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:

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

Prayer

Prayer was offered by Father Joseph Campion.

Pledge of Allegiance

Rep. Walker 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. Montgomery, the reading of the Journal was dispensed with.

On motion of Rep. Downs, and under a suspension of the rules, the Journal of June 8, 2004, was corrected to reflect him as voting nay on final passage of House Bill No. 959.

On motion of Rep. Beard, the Journal of June 8, 2004, was adopted.

Petitions, Memorials and Communications

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

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 356: Reps. Martiny, Salter, and Alario.

Message from the Senate

HOUSE BILLS

June 8, 2004

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

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

- House Bill No. 6  Returned without amendments.
- House Bill No. 32  Returned with amendments.
- House Bill No. 50  Returned without amendments.
- House Bill No. 63  Returned without amendments.
- House Bill No. 106  Returned without amendments.
- House Bill No. 117  Returned without amendments.
- House Bill No. 175  Returned without amendments.
I am directed to inform your honorable body that the Senate has finally passed the following Senate Bills:

Senate Bill Nos. 352, 623, and 858

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Suspension of the Rules

On motion of Rep. Shepherd, 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. 352—
BY SENATOR BOISSIERE
AN ACT
To enact R.S. 11:416(A)(3)(c), relative to the Louisiana State Employees’ Retirement System; to provide with respect to reemployment of retired members; to provide with respect to earnings limitations, repayment of excess earnings, and notifications by the employing agency; to provide for an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 623—
BY SENATOR BOISSIERE
AN ACT
To amend and reenact R.S. 11:102(A) and (B)(3)(d), and 883.1(A), (B), (C)(1)(introductory paragraph) and to enact R.S. 11:102(B)(5), and to repeal R.S. 11:883.1(D), relative to state retirement systems; to provide relative to payment of unfunded accrued liabilities of the Teachers’ Retirement System of Louisiana; to provide for amortization of unfunded accrued liabilities over a thirty-year period or in accordance with standards promulgated by the Governmental Accounting Standards Board from the time of occurrence; to include negative employee experience account balances in the unfunded accrued liability; to provide for experience account credits; to provide for an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 858—
BY SENATORS KOSTELKA, MICHOT AND NEVERS AND REPRESENTATIVE WALSWORTH
AN ACT
To amend and reenact R.S. 51:2454(C)(1), to enact R.S. 51:2454(C)(1)(a)(i)(dd), and to repeal R.S. 51:2454(C)(2), relative to the Louisiana Quality Jobs Program; to provide for participation in the program for certain small Vision 2020 cluster businesses; 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. 95—
BY REPRESENTATIVE WALKER
A RESOLUTION
To commend Brad Golson and Jenny Byrd and members of the New Balance ticket upon their landslide victory in the LSU student government elections in the spring of 2004.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 302—
BY REPRESENTATIVES DOWNS AND GALLOW AND SENATOR KOSTELKA
A CONCURRENT RESOLUTION
To commend the late Guy P. Bordelon, Jr. on his military contributions during the Korean War.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 303—
BY REPRESENTATIVE BAUDOIN
A CONCURRENT RESOLUTION
To urge and request the State Board of Elementary and Secondary Education to revise the outdated curriculum on the history of the Acadian people in Louisiana, to make such curriculum available to city, parish, and other local school systems for use in Louisiana history classes, and to incorporate certain materials into such curriculum and to urge and request city, parish, and other local school systems to provide for the offering of such curriculum during the third week of September, recognized by House Concurrent Resolution No. 111 of the 2004 Regular Session as Acadian Heritage Week.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 304—
BY REPRESENTATIVE SCALISE
A CONCURRENT RESOLUTION
To memorialize congress to approve legislation to end the abuse of tort laws against the firearms industry and reject further gun control measures.

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

Ordered to the Senate.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 305—
BY REPRESENTATIVE FARRAR
A CONCURRENT RESOLUTION
To urge and request the secretary of the Department of Wildlife and Fisheries to review the agency's enforcement needs on state refuges and wildlife management areas and to evaluate the feasibility of assigning law enforcement powers to properly qualified employees in the wildlife and fur and refuge divisions, and to report his findings to the House and Senate Natural Resources Committees prior to the beginning of the 2005 Regular Session.

Read by title.

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

Ordered to the Senate.

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

SENATE CONCURRENT RESOLUTION NO. 148—
BY SENATOR FIELDS
A CONCURRENT RESOLUTION
To urge and request the Senate and House committees on transportation, highways and public works to meet and function as a joint committee for the purpose of studying and making recommendations regarding the operation of locomotives by remote control.

Read by title.

On motion of Rep. Quezaire, and under a suspension of the rules, the above resolution was referred to the Committee on Health and Welfare.

