The House of Representatives was called to order at 1:00 P.M., by the Honorable Joe R. Salter, Speaker of the House of Representatives.

**Morning Hour**

**ROLL CALL**

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

**PRESENT**

Mr. Speaker Odinet
Alario Pierre
Alexander Pinac
Ansardi Pitre
Arnold Powell, M.
Badon Powell, T.
Baldone Quezaire
Baudoin Richmond
Baylor Ritchie
Beard Robideaux
Bowler Romero
Broome Scalice
Bruce Schneider
Bruneau Shepherd
Burns Smiley
Burrell Smith, G.—56th
Carter, K. Smith, J.D.—50th
Carter, R. Smith, J.H.—8th
Cazayoux Smith, J.R.—30th
Crane St. Germain
Crowe Strain
Curtis Thompson
Damico Toomy
Daniel Townsend
Dartez Trahan
DeWitt Triche
Doerge Tucker
Dorsey Waddell
Dove Walker

**ABSENT**

Kennard

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

**Suspension of the Rules**

On motion of Rep. Salter, the rules were suspended in order to permit Dr. Ken Ward to address the House of Representatives in reference to National Prayer Day.

**Prayer**

Prayer was offered by Rep. Salter.

Rep. Wright sang "The Lord's Prayer."

**Pledge of Allegiance**

Rep. Hunter 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. Jack Smith, the reading of the Journal was dispensed with.

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

On motion of Rep. Crowe, and under a suspension of the rules, the journal of May 5, 2004, was corrected to reflect his as voting yea on final passage of Senate Bill No. 341.

On motion of Rep. John Smith, and under a suspension of the rules, the journal of April 27, 2004, was corrected to reflect him as voting nay on final passage of House Bill No. 1244.

On motion of Rep. Jack Smith, the journal of May 5, 2004, was adopted.

**Petitions, Memorials and Communications**

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

**Message from the Senate**

**HOUSE CONCURRENT RESOLUTIONS**

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 concurred in the following House Concurrent Resolutions:

House Concurrent Resolution No. 161
Returned without amendments.
House Concurrent Resolution No. 162
Returned without amendments.

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

SENATE BILLS
May 6, 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. 4, 13, 121, 224, 289, 346, 366, 468, 561, 576, 641, 772, 801, and 864

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Suspension of the Rules

On motion of Rep. Wright, 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. 4—
BY SENATOR MCPHERSON
AN ACT
To enact R.S. 38:2225.2, relative to public contracts; to prohibit the state and any state or local entity from using the “design-build” concept unless specifically authorized by law; to prohibit the state and any state or local entity from executing agreements to purchase unimproved property which agreement requires the successful design and construction of a structure prior to transfer of title unless specifically authorized by law; and to provide for related matters.

Read by title.

SENATE BILL NO. 13—
BY SENATOR THEUNISSEN
AN ACT
To enact Chapter 9 of Title 2 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 2:1001 through 1004, relative to wireless communication facilities; to provide for notice of the proposed construction of and for the marking of such facilities; and to provide for related matters.

Read by title.

SENATE BILL NO. 121—
BY SENATORS JONES AND MCPHERSON
AN ACT
To amend and reenact R.S. 18:424(E) and 425(E), relative to compensation of election commissioners; to provide for additional compensation of commissioners; and to provide for related matters.

Read by title.

SENATE BILL NO. 224—
BY SENATORS MALONE AND NEVERS
AN ACT
To enact R.S. 17:3048.1(M), relative to the Louisiana Tuition Opportunity Program; to provide that any TOPS award granted to a student shall be credited against educational expenses in a specific order; to provide that cost of any housing, meal plan, books, dues or other fees shall be credited first prior to the cost of tuition; to provide for exceptions; and to provide for related matters.

Read by title.

SENATE BILL NO. 289—
BY SENATORS BOISSIERE, LENTINI AND ULLO, AND REPRESENTATIVES ANSARDI, DAMICO AND LANCASTER
AN ACT
To amend and reenact R.S. 38:2212(C)(2)(a), relative to public work; to require public entities to transmit addendum to bids for contracts for such work exceeding the contract limit by certain means; and to provide for related matters.

Read by title.

SENATE BILL NO. 346—
BY SENATORS CHAISSON AND AMEDEE
AN ACT
To amend and reenact R.S. 34:2471(A)(1)(d), (3)(d), (6), and (7), 2473(B)(3) and (F)(1) and (2), and 2474(B), and to enact R.S. 34:2471(A)(8), 2472(D), 2476.1, 2476.2, and 2476.3, relative to the Port of South Louisiana; to provide for the membership, powers, duties, and functions of the Port of South Louisiana Commission; to provide relative to contracts for professional services; to provide for the authority to issue bonds and levy taxes; to provide for economic and industrial development functions; and to provide for related matters.

Read by title.

SENATE BILL NO. 356—
BY SENATORS CHEEK AND JACKSON
AN ACT
To amend and reenact R.S. 33:2711.15(A), (C)(1), (C)(2), the introductory paragraph of (C)(3), and (C)(4) and to enact R.S. 33:2711.15(F), relative to local sales and use taxes; to provide for renewal of certain additional sales and use taxes imposed by the city of Shreveport for use by the fire and police departments; and to provide for related matters.

Read by title.

SENATE BILL NO. 366—
BY SENATOR HINES
AN ACT
To amend and reenact R.S. 40:1484.4(C)(4)(a), (b), (c) and (e), and 1484.9(A)(intro para), relative to air-supported structures; to increase and to impose new fines for violations; and to provide for related matters.

Read by title.
SENATE BILL NO. 468—
BY SENATOR FONTENOT
AN ACT
To enact Part II of Chapter 21 of Title 30 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 30:2551 and 2552, relative to environmental quality; to provide for the Brownfields Cleanup Revolving Loan Fund; to provide for purpose; to provide for capitalization; to provide for uses; to provide for authority to make loans, grants, and incur debt; to provide for the administration of the fund; to provide for bonds, notes, or other evidence of indebtedness; and to provide for related matters.

Read by title.

SENATE BILL NO. 561—
BY SENATORS FONTENOT AND MCPHERSON
AN ACT
To amend and reenact R.S. 18:424(E) and 425(E), and to enact R.S. 18:425.2 and 426.1, relative to the authority of parish boards of election supervisors to provide for two commissioners to work half of an election day; to authorize any parish board of election supervisors in the event of a shortage of commissioners to create two equal work shifts for commissioners; to authorize such parish board of election supervisors to select commissioners to serve one or two shifts on an election day; to provide for the compensation of such commissioners; to require the State Board of Election Supervisors to prescribe uniform rules for the selection, scheduling, and procedures for creating two equal shifts for commissioners on election day; to provide for the compensation of such commissioners; and to provide for related matters.

Read by title.

SENATE BILL NO. 576—
BY SENATOR MARIONNEAUX
AN ACT
To enact R.S. 33:2561.1, relative to municipal and parish fire and police civil service; to provide for awarding attorney fees in civil service board appeals by municipal fire and police classified civil service employees regarding disciplinary actions in certain circumstances; and to provide for related matters.

Read by title.

SENATE BILL NO. 641—
BY SENATORS MALONE, NEVERS AND CHEEK
AN ACT
To enact R.S. 17:1682(H) and 1682.2, relative to scholarships for disabled firefighters and their spouses; to provide for definitions; to provide for scholarship requirements; and to provide for related matters.

Read by title.

SENATE BILL NO. 772—
BY SENATORS MALONE AND JACKSON
AN ACT
To enact R.S. 17:85.6, relative to naming an auditorium; to authorize the parish school board in certain parishes to name an auditorium in honor of a former educator and principal; to provide limitations; and to provide for related matters.

Read by title.

SENATE BILL NO. 801—
BY SENATOR ROMERO
AN ACT
To amend and reenact R.S. 47:337.3 and to enact R.S. 33:2737.77, relative to authorizing political subdivision sales and use tax; to authorize such political subdivisions, with voter approval, to renew or continue any such tax; to provide for the purposes for which such tax proceeds may be used; and to provide for related matters.

Read by title.

SENATE BILL NO. 864—
BY SENATOR MCPHERSON
AN ACT
To amend and reenact R.S. 33:3815.2(E), relative to powers of waterworks districts; to provide relative to a waterworks district of one parish supplying water to or taking water from an adjoining parish; to provide certain terms, procedures, and conditions; 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. 52—
BY REPRESENTATIVE GALLOT
A RESOLUTION
To express sincere and heartfelt condolences upon the death of Mrs. Frances Kennedy of Grambling.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 163—
BY REPRESENTATIVE MARCHAND
A CONCURRENT RESOLUTION
To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Vivienne Blair of New Orleans.

Read by title.

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

Ordered to the Senate.

House and House Concurrent Resolutions

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

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

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

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

**Motion**

On motion of Rep. Thompson, the Committee on Commerce was discharged from further consideration of House Bill No. 1528.

**HOUSE BILL NO. 1528—**  
**BY REPRESENTATIVE THOMPSON**  
**AN ACT**

To enact R.S. 48:393, relative to railroads; to provide relative to minimum clearances for certain railroad trestles; and to provide for related matters.

Read by title.

On motion of Rep. Thompson, the bill was recommitted 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. 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.

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

**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.

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

**SENATE BILL NO. 157—**  
**BY SENATORS CAIN, BONS, ADLEY, BAJOIE, MICHOT, SMITH, KOSTELKA, BOISSIERE AND DARDELLE**  
**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.

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

**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.

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

**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.

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

**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.

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

**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.

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

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

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.

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

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.

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

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 levy and collect an additional sales and use tax; to provide for required participation in 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.

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

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.

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

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.

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

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.

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

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.

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

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.

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

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 Tammam Parish Hospital Service Districts No. 1 and 2; to require the board of commissioners of St. Tammam Parish Hospital Service District No. 2 to appoint an advisory committee; and to provide for related matters.

Read by title.

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

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

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.

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

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.

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

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.

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

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.

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

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.

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

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.

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

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.

