

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

**TWENTY-THIRD DAY'S PROCEEDINGS**

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

House of Representatives  
 State Capitol  
 Baton Rouge, Louisiana

Wednesday, May 5, 2004

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

**Morning Hour**

**ROLL CALL**

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

PRESENT

Mr. Speaker	Flavin	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	Toomy
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—104		

ABSENT

Kennard  
 Total—1

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

**Prayer**

Prayer was offered by Rev. Charles Oatis.

**Pledge of Allegiance**

Rep. Waddell 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. Mickey Guillory, the reading of the Journal was dispensed with.

On motion of Rep. Burns, and under a suspension of the rules, the Journal of May 4, 2004, was corrected to reflect him as voting yea on final passage of House Bill No. 1356.

On motion of Rep. Alexander, the Journal of May 4, 2004, was adopted.

**Petitions, Memorials and Communications**

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

**Message from the Senate**

**SENATE BILLS**

May 5, 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. 157, 215, 337, 388, 471, 655, 693, 701, 770, 815, 822, 826, and 840

Respectfully submitted,

GLENN A. KOEPP  
 Secretary of the Senate

**Suspension of the Rules**

On motion of Rep. John Smith, 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. 157—**

BY SENATORS CAIN, IRONS, ADLEY, BAJOIE, MICHOT, SMITH,  
KOSTELKA, BOISSIERE AND DARDENNE  
AN ACT

To amend and reenact R.S. 22:253(A), relative to funeral policies and burial insurance; to provide for payment of benefits to policy holders; and to provide for related matters.

Read by title.

**SENATE BILL NO. 215—**

BY SENATOR FIELDS  
AN ACT

To enact R.S. 22:652.5 and to repeal R.S. 22:1481 through 1494, relative to personal insurance; to prohibit use of credit information in determining whether to refuse to issue or renew; and to provide for related matters.

Read by title.

**SENATE BILL NO. 337—**

BY SENATOR SMITH  
AN ACT

To amend and reenact R.S. 24:513(I)(1)(c)(i)(aa), relative to audit requirements; to provide that monies received from urban or rural development grants shall not be included in the computation of threshold limits for audit requirements; and to provide for related matters.

Read by title.

**SENATE BILL NO. 388—**

BY SENATOR MCPHERSON  
AN ACT

To enact R.S. 36:4(B)(17) and R.S. 49:210.2, relative to the office of the governor; to create the office of the coordinator of faith-based programs within the office of the governor; to provide for the duties and responsibilities of the coordinator; and to provide for related matters.

Read by title.

**SENATE BILL NO. 471—**

BY SENATOR DARDENNE  
AN ACT

To amend and reenact R.S. 18:1505.2(A), relative to elections; to provide for the imposition of a penalty on a person who makes a campaign contribution through or in the name of another person; and to provide for related matters.

Read by title.

**SENATE BILL NO. 655—**

BY SENATOR DARDENNE  
AN ACT

To amend and reenact R.S. 33:1352(3) and (5), 1353(A)(1), (3), (4) and (B), 1355, 1356, 1357, 1359(A), (B), (D), and (E), and 1360, and to repeal R.S. 33:1352(6) relative to self insurance programs for local housing authorities; relative to administration of self insurance funds; and to provide for related matters.

Read by title.

**SENATE BILL NO. 693—**

BY SENATOR DUPRE  
AN ACT

To amend R.S. 18:1280.21 and 18:1280.25, to provide relative to the presidential preference primary; to provide relative to the participation of persons registered as an independent or not otherwise registered in a recognized political party; and to provide for related matters.

Read by title.

**SENATE BILL NO. 701—**

BY SENATOR BAJOIE  
AN ACT

To enact R.S. 46:1441.14, relative to family child care providers; to provide for required participation in orientation sessions; to provide that orientation programs shall be approved by the Department of Social Services or the Department of Education; and to provide for related matters.

Read by title.

**SENATE BILL NO. 770—**

BY SENATOR FIELDS  
AN ACT

To enact R.S. 17:1519.2(B)(1)(i), relative to University Medical Center in Baton Rouge; to provide for the establishment of such an entity; and to provide for related matters.

Read by title.

**SENATE BILL NO. 815—**

BY SENATOR SCHEDLER  
AN ACT

To enact R.S. 36:259(II) and Chapter 59 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:3651 through 3663, relative to the certification of employee assistance professionals; to provide for definitions; to create the Board of Certified Employee Assistance Professionals; to provide for authority of the board; to provide for professional certification requirements; to provide for operation of the board; to provide for procedures for disciplinary action; to provide for confidentiality of records; to provide for protection for the practice of other professions; to provide for prohibited acts and penalties; and to provide for related matters.

Read by title.

**SENATE BILL NO. 822—**

BY SENATOR MCPHERSON  
AN ACT

To amend and reenact R.S. 32:661(A)(2)(b), relative to toxicology screens on victims of all traffic fatalities; to provide for the use of the most current scientific testing available to determine content of alcohol at the time of death; and to provide for related matters.

Read by title.

**SENATE BILL NO. 826—**

BY SENATOR JACKSON  
AN ACT

To enact R.S. 40:5.12, relative to public health; to provide for the creation of an advisory board to establish a standard school health form; to provide for members of the advisory board; to provide for duties of the advisory board; and to provide for related matters.

Read by title.

**SENATE BILL NO. 840—**

BY SENATOR JACKSON  
AN ACT

To enact R.S. 40:1300.163(F), relative to hepatitis C education; to encourage educational initiatives regarding veterans; and to provide for related matters.

Read by title.

### House and House Concurrent Resolutions

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

#### HOUSE CONCURRENT RESOLUTION NO. 158—

BY REPRESENTATIVE BOWLER

##### A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study Louisiana's visitation statutes and make specific recommendation on or before January 15, 2005, for revisions to state laws.

Read by title.

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

#### HOUSE CONCURRENT RESOLUTION NO. 159—

BY REPRESENTATIVE SHEPHERD

##### A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study the procedures for providing notice of executory judgments and to make specific recommendations for revisions to Louisiana laws in order to bring uniformity of procedures and to ensure adequate notice to judgment debtors.

Read by title.

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

#### HOUSE CONCURRENT RESOLUTION NO. 160—

BY REPRESENTATIVE BURRELL

##### A CONCURRENT RESOLUTION

To memorialize the United States Congress to enact federal legislation prohibiting the use of traffic signal preemption devices by the motoring public.

Read by title.

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

### 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. 3—

BY SENATOR MCPHERSON

##### AN ACT

To amend and reenact R.S. 43:111.1, relative to the expenditure of public funds on advertising; to prohibit the expenditure of any state funds for certain media advertisement which uses the name, likeness, or voice of any public official whether elected or appointed; to prohibit expenditure of public funds by any public entity for certain media advertisement which uses the name, likeness, or voice of any public official whether elected or appointed; to provide for penalties for violation of this provision; 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. 27—

BY SENATOR MCPHERSON

##### AN ACT

To enact R.S. 24:653(K) and Part VIII-B of Chapter 1 of Subtitle 1 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:310, relative to legislative review; to require private entities to provide to the legislature information relative to the expenditure of revenue generated from the operation, management, or control of public lands or facilities; to require the division of administration to develop a reporting form; and to provide for related matters.

Read by title.

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

#### SENATE BILL NO. 39—

BY SENATOR MCPHERSON

##### AN ACT

To enact R.S. 24:653(K), and to enact Subpart E of Part I of Chapter 1 of Subtitle 1 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:17.1, relative to cooperative endeavor agreements; to require the commissioner of administration to provide a system of tracking certain cooperative endeavor agreements; to provide definitions; to provide for review and approval of certain cooperative endeavor agreements by the Joint Legislative Committee on the Budget; 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. 46—

BY SENATORS THEUNISSEN, CHEEK AND MARIONNEAUX

##### AN ACT

To enact Subpart G-1 of Part IV of Chapter 1 of Title 32 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 32:200, relative to the use of electric personal assistive mobility devices; to provide for the operation of such devices by those individuals with mobility impairments; 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. 370—

BY SENATOR LENTINI

##### AN ACT

To amend and reenact the introductory paragraphs of R.S. 40:1299.39.1(A)(4) and (C)(1) and the introductory paragraphs of R.S. 40:1299.47(A)(4) and (C), relative to medical review panels; to provide for the appointment of the attorney member of such panel; to authorize such appointment by the plaintiff attorney under certain circumstances; 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. 581—**  
BY SENATOR SCHEDLER

AN ACT

To enact Civil Code Art. 2713(C), relative to obligations of the lessee; to provide relative to eviction; to provide relative to failure to comply with a order of eviction; to require lessee to pay court costs in such instances; 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. 609—**  
BY SENATORS BAJIOIE AND HOLDEN

AN ACT

To amend and reenact Ch.C. Art. 610(B)(8) and (D) and to enact Ch.C. Art. 610(B)(9), relative to child abuse reporting; to require that additional information be included in child abuse reports; to require the Department of Social Services to provide an optional written form for mandatory reporting; to provide for an effective date; 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. 616—**  
BY SENATOR CHAISSON

AN ACT

To amend and reenact the introductory paragraph of R.S. 27:306(A)(4)(c)(vi) and to enact R.S. 27:306(A)(7)(b), relative to the Video Draw Poker Devices Control Law; to provide for qualified truck stop facilities; to provide for calculation of monthly fuel sales average for device number determinations at truck stops; to provide for exceptions; 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. 628—**  
BY SENATORS BAJIOIE AND HOLDEN

AN ACT

To amend and reenact Ch.C. Art. 611(A), relative to child abuse reporting and investigation; to limit liability against persons who report child abuse under certain circumstances; 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. 633—**  
BY SENATORS KOSTELKA, SCHEDLER, ADLEY, AMEDEE, BARHAM, BOASSO, BOISSIERE, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HINES, HOLLIS, IRONS, JACKSON, LENTINI, MALONE, MARIORNEAUX, MICHOT, MOUNT, NEVERS, THEUNISSEN AND ULLO

AN ACT

To enact R.S. 14:75, relative to nonpayment of child support obligations; to enact the Deadbeat Parents Punishment Act of Louisiana; to create the crime of failure to pay legal child

support obligation; to provide for presumptions; to provide for penalties; to provide for restitution; to provide for venue; to provide for definitions; to provide for an affirmative defense; 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. 638—**  
BY SENATORS BAJIOIE AND HOLDEN

AN ACT

To amend and reenact Children's Code Art. 610(A) and (E), relative to child abuse mandatory reporting procedure; to permit reporting to both the local child protection unit and the local or state law enforcement agency; to provide relative to cases which are reported in error; to require that such cases be reported to the appropriate agency; and to provide for related matters.