SENATE CONCURRENT RESOLUTION NO. 149—
BY SENATOR LENTINI
A CONCURRENT RESOLUTION
To create the Louisiana Commission on Decision-Making of Persons with Cognitive Disabilities to study resources currently in place to assist such persons with decision-making and to determine the feasibility of implementing a surrogate decision-making program in Louisiana in order to ensure that people with cognitive disabilities have access to impartial assistance with decision-making.

Read by title.

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

SENATE BILL NO. 182—
BY SENATOR LENTINI (On Recommendations of the Louisiana State Law Institute)
AN ACT
To amend and reenact Civil Code Arts. 1493(A) and 1582.1 and to repeal Civil Code Art. 1493(E), relative to the different modes
of acquiring the ownership of things; to provide relative to the
validity of testaments; to provide relative to witness to
testaments; to provide relative to forced heirs; to provide for
permanently incapable persons as forced heirs; to provide for
spouses as witnesses to testaments; to provide for transitional
rules; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 622——
BY SENATOR BOISSIER
AN ACT
To amend and reenact R.S. 11:102(A) and (B)(3)(d), and 542(A),
(B), (C)(1)(introductory paragraph), and (D), and to enact R.S.
11:102(B)(5), relative to state retirement systems; to provide
for amortization of unfunded accrued liabilities of the
Louisiana State Employees' Retirement System; to provide for
experience account credits; to provide for an effective date; and
to provide for related matters.

Read by title.

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

SENATE BILL NO. 877 (Substitute for Senate Bill No. 511 by
Senator Ellington)—
BY SENATORS ELLINGTON AND MICHOT
AN ACT
To enact Chapter 8-K of Title 45 of the Louisiana Revised Statutes
of 1950, to be comprised of R.S. 45:844.40 through 844.54, relative to telecommunications; to create the "Local Government
Fair Competition Act"; to provide for legislative findings; to
provide for definitions; to provide limitations for providing
certain cable television, telecommunications, and advanced
services; to establish procedures for offering certain cable
television, telecommunications, and advanced services; to
provide for public hearings; to provide certain quality of service
standards; to provide for enforcement and appeal; 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. 334——
BY SENATORS HAINKEL AND HOLLIS
AN ACT
To enact R.S. 22:230.6, relative to health insurance; to authorize
health plans to offer mandate-free coverage to individuals and
small groups on an optional basis; provides that health plans
continue offering coverage that includes all mandates; provides
that health plans offering mandate-free coverage disclose
benefits not included at the time of application; and to provide for
related matters.

Called from the calendar.

Read by title.
(a) Includes coverage for specific health care services or benefits.

(b) Places limitations or restrictions on deductibles, coinsurance, copayments, or any annual or lifetime maximum benefit amounts.

(c) Includes a specific category of licensed health care practitioners from which an insured is entitled to receive care.

(d) Requires coverage for all services that a health care practitioner recommends that are consistent with generally accepted principles of professional medicine or a similar standard.

B. A health insurer or health maintenance organization properly authorized in this state may offer one or more flexible health benefits policies, contracts, or agreements. In offering such a policy, contract, or agreement, the health insurer or health maintenance organization shall do each of the following:

(1) Provide written notice to the proposed insured, subscriber, or enrollee, as required in Subsection C of this Section.

(2) Make available to the proposed insured, subscriber, or enrollee, subject to underwriting, at least one health insurance policy, contract, or agreement that provides all state-mandated health benefits.

(3) Provide a list of current state-mandated health benefits to the proposed insured, subscriber, or enrollee.

C. For flexible health benefits policies, contracts, or agreements, the written notice required in Paragraph (B)(1) shall include in bold type within or accompanying the written application for such policy, contract, or agreement the following:

“You have the option to select a flexible health benefits policy, contract, or agreement which is not subject to all of the state-mandated health benefits normally required in insurance policies, contracts, or agreements in this state. You have been provided a list of specific services and benefits mandated to be covered under Louisiana law. This flexible health benefits policy, contract, or agreement may provide a more affordable health insurance policy, contract, or agreement for you. At the same time, it may provide you with fewer health benefits than those normally imposed on health June 9, 2004 insurance policies, contracts, or agreements in Louisiana. If you are considering this option, please consult with your insurance producer to learn the degree to which the flexible health benefits policy, contract, or agreement does not provide benefits equal to those policies, contracts, or agreements subject to state-mandated health benefits.”

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

Motion

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

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 RESOLUTION NO. 20—
BY REPRESENTATIVES CAZAYOUX AND ST. GERMAIN
A RESOLUTION
To urge and request the state Department of Education to work cooperatively with the federal government and city, parish, and other local school systems to develop school menus containing foods that will foster lifelong healthy eating habits and particularly foods containing marine-source long chain Omega-3 fatty acids.

Read by title.
Reported favorably by the Committee on Education.