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

House and House Concurrent Resolutions Reported by Committee

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

HOUSE CONCURRENT RESOLUTION NO. 80—
BY REPRESENTATIVE PIERRE
A CONCURRENT RESOLUTION
To approve the Coastal Wetlands Conservation and Restoration Plan for Fiscal Year 2004-2005, as adopted by the Wetlands Conservation and Restoration Authority.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

HOUSE CONCURRENT RESOLUTION NO. 115—
BY REPRESENTATIVE ODINET
A CONCURRENT RESOLUTION
To approve the Coastal Wetlands Conservation and Restoration Plan for Fiscal Year 2004-2005, as adopted by the Wetlands Conservation and Restoration Authority.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

HOUSE CONCURRENT RESOLUTION NO. 115—
BY REPRESENTATIVE ODINET
A CONCURRENT RESOLUTION
To urge and request the Department of Natural Resources to provide to the Louisiana Oyster Task Force information which would delineate the projected salinity regimes for a five-year period and a three-year projection of areas that will be restricted to oyster leasing.

Read by title.
Reported favorably by the Committee on Natural Resources.

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

**HOUSE CONCURRENT RESOLUTION NO. 146—**

**BY REPRESENTATIVE TOWNSEND AND SENATOR SMITH**

A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries to take certain actions to reduce invasive aquatic weeds in Saline Lake.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

**HOUSE CONCURRENT RESOLUTION NO. 146—**

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

**HOUSE BILLS AND JOINT RESOLUTIONS ON SECOND READING REPORTED BY COMMITTEE**

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

**HOUSE BILL NO. 69—**

**BY REPRESENTATIVE ANSARDI**

AN ACT

To amend and reenact Children's Code Articles 607(A), 666(B), 884(B), and 1016(B), relative to the protection of children; to provide with respect to counsel appointed for a child; to provide for adjudication orders of a child's family in need of services; to provide for the right to counsel when the child is in the custody of the state; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 69 by Representative Ansardi

AMENDMENT NO. 1

On page 1, line 2, delete "809(B), and 884(B)" and insert "884(B), and 1016(B)"

AMENDMENT NO. 2

On page 1, line 8, delete "809(B), and 884(B)" and insert "884(B), and 1016(B)"

AMENDMENT NO. 3

On page 2, delete lines 1 through 16

AMENDMENT NO. 4

On page 2, after line 22, insert the following:

"Art. 1016. Right to counsel

* * *

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 267—**

**BY REPRESENTATIVE FAUCHEUX**

AN ACT

To authorize and provide for the exchange of certain state property situated in St. John the Baptist Parish between the Department of Wildlife and Fisheries and the St. John the Baptist Parish Council; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 287—**

**BY REPRESENTATIVE DOWNS**

AN ACT

To amend and reenact R.S. 42:1119(B)(2)(a)(iii) and to enact R.S. 42:1119(B)(2)(a)(iv), relative to the employment of family members by local school boards; to allow in any parish with a population of twenty-four thousand persons or less certain family members of school board members to be employed as cafeteria or food service employees; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 287 by Representative Downs

AMENDMENT NO. 1

On page 2, line 2, after "employee." delete the remainder of the line and delete lines 3 through 5 in their entirety and insert the following:

"For purposes of this Item, "previously been employed" shall mean employed prior to the opening of qualifying for the initial election to the school board of the member whose immediate family member is employed pursuant to this Item."

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

Under the rules, placed on the regular calendar.
HOUSE BILL NO. 302—
BY REPRESENTATIVE GARY SMITH
AN ACT
To amend and reenact R.S. 17:10.4(A) and (D)(2), relative to the distinguished educators program; to establish a deadline for the selection of distinguished educators from among active employees of city, parish, and other local public school boards; to require certain notice to a city, parish, or other local public school board whenever an active employee of the school board is selected; to limit in any year in which selections are made the number of persons serving as distinguished educators who are from any one city, parish, or other local public school board; to provide relative to the applicability of such limitation; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on Education to Original House Bill No. 302 by Representative Gary Smith

AMENDMENT NO. 1
On page 1, line 6, after "year" and before "the number" insert "in which selections are made"

AMENDMENT NO. 2
On page 1, line 8, after "board:" delete the remainder of the line and on line 9, delete "employee who is a former distinguished educator:" and insert "to provide relative to the applicability of such limitation;"

AMENDMENT NO. 3
On page 2, line 12, after "year" and before "percent" delete the comma "," and delete "no more than five" and insert in lieu thereof "in which selections for distinguished educators are made as provided in Subparagraph (a) of this Paragraph, no more than ten"

AMENDMENT NO. 4
On page 2, at the beginning of line 13, change "serving" to "selected"

AMENDMENT NO. 5
On page 2, at the end of line 15, add the following:

"The limitation established by this Subparagraph shall not apply to persons serving as distinguished educators on the effective date of this Paragraph."

AMENDMENT NO. 6
On page 2, at the beginning of line 19, change ")(a)" to "(2)"

AMENDMENT NO. 7
On page 2, delete lines 24 through 29 in their entirety and on page 3, delete lines 1 through 3 in their entirety

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 302—
BY REPRESENTATIVE MARTINY
AN ACT
To enact R.S. 32:661.1(D), relative to operating a watercraft under the influence of alcohol or controlled dangerous substances; to provide for a definition of "public navigable waterways" for purposes of the implied consent law; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 302 by Representative Martiny

AMENDMENT NO. 1
On page 1, after line 16, add the following:

"Section 2. Nothing contained in the provisions of this Act shall be construed to affect the ownership of waterbottoms."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 357—
BY REPRESENTATIVES WHITE AND KENNARD
AN ACT
To enact R.S. 17:58.2(H), 65, and 65.1, relative to the Central community school system; to provide for the school system, including its establishment and boundaries; to provide for the school board and an interim board of control; to provide for board membership, apportionment, qualifications, method of selection, terms of office, filling of vacancies, compensation, expenses, powers, duties, and responsibilities; to provide relative to facilities and property; to provide for the reapportionment of the East Baton Rouge Parish School Board; to provide for effectiveness and for implementation; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on Education to Original House Bill No. 357 by Representative Martiny

AMENDMENT NO. 1
On page 1, after line 16, add the following:

"Section 2. Nothing contained in the provisions of this Act shall be construed to affect the ownership of waterbottoms."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 509—
BY REPRESENTATIVES WHITE AND KENNARD
AN ACT
To enact R.S. 17:58.2(H), 65, and 65.1, relative to the Central community school system; to provide for the school system, including its establishment and boundaries; to provide for the school board and an interim board of control; to provide for board membership, apportionment, qualifications, method of selection, terms of office, filling of vacancies, compensation, expenses, powers, duties, and responsibilities; to provide relative to facilities and property; to provide for the reapportionment of the East Baton Rouge Parish School Board; to provide for effectiveness and for implementation; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on Education to Original House Bill No. 509 by Representative White

AMENDMENT NO. 1
On page 3, line 12, after "along" and before "the" delete "a line four hundred feet north of and parallel to"
northerly direction four hundred feet along a line parallel to Deer Creek Drive; thence proceed in an easterly direction along a line four hundred feet north of and parallel to the northern boundary of Louisiana Highway 64.

AMENDMENT NO. 3
On page 5, line 6, after "F.," and before "The" delete "(1)"

AMENDMENT NO. 4
On page 5, line 7, after "L," and before the period "," change "2007" to "2006" and delete the remainder of line 7 and lines 8 through 12 in their entirety

AMENDMENT NO. 5
On page 5, delete lines 26 through 29 in their entirety

AMENDMENT NO. 6
On page 6, delete lines 1 through 5 in their entirety

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 522—
BY REPRESENTATIVE HEBERT
AN ACT
To amend and reenact R.S. 22:170(D), relative to life insurance policies; to revise provisions relative to the payment of benefits; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Original House Bill No. 522 by Representative Hebert

AMENDMENT NO. 1
On page 1, line 9, after "basis," and before "every" insert the following:

"provided that the insurer offers such deferred or installment payment option;"

On motion of Rep. Karen Carter, the amendments were adopted.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 549—
BY REPRESENTATIVE BALDONE
AN ACT
To amend and reenact R.S. 14:98(D)(1) and (3)(a)(introductory paragraph) and (iii) and (E)(1) and (3)(a)(introductory paragraph) and (iii), relative to driving while intoxicated; to provide with respect to criminal penalties for third, fourth, and subsequent offenses of operating a vehicle while intoxicated; to provide with respect to substance abuse treatment; to provide with respect to probation; to provide with respect to home incarceration; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 549 by Representative Baldone

AMENDMENT NO. 1
On page 1, line 2, after "(D)(1) and (3)(a)" delete the comma "," and insert "(introductory paragraph) and (iii)" and after "(E)(1) and (3)(a)" and before the comma "," insert "(introductory paragraph) and (iii)"

AMENDMENT NO. 2
On page 1, line 8, after "(D)(1) and (3)(a)" delete the comma "," and insert "(introductory paragraph) and (iii)" and after "(E)(1) and (3)(a)" and before the comma "," insert "(introductory paragraph) and (iii)"

AMENDMENT NO. 3
On page 2, delete lines 24 and 25 in their entirety and insert in lieu thereof the following:

"In addition to the requirements set forth in Subparagraph (b) of this Paragraph, the offender shall be placed in a home"

AMENDMENT NO. 4
On page 3, between lines 12 and 13, insert the following:

"(iii) Home visitation at least once per month by the Department of Public Safety and Corrections for the first six months. After the first six months, the level of supervision will be determined by the department based upon a risk assessment instrument.

*          *          *

AMENDMENT NO. 5
On page 4, delete lines 19 and 20 in their entirety and insert in lieu thereof the following:

"In addition to the requirements set forth in Subparagraph (b) of this Paragraph, the offender shall be placed in a home"

AMENDMENT NO. 6
On page 5, after line 8, add the following:

"(iii) Home visitation at least once per month by the Department of Public Safety and Corrections for the first six months. After the first six months, the level of supervision will be determined by the department based upon a risk assessment instrument.