Read by title.

**Motion**

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

**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. 75—**  
BY REPRESENTATIVE ANSARDI

AN ACT

To amend and reenact Code of Civil Procedure Article 1920, relative to court costs; to require the nonprevailing party to pay all costs and attorney fees if the suit or defense is frivolous; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 303—**  
BY REPRESENTATIVES R. CARTER AND MCVEA AND SENATOR NEVERS

AN ACT

To enact R.S. 30:2154(B)(2)(g), relative to solid waste; to provide for the authority of the secretary of the Department of Environmental Quality; to provide for the registration and permitting of certain solid waste facilities in St. Helena Parish; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Environment.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Environment to Original House Bill No. 303 by Representative R. Carter

AMENDMENT NO. 1

On page 1, line 18, after "facility" and before the comma "," insert "in St. Helena Parish"

AMENDMENT NO. 2

On page 1, line 19, after "wood waste" delete the remainder of the line and insert "or facilities disposing or processing industrial waste generated and disposed on site."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 613—**  
BY REPRESENTATIVE HEBERT (BY REQUEST)  
AN ACT

To enact R.S. 9:346 through 348, relative to visitation rights; to provide relative to intentional violations of court orders; to provide relative to public interaction with a child; to provide relative to parenting interference; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 613 by Representative Hebert

AMENDMENT NO. 1

On page 1, line 2, change "9:136.1 through 136.3" to "9:346 through 348"

AMENDMENT NO. 2

On page 1, line 7, change "9:136.1 is" to "9:346 through 348 are"

AMENDMENT NO. 3

On page 1, at the beginning of line 8, change "§136.1." to "§346."

AMENDMENT NO. 4

On page 1, line 11, delete ", parenting time, or residential time"

AMENDMENT NO. 5

On page 1, at the end of line 12, delete ", parenting, or" and at the beginning of line 13 delete "residential time"

AMENDMENT NO. 6

On page 1, line 14, after "order" and before "upon" change "shall" to "may"

AMENDMENT NO. 7

On page 1, line 16, after "visitation" delete the comma "," and delete the remainder of the line and at the beginning of line 17, delete "or residential time"

AMENDMENT NO. 8

On page 2, at the beginning of line 5, change "§136.2." to "§347."

AMENDMENT NO. 9

On page 2, at the beginning of line 12, change "§136.3." to "§348."

AMENDMENT NO. 10

On page 2, at the end of line 14, after "visitation" delete the comma ","

AMENDMENT NO. 11

On page 2, at the beginning of line 15, delete "parenting, or residential time"

AMENDMENT NO. 12

On page 2, line 15, change "9:136.1" to "9:346"

AMENDMENT NO. 13

On page 2, at the end of line 17, change "9:316.2" to "9:347"

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 622—**  
BY REPRESENTATIVE HEBERT  
AN ACT

To enact R.S. 13:4611(1)(e)(iv) and (f) and Children's Code Article 1509(E)(4) and (F), relative to penalties for contempt of court; to authorize the court to award attorney fees; to provide for the modification of an order; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 622 by Representative Hebert

AMENDMENT NO. 1

On page 1, at the end of line 19, after "existing" and before "order" insert "custody or visitation"

AMENDMENT NO. 2

On page 2, at the end of line 11, after "existing" and before "order" insert "custody or visitation"

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 623—**  
BY REPRESENTATIVE JEFFERSON  
AN ACT

To enact R.S. 9:3571.1(H)(4) and (M) through (Z), relative to protection from identity theft; to provide for security freezes; to provide for definitions; to provide for the procedures for access after imposition and removal of security freezes; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 658—**  
BY REPRESENTATIVE JEFFERSON  
A JOINT RESOLUTION

Proposing to amend Article VII, Section 21(F) of the Constitution of Louisiana, to provide that any contract of exemption entered into by the State Board of Commerce and Industry and a manufacturing establishment shall require a payment in lieu of taxes for any exemption from ad valorem taxes imposed by a school board; to provide for the distribution of any funds received from such payments; 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 Ways and Means.

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

**HOUSE BILL NO. 694—**  
BY REPRESENTATIVE ARNOLD  
A JOINT RESOLUTION

Proposing to amend Article VII, Section 21(E) of the Constitution of Louisiana, to remove prohibition against extending ad valorem tax exemption for motor vehicles to taxes levied by a municipal governing authority or a district created by such authority; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 728—**  
BY REPRESENTATIVES BRUNEAU, ARNOLD, GALLOT, LANCASTER,  
MONTGOMERY, MURRAY, PITRE, AND SMILEY  
A JOINT RESOLUTION

Proposing to amend Article IV, Section 3(A) and to add Article IV, Section 3(E) of the Constitution of Louisiana, to change the date of the election of the governor and the other officials

elected at the same time as the governor; to provide for the terms of office of such officials; to provide relative to statewide elections in odd-numbered years; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Engrossed House Bill No. 728 by Representative Bruneau

AMENDMENT NO. 1

On page 2, line 16, after "to" and before "shall" delete "November 4, 2008," and insert "the regularly scheduled general election for state officials held in 2008"

AMENDMENT NO. 2

On page 2, line 21, after "after" and before "shall" delete "November 4, 2008," and insert "the regularly scheduled general election for state officials held in 2008"

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 789—**  
BY REPRESENTATIVE FUTRELL  
AN ACT

To amend and reenact R.S. 32:387(J)(introductory paragraph) and (1), relative to special permits; to provide relative to special container permits issued by the Department of Transportation and Development; to provide relative to certain requirements for issuance of such permits; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Transportation, Highways and Public Works to Original House Bill No. 789 by Representative Futrell

AMENDMENT NO. 1

On page 1, at the end of line 12, after "products" insert "in international trade"

AMENDMENT NO. 2

On page 1, line 16, after "used in" insert "international trade in"

AMENDMENT NO. 3

On page 1, line 20, after "containers," delete the remainder of the line and insert "the"

AMENDMENT NO. 4

On page 2, line 4, after "group." insert the following:

"Additionally, provided there are no objections raised by the Federal Highway Administration, any vehicle transporting intermodal containers with an open-top or flat rack with a gross vehicle weight not to exceed eighty thousand pounds and axle weight not to exceed forty thousand pounds per tandem axle group shall be eligible for the Class I Ocean Container Permit."

AMENDMENT NO. 5

On page 2, at the end of line 9, insert the following:

"All fines and penalties assessed against a vehicle hauling containerized prepackaged products in international trade for failing to provide proof to any law enforcement or weight enforcement officer that the cargo originated from or is destined to an intermodal facility shall be waived by the Department of Transportation and Development upon submission to the department of satisfactory proof that the cargo originated from or was destined to an intermodal facility."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 991—**

BY REPRESENTATIVE FUTRELL

AN ACT

To enact R.S. 32:414.2(A)(9), relative to commercial driver's licenses; to provide relative to operating records of commercial drivers; to require certain violations and judgments be included on a commercial motor vehicle driver's operating record; to provide relative to the definition of "conviction"; to provide relative to certain notice requirements; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Transportation, Highways and Public Works to Original House Bill No. 991 by Representative Futrell

AMENDMENT NO. 1

On page 1, line 4, after "record;" insert "to provide relative to the definition of "conviction"; to provide relative to certain notice requirements;"

AMENDMENT NO. 2

On page 1, at the beginning of line 12, after "(9)" insert "(a)"

AMENDMENT NO. 3

On page 1, line 16, after "motor vehicle," change "civil" to "regulatory"

AMENDMENT NO. 4

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

"Conviction" for purposes of this Paragraph shall include an unvacated adjudication of guilt or a determination in a court of original jurisdiction or by an authorized administrative tribunal that a person has violated or failed to comply with the law; an unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court; a plea of guilty or nolo contendere accepted by a court; the payment of a fine or court costs; or a violation of a condition of release without bail, regardless of whether the penalty is rebated, suspended, or probated. A conviction shall occur regardless of whether a person is referred to a remedial or pretrial diversion program as an alternative to the imposition of a penalty, fine, or other sanction.

