th
Bruneau	Hudson	Smith, J.H.—8th
Burns	Hutter	Smith, J.R.—30th
Burrell	Jackson	St. Germain
Carter, K.	Johns	Strain
Crane	Katz	Thompson
Crowe	Kenney	Trahan
Curtis	LaBruzzo	Triche
Damico	Lancaster	Tucker
Daniel	Marchand	Waddell
Dartez	Martiny	Walker
Doerge	McDonald	Walsworth
Dorsey	McVea	White
Dove	Montgomery	Winston
Downs	Morrish	Wright
Durand	Odinot	
Total—77		

ABSENT

Alario	Toomy
Kennard	Wooton
Total—4	

The Chair declared the above bill failed to pass.

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

HOUSE BILL NO. 428—

BY REPRESENTATIVE DURAND

AN ACT

To enact R.S. 37:1285.4, relative to the Louisiana State Board of Medical Examiners; to require that security accompany any judicial review of a final decision of the board; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Bowler to Engrossed House Bill No. 428 by Representative Durand

AMENDMENT NO. 1

On page 1, line 13, after "shall" and before "exceed" insert "be equal to the amount of the money portion of the decision; however, for good cause shown, it may"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Downs	Martiny	Walker
Durand	McDonald	Walsworth
Erdey	McVea	White
Fannin	Montgomery	Winston
Farrar	Morrell	Wright

Total—102

NAYS

Total—0

ABSENT

Kennard	Toomy	Wooton
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Bowler 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.

Notice of Intention to Call

Pursuant to House Rule 8.26(A), Rep. J. D. Smith gives notice of his intention to call House Bill No. 111 from the calendar for future action.

Suspension of the Rules

On motion of Rep. Pinac, 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 22, 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. 16 and 59

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

SENATE BILLS

April 22, 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. 48, 148, 186, 199, 342, 344, 437, and 445

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Suspension of the Rules

On motion of Rep. Bruneau, 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. 48—
BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 14:402(E), relative to offenses affecting law enforcement; to provide relative to contraband prohibited in certain correctional facilities; and to provide for related matters.

Read by title.

SENATE BILL NO. 148—
BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 3:3654(E)(4) and (6), as amended by Act No. 1232 of the 2003 Regular Session, and to enact R.S. 3:3656(A)(3), relative to security devices affecting farm products; to provide relative to financing statements for farm products; to provide relative to certain requirements for the amendment and expiration of such statements; and to provide for related matters.

Read by title.

SENATE BILL NO. 186—
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 9:4502 (A)(1), relative to privileges on movables; to provide relative to the privilege for making or repairing movable goods; to provide relative to marine vessels, trailers, and equipment; to provide for remedy for debt due on such items; and to provide for related matters.

Read by title.

SENATE BILL NO. 199—
BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 52:5, relative to jurisdiction over land sited in the state but under custody of the United States; to remove the sunset provision for entering into written agreements to cede concurrent jurisdiction to the United States; and to provide for related matters.

Read by title.

SENATE BILL NO. 342—
BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 27:302(E), relative to the Video Draw Poker Devices Control Law; to remove mandatory requirement that devices accept coins in the amount of the minimum wager offered by that device; to remove mandatory requirement that a video draw poker device provide one game for each coin of the minimum denomination deposited in that machine; and to provide for related matters.

Read by title.

SENATE BILL NO. 344—

BY SENATORS SMITH AND MICHOT
AN ACT

To amend and reenact R.S. 9:315.8(E)(2), relative to child support; to provide relative to joint custody of a child; to provide relative to child support obligation in such circumstances; to require a credit on such obligation under certain circumstances; and to provide for related matters.

Read by title.

SENATE BILL NO. 437—

BY SENATOR JACKSON
AN ACT

To amend and reenact R.S. 13:4291(A), (B)(1), and (C), relative to execution; to provide with respect to child support payments; to provide for judgments for such payments; to provide for the initiation of prescription on certain child support judgements; and to provide for related matters.

Read by title.

SENATE BILL NO. 445—

BY SENATOR JACKSON
AN ACT

To amend and reenact R.S. 9:315.40(2), relative to child support; to provide relative to the administrative suspension of certain licenses; to provide for definitions; to provide for compliance with an order of support; and to provide for related matters.

Read by title.

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

April 22, 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. 104
Returned without amendments.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

SIGNED SENATE CONCURRENT RESOLUTIONS

April 22, 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. 67, 68, 69, 70, 71, and 73

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. 36—

BY REPRESENTATIVE PINAC
A RESOLUTION

To commend the electric cooperative system for outstanding service to their customers.