*          *          *"
On motion of Rep. Martiny, the amendments were adopted. The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 607 by Representative Jack Smith

AMENDMENT NO. 1
On page 1, line 11, after "person" insert "under the age of seventeen who was born after July 1, 1992, and who is"

AMENDMENT NO. 2
On page 1, line 12, after "vessel" delete the remainder of the line and on line 13, delete "1 commercial motorboat or vessel"

AMENDMENT NO. 3
On page 1, at the end of line 14, add the following:

"However, for any person between the ages of thirteen and seventeen, if the person's parent or legal guardian is on board the boat, the parent or legal guardian may allow the person not to wear his required life jacket."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 608—
BY REPRESENTATIVES JACK SMITH AND PIERRE
AN ACT
To repeal Chapter 5 of Title 56 of the Louisiana Revised Statutes of 1950, comprised of R.S. 56:1621 through 1623, relative to employees of the Wildlife and Fisheries Commission; to repeal the prohibition on exploitation of natural resources by such employees; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 608 by Representative Jack Smith

AMENDMENT NO. 1
On page 1, line 2, after "repeal" and before "R.S. 56:1621" insert "Chapter 5 of Title 56 of the Louisiana Revised Statutes of 1950, comprised of"

AMENDMENT NO. 2
On page 1, line 6, after "Section 1." and before "R.S. 56:1621" insert "Chapter 5 of Title 56 of the Louisiana Revised Statutes of 1950, comprised of"
AMENDMENT NO. 3

On page 1, line 6, after "through 1623" delete "are" and insert a comma "," and insert "is" and change "their" to "its"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 665—
BY REPRESENTATIVES WHITE AND KENNARD
A JOINT RESOLUTION
Proposing to amend Article VIII, Section 13(D)(1) of the Constitution of Louisiana, to provide that for certain effects and purposes the Central community school system in East Baton Rouge Parish shall be regarded and treated as a parish and shall have the authority granted parishes, including the purposes of funding and the raising of certain local revenues for the support of elementary and secondary schools; 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 Education.

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

HOUSE BILL NO. 803—
BY REPRESENTATIVE BEARD
AN ACT
To enact Part XIX of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1299.36 through 1299.36.8, and R.S. 37:1285(A)(32), all relative to human cloning; to provide for definitions; to provide for exceptions; to prohibit the expenditure of state funds for the purpose of human cloning; to provide for penalties; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 803 by Representative Beard

AMENDMENT NO. 1

On page 4, line 10, after "$1299.36.4," and before "stem" delete "Exceptions: adult" and insert "Adult"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 887—
BY REPRESENTATIVE BRUNEAU
A JOINT RESOLUTION
Proposing to amend Article VIII, Sections 5, 6, 7, (A) and (B), 12, and 16; to add Article VIII, Section 17; and to repeal Article VIII, Section 7.1 of the Constitution of Louisiana, all to provide with respect to the governance of postsecondary education; to create and provide for the governance, management, and supervision of all public institutions of postsecondary education by the Board of Supervisors for the Louisiana State University System; to create and provide for the governance, management, and supervision of a community college system by the Board of Supervisors for the Louisiana State University System; to provide for the powers, duties, functions, and responsibilities of the Board of Supervisors for the Louisiana State University System; to provide for the establishment of an advisory council for the community college system, for council membership, and for council powers, duties, functions, and responsibilities; to provide for the creation of an advisory council for any public institution of postsecondary education, for advisory council membership, and for advisory council powers, duties, functions, and responsibilities; to abolish the Board of Regents, the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, the Board of Supervisors of Southern University and Agricultural and Mechanical College, and the Board of Supervisors for the University of Louisiana System; to repeal provisions creating and providing for the Board of Supervisors of Community and Technical Colleges, including provisions relative to board powers, membership, terms of office, the filling of vacancies, and transitional funding; to provide for the transfer to the Board of Supervisors for the Louisiana State University System all powers, duties, functions, and responsibilities of such boards, including the planning, coordination, and management of postsecondary education and the governance and management of the institutions and programs under such boards, and all of the functions, property, obligations, rights, and matters subject to their control; to provide for implementation; to provide for effectiveness; 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 Education.

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

HOUSE BILL NO. 986—
BY REPRESENTATIVE HEBERT
AN ACT
To amend and reenact R.S. 22:250.2(E)(2)(b) and (c), 250.11(E), and 250.15(A) and to enact R.S. 22:250.4(F), relative to standards for health benefits for mothers and newborns; to provide with respect to coverage of a newborn child; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Original House Bill No. 986 by Representative Hebert
extent that such newborn child meets, at birth, the eligibility provisions as set forth in state laws, rules, or regulations implementing the State Plan Medical Assistance under Title XIX of the Social Security Act, such additional coverage shall not be cancelled for non-payment of any additional premium due, if any, prior to the health insurance issuer giving the secretary of the Louisiana Department of Health and Hospitals ninety days written notice thereof via United States mail, certified, return receipt requested. If the premium remains unpaid after the notice period, the health insurance issuer may cancel the newborn child's coverage effective as of the birth of the newborn child. The health insurance issuer shall mail a copy of the notice provided to the secretary of the Department of Health and Hospitals to each health care provider that has submitted a claim for services rendered to the newborn child. The health insurance issuer shall mail the copy of the notice no later than three days after mailing the notice to the secretary of the Department of Health and Hospitals.

AMENDMENT NO. 4

On page 1, delete lines 10 through 15 in their entirety and insert the following:

"F. Notwithstanding any other provisions to the contrary, a newborn child upon birth shall be enrolled as a dependent under a group health plan, policy, or certificate of coverage issued by a health insurance issuer, effective as of the date of such birth, under which such newborn child may be enrolled. If applicable, the premium for a newborn child added to a policy, plan, or certificate, shall be subject to the payment of such additional premium, if any, and receipt of any required enrollment information within the time period required by the health insurance issuer. To the
The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 1020 by Representative Gallot

**AMENDMENT NO. 1**

On page 1, line 3, after "hospitals;" delete the remainder of the line and delete lines 4 and 5 and insert the following:

"to allow certain physician members of a hospital service district board or commission to lease certain space from a hospital under the jurisdiction of the board or commission; and to provide for related"

**AMENDMENT NO. 2**

On page 1, delete lines 15 through 18 and insert the following:

"commission, if such hospital service district board or commission is required by law or by local ordinance, rule, or regulation adopted by a municipal or parish governing authority to have one or more physician members on its board or commission, from leasing space for the provision of health care services from a hospital under the jurisdiction of the board or commission for fair market value."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1217—**

BY REPRESENTATIVE DURAND

AN ACT

To enact R.S. 40:2006(A)(2)(n) and Part VII-A of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2192 through R.S. 40:2192.4, relative to pediatric day health care facilities; to provide for licensing; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 1217 by Representative Durand

**AMENDMENT NO. 1**

On page 2, line 5, after "facilities."

(1) The Early Steps Program (Part C, IDEA), office of public health, Department of Health and Hospitals.

(2) The Children's Special Health Services Program, office of public health, Department of Health and Hospitals.
The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 1402 by Representative Walker

**AMENDMENT NO. 1**

On page 2, between lines 21 and 22, insert "(8) No drug dispensed through a charitable pharmacy shall be eligible for reimbursement from the Medicaid Pharmacy Program."

**AMENDMENT NO. 2**

On page 2, line 25, after "D" insert "(1)"

**AMENDMENT NO. 3**

On page 2, line 27, after "pharmacy," insert "any pharmacist who originally dispensed the donated prescription drugs."

**AMENDMENT NO. 4**

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

"(2) No pharmaceutical manufacturer shall be liable for any claim or injury arising from the transfer of any prescription drug pursuant to the provisions of this Section, including but not limited to liability for failure to transfer or communicate product or consumer information regarding the transferred drug, as well as the expiration date of the transferred drug."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1514—**

BY REPRESENTATIVE K. CARTER

AN ACT

To amend and reenact R.S. 22:1410(I) and to enact R.S. 22:1401.1, relative to rates for commercial lines of property and casualty insurance; to provide for file and use; to provide for the office of property and casualty; to provide for procedures; to provide for rules and regulations; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Insurance to Original House Bill No. 1514 by Representative K. Carter

**AMENDMENT NO. 1**

On page 2, line 18, after "entities" and before "with" insert the following:

"(11) except with regard to workers' compensation and medical malpractice insurance;"
AMENDMENT NO. 2

On page 2, after line 23, add the following:

"D. All provisions of this Section shall be applicable when a competitive market in commercial lines insurance exists. The commissioner of insurance shall adopt rules and regulations to determine if there exists a competitive or noncompetitive market. At a minimum those rules shall require reasonable notice and a hearing prior to determining a market to be noncompetitive. If, after a hearing, the commissioner determines the market to be noncompetitive, all commercial rate filings shall follow the provisions of Subsection B of this Section without regard to the exception specified in Subsection C of this Section.

E. No provision of this Section shall prohibit the Department of Insurance from conducting market conduct exams to ensure the rates being charged by insurers are adequate, not excessive, or unfairly discriminatory.

Section 2. The provisions of this Act shall become effective on January 1, 2005."