(b) Beginning January 1, 2005, the Department of Public Safety and Corrections shall forward a copy of all motor carrier inspection reports which contain any driver moving violations to the motor carrier identified in such report within forty-five days of the inspection."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1078—**

BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 32:365(B) and to enact R.S. 32:41(E) and R.S. 33:4881, relative to traffic violations; to authorize certain municipalities to use traffic control photographic systems for enforcement of certain traffic regulations and to adopt ordinances relative to such use; to provide for penalties for such violations; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Transportation, Highways and Public Works to Original House Bill No. 1078 by Representative Murray

AMENDMENT NO. 1

On page 1, at the beginning line 16, change "R.S. 33:4481" to "R.S. 33:4881"

AMENDMENT NO. 2

On page 2, at the beginning of line 16, change "fifty" to "twenty"

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

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23rd Day's Proceedings - May 5, 2004

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

Under the rules, placed on the regular calendar.

## HOUSE BILL NO. 1130—

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 47:1837.1, relative to the Louisiana Tax Commission; to require creation of a statewide ad valorem tax assessment database for publication on the internet; to provide for an effective date; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Ways and Means.

The substitute was read by title as follows:

## HOUSE BILL NO. 1700 (Substitute for House Bill No. 1130 by Representative Daniel)—

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 47:1837.1, relative to the Louisiana Tax Commission; to establish a pilot program for creation of a statewide ad valorem tax assessment database for publication on the Internet; to provide for an effective date; and to provide for related matters.

Read by title.

On motion of Rep. Hammett, the substitute was adopted and became House Bill No 1700 by Rep. Daniel, on behalf of the Committee on Ways and Means, as a substitute for House Bill No. 1130 by Rep. Daniel.

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

## HOUSE BILL NO. 1131—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 32:771(2)(a) and (b)(introductory paragraph), 773.1(A)(2)(m) through (p), 773.2(D)(1), (2), and (4)(a)(iii), (E)(1), (F)(1), (4), and (5)(introductory paragraph) and (c), and 774(J)(1) and to enact R.S. 32:771(19.1), 773(D), and 774.1, relative to marine product dealers; to provide for small loose outboard motor marine dealers; to provide for definitions; to provide relative to area of responsibility restrictions; to provide relative to licensure; to provide for customer notice of authorized service representatives in certain instances; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Original House Bill No. 1131 by Representative Daniel

#### AMENDMENT NO. 1

On page 1, line 21, after "motor" change "dealers." to "dealers as provided in R.S. 32:773(D)."

#### AMENDMENT NO. 2

On page 2, line 6, after "motor" change "dealers. a" to "dealers as provided in R.S. 32:773(D)."

#### AMENDMENT NO. 3

On page 2, line 20, after "D." insert "(1)"

#### AMENDMENT NO. 4

On page 2, between lines 23 and 24, insert the following:

"(2)(a) The provisions of Paragraph (D)(1) of this Section shall only apply to a small loose outboard marine motor dealer that has a contract or franchise with a manufacturer or distributor of marine motors when that manufacturer or distributor provides notice to the commission and all other dealers of their line of marine motors that the sales and service of their line of small loose outboard marine motors shall be included in their contract or franchise agreement with their Louisiana dealers.

(b) In the event the manufacturer or distributor distinguishes in its agreements on the sales and service of small loose outboard marine motors between dealerships or franchisees, a small loose outboard marine motor dealer shall be considered a marine motor dealer for all purposes of this Chapter and the exemptions as specified in Paragraph (1) of this Subsection shall not apply."

#### AMENDMENT NO. 5

On page 3, line 1, after "motor" change "dealers." to "dealers as provided in R.S. 32:773(D)."

#### AMENDMENT NO. 6

On page 3, at the end of line 8, after "motor" change "dealers. to" to "dealers as provided in R.S. 32:773(D)."

#### AMENDMENT NO. 7

On page 3, line 16, after "motor" change "dealers." to "dealers as provided in R.S. 32:773(D)."

#### AMENDMENT NO. 8

On page 3, at the end of line 17, after "motor" change "dealers. to" to "dealers as provided in R.S. 32:773(D)."

#### AMENDMENT NO. 9

On page 4, at the beginning of line 4, change "dealers." to "dealers as provided in R.S. 32:773(D)."

#### AMENDMENT NO. 10

On page 4, at the beginning of line 11, change "dealers. whenever" to "dealers as provided in R.S. 32:773(D)."

#### AMENDMENT NO. 11

On page 4, at the beginning of line 21, change "dealers. whenever" to "dealers as provided in R.S. 32:773(D)."

#### AMENDMENT NO. 12

On page 5, at the beginning of line 5, change "dealers. whether" to "dealers as provided in R.S. 32:773(D)."

AMENDMENT NO. 13

On page 5, line 12, after "motor" change "dealers." to "dealers as provided in R.S. 32:773(D)."

AMENDMENT NO. 14

On page 5, line 23, after "motor" change "dealers." to "dealers as provided in R.S. 32:773(D)."

AMENDMENT NO. 15

On page 6, line 8, after "motor" change "dealers." to "dealers as provided in R.S. 32:773(D)."

AMENDMENT NO. 16

On page 6, at the beginning of line 11, change "dealers, whenever" to "dealers as provided in R.S. 32:773(D), whenever"

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1146—**

BY REPRESENTATIVE HUDSON

AN ACT

To amend and reenact R.S. 34:1451(A)(1)(a), (b), and (c), relative to the Greater Krotz Springs Port Commission; to provide with respect to the residency requirements of certain members of the Greater Krotz Springs Port Commission; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Transportation, Highways and Public Works to Original House Bill No. 1146 by Representative Hudson

AMENDMENT NO. 1

On page 1, line 10, after "Section 1." delete "R.S. 34:1451(A)(1)(a), (b), and (c)" and insert "R.S. 34:1451(A)(1)(a), (b), and (c)"

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1283—**

BY REPRESENTATIVE BOWLER

AN ACT

To enact Chapter 30 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:2001 through 2003, relative to conflicts of law; to provide for choice of law and forum for

certain computer information agreements; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 1283 by Representative Bowler

AMENDMENT NO. 1

On page 1, line 16, change "act" to "Act"

AMENDMENT NO. 2

On page 2, line 8, after "provision is" and before "voided" delete "so"

AMENDMENT NO. 3

On page 2, at the beginning of line 9, change "will" to "shall"

AMENDMENT NO. 4

On page 2, line 12, after "If" and before "an" delete "such"

AMENDMENT NO. 5

On page 2, line 26, change "Language to this effect" to "Choice of law and choice of forum provisions"

AMENDMENT NO. 6

On page 2, line 26, change "is" to "are"

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1309—**

BY REPRESENTATIVE SHEPHERD

AN ACT

To enact R.S. 33:9029.2(D), relative to cooperative endeavor agreements; to require certain provisions requiring repayment of benefits received from the state; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 1309 by Representative Shepherd

AMENDMENT NO. 1

On page 1, at the end of line 12, delete the period "." and insert "while the terms of the agreement are in effect."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1469—**  
BY REPRESENTATIVE MARTINY  
AN ACT

To amend and reenact R.S. 32:402.1(A)(2)(g), relative to drivers' licenses; to authorize an increase in the fee charged for a prelicensing training course; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1475—**  
BY REPRESENTATIVE WALSWORTH  
AN ACT

To amend and reenact R.S. 38:2242(A), relative to the Public Works Act; to provide for the definition of "claimant"; to include person to whom money is due for movables leased or rented to contractors and subcontractors; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1492—**  
BY REPRESENTATIVE HOPKINS  
AN ACT

To amend and reenact R.S. 32:1720(A) and (B)(8), relative to the Louisiana Towing and Storage Act; to provide relative to notices; to require the storage or parking facility owner to send notice to certain parties; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1495—**  
BY REPRESENTATIVE BADON  
AN ACT

To amend and reenact Code of Civil Procedure Article 2293(C), relative to notice of seizure of immovable property; to provide for notice to be given to tenants of seized property; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1506—**  
BY REPRESENTATIVE HUNTER  
AN ACT

To enact Chapter 2-A of Title I of Book 9 of the Code of Civil Procedure, to be comprised of Article 5099, relative to the withdrawal as counsel of record; to provide procedures for the withdrawal as counsel of record upon the presentation of an affidavit executed by the client; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1509—**  
BY REPRESENTATIVE GRAY  
AN ACT

To enact R.S. 51:1423, relative to deceptive and unfair trade practices; to restrict the issuance of a gift certificate with an expiration date or which includes any service fee; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Commerce to Original House Bill No. 1509 by Representative Gray

AMENDMENT NO. 1

On page 1, line 2, after "practices; to" change "prohibit" to "restrict"

AMENDMENT NO. 2

On page 1, line 19, after "date" delete the period "." and insert in lieu thereof a comma "," and insert "which is less than five years from the date of issuance. Such expiration date shall appear in capital letters and in at least ten-point font on the gift certificate."

AMENDMENT NO. 3

On page 2, at the end of line 1, after "dormancy fee." insert "However, nothing shall prevent the issuer from charging a one-time handling fee, which shall not exceed one dollar per gift certificate."

AMENDMENT NO. 4

On page 2, at the beginning of line 5, after "certificates" delete the comma "," and delete the remainder of the line and delete line 6 and insert a colon ":"

AMENDMENT NO. 5

On page 2, line 8, after "awards" insert a comma "," and after "loyalty" insert a comma ",".

AMENDMENT NO. 6

On page 2, line 11, after "purposes" delete the remainder of the line and delete line 12 and insert a period ".".