Read by title.

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

HOUSE RESOLUTION NO. 37—

BY REPRESENTATIVE HONEY
A RESOLUTION

To acknowledge and support the commemoration of the fiftieth anniversary of the landmark case of *Brown v. Board of Education*.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 105—

BY REPRESENTATIVE MORRISH
A CONCURRENT RESOLUTION

To continue the Task Force on the Working Uninsured for the purpose of studying and making further recommendations regarding possible solutions to Louisiana's serious problem of many working citizens who are without health insurance.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 106—
BY REPRESENTATIVE RICHMOND

A CONCURRENT RESOLUTION

To commend Mr. Pat Swilling upon his induction into the Georgia Sports Hall of Fame.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 107—
BY REPRESENTATIVES BROOME AND MURRAY

A CONCURRENT RESOLUTION

To create the Predatory Lending Prevention Task Force to study the conditions in the Louisiana housing finance market and address the issues and concerns relative to protecting Louisiana citizens from predatory lending practices.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 108—
BY REPRESENTATIVE FUTRELL

A CONCURRENT RESOLUTION

To express the Legislature of Louisiana's support for Baton Rouge's request for an extension of the deadline by which the nonattainment area must switch to use of reformulated gasoline.

Read by title.

Suspension of the Rules

On motion of Rep. Futrell, the rules were suspended in order to refer the resolution to committee at this time.

Under the rules, the resolution was referred to the Committee on Transportation, Highways and Public Works.

HOUSE CONCURRENT RESOLUTION NO. 109—
BY REPRESENTATIVE FRITH

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of United States Army Staff Sergeant Toby Wayne Mallet of Kaplan.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 110—
BY REPRESENTATIVES TUCKER, BEARD, BURNS, DOWNS, FANNIN, M. GUILLORY, HUTTER, LAMBERT, PITRE, M. POWELL, QUEZAIRE, AND SMILEY

A CONCURRENT RESOLUTION

To direct the House and Senate Transportation, Highways and Public Works Committee to meet and to function as a joint committee to study and make recommendations regarding the re-creation of the Department of Transportation and Development, including but not limited to recommendations regarding the elimination or consolidation of programs or activities which are inactive, unnecessary, or which duplicate other governmental entities, or the elimination of inefficient or ineffective programs, or programs which are inconsistent with the intent of re-creating

the department, and to report the findings of the joint committee to the legislature and the Department of Transportation and Development no later than February 1, 2005.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 111—

BY REPRESENTATIVES BAUDOIN, ALEXANDER, BROOME, K. CARTER, DURAND, FRITH, LAFLEUR, PINAC, ROMERO, ST. GERMAIN, TRAHAN, AND TRICHE

A CONCURRENT RESOLUTION

To recognize the third week of September as Acadian Heritage Week in celebration of the valuable contributions Acadian people have made to the culture of the state of Louisiana.

Read by title.

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

Ordered to the Senate.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Administration of Criminal Justice

April 22, 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. 54, by Baldone
Reported with amendments. (9-0) (Regular)

House Bill No. 137, by Walker
Reported with amendments. (8-0) (Regular)

House Bill No. 187, by Durand
Reported with amendments. (8-0) (Regular)

House Bill No. 196, by Martiny
Reported favorably. (7-1) (Regular)

House Bill No. 247, by Thompson
Reported favorably. (7-0) (Regular)

House Bill No. 709, by Martiny
Reported favorably. (7-0) (Regular)

House Bill No. 738, by Martiny
Reported favorably. (9-0) (Regular)

House Bill No. 1225, by M. Powell
Reported with amendments. (8-0) (Regular)

House Bill No. 1425, by Martiny
Reported favorably. (8-0) (Regular)

DANIEL MARTINY
Chairman

Report of the Committee on Health and Welfare

April 22, 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 Bill No. 442, by Gallot
Reported favorably. (10-0) (Regular)

House Bill No. 1055, by Durand
Reported favorably. (8-3) (Regular)

House Bill No. 1285, by Jefferson
Reported favorably. (10-0) (Regular)

Senate Concurrent Resolution No. 33, by Hines
Reported with amendments. (11-0)

SYDNE MAE DURAND
Chairman

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

April 22, 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. 261, by Futrell (Joint Resolution)
Reported with amendments. (9-0)

House Bill No. 436, by Walsworth
Reported favorably. (9-0) (Regular)