On motion of Rep. Karen Carter, the amendments were adopted.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1516—
BY REPRESENTATIVE BALDONE
AN ACT
To enact R.S. 56:499(D), relative to shrimp nets; to provide for the relative location of stationary shrimp nets; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1555—
BY REPRESENTATIVE WALSWORTH
AN ACT
To authorize and provide for the transfer of certain state property in Ouachita Parish to the governing authority of Ouachita Parish; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1560—
BY REPRESENTATIVE CROWE
AN ACT
To authorize and provide for the transfer of certain state property in St. Tammany Parish to the St. Tammany Parish School Board; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1564—
BY REPRESENTATIVE SALTER
AN ACT
To authorize the transfer and sale of certain immovable improvements owned by the state and located on property in Red River Parish; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

HOouse Committee Amendments

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 1564 by Representative Salter

AMENDMENT NO. 1
On page 1, line 5, change "commissioner of administration" to "Board of Supervisors of Community and Technical Colleges"

AMENDMENT NO. 2
On page 2, line 1, change "commissioner of administration" to "Board of Supervisors of Community and Technical Colleges" and delete the "comma" after Louisiana

AMENDMENT NO. 3
On page 2, line 6, change "commissioner of" to "Board of Supervisors of Community and Technical Colleges" and on line 7, delete "administration"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1573—
BY REPRESENTATIVE BALDONE
AN ACT
To amend and reenact R.S. 56:651, relative to hunting preserves; to authorize the establishment of such preserves in any area of the state; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

Under the rules, placed on the regular calendar.
HOUSE BILL NO. 1621—
BY REPRESENTATIVE ODINET
AN ACT
To enact R.S. 56:123, relative to killing animals; to prohibit killing zoo or circus animals for sport; to provide for violations; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1623—
BY REPRESENTATIVE HOPKINS
AN ACT
To enact R.S. 30:5.2, relative to units for coal seam natural gas, unit operations and unit operators; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1627—
BY REPRESENTATIVE MARCHAND
AN ACT
To enact R.S. 40:1299.25, relative to lead poisoning prevention and control; to provide for the identification of high-risk areas by the Department of Health and Hospitals; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1640—
BY REPRESENTATIVE JACK SMITH
AN ACT
To amend and reenact R.S. 42:1123(22)(a), relative to exceptions from ethics laws for elected officials of certain municipalities to enter into certain transactions; to provide for a mayor or member of a governing authority of certain municipalities to enter into certain transactions; to increase the population size of the municipalities included in the exception; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1671—
BY REPRESENTATIVE K. CARTER
AN ACT
To amend and reenact R.S. 22:1021 and 1028, relative to premium taxes paid by insurers; to provide for tax reductions; to provide for regulations by the commissioner of insurance; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on Insurance to Original House Bill No. 1671 by Representative K. Carter

AMENDMENT NO. 1
On page 1, line 2, after "1021" and before "relative" delete ", 1028, and 1068(C)(g)" and insert in lieu thereof "and 1028"

AMENDMENT NO. 2
On page 1, line 7, after "1021" and before "are" delete ", 1028, and 1068(C)(g)" and insert in lieu thereof "and 1028"

AMENDMENT NO. 3
On page 1, line 19, change "ten" to "five"

AMENDMENT NO. 4
On page 2, line 1, after "deposit" and before "in" insert "for one calendar year"

AMENDMENT NO. 5
On page 2, line 3, at the end of the line, after "2005." add the following:

"The reduction may be granted during the succeeding calendar year in which the deposit was made."

AMENDMENT NO. 6
On page 2 line 19, change "ten" to "five"

AMENDMENT NO. 7
On page 2, Line 20, after "deposit" and before "in" insert "for one calendar year"

AMENDMENT NO. 8
On page 2, line 22, at the end of the line, after "2005." add the following:

"The reduction may be granted during the succeeding calendar year in which the deposit was made."

AMENDMENT NO. 9
On page 2, delete line 24 through 28, both inclusive and in their entirety.
AMENDMENT NO. 10

Delete page 3 in its entirety.

On motion of Rep. Karen Carter, the amendments were adopted.

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

Under the rules, placed on the regular calendar.

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 bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

Senate Instruments on Second Reading
Returned from the Legislative Bureau

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

SENATE BILL NO. 53—
BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 9:334(A)(4), relative to child custody; to provide relative to the qualifications of mediators in such proceedings; to expand the authorization for judges meeting certain criteria to serve as such mediators to include all judges of the state; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 119—
BY SENATORS NEVERS AND DUPLESIS AND REPRESENTATIVE STRAIN

AN ACT

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

Read by title.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 233—
BY SENATORS CAIN

AN ACT

To amend and reenact R.S. 15:574.2(B), relative to parole; to provide with respect to the parole of offenders convicted of certain offenses against a peace officer; and to provide for related matters.

Read by title.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 540—
BY SENATOR CAIN

AN ACT

To amend and reenact R.S. 22:691.2(A), relative to standard fire policy; to provide for coverage for peril of fire; and to provide for related matters.

Read by title.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

Reconsideration

The following legislative instruments on reconsideration were taken up and acted upon as follows:

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.

On motion of Rep. Baudoin, the vote by which the above House Bill failed to pass on the previous legislative day was reconsidered.

Returned to the calendar under the rules.

House and House Concurrent Resolutions on Third Reading for Final Consideration

The following House and House Concurrent Resolutions on third reading for final consideration were taken up and acted upon as follows:
HOUSE CONCURRENT RESOLUTION NO. 59—
BY REPRESENTATIVES WINSTON AND DURAND
A CONCURRENT RESOLUTION
To continue and provide with respect to the Task Force on Legal Representation in Child Protection Cases created in the 2003 Regular Session pursuant to House Concurrent Resolution No. 44.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 97—
BY REPRESENTATIVE TOWNSEND
A CONCURRENT RESOLUTION
To urge and request the commissioner of insurance to require workers' compensation insurers to justify and reassess the risk classification for industries considered to be engaged in a hazardous business.

Read by title.

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

HOUSE FLOOR AMENDMENTS
Amendments proposed by Representative Townsend to Engrossed House Concurrent Resolution No. 97 by Representative Townsend

AMENDMENT NO. 1
On page 1, line 2, change "urge and request" to "direct"

AMENDMENT NO. 2
On page 1, line 3, change "justify" to "review"

AMENDMENT NO. 3
On page 1, line 11, change "required" to "able"

AMENDMENT NO. 4
On page 1, line 12, change "required" to "directed"

AMENDMENT NO. 5
On page 1, line 13, change "provide" to "review"

AMENDMENT NO. 6
On page 1, line 13, at the end of the line delete "the commissioner" and insert in lieu thereof "reassess their ratings based on classification."

AMENDMENT NO. 7
On page 1, delete line 14.

AMENDMENT NO. 8
On page 1, line 16, change "issue a directive to all" to "request"

AMENDMENT NO. 9
On page 1, line 17, change "require them to provide" to "review"

AMENDMENT NO. 10
On page 1, line 19, delete "and to justify"

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

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

ROLL CALL
The roll was called with the following result:

YEAS

Mr. Speaker Flavin Odinet
Alario Frith Pierre
Ansardi Gallot Pinac
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
Brunoza Hopkins Smiley
Burrell Hudson Smith, D.—56th
Carter,standing Hunter Smith, J.D.—50th
Carter, R. Hunter Smith, J.H.—8th
Cayayaux Jackson Smith, J.R.—30th
Cratee Jefferson St. Germain
Crowe Johns Strain
Curtis Katz Thompson
Damico Kenney Toomy
Daniel LaBruzzo Townsend
Dartez LaFleur Trahan
DeWitt Lambert Trice
Doerge Lancaster Tucker
Dorsey Marchand Waddell
Dove Martiny Walker
Downs McDonald Walls
Durand McVeag White
Erdey Montgomery Winston
Fannin Morrell Wooton
Farrar Morrish Wright
Faucheux Murray

Total—104

NAYS

Total—0

ABSENT

Kennard

Total—1

The resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 128—
BY REPRESENTATIVES WINSTON, CURTIS, DOERGE, DORSEY, DURAND, GRAY, E. GUILLORY, KATZ, LABRUZZO, MCDONALD, STRAIN, WADDELL, AND WALKER
A CONCURRENT RESOLUTION
To continue the implementation of the "No Wrong Door" plan authorized by Act 726 of the 2003 Regular Session and in addition, to allow the Joint Legislative Committee on the Budget and any involved executive departments an opportunity
to review the "No Wrong Door" plan and its implementation and provide written comments to the Department of Social Services by September, 2004.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 90—
BY REPRESENTATIVE TOWNSEND
A CONCURRENT RESOLUTION
To urge and request the Louisiana Supreme Court to study and make recommendations for a uniform and streamlined procedure for expungement of criminal records.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 99—
BY REPRESENTATIVE HUTTER
A CONCURRENT RESOLUTION
To urge and request the City Council of New Orleans to review the City Domicile Ordinance of the Code of the City of New Orleans and to consider amending it to permit any qualified resident of the state of Louisiana to be employed at the Louis Armstrong International Airport.

Read by title.

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

Ordered to the Senate.

House Bills and Joint Resolutions on Third Reading and Final Passage

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

Regular Calendar

HOUSE BILL NO. 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.

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

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Baudoin gave notice of her intention to call House Bill No. 109 from the calendar for future action.

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.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Alario to Engrossed House Bill No. 303 by Representative R. Carter

AMENDMENT NO. 1
On page 1, line 2, after "(g)" insert "and (h)"

AMENDMENT NO. 2
On page 1, line 4, after "Parish;" insert "to provide with respect to the renewal of solid waste facilities in Jefferson Parish;"

AMENDMENT NO. 3
On page 1, after line 21, add the following:

"(h) Notwithstanding any provision of law to the contrary, the secretary shall not renew any permit for solid waste disposal in Jefferson Parish except for permits for those facilities owned by the local governing authorities."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Frith Pierre
Alario Futrell Pinac
Arnold Gallot Pitre
Badon Geymann Powell, M.
Baldone Glover Powell, T.
Baudoin Gray Quezaire
Baylor Guillory, E. Richmond
Beard Guillory, M. Ritchie
Bowler Hammett Robideaux
Broome Heaton Romero
Bruce Hebert Scalise
Bruneau Hill Schneider
Burns Honey Schneider
Burrell Hudson Shepherd
Carter, K. Hunter Smith, G.—56th
Carter, K. Hunter Smith, J.H.—8th
The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Robert Carter 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. 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.

Motion
On motion of Rep. Jack Smith, the bill was returned to the 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.

Motion
On motion of Rep. Jack Smith, the bill was returned to the 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 access after imposition and removal of security freezes; and to provide for related matters.

Read by title.

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

Notice of Intention to Call

HOUSE BILL NO. 694—
BY REPRESENTATIVE ARNOLD
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.

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

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. 728—
BY REPRESENTATIVES BRUNEAU, ARNOLD, GALLOW, 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.

Rep. Bruneau moved the final passage of the bill.