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

HOUSE RESOLUTION NO. 82—
BY REPRESENTATIVE MURRAY
A RESOLUTION
To urge and request the Louisiana Gaming Control Board to review the employment and contracting practices of certain gaming licensees regarding minority recruitment and hiring and contracting with minority owned businesses to determine compliance with Louisiana law.

Read by title.
Reported favorably by the Committee on Administration of Criminal Justice.

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

HOUSE CONCURRENT RESOLUTION NO. 179—
BY REPRESENTATIVES MARCHAND AND MURRAY
A CONCURRENT RESOLUTION
To urge and request collaboration with the Department of Health and Hospitals to study any unintended, negative effects on students of the implementation of the Louisiana Educational Assessment Program for the 21st Century (LEAP 21) for the time period of 1999 through 2004.

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 Concurrent Resolution No. 179 by Representative Marchand

AMENDMENT NO. 1
On page 1, line 2, delete "the State Board of Elementary and Secondary Education, in" and at the beginning of line 3, delete "collaboration with"

AMENDMENT NO. 2
On page 2, line 4, after "WHEREAS," delete "most urban" and insert "many"
AMENDMENT NO. 3
On page 2, line 7, after "WHEREAS," change "urban" to "many"

AMENDMENT NO. 4
On page 2, line 13, delete "the State Board of Elementary and Secondary Education, in collaboration with"

AMENDMENT NO. 5
On page 2, line 21, delete "president of the State Board of Elementary and Secondary Education and the"

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

AMENDMENT NO. 6
On page 2, line 7, change "(11)" to "(10)"

AMENDMENT NO. 7
On page 2, line 10, change "(13)" to "(12)"

HOUSE CONCURRENT RESOLUTION NO. 251—
BY REPRESENTATIVES JANE SMITH, M. POWELL, AND WADDELL
AND SENATORS CHEEK AND JACKSON
A CONCURRENT RESOLUTION
To urge and request each public postsecondary education institution that offers an approved teacher education degree program and requires as part of such program that each student enrolled in the program successfully pass all parts of the PRAXIS test prior to performing the student teaching component of the program, to instead allow any such student who has not passed all parts of the PRAXIS test to perform the student teaching component while the student continues to take the PRAXIS test.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

HOUSE CONCURRENT RESOLUTION NO. 252—
BY REPRESENTATIVE MORRISH
A CONCURRENT RESOLUTION
To create the Naturopathic Medicine Task Force to study the feasibility of licensing naturopathic physicians.

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 Concurrent Resolution No. 252 by Representative Morrish

AMENDMENT NO. 1
On page 1, line 18, change "Louisiana Association of Holistic Health" to "Trinity College of Natural Health, Inc."

AMENDMENT NO. 2
On page 2, line 3, change "International Sclerology Institute" to "Coalition for Natural Health"

AMENDMENT NO. 3
On page 2, delete line 5 in its entirety

AMENDMENT NO. 4
On page 2, line 6, change "(10)" to "(9)"

AMENDMENT NO. 5
On page 2, line 7, change "(11)" to "(10)"

AMENDMENT NO. 6
On page 2, line 8, change "(12)" to "(11)"

AMENDMENT NO. 7
On page 2, line 10, change "(13)" to "(12)"
AMENDMENT NO. 8
On page 2, line 11, change "(14)" to "(13)"

AMENDMENT NO. 9
On page 2, line 12, change "(15)" to "(14)"

AMENDMENT NO. 10
On page 2, line 14, change "(16)" to "(15)"

AMENDMENT NO. 11
On page 2, between lines 18 and 19 insert:

"BE IT FURTHER RESOLVED that the chair of the task force shall be the chairman of the House Health and Welfare Committee or his designee.

BE IT FURTHER RESOLVED that the task force shall meet for the first time not later than September 1, 2004."

AMENDMENT NO. 12
On page 2, line 27, change "the Louisiana Association of Holistic Health" to "Trinity College of Natural Health, Inc."

AMENDMENT NO. 13
On page 2, line 29, change "International Sclerology Institute" to "Coalition for Natural Health"

AMENDMENT NO. 14
On page 2, line 30 delete "Gulf South Hypnotherapy Association."

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

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

HOUSE CONCURRENT RESOLUTION NO. 253—
BY REPRESENTATIVE CRANE
A CONCURRENT RESOLUTION
To urge and request the Board of Regents to use opportunities and resources available through the national "Changing Direction: Integrating Higher Education Financial Aid and Financing Policies" project of the Western Interstate Commission for Higher Education to involve appropriate state officials in activities and discussions that will facilitate the development of specific plans and recommendations pursuant to Act No. 1105 of the 2003 Regular Session relative to the formulation by the board and subsequent consideration for approval by the legislature of a state tuition and fee policy, will assist the board in the development of a comprehensive state plan for postsecondary student financial assistance, and will better enable the board to meet the need for overall state financial strategies and policies that support the goals and objectives of the board's Master Plan for Public Postsecondary Education: 2001.