AMENDMENT NO. 7

On page 2, between lines 12 and 13, insert the following:

"(3) Gift certificates that are usable with multiple sellers of goods or services."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1518—**

BY REPRESENTATIVE R. CARTER  
AN ACT

To amend and reenact Code of Civil Procedure Article 970(C), relative to offer of judgment procedures; to provide for attorney fees; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1519—**

BY REPRESENTATIVE R. CARTER  
AN ACT

To amend and reenact Code of Civil Procedure Article 1734(A), relative to the bond for costs related to a civil jury trial; to change the time for filing the bond; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1637—**

BY REPRESENTATIVES STRAIN AND SMILEY  
AN ACT

To enact R.S. 32:774.1, relative to used motor vehicles; to prohibit the sale of used motor vehicles by certain unlicensed dealers; to provide for penalties; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1699 (Substitute for House Bill No. 614 by Representative Ansardi)—**

BY REPRESENTATIVE ANSARDI  
AN ACT

To amend and reenact Civil Code Articles 2036 and 2037 and to repeal Chapter 7 of Code Title IV of Title 9 of the Louisiana Revised Statutes of 1950, comprised of R.S. 9:2790.1 through 2790.12, relative to civil actions; to provide relative to insolvency and the revocatory action; to repeal the Uniform Fraudulent Transfer Act; and to provide for related matters.

Read by title.

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

Under the rules, placed on the regular calendar.

**Suspension of the Rules**

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

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

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

**Regular Calendar**

**HOUSE BILL NO. 50—**

BY REPRESENTATIVE CROWE  
AN ACT

To enact R.S. 32:63.2, relative to speed limits; to require the Department of Transportation and Development to make a final decision regarding the maximum speed limit along certain interstate highways; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Crowe to Engrossed House Bill No. 50 by Representative Crowe

AMENDMENT NO. 1

On page 1, line 2, change "enact R.S. 32:63.2," to "provide"

AMENDMENT NO. 2

On page 1, line 6, after "Section 1." delete the remainder of the line and delete line 7

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Baylor	Hill	Smith, J.D.—50th
Burrell	Kennard	Townsend
Farrar	Ritchie	Wooton
Total—9		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 109—  
BY REPRESENTATIVE BAUDOIN  
AN ACT**

To amend and reenact R.S. 32:190(A), relative to motorcycles; to require any person who operates or rides upon a motorcycle, motor-driven cycle, or motorized bicycle to wear a safety helmet; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Smiley to Engrossed House Bill No. 109 by Representative Baudoin

AMENDMENT NO. 1

On page 1, line 4, after "helmet;" insert "to provide relative to certain exemptions;"

AMENDMENT NO. 2

On page 1, at the beginning of line 8, after "A." insert "(1)"

AMENDMENT NO. 3

On page 1, at the end of line 14, insert the following:

"(2) The provisions of this Subsection shall not apply to any licensee who possesses an endorsement on one of the basic classes of licenses issued by the office of motor vehicles to operate a motor cycle, motor driven cycle, or a motorized bicycle as of July 1, 2004. Additionally, after July 1, 2004, any new applicant applying for an endorsement to operate a motor cycle, motor driven cycle, or a motorized bicycle who successfully completes the Motorcycle Safety, Awareness, and Operator Training Program as provided in R.S. 17:282 shall be exempt from the safety helmet requirement of this Subsection."

Rep. Smiley moved the adoption of the amendments.

Rep. Baudoin objected.

By a vote of 32 yeas and 61 nays, the amendments were rejected.

Rep. Baudoin moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Alexander	Erdey	Morrish
Arnold	Fannin	Murray
Badon	Faucheux	Odinot
Baldone	Futrell	Pinac
Baudoin	Guillory, E.	Pitre
Beard	Hill	Powell, T.
Bruce	Hunter	Richmond
Burns	Hutter	Romero
Burrell	Jefferson	St. Germain
Carter, K.	Johns	Strain
Carter, R.	Katz	Thompson
Cazayoux	Kenney	Trahan
Crowe	Martiny	Triche
Dorsey	McDonald	Tucker
Downs	Morrell	Winston
Total—45		

**NAYS**

Mr. Speaker	Hebert	Schneider
Alario	Hopkins	Shepherd
Bowler	LaBruzzo	Smiley
Bruneau	Lambert	Smith, G.—56th
Crane	Lancaster	Smith, J.D.—50th
Damico	McVea	Smith, J.H.—8th
Dartez	Montgomery	Smith, J.R.—30th
DeWitt	Pierre	Toomy

Dove	Powell, M.	Townsend
Durand	Quezaire	Walker
Frith	Ritchie	Walsworth
Gallot	Robideaux	Wooton
Geymann	Scalise	Wright
Total—39		

ABSENT

Ansardi	Flavin	Hudson
Baylor	Glover	Jackson
Broome	Gray	Kennard
Curtis	Guillory, M.	LaFleur
Daniel	Hammett	Marchand
Doerge	Heaton	Waddell
Farrar	Honey	White
Total—21		

Failed to pass.

Motion to reconsider pending.

**Suspension of the Rules**

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

**HOUSE BILL NO. 377—**  
BY REPRESENTATIVE DAMICO  
AN ACT

To amend and reenact R.S. 30:2054(B)(8) and R.S. 32:1306(C)(3), relative to motor vehicle emissions inspections; to provide for the powers and duties of the secretary of the Department of Environmental Quality; to provide for fees for vehicle inspections; to provide for disposition of funds; and to provide for related matters.

Read by title.

**Motion**

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

**HOUSE BILL NO. 777—**  
BY REPRESENTATIVES HAMMETT, HILL, KENNEY, MONTGOMERY,  
AND TOWNSEND  
A JOINT RESOLUTION

Proposing to amend Article VII, Section 4(C) of the Constitution of Louisiana, to prohibit the taxation of motor fuel, gasoline, or diesel fuel by a political subdivision of the state; 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. Hammett, the bill was returned to the calendar.

**HOUSE BILL NO. 811—**  
BY REPRESENTATIVE HAMMETT  
AN ACT

To amend and reenact R.S. 32:1510(A)(3), relative to hazardous materials transportation; to exempt oil transporters from reporting certain incidents to the office of state police; and to provide for related matters.

Read by title.

Rep. Morrish moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Pinac
Alario	Gallot	Pitre
Alexander	Geymann	Powell, M.
Ansardi	Glover	Powell, T.
Arnold	Guillory, E.	Quezaire
Badon	Hammett	Richmond
Baldone	Heaton	Ritchie
Baudoin	Hill	Robideaux
Baylor	Honey	Romero
Beard	Hopkins	Scalise
Bowler	Hudson	Schneider
Bruce	Hunter	Shepherd
Burns	Hutter	Smiley
Burrell	Jefferson	Smith, G.—56th
Carter, R.	Johns	Smith, J.D.—50th
Cazayoux	Katz	Smith, J.H.—8th
Crane	Kenney	Smith, J.R.—30th
Curtis	LaBruzzo	Strain
Damico	LaFleur	Thompson
Daniel	Lambert	Toomy
Dartez	Lancaster	Trahan
DeWitt	Marchand	Triche
Dorsey	Martiny	Tucker
Dove	McDonald	Waddell
Downs	McVea	Walker
Durand	Montgomery	Walsworth
Erdey	Morrell	White
Fannin	Morrish	Winston
Farrar	Murray	Wooton
Faucheux	Odinet	Wright
Frith	Pierre	
Total—92		

NAYS

Crowe  
Total—1

ABSENT

Broome	Flavin	Jackson
Bruneau	Gray	Kennard
Carter, K.	Guillory, M.	St. Germain
Doerge	Hebert	Townsend
Total—12		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Morrish 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. Montgomery, 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**

**HOUSE BILLS**

May 5, 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 House Bills:

House Bill No. 1276  
Returned with amendments.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**House Bills and Joint Resolutions Returned from the Senate with Amendments**

Rep. Montgomery asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just returned from the Senate, with amendments to be concurred in by the House, with a view of acting on the same:

**HOUSE BILL NO. 1276—**  
BY REPRESENTATIVES MONTGOMERY, HUNTER, MARTINY, AND MURRAY AND SENATORS MOUNT, CRAVINS, JONES, AND LENTINI  
AN ACT

To amend and reenact R.S. 15:1202(A)(introductory paragraph) and 1204.1(A) and (B)(11), R.S. 36:401(B)(1) and (2) and (C)(1), 402, 405(A)(1)(introductory paragraph) and (c) and (2), (B), and (C), 406(A), (B)(3), and (C), 407(B) and (C), and 408(G)(1) and (H), R.S. 39:21.3(D), and R.S. 46:2602(B)(3) and to enact R.S. 15:1202(A)(27), 1228.2(10), and 1228.3(14) and R.S. 36:405(D) and 406(B)(4), relative to the reorganization of the Department of Public Safety and Corrections; to create youth services as an organizational unit of the department; to provide for the composition and officers of youth services; to provide for creation of the office of management and finance for youth services; to place the office of youth development within youth services; to provide for the powers, duties, functions, and responsibilities of department officers; to provide for office functions; to provide relative to membership and functions of related boards, commissions, and like entities; to provide for implementation; to provide for effective dates; 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 Cravins to Reengrossed House Bill No. 1276 by Representative Montgomery (Duplicate of Senate Bill No. 486)

AMENDMENT NO. 1

On page 13, line 8, immediately after "Corrections" delete the comma "," and delete line 9 in its entirety and on line 10, delete "Children's Code,"

AMENDMENT NO. 2

On page 13, delete lines 27 and 28, in their entirety and insert in lieu thereof the following:

"Department of Public Safety and Corrections are transferred to the"

AMENDMENT NO. 3

On page 14, line 5, between "services" and "of" insert the following:

", and, if appointed as authorized in Paragraph (3) of this Subsection, the undersecretary for youth services"

AMENDMENT NO. 4

On page 14, line 8, change "shall" to "may"

AMENDMENT NO. 5

On page 14, line 17, after "entities." delete the remainder of the line and delete lines 18 through 21 in their entirety and insert in lieu thereof the following:

"The plan shall be completed as"

AMENDMENT NO. 6

On page 14, line 22, after "office" change the period "." to a comma "," and add the following:

"which date shall be no later than July 1, 2004."