ROLL CALL
The roll was called with the following result:

YEAS
Mr. Speaker Faucheux Pitre
Alexander Frith Powell, T.
Ansardi Gallot Quezaire

NAYS

ABSENT

The roll was called with the following result:

YEAS
Mr. Speaker Faucheux Pitre
Alexander Frith Powell, T.
Ansardi Gallot Quezaire
Badon  Hebert  Richmond
Baldone  Hill  Ritchie
Baudoin  Hopkins  Robideaux
Baylor  Hudson  Romero
Bowler  Hutter  Shepherd
Broome  Jefferson  Smiley
Bruce  Johns  Smith, J.D.—50th
Bruneau  Katz  Smith, J.H.—8th
Burns  Kenney  Smith, J.R.—30th
Burrell  Lancaster  St. Germain
Carter, R.  Marchand  Strain
Curtis  Martin  Thompson
Dumico  McDonald  Toomy
Daniel  McVea  Triche
Dartez  Montgomery  Tucker
Doerge  Morrell  Waddell
Dorsey  Morrish  Walker
Dove  Murray  Walsworth
Downs  Odinet  Wooton
Durand  Pierre  Wright
Fannin  Pinac
Total—71

YEAS

Alario  Futrell  Lambert
Arnold  Geymann  Powell, M.
Beard  Glover  Scalse
Carter, K.  Gray  Schneider
Cazayoux  Guillory, E.  Smith, G.—56th
Crane  Guillory, M.  Townsend
Crowe  Honey  Trahan
DeWitt  Hunter  White
Erdey  Jackson  Winston
Farrar  LaBruzzo
Flavin  LaFleur
Total—101

NAYS

Alario  Flavin  Odinet
Arnold  Frith  Pierre
Alexander  Futrell  Pinac
Ansardi  Gallot  Pitre
Arnold  Geymann  Powell, M.
Badon  Glover  Powell, T.
Baldone  Gray  Quezaire
Baudoin  Guillory, E.  Richmond
Baylor  Hammett  Ritchie
Beard  Heaton  Robideaux
Bowler  Hebert  Romero
Broome  Hill  Scalse
Bruce  Honey  Schneider
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
Damico  Kenney  Thompson
Daniel  LaBruzzo  Toomy
Dartez  LaFleur  Townsend
DeWitt  Lambert  Trahan
Doerge  Lancaster  Tichte
Dorsey  Marchand  Tucker
Dove  Martin  Walker
Downs  McDonald  Walsworth
Durand  McVea  White
Erdey  Montgomery  Wooton
Fannin  Morrell  Wright
Farrar  Murray
Total—101

ABSENT

Hammett  Heaton  Kennard
Total—3

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

The title of the above bill was read and adopted.

Rep. Bruneau 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. Crowe and Flavin, and under a suspension of the rules, the above roll call was corrected to reflect them as voting nay.

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.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Futrell to Engrossed House Bill No. 789 by Representative Futrell

AMENDMENT NO. 1

On page 1, line 2, change “R.S. 32:387(J)(introductory paragraph) and (1),” to “R.S. 32:387(J)(1),”

AMENDMENT NO. 2

On page 1, line 7, change “R.S. 32:387(J)(introductory paragraph) and (1) are” to “R.S. 32:387(J)(1) is”

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

Rep. Futrell 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
Arnold  Futrell  Pinac
Alexander  Gallot  Pitre
Ansardi  Geymann  Powell, M.
Badon  Glover  Powell, T.
Baldone  Gray  Quezaire
Baudoin  Guillory, E.  Richmond
Baylor  Hammett  Ritchie
Beard  Heaton  Robideaux
Bowler  Hebert  Romero
Broome  Hill  Scalse
Bruce  Honey  Schneider
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
Damico  Kenney  Thompson
Daniel  LaBruzzo  Toomy
Dartez  LaFleur  Townsend
DeWitt  Lambert  Trahan
Doerge  Lancaster  Tichte
Dorsey  Marchand  Tucker
Dove  Martin  Walker
Downs  McDonald  Walsworth
Durand  McVea  White
Erdey  Montgomery  Wooton
Fannin  Morrell  Wright
Farrar  Murray
Total—101

NAYS

Total—0

ABSENT

Curtis  Kennard
Guillory, M.  Waddell
Total—4
The Chair declared the above bill was finally passed.
The title of the above bill was read and adopted.

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.

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.

The title of the above bill was read and adopted.

Rep. Futrell moved the final passage of the bill.

ROLL CALL
The roll was called with the following result:

YEAS

Mr. Speaker Flavin Odinet
Alario Frith Pierre
Alexander Futrell Pinac
Ansardi Gallot Powell, M.
Arnold Geymann Powell, T.
Baldone Gray Quezaire
Baudoin Guilloy, E. Richmond
Baylor Guilloy, M. Ritchie
Beard Hammett Robideaux
Bowler Heaton Romero
Broome Herbert Scalise
Bruce Hill Schneider
Bruneau Honey Shepherd
Burns Hopkins Smiley
Burrell Hudon Smith, G.—56th
Carter, K. Hunter Smith, J.D.—50th
Carter, R. Hunter Smith, J.H.—8th
Cazayoux Jackson Strain
Crane Jefferson Thompson
Crowe Johns Toomy
Curtis Katz Townsend
Dumico Kenney Truhan
Daniel LaBranco Tichie
Dartez LaFleur Tricher
DeWitt Lambert Tucker
Doerge Lancaster Waddell
Dorsey Marchand Walker
Dove Martiny Walworth
Downs McDonald White
Durand McVea Winston
Erdey Montgomery Wooton
Fannin Morrell Wright
Farrar Morris
Faucheux Murray

Total—103

NAYS

Total—0

ABSENT

Kennard St. Germain
Total—2

The Chair declared the above bill was finally passed.
The title of the above bill was read and adopted.

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.

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.

The title of the above bill was read and adopted.

Read by title.

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

HOUSE FLOOR AMENDMENTS
Amendments proposed by Representative Murray to Engrossed House Bill No. 1078 by Representative Murray

AMENDMENT NO. 1
On page 4, line 14, delete “processed by” and on line 15, “officials or” and insert in lieu thereof “approved by a”

AMENDMENT NO. 2
On page 4, line 15, change “officers” to “officer”

AMENDMENT NO. 3
On page 4, line 16, after “to the” insert “registered owner of the vehicle at the”

AMENDMENT NO. 4
On page 4, after line 23, add the following:

“(5) A municipality may contract with a vendor for automated enforcement services, including the processing of citations. However, the municipality shall retain management control and oversight of the vendor, and all citations for violations captured by the automated enforcement system shall be approved by a law enforcement officer of the municipality prior to issuance. Compensation paid to a vendor for automated enforcement services shall be based upon a flat fee agreement for equipment and services provided, and shall not be based upon the number of citations generated or as a percentage of the revenue generated as a result of the use of an automated enforcement system.”

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

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

HOUSE FLOOR AMENDMENTS
Amendments proposed by Representative Tucker to Engrossed House Bill No. 1078 by Representative Murray

AMENDMENT NO.
On page 4, line 14, delete “processed by” and on line 15, “officials or” and insert in lieu thereof “approved by a”

AMENDMENT NO.
On page 4, line 15, change “officers” to “officer”

AMENDMENT NO.
On page 4, line 16, after “to the” insert “registered owner of the vehicle at the”

AMENDMENT NO.
On page 4, after line 23, add the following:

“(5) A municipality may contract with a vendor for automated enforcement services, including the processing of citations. However, the municipality shall retain management control and oversight of the vendor, and all citations for violations captured by the automated enforcement system shall be approved by a law enforcement officer of the municipality prior to issuance. Compensation paid to a vendor for automated enforcement services shall be based upon a flat fee agreement for equipment and services provided, and shall not be based upon the number of citations generated or as a percentage of the revenue generated as a result of the use of an automated enforcement system.”

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

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

HOUSE FLOOR AMENDMENTS
Amendments proposed by Representative Tucker to Engrossed House Bill No. 1078 by Representative Murray

AMENDMENT NO.
On page 4, line 14, delete “processed by” and on line 15, “officials or” and insert in lieu thereof “approved by a”

AMENDMENT NO.
On page 4, line 15, change “officers” to “officer”

AMENDMENT NO.
On page 4, line 16, after “to the” insert “registered owner of the vehicle at the”

AMENDMENT NO.
On page 4, after line 23, add the following:

“(5) A municipality may contract with a vendor for automated enforcement services, including the processing of citations. However, the municipality shall retain management control and oversight of the vendor, and all citations for violations captured by the automated enforcement system shall be approved by a law enforcement officer of the municipality prior to issuance. Compensation paid to a vendor for automated enforcement services shall be based upon a flat fee agreement for equipment and services provided, and shall not be based upon the number of citations generated or as a percentage of the revenue generated as a result of the use of an automated enforcement system.”

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

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

HOUSE FLOOR AMENDMENTS
Amendments proposed by Representative Tucker to Engrossed House Bill No. 1078 by Representative Murray
AMENDMENT NO. 1
On page 1, line 12, change "33:4881" to "33:4881(A)(1)(a) and those unincorporated areas identified by R.S. 33:4881(A)(1)(b)"

AMENDMENT NO. 2
On page 2, line 15, after "(1)" insert "(a)"

AMENDMENT NO. 3
On page 2, after line 16, insert the following: "(b) "Municipality" also means any unincorporated area with a population over twenty thousand persons according to the latest federal decennial census which is sited exclusively within a parish with a population over four hundred thousand according to the latest federal decennial census for the limited purpose of authorizing the use of traffic control photographic systems as authorized by R.S. 32:41(E)."