Read by title.

Reported favorably by the Committee on Education.

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

HOUSE CONCURRENT RESOLUTION NO. 256—
BY REPRESENTATIVE JACKSON
A CONCURRENT RESOLUTION
To direct all pertinent health care provider licensing boards and commissions and law enforcement and firefighters associations to provide their licensees and professionals access to comprehensive hepatitis C continuing education information.

Read by title.

Reported favorably by the Committee on Health and Welfare.

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

HOUSE CONCURRENT RESOLUTION NO. 257—
BY REPRESENTATIVE FRITH
A CONCURRENT RESOLUTION
To urge and request charter fishing boat captains to respond to surveys of effort conducted by the Department of Wildlife and Fisheries.

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. 263—
BY REPRESENTATIVE DOWNS
A CONCURRENT RESOLUTION
To urge and request the Board of Regents to study the need for and feasibility of establishing a single board for the governance, management, and supervision of all public postsecondary education, including but not limited to the advantages and disadvantages of such a governance structure and any potential cost savings associated therewith, and to report study findings and recommendations in writing to the legislature, with copies sent to the House Committee on Education and the Senate Committee on Education at least sixty days prior to the start of the 2005 Regular Session.

Read by title.

Reported favorably by the Committee on Education.

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

HOUSE CONCURRENT RESOLUTION NO. 270—
BY REPRESENTATIVE BROOME
A CONCURRENT RESOLUTION
To urge and request the Department of Health and Hospitals to evaluate, research, and analyze policies, programs, statutes, and regulations to develop a comprehensive work plan that removes barriers impeding community-based alternatives, effectively and efficiently utilizes long-term care resources, and is responsive to the support service needs of disabled and aged persons in the most integrated settings possible.

Read by title.

Reported favorably by the Committee on Health and Welfare.

On motion of Rep. Durand, the resolution was ordered engrossed and passed to its third reading.
HOUSE CONCURRENT RESOLUTION NO. 273—
BY REPRESENTATIVE DORSEY
A CONCURRENT RESOLUTION
To urge and request the Department of Public Safety and Corrections

to request an opinion from the office of the attorney general
regarding the constitutionality of utilizing medications to
facilitate confessions prior to imposition of capital punishment
and to examine the feasibility of utilizing medications to
facilitate confessions of other crimes prior to the imposition of
capital punishment.

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 Concurrent Resolution No. 273
by Representative Dorsey

AMENDMENT NO. 1
On page 1, line 2, after "request the" and before "to provide" change "secondary education"

AMENDMENT NO.  2
On page 1, at the beginning of line 3, change "possibility" to "feasibility"

AMENDMENT NO. 3
On page 1, line 16, after "request the" and before "to provide" change "state Department of Education" to "State Board of Elementary and Secondary Education"

AMENDMENT NO. 4
On page 1, line 18, after "period" delete the period and insert a comma "," and add the following:

"and to examine the feasibility of utilizing medications to facilitate
such confessions upon the issuance of an opinion by the office of the
attorney general that such practice would not violate the provisions
of the constitutions of the United States or the state of Louisiana."

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

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

SENATE CONCURRENT RESOLUTION NO. 31—
BY SENATOR HOLDEN
A CONCURRENT RESOLUTION
To urge and request the state Department of Education to provide to

the Louisiana Legislature, through the members of the Senate
Committee on Education and the House Committee on
Education, a report on school performance, as measured by the
school and district accountability program, excluding the effect
of the test results of students who are classified as special
education students, other than those that are gifted and talented.

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 Senate Concurrent Resolution No. 31 by Senator Holden

AMENDMENT NO. 1
On page 1, line 2, after "request the" and before "to provide" change "state Department of Education" to "State Board of Elementary and Secondary Education"

AMENDMENT NO.  2
On page 2, line 16, after "request the" and before "to provide" change "state Department of Education" to "State Board of Elementary and Secondary Education"

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

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

SENATE CONCURRENT RESOLUTION NO. 49—
BY SENATOR HOLDEN
A CONCURRENT RESOLUTION
To urge and request the Board of Regents to develop a plan for the
coordinated expansion of community colleges throughout the
state which accounts for and includes the provision of
educational services as well as the needed capital facility.