AMENDMENT NO. 7

On page 14, line 23, between "governor" and "the commissioner" delete the comma "," and insert "and"

AMENDMENT NO. 8

On page 14, delete line 24, in its entirety and insert in lieu thereof the following:

"of administration and copies shall be"

AMENDMENT NO. 9

On page 14, line 26, immediately after "governor" add a period "." and delete the remainder of the line and on line 27, delete "Committee on the Budget."

AMENDMENT NO. 10

On page 15, line 1, immediately after "governor" add a period "." and delete the remainder of the line and delete line 2 in its entirety.

AMENDMENT NO. 11

On page 15, line 4, after "provided in" delete the remainder of the line and insert in lieu thereof the following:

"this Act at any time after the effective date of this Act."

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Cravins to Reengrossed House Bill No. 1276 by Representative Montgomery

AMENDMENT NO. 1

Delete Senate Floor Amendments Nos. 1 through 11 proposed by Senator Cravins and adopted by the Senate on May 3, 2004.

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

**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	Guillory, E.	Quezaire
Baylor	Guillory, M.	Richmond
Beard	Hammett	Ritchie
Bowler	Heaton	Robideaux
Broome	Hill	Romero
Bruce	Honey	Scalise
Bruneau	Hudson	Schneider
Burns	Hunter	Shepherd
Burrell	Hutter	Smiley
Carter, R.	Jackson	Smith, G.—56th
Cazayoux	Jefferson	Smith, J.D.—50th
Crane	Johns	Smith, J.H.—8th
Crowe	Katz	Smith, J.R.—30th
Curtis	Kenney	Strain
Damico	LaBruzzo	Thompson
Daniel	LaFleur	Toomy
Dartez	Lambert	Townsend
DeWitt	Lancaster	Trahan
Dorsey	Marchand	Triche
Dove	Martiny	Waddell
Downs	McDonald	Walsworth
Durand	McVea	White
Erdey	Montgomery	Winston
Fannin	Morrell	Wooton
Farrar	Morrish	Wright
Total—96		

**NAYS**

Total—0

**ABSENT**

Carter, K.	Hebert	St. Germain
Doerge	Hopkins	Tucker
Gray	Kennard	Walker
Total—9		

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

**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. 1125—**

BY REPRESENTATIVE DAMICO  
AN ACT

To enact R.S. 40:4.12, relative to sanitation; to provide for alternative methods of identification of potable and nonpotable water distribution equipment, piping, and outlets; to provide for a qualifying potable water distribution plan; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Damico to Engrossed House Bill No. 1125 by Representative Damico

AMENDMENT NO. 1

On page 2, line 28, after "pipin," change "values" to "valves"

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Downs	McVea	White
Erdey	Montgomery	Winston
Fannin	Morrell	Wooton
Farrar	Morrish	Wright
Faucheux	Murray	
Flavin	Odinet	
Total—97		

NAYS

Alexander	Schneider
Total—2	

ABSENT

Arnold	Guillory, M.	Kennard
Durand	Hebert	Walker
Total—6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 1144—**

BY REPRESENTATIVE TUCKER  
AN ACT

To amend and reenact Civil Code Article 2036 and R.S. 9:2790.1(2)(b) and (12), 2790.2(A) and (C), 2790.6, 2790.8(A) and (B)(2), and 2790.9, to enact R.S. 9:2790.8(D)(4), and to repeal R.S. 9:2790.4, 2790.11, and 2790.12, relative to obligations; to provide for the Uniform Fraudulent Transfer Act; to provide definitions; to provide for insolvency; to provide for making transfers; to provide defenses; to provide a preemptive period; and to provide for related matters.

Read by title.

**Motion**

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

**Notice of Intention to Call**

Pursuant to House Rule 8.26(A), Rep. Tucker gave notice of his intention to call House Bill No. 1144 from the calendar for future action.

**Notice of Intention to Call**

Pursuant to House Rule 8.26(A), Rep. McDonald gave notice of his intention to call House Bill No. 486 from the calendar for future action.

**Notice of Intention to Call**

Pursuant to House Rule 8.26(A), Rep. LaFleur gave notice of his intention to call House Bill No. 736 from the calendar for future action.

**HOUSE BILL NO. 1520—**

BY REPRESENTATIVES FUTRELL, BEARD, BURNS, DOVE, FANNIN, M. GUILLORY, HUTTER, KATZ, LAMBERT, PITRE, M. POWELL, AND SMILEY

AN ACT

To enact Subpart C of Part II of Chapter 4 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:490.1, relative to motor vehicle license plates; to require

issuance of plates established for veterans and military personnel; and to provide for related matters.

Read by title.

**Motion**

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

**Notice of Intention to Call**

Pursuant to House Rule 8.26(A), Rep. Futrell gave notice of his intention to call House Bill No. 1520 from the calendar for future action.

**HOUSE BILL NO. 1540—**

BY REPRESENTATIVES KENNEY AND THOMPSON  
AN ACT

To name the new Ouachita River bridge at Columbia the Governor John J. McKeithen Bridge; and to provide for related matters.

Read by title.

Rep. Kenney moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Arnold	Hebert	Kennard
Hammett	Jackson	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Kenney 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. 1547—**

BY REPRESENTATIVE BOWLER

AN ACT

To amend and reenact Civil Code Articles 3545 and 3549, relative to conflict of laws; to provide for the applicability of state law governing products liability; to provide for the applicability of prescription and peremption law; and to provide for related matters.

Read by title.

**Motion**

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

**Notice of Intention to Call**

Pursuant to House Rule 8.26(A), Rep. Bowler gave notice of her intention to call House Bill No. 1547 from the calendar for future action.

**HOUSE BILL NO. 1576—**

BY REPRESENTATIVE BURNS

AN ACT

To amend and reenact Code of Civil Procedure Articles 2951(A)(1) and 2953, to enact Code of Civil Procedure Article 2951(C) and (D), and to repeal Code of Civil Procedure Article 2953 as amended by Act No. 560 of the 1972 Regular Session, relative to successions; to provide relative to the submission of evidence that no inheritance taxes are due; to repeal duplicate article; and to provide for related matters.

Read by title.

Rep. Burns 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	Hill	Scalise

Bruneau	Honey	Schneider
Burns	Hopkins	Shepherd
Burrell	Hudson	Smiley
Carter, K.	Hunter	Smith, G.—56th
Carter, R.	Hutter	Smith, J.D.—50th
Cazayoux	Jackson	Smith, J.H.—8th
Crane	Jefferson	Smith, J.R.—30th
Crowe	Johns	St. Germain
Curtis	Katz	Strain
Damico	Kenney	Thompson
Daniel	LaBruzzo	Toomy
Dartez	LaFleur	Townsend
DeWitt	Lambert	Trahan
Doerge	Lancaster	Triche
Dorsey	Marchand	Waddell
Dove	Martiny	Walker
Downs	McDonald	Walsworth
Durand	McVea	White
Erdey	Montgomery	Winston
Fannin	Morrell	Wooton
Farrar	Morrish	Wright
Total—102		

NAYS

Total—0

ABSENT

Hebert	Kennard	Tucker
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Burns 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. 1697 (Substitute for House Bill No. 153 by Representative Faucheux)—**

BY REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact R.S. 13:2586(C)(1) and to enact R.S. 13:2586(E), relative to jurisdiction of justice of the peace courts; to provide for certain parishwide jurisdiction in criminal matters; to provide for retention of original jurisdiction over certain judgments; to provide that a constable of the court has parishwide jurisdiction to enforce certain civil judgments; and to provide for related matters.

Read by title.

Rep. Faucheux moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Morrish
Alario	Faucheux	Odinot
Alexander	Flavin	Pierre
Ansardi	Frith	Pinac
Arnold	Futrell	Pitre
Badon	Gallot	Powell, M.
Baldone	Geymann	Powell, T.
Baudoin	Glover	Quezaire
Baylor	Gray	Richmond

Beard	Guillory, E.	Ritchie
Bowler	Guillory, M.	Robideaux
Broome	Hammett	Romero
Bruce	Heaton	Scalise
Bruneau	Hill	Schneider
Burns	Honey	Shepherd
Burrell	Hopkins	Smiley
Carter, K.	Hudson	Smith, G.—56th
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	Toomy
Dartez	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	Lancaster	Tucker
Dorsey	Marchand	Waddell
Dove	Martiny	Walker
Downs	McDonald	Walsworth
Durand	McVea	Winston
Erdey	Montgomery	Wooton
Fannin	Morrell	Wright
Total—96		

NAYS

Daniel	Lambert	White
Hunter	Murray	
Total—5		

ABSENT

Hebert	Smith, J.D.—50th
Kennard	Townsend
Total—4	

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.