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

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

HOUSE FLOOR AMENDMENTS
Amendments proposed by Representative Alario to Engrossed House Bill No. 1078 by Representative Murray

AMENDMENT NO. 1
On page 4, line 10, change "fifty" to "twenty"

AMENDMENT NO. 2
On page 4, line 20, change "one hundred" to "fifty"

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

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

ROLL CALL
The roll was called with the following result:

YEAS

<table>
<thead>
<tr>
<th>Alexander</th>
<th>Dorsev</th>
<th>Murray</th>
<th>24</th>
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<tbody>
<tr>
<td>Arnold</td>
<td>Dove</td>
<td>Odinet</td>
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<td>Badon</td>
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<td>Pierre</td>
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<td>Baudoin</td>
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<td>Richmond</td>
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<td>Ritchie</td>
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<td>Bruce</td>
<td>Jefferson</td>
<td>St. Germain</td>
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<td>Carter, K.</td>
<td>Marchand</td>
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<td>Crane</td>
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<td>White</td>
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<td>Total—24</td>
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NAYS

<table>
<thead>
<tr>
<th>Mr. Speaker Gallot</th>
<th>Powell, T.</th>
<th>10</th>
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<tbody>
<tr>
<td>Alario</td>
<td>Geymann</td>
<td>Quezaire</td>
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<td>Baldone</td>
<td>Glover</td>
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<td>Baylor</td>
<td>Guillory, E.</td>
<td>Romero</td>
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<td>Burns</td>
<td>Hopkins</td>
<td>Smiley</td>
</tr>
<tr>
<td>Burrell</td>
<td>Hunter</td>
<td>Smith, G.—56th</td>
</tr>
</tbody>
</table>

Carter, R.          | Hutter     | Smith, J.D.—50th |    |
| Caswayoux          | Jackson    | Smith, J.H.—8th  |    |
| Crowe              | Johns      | Smith, J.R.—30th |    |
| Damico             | Kenney     | Strain         |    |
| Daniel             | LaBrizzzo  | Thompson       |    |
| Dartez             | LaFleur    | Toomy          |    |
| DeWitt             | Lambert    | Townsend       |    |
| Doerge             | Martiny    | Trahan         |    |
| Durand             | McDonald   | Triche         |    |
| Erdey              | McVea      | Waddell        |    |
| Fannin             | Montgomery | Walker         |    |
| Farrar             | Morrish    | Walsworth      |    |
| Faucheux           | Pinac      | Winston        |    |
| Flavin             | Pitre      | Wright         |    |
| Frith              | Powell, M. |              |    |
| Total—71          |            |              |    |

The Chair declared the above bill failed to pass.

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

Notice of Intention to Call
Pursuant to House Rule No. 8.26(A), Rep. Murray gave notice of his intention to call House Bill No. 430 from the calendar for future action.

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

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. 726—
BY SENATORS HOLLIS AND HOLDEN
AN ACT
To amend and reenact R.S. 51:2378(A) and the introductory paragraph of (B), 2382(B)(1), (2), (5), (6), and (7), and 2383(C), and to enact R.S. 51:2378(B)(14) and (15), (C)(15) and (16), and 2381(C), and 2383(A)(13), (14), (15), (16), (17), (18), (19), (20), (21), and (22), relative to the Louisiana Economic Development Council; to increase the membership of the council; to provide for reports by the council to the legislature; to appoint certain subcommittees of the council; to increase the cabinet advisory group on economic development; and to provide for related matters.

Read by title.

Rep. Pinac moved the final passage of the bill.
ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Futrell Pinac
Alario Gallot Pire
Alexander Geymann Powell, M.
Arnold Glover Powell, T.
Badon Gray Quezaine
Baldone Guillory, E. Richmond
Baudoin Guillory, M. Ritchie
Bayou Hammett Robideaux
Beard Heaton Romero
Bowler Hebert Scalise
Broome Hill Schneider
Bruce Honey Smiley
Bruneau Hopkins St. Germain
Burns Hudson Smith, G.—56th
Burrell Hunter Smith, J.D.—50th
Carter, K. Hutter Smith, J.H.—8th
Carter, R. Jackson Smith, J.R.—30th
Cazayoux Jefferson Strain
Crane Johns Thompson
Crowe Kenney Toomy
Curtis LaFleur Townsend
Damico Lambert Truhan
Daniel Lancaster Truhan
Dartez Marchand Tiche
DeWitt Martiny Tucker
Doerge McDonald Wadell
Dorsey McVea Walker
Dove Montgomery Walsworth
Durand Morrell White
Erdey Morish Winston
Fannin Murray Wright
Flavin Odinet Wright
Frith Pierre Wright
Total—97

NAYS

Farrar Fauches
Total—2

ABSENT

Ansardi Katz LaBruzio
Downs Kennard Wooton
Total—6

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 467—
BY SENATOR FONTENOT
AN ACT
To enact R.S. 30:2025(H), relative to environmental quality; to provide a limitation on the time within which actions, suits, or proceedings for the assessment or enforcement of any civil fine or penalty may be instituted; and to provide for related matters.

Read by title.

Rep. Damico moved the final passage of the bill.
1732(20), 2178(E)(3), 3113(5)(a) and (b), and 3166(E)(2), R.S. 13:2561.4, 2562.4, and 2563.2(B), R.S. 14:78(B), R.S. 17:1685(F), R.S. 23:1021(3), R.S. 29:293(A), R.S. 33:1947(C)(2), R.S. 40:34(B)(1)(a)(iv) and (vii), (B)(1)(b)(vi), and (E)(1), 40(8) and (11), 41(B), 46(A), 46.1(B)(2), and R.S. 46:1802(3); and to repeal R.S. 9:391, 9:400(A)(5), and R.S. 13:914.1, all relative to the status of children; to provide for the change in terminology from "illegitimate child" to "child born outside of marriage" and from "legitimate child" to "child born of marriage"; to provide for the definition of terms; to provide for the correction of cross-references; and to provide for related matters.

Read by title.

Rep. Bowler moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
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<tbody>
<tr>
<td>Mr. Speaker</td>
<td>Gallot</td>
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<tr>
<td>Alario</td>
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<td>Frith</td>
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<td>Futrell</td>
<td>Pierre</td>
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<td>Total—97</td>
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<td>Farrar</td>
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<tr>
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<td>Erdey</td>
<td>Katz</td>
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<td>Total—6</td>
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The Chair declared the above bill was finally passed.

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

**SENATE BILL NO. 303—**

**BY SENATOR HOLDEN**

**AN ACT**

To amend and reenact that part of Section 9(B)(14) of Act 1134 of the 2003 Regular Session of the Legislature which is applicable to the allocation and distribution of funds in East Baton Rouge Parish, relative to the Revenue Sharing Fund; to provide with respect to certain distributions in East Baton Rouge Parish for Fiscal Year 2003-2004; to provide for the retroactive application of this Act; and to provide for related matters.

Read by title.

Rep. Honey moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

<table>
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<tr>
<td>Mr. Speaker</td>
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<td>Downs</td>
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<td>Katz</td>
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<td>Total—6</td>
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The Chair declared the above bill was finally passed.
Rep. Honey 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.

SENEATE BILL NO. 503—
BY SENATORS HEITMEIER AND HINES AND REPRESENTATIVES ALARIO AND SALTER
AN ACT
To amend and reenact R.S. 39:321(E), (F), (G), and (H), relative to state property control; authorizes the state to sell surplus movable property through the use of certain electronic technology; and to provide for related matters.

Read by title.

Rep. Alario moved the final passage of the bill.

ROLL CALL
The roll was called with the following result:

YEAS

Mr. Speaker Faucheux Morrish
Alario Flavin Murray
Ansardi Frith Odinet
Alexander Futrell Pierre
Ansardi Gallot Pinac
Arnold Geymann Pire
Badon LaBrouz Smith, G.—56th
Baldone Jefferson Smith, J.H.—8th
Baldone LaFleur Smith, J.R.—30th
Baylor Martiny Ritchie
Beard Martin Montgomery
Bowel boxing Wisconsin
Bowell Heaton
Broomie Hebert
Bruce Hill
Burns Hopkins
Burns Hudson
Carey Hopkins
Cazaouy Hutter
Crayaouy Jackson
Crane Johns
Crowe Kenney
Curtis Keeny
Damico LaBrouz
Daniel LaFleur
DeWitt Lambert
Done DeWitt
Dowes Doerge
Doye Dorey
Erdery Durand
Fannin Durand
Farrar Erdey
Fruit Fannin
Fruit Fannin
Ricchio Roebidaux

NAYS

Mr. Speaker Scalis
Alario Frith
Ansardi Pierre
Arnold Gallot
Badon Pire
Baldone Pinac
Baylor Quezaire
Beller Haig
Bellant Richmond
Bower Hopkins
Bowel Shepard
Broome Hill
Burns Scalise
Burns Schneider
Burns Smley
Burns Smith, G.—56th
Burrell Smith, J.R.—30th
Carter, K. Toomy
Carter, R. Toomy
Caraouy Toomy
Crane Toomy
Crowe Toomy
Curtis Toomy
Damico Toomy
Daniel Toomy
DeWitt Toomy
Donge Toomy
Doye Toomy
Erdery Toomy
Fannin Toomy
Farrar Toomy
Fruit Toomy

Total—96

ABSENT

Dartez Katz
Downs Kennard
Glover Smith, J.D.—50th
Katz Smith, J.D.—50th

Total—0

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

SENATE BILL NO. 504—
BY SENATORS HEITMEIER AND HINES AND REPRESENTATIVES ALARIO AND SALTER
AN ACT
To amend and reenact R.S. 36:8(B)(1) and to enact R.S. 36:8(B)(2)(f), relative to fiscal oversight and program evaluation; to provide for certain annual reporting requirements; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Alario 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.
Arnold  Geymann  Quezaire
Badon  Glover  Richmond
Baldone  Guillory, E.  Ritchie
Baudoin  Hammett  Robideaux
Beard  Heaton  Romero
Bowler  Hebert  Scalise
Broome  Hill  Schneider
Bruce  Honey  Shepherd
Bruneau  Hopkins  Smiley
Burns  Hudson  Smith, G.—56th
Burrell  Hunter  Smith, J.D.—50th
Carter, K.  Hutter  Smith, J.H.—8th
Carter, R.  Jackson  Smith, J.R.—30th
Cazayoux  Jefferson  St. Germain
Crane  Johns  Strain
Crowe  Kenney  Thompson
Curtis  LaBruzio  Toomy
Damico  LaFleur  Townsend
Daniel  Lambert  Trahan
Dartez  Lancaster  Triche
DeWitt  Marchand  Tucker
Doerge  Martiny  Waddell
Dorsey  McDonald  Walker
Dove  McVea  Walsworth
Durand  Morrell  White
Erdey  Morrish  Winston
Fannin  Murray  Wright
Farrar  Odinet  Murray
Faucheux  Pierre 
Total—97

NAYS

Total—0

ABSENT

Baylor  Guillory, M.  Montgomery
Downs  Katz  Wooton
Gray  Kennard  
Total—8

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 505—
BY SENATORS HEITMEIER AND HINES AND REPRESENTATIVES ALARIO AND SALTER
AN ACT
To amend and reenact R.S. 39:98.3(A), relative to certain funds derived from the tobacco settlement; to provide with respect to actual earnings from interest, dividends, and capital gains in the Millennium Trust; and to provide for related matters.