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
Reengrossed Senate Concurrent Resolution No. 49 by Senator
Holden

AMENDMENT NO. 1
On page 1, line 3, after "of" and before "throughout" change "community colleges" to "the community and technical colleges"

AMENDMENT NO.  2
On page 1, line 13, after "WHEREAS," and before "the Board" delete "as?"
AMENDMENT NO. 3
On page 2, line 1, after "Supervisors of" delete the remainder of the line and at the beginning of line 2, delete "Technical College System" and insert "Community and Technical Colleges"

AMENDMENT NO. 4
On page 2, line 5, after "from the Board of Supervisors "of" delete the remainder of the line and at the beginning of line 6, change "Community and Technical College System," to "Community and Technical Colleges,"

AMENDMENT NO. 5
On page 2, at the beginning of line 7, change "of community colleges and vocational technical schools" to "of the community and technical colleges"

AMENDMENT NO. 6
On page 2, line 9, after "within the" and before "based" change "system" to "Louisiana Community and Technical College System"

AMENDMENT NO. 7
On page 2, at the beginning of line 16, change "commission" to "commissioner"

AMENDMENT NO. 8
On page 2, at the end of line 17, delete "the Louisiana"

AMENDMENT NO. 9
On page 2, at the end of line 18, change "College." to "Colleges."

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

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

SENATE CONCURRENT RESOLUTION NO. 104—
BY SENATOR HOLDEN
A CONCURRENT RESOLUTION
To urge and request the Louisiana Community & Technical College System to study the feasibility of adoption of the Ohio University "Skills Max" program which was created to incorporate assessments with job-matching opportunities.

Read by title.

Reported favorably by the Committee on Education.

On motion of Rep. Crane, the resolution was ordered passed to its third reading.

SENATE CONCURRENT RESOLUTION NO. 136—
BY SENATOR JACKSON
A CONCURRENT RESOLUTION
To continue and provide for the Louisiana Task Force on Indigent Defense Services.

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 Senate Concurrent Resolution No. 136 by Senator Jackson

AMENDMENT NO. 1
On page 5, between lines 11 and 12, insert "(38) The director of the Juvenile Justice Project of Louisiana."

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

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

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. 23—
BY SENATOR MOUNT
AN ACT
Racing Commission; to increase the at-large membership of the commission; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on Commerce to Reengrossed Senate Bill No. 23 by Senator Mount

AMENDMENT NO. 1
On page 1, line 15, after "district and" delete "additionally" and after "four persons" insert "at large,"

AMENDMENT NO. 2
On page 1, delete lines 16 and 17 and one page 2, delete line 1 and at the beginning of line 2, delete "parish," and insert in lieu thereof "all appointed by the governor."

Reported without amendments by the Legislative Bureau.
On motion of Rep. Pinac, the amendments were adopted.

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 177**

**BY SENATOR HAINKEL**

**AN ACT**

To amend and reenact Chapters 8 and 9 of Title II of Book III of the Civil Code, to be comprised of Articles 1734 through 1743, and 1744 through 1751, relative to donations; to provide relative to donation made inter vivos in contemplation of marriage by third persons; to provide relative to interspousal donation; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 177 by Senator Hainkel

**AMENDMENT NO. 1**

On page 5, line 21, after "To" and before "extent" change "the" to "that"

**AMENDMENT NO. 2**

On page 8, line 21, change "prospective" to "present"

**AMENDMENT NO. 3**

On page 10, after line 12, insert the following:

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

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

**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.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Commerce to Reengrossed Senate Bill No. 366 by Senator Hines

**AMENDMENT NO. 1**

On page 1, line 2, after "reenact" delete the remainder of the line and insert in lieu thereof "R.S. 40:1484.4(C)(4)(c) and (e),"

**AMENDMENT NO. 2**

On page 1, line 6, after "Section 1." delete the remainder of the line and insert in lieu thereof "R.S. 40:1484.4(C)(4)(c) and (e) are"

**AMENDMENT NO. 3**

On page 1, delete lines 11 through 17 in their entirety and on page 2, delete line 1 through 9 in their entirety and insert in lieu thereof the following:

"(4) * * *"

**AMENDMENT NO. 4**

On page 2, delete lines 24 through 27 in their entirety

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 586**

**BY SENATOR DARDENNE**

**AN ACT**

To enact R.S. 32:1254.2, relative to motor vehicles; to authorize the to the distribution and sale of motor vehicles; to provide a procedure for applying to the commission for an advisory opinion and for declaratory orders; to provide relative to sales conditioned on financing; to provide certain requirements for suppliers of mechanical repairs and services for motor vehicles; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Commerce to Reengrossed Senate Bill No. 586 by Senator Dardenne

**AMENDMENT NO. 1**

On page 1, line 8, after "vehicles;" insert "to provide for recovery of vehicle in certain instances;"

**AMENDMENT NO. 2**

On page 2, at the end of line 24, after "unlocked" delete the period "." and insert in lieu thereof "and without a breach of peace."

Reported without amendments by the Legislative Bureau.