**Suspension of the Rules**

On joint motion of Reps. Daniel, Hunter, Lambert, Murray, and White under a suspension of the rules, the above roll call was corrected to reflect them as voting nay.

**HOUSE BILL NO. 1698 (Substitute for House Bill No. 847 by Representative Hunter)—**

BY REPRESENTATIVE HUNTER  
AN ACT

To amend and reenact R.S. 23:1378(A)(1), (2), (3), and (7), relative to the Second Injury Fund; to revise reimbursement provisions; to provide for prescriptive periods; to revise reserves on approved claims; 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	Pierre
Alario	Frith	Pinac
Alexander	Futrell	Pitre
Ansardi	Gallot	Powell, M.
Arnold	Geymann	Powell, T.
Badon	Glover	Quezaire
Baldone	Gray	Richmond
Baudoin	Guillory, E.	Ritchie
Baylor	Guillory, M.	Robideaux
Beard	Hammett	Romero
Bowler	Heaton	Scalise
Broome	Hebert	Schneider
Bruce	Hill	Shepherd
Bruneau	Honey	Smiley
Burns	Hopkins	Smith, G.—56th
Burrell	Hudson	Smith, J.D.—50th
Carter, K.	Hunter	Smith, J.H.—8th
Carter, R.	Hutter	Smith, J.R.—30th
Cazayoux	Jackson	St. Germain
Crane	Jefferson	Strain
Crowe	Johns	Thompson
Curtis	Katz	Toomy
Damico	Kenney	Townsend
Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Triche
DeWitt	Lambert	Tucker
Doerge	Lancaster	Waddell
Dorsey	Marchand	Walker
Dove	Martiny	Walsworth
Downs	McDonald	White
Durand	McVea	Winston
Erdey	Montgomery	Wooton
Fannin	Morrell	Wright
Farrar	Murray	
Faucheux	Odinot	
Total—103		

NAYS

Total—0

ABSENT

Kennard	Morrish
Total—2	

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. 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.

Called from the calendar.

Read by title.

Rep. Dorsey moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Faucheux	Odinet
Alario	Flavin	Pierre
Alexander	Frith	Pinac
Ansardi	Futrell	Pitre
Arnold	Gallot	Powell, M.
Badon	Geymann	Powell, T.
Baldone	Glover	Quezaire
Baudoin	Gray	Richmond
Baylor	Guillory, E.	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	Toomy
Daniel	LaBruzzo	Townsend
Dartez	LaFleur	Trahan
DeWitt	Lambert	Triche
Doerge	Lancaster	Tucker
Dorsey	Marchand	Walker
Dove	Martiny	Walsworth
Downs	McDonald	White
Durand	McVea	Winston
Erdey	Montgomery	Wooton
Fannin	Morrell	Wright
Farrar	Murray	

Total—101

**NAYS**

Total—0

**ABSENT**

Guillory, M.	Morrish
Kennard	Waddell
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Dorsey 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. 344—**  
BY REPRESENTATIVE K. CARTER  
**AN ACT**

To amend and reenact R.S. 22:215(A)(3)(introductory paragraph) and (g), 244, 245(A), and 246(introductory paragraph), (1), (4), (5), (6), and (7), and to enact R.S. 22:215(A)(3)(h), 246(10) and (11), and 246.1, relative to health insurance; to provide with respect to pilot health insurance programs established by the

Department of Insurance, including LaChoice; to provide for criteria for such pilot programs; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Karen Carter moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Faucheux	Odinet
Alario	Flavin	Pierre
Alexander	Frith	Pinac
Ansardi	Futrell	Pitre
Arnold	Gallot	Powell, M.
Badon	Geymann	Powell, T.
Baldone	Glover	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	Toomy
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	Murray	Wright

Total—102

**NAYS**

Total—0

**ABSENT**

Gray	Kennard	Morrish
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**Suspension of the Rules**

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

**HOUSE BILL NO. 621—**  
BY REPRESENTATIVE SHEPHERD  
AN ACT

To amend and reenact R.S. 9:315.19, relative to child support awards; to provide a schedule for determining basic child support obligations; and to provide for related matters.

Called from the calendar.

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. 621 by Representative Shepherd

AMENDMENT NO. 1

On page 1, between lines 12 and 13, at the beginning of the line insert "MONTHLY"

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

**Motion**

Rep. Fauchaux moved that the bill, as amended, be returned to the calendar.

Rep. Shepherd objected.

By a vote of 53 yeas and 46 nays, the House returned the bill, as amended, to the calendar.

**Suspension of the Rules**

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

**HOUSE BILL NO. 654—**  
BY REPRESENTATIVES PIERRE AND DANIEL  
AN ACT

To amend and reenact R.S. 30:706, relative to fees paid for the hazardous liquid pipeline program; to provide for review and revision of the annual inspection fee; 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. 654 by Representative Pierre

AMENDMENT NO. 1

On page 1, line 13, after "revise it" insert "not to exceed twenty-two dollars and forty cents per mile"

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Fauchaux	Odinet
Alario	Flavin	Pierre
Ansardi	Frith	Pinac
Badon	Gallot	Pitre
Baldone	Geymann	Powell, T.
Baudoin	Glover	Quezaire
Baylor	Gray	Richmond
Beard	Guillory, E.	Ritchie
Bowler	Guillory, M.	Romero
Broome	Heaton	Scalise
Bruce	Hill	Schneider
Bruneau	Honey	Smiley
Burns	Hopkins	Smith, G.—56th
Burrell	Hudson	Smith, J.D.—50th
Carter, K.	Hunter	Smith, J.H.—8th
Carter, R.	Hutter	Smith, J.R.—30th
Cazayoux	Jackson	St. Germain
Crane	Jefferson	Strain
Curtis	Johns	Thompson
Damico	Kenney	Toomy
Daniel	LaBruzzo	Townsend
Dartez	LaFleur	Trahan
DeWitt	Lambert	Triche
Doerge	Lancaster	Tucker
Dorsey	Marchand	Waddell
Dove	McDonald	Walker
Downs	McVea	Walsworth
Durand	Montgomery	White
Erdey	Morrell	Winston
Fannin	Morrish	Wright
Farrar	Murray	
Total—92		

**NAYS**

Alexander	Futrell	Powell, M.
Crowe	Katz	Robideaux
Total—6		

**ABSENT**

Arnold	Kennard	Wooton
Hammett	Martiny	
Hebert	Shepherd	
Total—7		

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

The title of the above bill was read and adopted.

**Suspension of the Rules**

On joint motion of Reps. Futrell and Robideaux, and under a suspension of the rules, the above roll call was corrected to reflect them as voting nay.

**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.

Called from the calendar.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Cazayoux to Engrossed House Bill No. 134 by Representative Bruce

AMENDMENT NO. 1

On page 1, line 2, after "440.2(A)(1)" and before the comma "," insert "and (B)"

AMENDMENT NO. 2

On page 1, line 4, after "322," and before "324(A)" insert "323(2),"

AMENDMENT NO. 3

On page 1, line 12, after "statements;" and before "and" insert "to provide with respect to definitions;"

AMENDMENT NO. 4

On page 1, line 14, after "440.2(A)(1)" and before the comma "," insert "and (B)"

AMENDMENT NO. 5

On page 2, between lines 12 and 13, insert the following:

"B. For purposes of this Part, "videotape" means the visual recording on a magnetic tape, film, videotape, compact disc, digital versatile disc, digital video disc, or by other electronic means together with the associated oral record.

\* \* \*

AMENDMENT NO. 6

On page 3, line 5, after "322," and before "324(A)" insert "323(2),"

AMENDMENT NO. 7

On page 3, delete line 19 and insert in lieu thereof the following:

"Art. 323. Definitions

\* \* \*

(2) "Videotape" means the visual recording on a magnetic tape, film, videotape, compact disc, digital versatile disc, digital video disc, or by other electronic means together with the associated oral record."

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Townsend to Engrossed House Bill No. 134 by Representative Bruce

AMENDMENT NO. 1

On page 1, line 7, after "children" and before "in" change "under the age of seventeen" to "fourteen years of age or younger"

AMENDMENT NO. 2

On page 1, line 8, after "children" and before "in" change "under the age of seventeen" to "fourteen years of age or younger"

AMENDMENT NO. 3

On page 1, line 20, after "child" and before "who" change "under seventeen years of age" to "fourteen years of age or younger"

AMENDMENT NO. 4

On page 2, delete line 10 in its entirety and insert in lieu thereof "fourteen years of age or younger"

AMENDMENT NO. 5

On page 2, line 14, after "victim" and before "years" change "seventeen" to "fourteen"

AMENDMENT NO. 6

On page 2, line 15, after "or" and before "may" change "under" to "younger"

AMENDMENT NO. 7

On page 3, line 23, after "victim" and before "be" change "under seventeen years of age" to "fourteen years of age or younger"

AMENDMENT NO. 8

On page 3, line 27, after "child" insert "fourteen years of age or younger"

AMENDMENT NO. 9

On page 3, at the beginning of line 28, delete "under seventeen years of age"

AMENDMENT NO. 10

On page 4, line 6, after "child" and before "who" change "under seventeen years of age" to "fourteen years of age or younger"

On motion of Rep. Cazayoux, the amendments were adopted.  
Rep. Cazayoux 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	Heaton	Robideaux
Broome	Hebert	Romero
Bruce	Hill	Scalise
Bruneau	Honey	Schneider
Burns	Hopkins	Shepherd
Burrell	Hudson	Smiley
Carter, K.	Hunter	Smith, G.—56th
Carter, R.	Hutter	Smith, J.D.—50th
Cazayoux	Jackson	Smith, J.H.—8th
Crane	Jefferson	Smith, J.R.—30th
Crowe	Johns	St. Germain
Curtis	Katz	Strain
Damico	Kenney	Thompson
Daniel	LaBruzzo	Toomy
Dartez	LaFleur	Townsend
DeWitt	Lambert	Trahan
Doerge	Lancaster	Triche
Dorsey	Marchand	Tucker
Dove	Martiny	Waddell
Downs	McDonald	Walker
Durand	McVea	Walsworth
Erdey	Montgomery	White
Fannin	Morrell	Winston
Farrar	Morrish	Wooton
Faucheux	Murray	Wright
Total—102		

**NAYS**

Bowler  
Total—1

**ABSENT**

Hammett  
Total—2 Kennard

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Cazayoux 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. 77—**  
BY REPRESENTATIVE HUTTER  
**AN ACT**

To amend and reenact R.S. 15:255(A)(1) and (D)(1), relative to fees paid to off-duty law enforcement officers who are witnesses in criminal cases; to require the witness fees to only be paid from the specified fund; and to provide for related matters.