Read by title.

Rep. Alario moved the final passage of the bill.

ROLL CALL
The roll was called with the following result:

YEAS

Mr. Speaker  Flavin  Odinet
Alario  Frith  Pierre
Alexander  Futrell  Pite
Ansardi  Gallot  Pitre
Arnold  Geymann  Powell, M.
Badon  Glover  Powell, T.
Baldone  Guillory, E.  Quezaire
Baudoin  Guillory, M.  Richmond
Baylor  Hammett  Ritchie
Beard  Heaton  Robideaux
Bowler  Hebert  Romero
Broome  Hill  Scalise
Bruce  Honey  Schneider
Bruneau  Hopkins  Shepher
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  Kenney  Strain
Curtis  LaBruzio  Thompson
Damico  LaFleur  Toomy
Daniel  Lambert  Townsend
Dartez  Lancaster  Trahan
DeWitt  Marchand  Triche
Doerge  Martiny  Tucker
Dorsey  McDonald  Waddell
Dove  McVea  Walsworth
Durand  Morrell  White
Erdey  Morrish  Winston
Fannin  Murray  Wright
Farrar  Odinet  Wright
Faucheux  Pierre  Murray
Total—101

NAYS

Total—0

ABSENT

Downs  Kennard  
Katz  Wooton
Total—4

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

SENATE BILL NO. 506—
BY SENATORS HEITMEIER AND HINES AND REPRESENTATIVES ALARIO AND SALTER
AN ACT
To amend and reenact R.S. 17:421.7(A), relative to the Support Education in Louisiana First Fund; to provide monies remaining in the fund to retain their allocation as provided by law; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Alario moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker  Flavin  Odinet
Alario  Frith  Pierre
Alexander  Futrell  Pinac
Ansardi  Gallot  Pitre
Arnold  Geymann  Powell, M.
Badon  Glover  Powell, T.
Baldone  Gray  Quezaire
Baudoin  Guillory, E.  Richmond
Baylor  Guillory, M.  Ritchie
Beard  Hummelt  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  St. Germain
Crowe  Jefferson  Strain
Curtis  Johns  Thompson
Damico  LaBruzzo  Toomy
Daniel  LaFleur  Townsend
Dartez  Lambert  Triece
DeWitt  Lancaster  Tucker
Doerge  Marchand  Waddell
Dorsey  Martiny  Walker
Dove  McDonald  White
Durand  McVea  Walthour
Erdey  Montgomery  Winston
Fannin  Morrell  Wright
Farrar  Morrish  Wright
Faucheux  Murray  Wright

Total—101

NAYS

Total—0

ABSENT

Downs  Kennard  Total—4
Katz  Wooton

The Chair declared the above bill was finally passed.

SENATE BILL NO. 508—
BY SENATORS HEITMEIER AND HINES AND REPRESENTATIVES ALARIO AND SALTER
AN ACT
To amend and reenact R.S. 39:99.5(C), relative to the Tobacco Settlement Financing Corporation; to provide relative to meetings of the board; and to provide for related matters.

Read by title.

Rep. Alario moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker  Frith  Pierre
Alario  Futrell  Pinac
Alexander  Gallot  Pitre
Ansardi  Geymann  Powell, M.
Arnold  Glover  Powell, T.
Badon  Gray  Quezaire
Baldone  Guillory, E.  Richmond
Baudoin  Guillory, M.  Ritchie
Baylor  Hammett  Robideaux
Broome  Heaton  Romero
Bruce  Hill  Schneider
Bruneau  Honey  Shepherd
Burns  Hopkins  Smiley
Burrell  Hudson  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  Kenney  Strain
Damico  LaBruzzo  Thompson
Daniel  LaFleur  Townsend
Dartez  Lambert  Triece
DeWitt  Lancaster  Tucker
Doerge  Marchand  Walker
Dorsey  Martiny  White
Dove  McDonald  Waddell
Durand  McVea  Walker
Erdey  Montgomery  Walthour
Fannin  Morrell  White
Farrar  Morrish  Winston
Faucheux  Murray  Wooton
Flavin  Odinet  Wright

Total—99

NAYS

Total—0

ABSENT

Beard  Downs  Katz
Curtis  Hunter  Kennard

Total—6

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

**SENATE BILL NO. 509—**

**AN ACT**

To enact R.S. 42:461, relative to payroll withholdings; to provide for payment of employee compensation; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Alario moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
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<tbody>
<tr>
<td>Mr. Speaker Frith</td>
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</tbody>
</table>

**ABSENT**

Downs Guillory, M. Kennard
Durand Katz
Total—5

The Chair declared the above bill was finally passed.

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

**SENATE BILL NO. 524—**

**AN ACT**

To amend and reenact R.S. 33:108, 131, 135(1)(introductory paragraph) and (2), and 136, R.S. 38:90.4(B)(1) and (2), R.S. 39:21.3(A)(2)(b), (B)(2)(b), (C)(2)(b), (D)(2)(b), (E)(2)(b), and (F)(2)(b), and R.S. 56:1845(C), 1846(A), and 1849(B), all relative to the state planning office/division of administration; to provide with respect to the organization of the division of administration; to correct references to the state planning office; and to provide for related matters.

Read by title.

Rep. Alario moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

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<thead>
<tr>
<th>YEAS</th>
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<tr>
<td>Mr. Speaker Frith</td>
<td>Pierre</td>
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<tr>
<td>Alario Futrell</td>
<td>Pinac</td>
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<td>Alexander Gallot</td>
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<td>Ansardi Geymann</td>
<td>Powell, M.</td>
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<td>Arnold Glover</td>
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<td>Quezaire</td>
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<td>Ritchie</td>
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<td>Smiley</td>
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<td>Burns Hunter</td>
<td>Smith, G.—56th</td>
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<td>Burrell Hunter</td>
<td>Smith, J.D.—50th</td>
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<td>Smith, J.H.—8th</td>
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<td>Carter, R. Jefferson</td>
<td>Smith, J.R.—30th</td>
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<td>Cazayoux Johns</td>
<td>St. Germain</td>
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<td>Crane Kenney</td>
<td>Strain</td>
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<td>Crowe LaBraunno</td>
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<td>NAYS</td>
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**ABSENT**

Downs Kennard
Total—2
The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 629—
BY SENATOR ULLO
AN ACT
To amend and reenact R.S. 43:111(C), relative to prohibitions on and authorizations for expending public funds for advertising by public agencies; to authorize the Board of Regents to expend such funds to advertise to promote Master Plan goals and promote service and programs offered by learning centers; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS
Amendments proposed by Representative Alario to Reengrossed Senate Bill No. 629 by Senator Ullo

AMENDMENT NO. 1
On page 2, after line 6, insert the following:

"Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

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

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

ROLL CALL
The roll was called with the following result:

YEAS
Mr. Speaker Flavin Odinet Alario Futrell Pinac
Alario Frith Ansardi Geymann
Alexander Gallo Pite
Ansardi Geddy Powell, M.
Arnold Glover Quezaire
Badon Riceville
Gardner Knowles
Baldwin de Forest
Richmond
Baudoin Rolling Beauregard
Baudoin Geaux
Baylor Vicksburg
Beard Beauregard
Bowler Beauregard
Broome Smith G—48th
Bruce Smith H—52nd
Bruneau Smith, G.—56th
Burns Smith, J.D.—50th
Burrell Smith, J.—8th
Carter, K. Smith, J.—30th
Carter, R. Smith, J.—50th
Cazayoux Smith, T.—41st
Crane Smith, T.—8th
Crowe Smith, T.—30th

NAYS

Total—101

ABSENT

Total—0

Absents—4

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 400—
BY SENATOR MARIONNEAUX
AN ACT
To amend and reenact R.S. 47:9004(B)(1), relative to the Louisiana Lottery Corporation; to provide with respect to the board of directors; to provide for rules of appointment; and to provide for related matters.

Read by title.

Rep. McVea moved the final passage of the bill.

ROLL CALL
The roll was called with the following result:

YEAS
Mr. Speaker Frith Pierre
Alario Futrell Pite
Alexander Gallot Powell, M.
Ansardi Geymann Powell, T.
Arnold Glover Quezaire
Badon Guillory, E. Richmond
Baldone Guillory, M. Ritchie
Baudoin Hamnett Robideaux
Baylor Heaton Romer
Beard Hebert Sciascia
Bowler Hill Schneider
Broome Honey Shepherd
Bruce Hopkins Shephard
Bruneau Hudson Smith, G.—56th
Burns Hunter Smith, J.D.—50th
Burrell Hutter Smith, J.—8th
Carter, R. Jackson Smith, T.—41st
Cazayoux Jefferson Smith, T.—8th
Crane Johns St. Germain
Crowe Katz St. Germain
Curtis Kenney Thompson
Damico LaBruzzo Toomy
"
SENATE BILL NO. 42—
BY SENATORS NEVERS AND SCHEDLER AND REPRESENTATIVE STRAIN
AN ACT
To enact Part XIV-A of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:557.21, relative to dairy promotion; to require state agencies to assist the Department of Agriculture and Forestry in the development, registration, and licensing of any trademark or label for use in promoting Louisiana dairy products; to authorize the Department of Agriculture and Forestry to sell licenses for such trademarks or labels; to create the Dairy Farmer Support Fund; to provide for the deposit of monies into the fund and for the use of such monies; to require the promulgation of rules and regulations; and to provide for related matters.