On motion of Rep. Pinac, the amendments were adopted.
On motion of Rep. Pinac, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

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.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS
Arms proposed by House Committee on Education to Reengrossed Senate Bill No. 641 by Senator Malone

AMENDMENT NO. 1
On page 1, line 12, after "and" and before "Spouse" change "permanently disabled." to "is permanently disabled as a result of an injury sustained in the performance of his duties as a firefighter."

AMENDMENT NO. 2
On page 1, line 14, after "injury" and before "which" insert "which occurred in the performance of his duties as a firefighter and"

AMENDMENT NO. 3
On page 1, line 15, after "the" and before "death." change "firefighters" to "firefighter's"

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS
Arms proposed by Legislative Bureau to Reengrossed Senate Bill No. 641 by Senator Malone

AMENDMENT NO. 1
On page 3, line 4, at the beginning of the line, change "B." to "D."

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 668—
BY SENATOR HOLLIS
AN ACT
To enact R.S. 6:418.1, relative to financial institutions; to provide that only chartered financial institutions may accept, pay, or hold deposits; to provide for criminal penalties and fines; 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. Pinac, the amendments were adopted.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 680—
BY SENATOR BOISSIERE
AN ACT
To amend and reenact R.S. 13:5102(B), relative to suits against the state; to provide for definitions; to limit liability for entities which manage certain public transit authorities; to provide relative to the employees of such entities; 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. Johns, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.
SENATE BILL NO. 852—
BY SENATORS CHAISSON AND DUPRE
AN ACT
To amend and reenact R.S. 14:98 (C)(1) and to enact R.S. 32:413.1 and Code of Criminal Procedure Art. 894 (D)(3), relative to driving privileges; to provide for driver's license suspension in certain cases; to provide exclusions; to provide for a driver violation point system for young drivers; to provide for implementation and maintenance of an electronic database, by cooperative endeavor agreements, for pleas entered relative to operating a vehicle while intoxicated; and to provide for related matters.

On motion of Rep. Pinac, 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. 1489—
BY REPRESENTATIVE JOHNS
AN ACT
To enact R.S. 6:966.1, relative to default remedies; to provide for a notice of repossession; to provide for contents of the notice; to provide for fees; and to provide for related matters.

On motion of Rep. Quezaire, 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.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Flavin gave notice of his intention to call House Bill No. 1489 from the calendar for future action.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Martiny gave notice of his intention to call Senate Bill No. 401 from the calendar for future action.

Suspension of the Rules

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

House Bills and Joint Resolutions on Third Reading and Final Passage

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

HOUSE BILL NO. 1005—
BY REPRESENTATIVES MONTGOMERY AND CURTIS
AN ACT
To amend and reenact R.S. 11:2175(E)(1), relative to the Sheriffs’ Pension and Relief Fund; to provide an earnings limitation for retirees who return to part-time employment; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Montgomery moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Frith Powell, M.
Alario Futrell Powell, T.

1750
The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1327—
BY REPRESENTATIVE LANCASTER
AN ACT
To amend and reenact R.S. 17:2354(F), relative to anatomical gifts; to provide for the manner in which a gift may be made; to correct a statutory reference; and to provide for related matters.

Read by title.

Rep. Lancaster moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Frith
Alario Futrell

Total—88

NAYS

Flavin Pinac

Total—0

ABSENT

Baylor Geymann Morrell

Total—0

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1595—
BY REPRESENTATIVE CROWE
AN ACT
To amend and reenact R.S. 15:541(14.1) and to enact R.S. 14:283.1, relative to sex offenses; to create the crime of voyeurism; to provide for criminal penalties; to provide with respect to sex offender registration and notification requirements; to provide with respect to the definition of "sex offense"; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Crowe, the bill was returned to the calendar.
HOUSE BILL NO. 1724 (Substitute for House Bill No. 1214 by Representative Schneider)—
BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 11:502 and 502.2(A) and (B)(1), relative to the Louisiana State Employees' Retirement System; to provide for eligibility to participate in the optional retirement plan; to provide for transfer from the optional retirement plan to the defined benefit plan; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Schneider moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Baylor  Katz  Odinet
Bruce  Kennard
Downs  Morrish
Total—7

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1725 (Substitute for House Bill No. 323 by Representative Pinac)—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 6:969.37, relative to the Louisiana Motor Vehicle Sales Finance Act; to provide relative to licensing for consumer loans and consumer credit sales; to provide for hearings; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Pinac to Engrossed House Bill No. 1725 by Representative Pinac

AMENDMENT NO. 1

On page 1, line 8, after "A." insert "(1)"

AMENDMENT NO. 2

On page 1, delete line 15 and insert in lieu thereof "the applicant."

AMENDMENT NO. 3

On page 1, between lines 15 and 16 insert the following:

"(2) As part of the pertinent information considered, the commission shall consider information relative to all of the following:

(a) Financial standing and business integrity of the applicant.