Called from the calendar.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Ansardi to Engrossed House Bill No. 77 by Representative Hutter

AMENDMENT NO. 1

On page 1, line 2, after "(D)(1)" and before "relative" delete the comma "," and insert "and to enact R.S. 15:255(A)(4),"

AMENDMENT NO. 2

On page 1, line 6, after "reenacted" and before "to" insert "and R.S. 15:255(A)(4) is hereby enacted"

AMENDMENT NO. 3

On page 1, line 12, after "office," delete "the governing" and at the beginning of line 13 delete "authority of the parish shall pay him" and insert in lieu thereof the following:

"the law enforcement officer shall be paid"

AMENDMENT NO. 4

On page 1, delete line 18 in its entirety and at the beginning of line 19, delete "date of appearance"

AMENDMENT NO. 5

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

"Application for payment of the fee shall be accompanied by documentation verifying the law enforcement officer's service as a witness and that the law enforcement officer has not been compensated by the employer for his appearance as a witness pursuant to the provisions of the federal Fair Labor Standards Act, 29 U.S.C. 201, et seq. Within sixty days of receipt of the application for the fee, along with accompanying documentation, the governing authority of the parish shall transmit the fee to the law enforcement officer."

AMENDMENT NO. 6

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

"(4) Nothing in this Section shall prohibit the governing authority of any parish from entering into a cooperative endeavor agreement with the employer of any law enforcement officer to provide that the fees under this Section shall be transmitted to the law enforcement officer's employer and that the employer shall be responsible for calculating and withholding all requisite deductions for taxes and for transferring or remitting all sums of employee withholdings to the appropriate taxing authorities on behalf of the law enforcement officer and for making payment of the appropriate net amount to the law enforcement officer."

\* \* \*

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Carter, K.	Gray	Marchand
Curtis	Honey	Thompson
Frith	Kennard	Triche
Total—9		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

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

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

**Regular Calendar**

**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.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Hebert to Reengrossed Senate Bill No. 341 by Senator Chaisson

AMENDMENT NO. 1

On page 2, line 12, after "motor vehicles," delete the remainder of the line and delete lines 13 through 17 in their entirety and insert "This preemption is solely for the purpose"

Rep. Hebert moved the adoption of the amendments.

Rep. Futrell objected.

By a vote of 28 yeas and 68 nays, the amendments were rejected.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Martiny to Reengrossed Senate Bill No. 341 by Senators Chaisson, et al.

AMENDMENT NO. 1

In House Floor Amendment No. 20 proposed by Representative Futrell and adopted by the House on April 22, 2004, on page 3, after line 3, insert the following:

"(9) Any passenger in a privately owned limousine."

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Martiny to Reengrossed Senate Bill No. 341 by Senators Chaisson, et al.

AMENDMENT NO. 1

In House Floor Amendment No. 20 proposed by Representative Futrell and adopted by the House on April 22, 2004, on page 3, after line 3, insert the following:

"(9) Any passenger in a privately owned limousine the driver of which possesses a Class D commercial driver's license."

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative LaBruzzo to Reengrossed Senate Bill No. 341 by Senators Chaisson, et al.

AMENDMENT NO. 1

In House Floor Amendment No. 20 proposed by Representative Futrell and adopted by the House on April 22, 2004, on page 3, after line 3, insert the following:

"(9) Any passenger in a motor vehicle the driver of which possesses a Class "D" commercial driver's license."

Rep. LaBruzzo moved the adoption of the amendments.

Rep. Futrell objected.

By a vote of 32 yeas and 68 nays, the amendments were rejected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Faucheux	Powell, T.
Alario	Frith	Ritchie
Alexander	Futrell	Robideaux
Arnold	Gallot	Scalise
Badon	Geymann	Schneider
Baldone	Glover	Smith, G.—56th
Baudoin	Guillory, E.	Smith, J.D.—50th
Beard	Hill	Smith, J.H.—8th
Broome	Hopkins	Smith, J.R.—30th
Bruce	Hutter	St. Germain
Burns	Jackson	Strain
Carter, R.	Johns	Thompson
Crane	Katz	Toomy
Crowe	Kenney	Trahan
Damico	LaBruzzo	Triche
Daniel	Lambert	Tucker
Dartez	Martiny	Waddell
DeWitt	McDonald	Walker
Doerge	McVea	Walsworth
Dove	Montgomery	White
Downs	Morrish	Wooton
Erdey	Pitre	
Fannin	Powell, M.	
Total—67		

**NAYS**

Baylor	Hebert	Pierre
Bowler	Honey	Pinac
Bruneau	Hunter	Quezaire
Burrell	Jefferson	Richmond
Carter, K.	LaFleur	Romero
Cazayoux	Lancaster	Shepherd
Dorsey	Marchand	Smiley
Durand	Morrell	Townsend
Gray	Murray	Winston
Guillory, M.	Odinot	Wright
Total—30		

**ABSENT**

Ansardi	Flavin	Kennard
Curtis	Hammatt	
Farrar	Heaton	
Total—8		

The Chair declared the above bill was finally passed.

Rep. Futrell 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. Futrell, the rules were suspended in order to take up and consider Petitions, Memorials and Communications at this time.

**Petitions, Memorials and Communications**

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

**Message from the Senate**

**SENATE BILLS**

May 5, 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. 45, 152, 196, 494, 749, 756, 757, 758, 761, 789, 794, and 800

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Suspension of the Rules**

On motion of Rep. Futrell, 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. 45—**  
BY SENATOR SMITH

AN ACT

To enact R.S. 56:409, relative to wildlife and fisheries; to authorize the Saline Lake Game and Fish Preserve Commission, and the Grant Parish Police Jury, under the supervision of the Department of Wildlife and Fisheries, to place triploid grass carp in certain lakes; and to provide for related matters.

Read by title.

**SENATE BILL NO. 152—**  
BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact the introductory paragraph of R.S. 32:387.7(A), 387.7(A)(3) and (B), and the introductory paragraph of R.S. 32:387.9, 387.9(3) and (5), and to enact R.S. 32:387.7(A)(5) and 387.9(6), relative to special permits; to provide for the issuance of special sugarcane and agronomic or

horticultural permits to operators of vehicles; to provide for the specificity of such permits; and to provide for related matters.

Read by title.

**SENATE BILL NO. 196—**  
BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 32:387(C)(3)(a)(ii), relative to weight and load of vehicles; to provide relative to special permits for vehicles which transport forestry products; to provide certain exceptions; and to provide for related matters.

Read by title.

**SENATE BILL NO. 494—**  
BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 56:302(A)(3) and 320(A)(1) and (C)(1), relative to methods of taking saltwater fish; to authorize the use of multi-pronged barbed gigs for taking flounder in salt water; and to provide for related matters.

Read by title.

**SENATE BILL NO. 749—**  
BY SENATOR CAIN AND REPRESENTATIVE JOHN SMITH

AN ACT

To amend and reenact R.S. 47:302.5, relative to sales tax proceeds; to provide for the distribution of certain state tax proceeds in Vernon Parish; and to provide for related matters.

Read by title.

**SENATE BILL NO. 756—**  
BY SENATOR JONES

AN ACT

To enact R.S. 46:1053(C)(2)(e), relative to the Madison Parish Hospital Service District; to authorize per diem for the members of the board of commissioners; and to provide for related matters.

Read by title.

**SENATE BILL NO. 757—**  
BY SENATOR JONES

AN ACT

To enact R.S. 33:2862.1, relative to adjudicated property in the city of Monroe; to provide with respect to the procedure for taking possession of adjudicated property; and to provide for related matters.

Read by title.

**SENATE BILL NO. 758—**  
BY SENATOR JONES

AN ACT

To enact R.S. 33:2711.20, relative to municipal sales and use taxes; to authorize the governing authority of the city of Monroe to levy and collect an additional sales and use tax; to provide for voter approval; to provide for a termination date of such authority; and to provide for related matters.

Read by title.

**SENATE BILL NO. 761—**  
BY SENATOR SCHEDLER  
AN ACT

To amend and reenact Subsection M(1) of Section 2.1 of Act No. 180 of the 1984 Regular Session of the Legislature, as amended by Act 562 of the 2003 Regular Session of the Legislature, relative to the St. Tammany Parish Hospital Service Districts No. 1 and 2; to require the board of commissioners of St. Tammany Parish Hospital Service District No. 2 to appoint an advisory committee; and to provide for related matters.