Read by title.

Rep. Strain moved the final passage of the bill.

ROLL CALL
The roll was called with the following result:

YEAS

Mr. Speaker
Alario
Arnold
Badon
Baldone
Baudoin
Baylor
Broome
Bruce
Burns
Carter, K.
Carter, R.
Crowe
Curtis
Damicco
Daniel
Dartez
DeWitt
Doerge
Dorsey
Dove
Durand
Erdey
Fannin
Farrar
Faucheux
Flavin

LaFleur
Lambert
Lancaster
Marchand
Martin
McDonald
McVea
Montgomery
Morrell
Morris
Murray

Townsend
Trahan
Triche
Tucker
Waddell
Walker
Walshworth
White
Winston
Wooton
Wright

Total—101

NAYS

Total—0

ABSENT

Carter, K.
Downs

Gray
Kennard

Total—4

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 42—
BY SENATORS NEVERS AND SCHEDLER AND REPRESENTATIVE STRAIN
AN ACT
To enact Part XIV-A of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:557.21, relative to dairy promotion; to require state agencies to assist the Department of Agriculture and Forestry in the development, registration, and licensing of any trademark or label for use in promoting Louisiana dairy products; to authorize the Department of Agriculture and Forestry to sell licenses for such trademarks or labels; to create the Dairy Farmer Support Fund; to provide for the deposit of monies into the fund and for the use of such monies; to require the promulgation of rules and regulations; and to provide for related matters.

Read by title.

Rep. Strain moved the final passage of the bill.

ROLL CALL
The roll was called with the following result:

YEAS

Mr. Speaker
Alario
Arnold
Badon
Baldone
Baudoin
Baylor
Broome
Bruce
Burns
Carter, K.
Carter, R.
Crowe
Curtis
Damicco
Daniel
Dartez
DeWitt
Doerge
Dorsey
Dove
Durand
Erdey
Fannin
Farrar
Faucheux
Flavin

LaFleur
Lambert
Lancaster
Marchand
Martin
McDonald
McVea
Montgomery
Morrell
Morris
Murray

Townsend
Trahan
Triche
Tucker
Waddell
Walker
Walshworth
White
Winston
Wooton
Wright

Total—101

NAYS

Total—0

ABSENT

Carter, K.
Downs

Gray
Kennard

Total—4

The Chair declared the above bill was finally passed.

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

Suspension of the Rules
On motion of Rep. Thompson, the rules were suspended in order to take up and consider Petitions, Memorials and Communications at this time.

Petitions, Memorials and Communications
The following petitions, memorials, and communications were received and read:

Message from the Senate
ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS
May 6, 2004
To the Honorable Speaker and Members of the House of Representatives:

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

Senate Concurrent Resolution No. 96

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate
Message from the Senate

SENATE BILLS
May 6, 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 No. 432

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Suspension of the Rules

On motion of Rep. Thompson, 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. 432—
BY SENATOR JONES
AN ACT
To amend and reenact R.S. 23:1141(B) and 1143(B)(1), relative to workers' compensation; to provide with respect to attorney fees in workers' compensation matters; and to provide for related matters.
Read by title.

Message from the Senate

SIGNED SENATE CONCURRENT RESOLUTIONS
May 6, 2004

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

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

Senate Concurrent Resolution Nos. 33, 75, 89, and 94

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

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

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

Message from the Senate

SIGNED SENATE BILLS AND JOINT RESOLUTIONS
May 6, 2004

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

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

Senate Bill Nos. 24, 276, and 500

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

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

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

Introduction of Resolutions, House and House Concurrent

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

HOUSE RESOLUTION NO. 53—
BY REPRESENTATIVE JOHNS
A RESOLUTION
To commend the efforts of the organizers of the Louisiana Hugh O'Brian Youth Leadership seminars and to recognize May 28, 2004, as Hugh O'Brian Youth Leadership Day in the state of Louisiana.
Read by title.
On motion of Rep. Johns, and under a suspension of the rules, the resolution was adopted.

HOUSE RESOLUTION NO. 54—
BY REPRESENTATIVE DORSEY
A RESOLUTION
To express the sincere and heartfelt condolences of the House of Representatives of the Legislature of Louisiana upon the death of Nettie Jean Millican of Baton Rouge.
Read by title.
On motion of Rep. Dorsey, and under a suspension of the rules, the resolution was adopted.

HOUSE RESOLUTION NO. 55—
BY REPRESENTATIVE PINAC
A RESOLUTION
To commend John E. Dailey upon his retirement as principal of Notre Dame High School in Crowley, to recognize and record his myriad accomplishments and his remarkable contributions to Acadia Parish, and extend to him the best wishes of the House of Representatives of the Legislature of Louisiana as he embarks on new challenges and endeavors.
Read by title.
On motion of Rep. Pinac, and under a suspension of the rules, the resolution was adopted.

**HOUSE RESOLUTION NO. 56—**
**BY REPRESENTATIVES SALTER AND BROOME**

A RESOLUTION

To express recognition of and affirmation for proclamations by President George W. Bush and Governor Kathleen Babineaux Blanco declaring Thursday May 6, 2004, as a National Day of Prayer.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 164—**
**BY REPRESENTATIVE BAUDOIN**

A CONCURRENT RESOLUTION

To urge and request the Department of Education to study the feasibility of incorporating a unit of study in Acadian history into the eighth grade Louisiana history curriculum and to report findings and recommendations, in writing, to the House Committee on Education and the Senate Committee on Education not later than sixty days prior to the beginning of the 2005 Regular Session.

Read by title.

Lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 165—**
**BY REPRESENTATIVES CROWE AND SCHNEIDER AND SENATORS BOASSO AND SCHEDLER**

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of The Honorable Gary Dragon, Judge of the City Court of Slidell.

Read by title.

On motion of Rep. Crowe, 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 6, 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. 1579, by J.D. Smith
Reported with amendments. (8-0) (Regular)

House Bill No. 1626, by Shepherd
Reported by substitute. (4-1-1) (Regular)

House Bill No. 1683, by Winston
Reported with amendments. (6-0) (Regular)

DANIEL MARTINY
Chairman

**Report of the Committee on Agriculture, Forestry, Aquaculture, and Rural Development**

May 5, 2004

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on May 5, 2004, I am directed by your Committee on Agriculture, Forestry, Aquaculture, and Rural Development to submit the following report:

House Concurrent Resolution No. 48, by Strain
Reported favorably. (14-0)

House Concurrent Resolution No. 113, by Baldone
Reported favorably. (14-0)

House Concurrent Resolution No. 137, by Odinet
Reported favorably. (15-0)

FRANCIS THOMPSON
Chairman

**Report of the Committee on Education**

May 6, 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. 16, by Doerge
Reported with amendments with recommendation to recommit the bill to the Committee on Appropriations. (11-0)

House Bill No. 257, by Crane
Reported with amendments. (13-0) (Regular)

House Bill No. 1498, by Crane
Reported with amendments. (12-2) (Regular)

House Bill No. 1503, by Scalise
Reported with amendments with recommendation to recommit the bill to the Committee on Appropriations. (14-0)

CARL CRANE
Chairman

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

May 6, 2004

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Health and Welfare to submit the following report:

House Concurrent Resolution No. 101, by Montgomery
Reported with amendments. (13-0)

House Bill No. 1264, by Daniel
Reported favorably. (13-0) (Regular)

Senate Bill No. 193, by Bajoie
Reported favorably. (13-0) (Regular)

Senate Bill No. 690, by Hines
Reported favorably. (13-0) (Regular)

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

Report of the Committee on House and Governmental Affairs
May 6, 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. 94, by Bruneau
Reported favorably. (7-0) (Regular)

House Bill No. 382, by E. Guillory
Reported with amendments. (7-0) (Regular)

House Bill No. 796, by Toomy (Joint Resolution)
Reported with amendments. (9-0)

House Bill No. 1215, by LaFleur
Reported with amendments. (8-0) (Regular)

House Bill No. 1229, by Murray
Reported with amendments. (7-2) (Regular)

House Bill No. 1436, by Bruneau
Reported with amendments. (7-0) (Regular)

Charles D. Lancaster, Jr.
Chairman

Report of the Committee on Insurance
May 6, 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. 345, by Hebert
Reported with amendments. (10-0) (Regular)

House Bill No. 349, by Hebert
Reported with amendments. (11-0) (Regular)

House Bill No. 523, by Hebert
Reported with amendments. (11-0) (Regular)

House Bill No. 797, by Tucker
Reported favorably. (10-0) (Regular)

House Bill No. 923, by Hebert
Reported by substitute. (10-0) (Regular)

House Bill No. 1053, by Hebert
Reported with amendments. (10-0) (Regular)

Karen Carter
Chair

Report of the Committee on Labor and Industrial Relations
May 5, 2004

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on May 5, 2004, I am directed by your Committee on Labor and Industrial Relations to submit the following report:

House Bill No. 191, by Faucheux
Reported with amendments. (8-0) (Regular)

House Bill No. 821, by Hunter
Reported with amendments. (7-0) (Regular)

Willie Hunter
Chairman

Report of the Committee on Retirement
May 6, 2004

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on May 5, 2004, I am directed by your Committee on Retirement to submit the following report:

House Bill No. 1084, by Pinac
Reported with amendments. (7-0) (Regular)

House Bill No. 1271, by DeWitt
Reported with amendments. (8-0) (Regular)

Pete Schneider
Chairman

Privileged Report of the Legislative Bureau
May 6, 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. 679
Reported with amendments.

Respectfully submitted,

Charles McDonald
Chairman

Suspension of the Rules

On motion of Rep. Ansardi, the rules were suspended to permit the Committee on Civil Law and Procedure to meet on Monday, May 10, 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. 658

Leave of Absence

Rep. Kennard - 1 day
Adjournment

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

The Speaker of the House declared the House adjourned until 2:00 P.M., Monday, May 10, 2004.

ALFRED W. SPEER
Clerk of the House