(b) Ability of the applicant to conduct properly the business for which a license is sought.

(c) Adequacy of the applicant's established place of business for the purpose for which a license is sought.

(d) Effect on the motor vehicle finance business and the consuming public in the community or territory and state of Louisiana."

AMENDMENT NO. 4

On page 1, at the beginning of line 17, after "that the" delete the remainder of the line and insert "applicant, and of the members"

AMENDMENT NO. 5

On page 3, delete lines 15 through 18 in their entirety

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

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

ROLL CALL

The roll was called with the following result:
YEAS

Mr. Speaker  Flavin  Odinet
Alario  Frith  Pierre
Alexander  Futrell  Pinac
Ansardi  Gallot  Pitre
Arnold  Geymann  Powell, M.
Badon  Glover  Powell, T.
Baldone  Gray  Quezaire
Baudoin  Guillory, E.  Ritchie
Beard  Guillory, M.  Robideaux
Bowler  Hammet  Scalise
Broome  Heaton  Schneider
Bruneau  Hebert  Smiley
Burns  Hill  Smith, G.—56th
Burrell  Honey  Smith, J.—50th
Carter, K.  Hopkins  Smith, J.H.—8th
Carter, R.  Hunter  Smith, J.R.—30th
Cazayoux  Hutter  St. Germain
Crane  Jackson  Strain
Crowe  Jefferson  Thompson
Curtis  Johns  Toomy
Damico  Kenney  Townsend
Daniel  LaBruzzo  Trahan
Dartez  Lafleur  Triche
DeWitt  Lambert  Tucker
Doerge  Lancaster  Waddell
Dorsey  Marchand  Walker
Dove  Martiny  Walsworth
Durand  McDonald  White
Erdey  McVea  Winston
Fannin  Montgomery  Wooton
Farrar  Morrell  Wright
Faucheux  Murray  Total—95

NAYS

Total—0

ABSENT

Baylor  Downs  Total—9
Bruce  Katz  Richmond
Kennard  Romerio
Morrish  Shepherd

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

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. 97—
BY SENATOR ADLEY (By Request)
AN ACT
To amend and reenact R.S. 37:2301, 2302(2) and (3), 2303(A)(5), 2308, 2309(B), (D),(G), (H), (K) and (L), 2313(A)(2)(d) and (e), and 2317(B), relative to the maintenance and repair of citizen band radios; to repeal requirements that a person must be licensed by the Louisiana State Radio and Technicians Board in order to repair a citizen band radio; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Montgomery moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker  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.  Ritchie
Beard  Guillory, M.  Robideaux
Bowler  Hammet  Scalise
Broome  Heaton  Schneider
Bruneau  Hebert  Smiley
Burns  Hill  Smith, G.—56th
Burrell  Honey  Smith, J.—50th
Carter, K.  Hopkins  Smith, J.H.—8th
Carter, R.  Hunter  Smith, J.R.—30th
Cazayoux  Hutter  St. Germain
Crane  Jackson  Strain
Crowe  Jefferson  Thompson
Curtis  Johns  Toomy
Damico  Kenney  Townsend
Daniel  LaBruzzo  Trahan
Dartez  Lefleur  Triche
DeWitt  Lambert  Tucker
Doerge  Lancaster  Waddell
Dorsey  Marchand  Walker
Dove  Martiny  Walsworth
Durand  McDonald  White
Erdey  McVea  Winston
Fannin  Montgomery  Wooton
Farrar  Morrell  Wright
Faucheux  Murray  Total—97

NAYS

Total—0

ABSENT

Baylor  Downs  Total—9
Bruce  Katz  Richmond
Kennard  Romerio
Morrish  Shepherd

The Chair declared the above bill was finally passed.

Rep. Montgomery moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.
SENATE BILL NO. 190—
BY SENATOR LENTINI

AN ACT
To amend and reenact R.S. 9:203(E), relative to marriage officiants, judges and justices of the peace; to extend the authority for certain federal judges to preside over a marriage ceremony until December, 2004; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Martiny to Reengrossed Senate Bill No. 190 by Senator Lentini

AMENDMENT NO. 1

On page 2, line 5, after "shall" delete the remainder of the line and insert "only be effective from October 1, 2004, through October 31, 2004."

AMENDMENT NO. 2

On page 2, line 8, after "shall" delete the remainder of the line and insert "only be effective from December 1, 2004, through"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Bowler

NAYS

Morrish

White

Murray

Winston

Odinet

Wright

Pierre


Farrar

Faucheux

Flavin

Frith

Total—95

Bowler

Total—1

SAH:

By Senators Theunissen, Cheek and Marionneaux

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

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Hutter and Tucker to Reengrossed Senate Bill No. 46 by Senator Theunissen

AMENDMENT NO. 1

On page 2, line 19, after "individuals" delete "with" and insert "and which is prescribed by a physician for"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker

Alario

Alexander

Ansardi

Arnold

Badon

Baldone

Baudoin

Beard

Broome

Bruneau

Burns

Burrell

Carter, K.