Read by title.

**SENATE BILL NO. 789—**  
BY SENATOR MALONE  
AN ACT

To amend and reenact R.S. 30:148.2(A)(2), relative to lease and storage of natural gas, oil, and liquid hydrocarbons in reservoirs and salt dome caverns; to define "reservoir"; and to provide for related matters.

Read by title.

**SENATE BILL NO. 794—**  
BY SENATOR MICHOT  
AN ACT

To enact R.S. 33:2711(A)(1)(c), relative to tax authorization within municipalities with voter approval; to provide with respect to certain limitations imposed on parishes and parish school boards; and to provide for related matters.

Read by title.

**SENATE BILL NO. 800—**  
BY SENATOR MOUNT  
AN ACT

To amend and reenact R.S. 37:2175.2(C) and to enact R.S. 37:2171.2 relative to contractors; to provide for requirements for issuance of local building permits; to provide for additional requirements for home improvement contractors; and to provide for related matters.

Read by title.

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

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

**HOUSE RESOLUTION NO. 51—**  
BY REPRESENTATIVE ARNOLD  
A RESOLUTION

To urge and request the department of finance of the city of New Orleans to study the feasibility of incorporating the fifteenth ward of the parish of Orleans as a municipality within the parish of Orleans.

Read by title.

Lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 161—**  
BY REPRESENTATIVES WADDELL AND M. POWELL, BRUNEAU,  
BRUCE, BURRELL, MONTGOMERY, AND JANE SMITH  
A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of former state representative Benjamin Franklin O'Neal, Jr.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 162—**

BY REPRESENTATIVE GLOVER

**A CONCURRENT RESOLUTION**

To commend Mr. and Mrs. Galvin Wayne Cary, Sr. for more than fifty years of marriage and the example their lives have provided to their family and community.

Read by title.

On motion of Rep. Glover, 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**

May 5, 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. 357, by Martiny  
Reported with amendments. (7-0) (Regular)

House Bill No. 549, by Baldone  
Reported with amendments. (8-0) (Regular)

House Bill No. 586, by Romero  
Reported favorably. (6-0) (Regular)

House Bill No. 803, by Beard  
Reported with amendments. (5-4-1) (Regular)

Senate Bill No. 679, by Chaisson  
Reported favorably. (4-2-1) (Regular)

DANIEL MARTINY  
Chairman

The above Senate Bills reported favorably or with amendments were referred to the Legislative Bureau.

**Report of the Committee on Education**

May 5, 2004

To the Speaker and Members of the House of Representatives:

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

House Bill No. 302, by G. Smith  
Reported with amendments. (13-0) (Regular)

House Bill No. 509, by White  
Reported with amendments. (11-2) (Regular)

House Bill No. 565, by Farrar  
Reported favorably. (12-0) (Regular)

House Bill No. 566, by Farrar  
Reported favorably. (12-0) (Regular)

House Bill No. 665, by White (Joint Resolution)  
Reported favorably. (13-0)

House Bill No. 887, by Bruneau (Joint Resolution)  
Reported favorably. (8-6)

CARL CRANE  
Chairman

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

May 5, 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. 69, by Ansardi  
Reported with amendments. (11-0) (Regular)

House Bill No. 1019, by Durand  
Reported by substitute. (10-0) (Regular)

House Bill No. 1217, by Durand  
Reported with amendments. (11-0) (Regular)

House Bill No. 1402, by Walker  
Reported with amendments. (14-0) (Regular)

House Bill No. 1627, by Marchand  
Reported favorably. (10-0) (Regular)

SYDNIE MAE DURAND  
Chairman

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

May 5, 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. 287, by Downs  
Reported with amendments. (8-0) (Regular)

House Bill No. 608, by J.D. Smith  
Reported with amendments. (8-0) (Regular)

House Bill No. 1020, by Gallot  
Reported with amendments. (8-0) (Regular)

House Bill No. 1640, by J.D. Smith  
Reported favorably. (6-2) (Regular)

CHARLES D. LANCASTER, JR.  
Chairman

**Report of the Committee on Insurance**

May 5, 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. 522, by Hebert  
Reported with amendments. (12-0) (Regular)

House Bill No. 986, by Hebert  
Reported with amendments. (11-0) (Regular)

House Bill No. 1514, by K. Carter  
Reported with amendments. (14-0) (Regular)

House Bill No. 1671, by K. Carter  
Reported with amendments. (13-0) (Regular)

KAREN CARTER  
Chair

**Report of the Committee on Natural Resources**

May 5, 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. 267, by Faucheux  
Reported favorably. (6-5) (Regular)

House Bill No. 607, by J. D. Smith  
Reported with amendments. (13-0-1) (Regular)

House Bill No. 1516, by Baldone  
Reported favorably. (10-0-1) (Regular)

House Bill No. 1555, by Walsworth  
Reported favorably. (11-0-1) (Regular)

House Bill No. 1560, by Crowe  
Reported favorably. (12-0-1) (Regular)

House Bill No. 1564, by Salter  
Reported with amendments. (11-0-1) (Regular)

House Bill No. 1573, by Baldone  
Reported favorably. (10-0-1) (Regular)

House Bill No. 1621, by Odinet  
Reported favorably. (12-0-1) (Regular)

House Bill No. 1623, by Hopkins  
Reported favorably. (11-0-1) (Regular)

House Concurrent Resolution No. 80, by Pierre  
Reported favorably. (11-0-1)

House Concurrent Resolution No. 115, by Odinet  
Reported favorably. (13-0-1)

House Concurrent Resolution No. 146, by Townsend  
Reported favorably. (13-0-1)

WILFRED PIERRE  
Chairman

**Privileged Report of the Legislative Bureau**

May 5, 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. 53  
Reported without amendments.

Senate Bill No. 119  
Reported without amendments.

Senate Bill No. 233  
Reported without amendments.

Senate Bill No. 540  
Reported without amendments.

Respectfully submitted,

CHARLES MCDONALD

**Privileged Report of the Committee on Enrollment**

May 5, 2004

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

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

The following House Resolutions have been properly enrolled:

**HOUSE RESOLUTION NO. 48—**

BY REPRESENTATIVE QUEZAIRE  
A RESOLUTION

To commend the National Guard Bureau Office of Equal Opportunity and Civil Rights upon the occasion of the 2004 Equal Opportunity/Equal Employment Opportunity Training Conference.

**HOUSE RESOLUTION NO. 49—**

BY REPRESENTATIVES JANE SMITH AND BROOME  
A RESOLUTION

To proclaim May 6, 2004, as Go Red for Mothers and Women Day and to recognize the importance of promoting women's health and well-being.

**HOUSE RESOLUTION NO. 50—**

BY REPRESENTATIVE GALLOT  
A RESOLUTION

To commend the members of the Alma J. Brown Laboratory High School Class of 1984 upon the celebration of their twentieth reunion.

Respectfully submitted,

DONALD RAY KENNARD  
Chairman

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

**Privileged Report of the Committee on Enrollment**

May 5, 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. 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.

**HOUSE BILL NO. 1276—**

BY REPRESENTATIVES MONTGOMERY, HUNTER, MARTINY, AND MURRAY AND SENATORS MOUNT, CRAVINS, JONES, LENTINI, AND AMEDEE

AN ACT

To amend and reenact R.S. 15:1202(A)(introductory paragraph) and 1204.1(A) and (B)(11), R.S. 36:401(B)(1) and (2) and (C)(1), 402, 405(A)(1)(introductory paragraph) and (c) and (2), (B), and (C), 406(A), (B)(3), and (C), 407(B) and (C), and 408(G)(1) and (H), R.S. 39:21.3(D), and R.S. 46:2602(B)(3) and to enact R.S. 15:1202(A)(27), 1228.2(10), and 1228.3(14) and R.S. 36:405(D) and 406(B)(4), relative to the reorganization of the Department of Public Safety and Corrections; to create youth services as an organizational unit of the department; to provide for the composition and officers of youth services; to provide for creation of the office of management and finance for youth services; to place the office of youth development within youth services; to provide for the powers, duties, functions, and responsibilities of department officers; to provide for office functions; to provide relative to membership and functions of related boards, commissions, and like entities; to provide for implementation; to provide for effective dates; 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. Martiny, the rules were suspended to permit the Committee on Administration of Criminal Justice to meet on Thursday, May 6, 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. 274, 1579 and 1641

**Suspension of the Rules**

On motion of Rep. Durand, the rules were suspended to permit the Committee on Health and Welfare to meet on Thursday, May 6, 2004, and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill No. 1646

House Concurrent Resolution No. 101

**Suspension of the Rules**

On motion of Rep. Karen Carter, the rules were suspended to permit the Committee on Insurance to meet on Thursday, May 6, 2004, and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill No. 679

**Suspension of the Rules**

On motion of Rep. Baylor, the rules were suspended to permit the Committee on Municipal, Parochial and Cultural Affairs to meet upon adjournment on Thursday, May 6, 2004.

**Leave of Absence**

Rep. Dartez - 1/2 day

Rep. Kennard - 1 day

**Adjournment**

On motion of Rep. Kenney, at 5:10 P.M., the House agreed to adjourn until Thursday, May 6, 2004, at 1:00 P.M.

The Speaker of the House declared the House adjourned until 1:00 P.M., Thursday, May 6, 2004.

ALFRED W. SPEER  
Clerk of the House