House Bill No. 1246, by Lafleur
Reported with amendments. (7-0) (Regular)

CHARLES D. LANCASTER, JR.
Chairman

Report of the Committee on Insurance

April 22, 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 Bill No. 114, by Odinet
Reported favorably. (11-1) (Regular)

House Bill No. 308, by Morrish
Reported with amendments. (10-0) (Regular)

House Bill No. 346, by Hebert
Reported with amendments. (10-0) (Regular)

House Bill No. 352, by Hebert
Reported with amendments. (10-0) (Regular)

House Bill No. 446, by Hebert
Reported with amendments. (10-0) (Regular)

House Bill No. 760, by Hebert
Reported with amendments. (10-0) (Regular)

House Bill No. 1211, by Shepherd
Reported favorably. (9-5) (Regular)

House Bill No. 1439, by Downs
Reported favorably. (11-0) (Regular)

KAREN CARTER
Chairperson

Report of the Committee on Natural Resources

April 22, 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. 651, by Pierre
Reported favorably. (12-0-1) (Regular)

House Bill No. 654, by Pierre
Reported with amendments. (12-0-1) (Regular)

House Bill No. 655, by Pierre
Reported with amendments. (12-0-1) (Regular)

House Bill No. 656, by Pierre
Reported with amendments. (12-0-1) (Regular)

House Bill No. 668, by Montgomery
Reported with amendments. (10-0-1) (Regular)

House Bill No. 669, by Pierre
Reported with amendments. (12-0-1) (Regular)

WILFRED PIERRE
Chairman

Privileged Report of the Legislative Bureau

April 21, 2004

To the Speaker and Members of the House of Representatives:

I am directed by your Legislative Bureau to submit the following report:

Senate Bill No. 102
Reported without amendments.

Respectfully submitted,

CHARLES MCDONALD
Chairman

Privileged Report of the Committee on Enrollment

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. 33—
BY REPRESENTATIVE MURRAY
A RESOLUTION

To commend the national chain drug stores within the state of Louisiana for their positive impact on Louisiana's economy and to designate Thursday, April 22, 2004, as National Chain Drug Stores Day in the Louisiana House of Representatives.

HOUSE RESOLUTION NO. 34—
BY REPRESENTATIVE DORSEY
A RESOLUTION

To recognize Wednesday, April 21, 2004, as VOICE Day at the Louisiana House of Representatives.

HOUSE RESOLUTION NO. 35—
BY REPRESENTATIVE GALLOT
A RESOLUTION

To express the sincere and heartfelt condolences of the House of Representatives of the Legislature of Louisiana upon the death of Loudell Lynn Frazier of Grambling.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

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

Privileged Report of the Committee on Enrollment

April 22, 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 Concurrent Resolutions have been properly enrolled:

HOUSE CONCURRENT RESOLUTION NO. 95—
BY REPRESENTATIVE CURTIS
A CONCURRENT RESOLUTION

To recognize April 30, 2004, as Parent EXPO Day in the state of Louisiana.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

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

Privileged Report of the Committee on Enrollment

April 22, 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 Bills have been properly enrolled:

HOUSE BILL NO. 1426—
BY REPRESENTATIVE SALTER AND SENATOR HINES
AN ACT

To amend and reenact R.S. 37:1701 and 2366 and to enact Part II of Chapter 28 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:2371 through 2378, relative to medical psychologists; to authorize medical psychologists to prescribe drugs and to provide for the duties of a medical psychologist; to allow a medical psychologist to give directions to certain other health care providers; to establish the qualifications for medical psychologists and the requirements for certification; to provide for renewal of the certificate; to prohibit issuance of a prescription by a psychologist who is not a medical psychologist certified to prescribe; to provide a penalty for violations; to provide for prescribing practices; to provide for controlled substance prescriptive authority; to provide for coordination with the Louisiana Board of Pharmacy; to provide for designation of existing law; to provide for the effective date; and to provide for related matters.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

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

Suspension of the Rules

On motion of Rep. Pinac, the rules were suspended to permit the Committee on Commerce to meet on Monday, April 26, 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. 1557 and 1674

Leave of Absence

Rep. Toomy - 1 day

Rep. Kennard - 1 day

Adjournment

On motion of Rep. Kenney, at 4:10 P.M., the House agreed to adjourn until Monday, April 26, 2004, at 2:00 P.M.

The Speaker of the House declared the House adjourned until 2:00 P.M., Monday, April 26, 2004.

ALFRED W. SPEER
Clerk of the House