Carter, R.

Cazayoux

Crane

Crowe

Curtis

Dumico

Daniel

DeWitt

Doerge

Dorsey

Dove

Durand

Erdey

Fannin

Futrell

Gallot

Geymann

Glover

Gray

Guillory, E.

Guillory, M.

Hammett

Heaton

Hill

Honey

Hunter

Hutter

Jackson

Jefferson

Johns

Kennard

Kenney

LaBrazzo

LaFleur

Lambert

Lancaster

Marchand

Martiny

McDonald

McVeA

Montgomery

Morrell

Pitre

Powell, M.

Powell, T.

Quezaire

Richmond

Ritchie

Robideaux

Romero

Scalise

Schneider

Shepherd

Smiley

Smith, G.—56th

Smith, J.D.—50th

Smith, J.H.—8th

Smith, J.R.—30th

St. Germain

StRAIN

Toomy

Townsend

Trahan

Triche

Tucker

Waddell

Walker

Walsworth

Total—8

The Chair declared the above bill was finally passed.

Rep. Martiny 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.
Carter, K. Hutter Smith, G.—56th
Carter, R. Jackson Smith, J.D.—50th
Cazayoux Johns Smith, J.H.—8th
Crane Kennard Smith, J.R.—30th
Crowe Kenney St. Germain

The roll was called with the following result:

**YEAS**

Total—92

**NAYS**

Total—0

**ABSENT**

Total—5

The Chair declared the above bill was finally passed.

Rep. Tucker 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. 52—

BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 9:3198(A), relative to real estate; to provide relative to the sale of such property; to provide relative to homeowners' associations; to require disclosure by the seller to a potential purchaser of required membership in such an association as a result of the purchase; to require information relative to accessibility of certain documents of such homeowners' association; to provide for definitions; and to provide for related matters.

Amendments proposed by Representative Flavin to Engrossed Senate Bill No. 52 by Senator Ullo

AMENDMENT NO. 1

On page 2, after line 17, insert the following:

"Section 2. This Act shall become effective on July 1, 2005; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 2005, or on the day following such approval by the legislature, whichever is later."

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

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

ROLL CALL

The roll was called with the following result:

**YEAS**

Mr. Speaker Frith Odinet
Alario Futtrel Pierre
Alexander Gallot Pitre
Ansardi Geymann Powell, M.
Arnold Glover Powell, T.
Badon Gray Quezaire
Baldone Guillory, E. Richmond
Baudoin Guillory, M. Ritchie
Beard Hammett Robideaux
Bowler Heathon Romero
Broome Hebert Scalie
Bruneau Hill Schneider
Burns Honey Shepheard
Burrell Hopkins Smiley
Carter, K. Hunter Smith, J.—56th
Carter, R. Hutter Smith, J.—50th
Cazayoux Jackson Smith, J.—8th
Crane Jefferson Smith, J.—30th
Crowe Johns St. Germain

Total—99

**NAYS**

Total—0

**ABSENT**

Baylor Curtis Pinac
Bruce Montgomery

Total—5

The Chair declared the above bill was finally passed.

Rep. Shepherd 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. 138—

BY SENATOR SCHEDLER

AN ACT

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

Read by title.
Rep. Strain 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>
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<td>Alario</td>
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<td>Total—91</td>
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<th>NAYS</th>
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The Chair declared the above bill was finally passed.

Rep. Strain 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. 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.

Motion

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

**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.

Rep. Fannin moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

<table>
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<th>YEAS</th>
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<tr>
<td>Mr. Speaker</td>
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<td>Alario</td>
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<tr>
<td>Alexander</td>
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<td>Ansardi</td>
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<td>Total—99</td>
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<td>Total—0</td>
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The Chair declared the above bill was finally passed.
Rep. Fannin 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. 226—
BY SENATOR DARDENNE
AN ACT
To amend and reenact R.S. 35:12(A), (B), and (D), relative to notaries public; to provide relative to names required on notarial acts; to authorize the use of initials; to provide that such names need not necessarily be Christian names; to authorize the use of stamps for the application of such names; and to provide for related matters.

SENATE BILL NO. 226—
BY SENATOR DARDENNE
AN ACT
To amend and reenact R.S. 35:12(A), (B), and (D), relative to notaries public; to provide relative to names required on notarial acts; to authorize the use of initials; to provide that such names need not necessarily be Christian names; to authorize the use of stamps for the application of such names; and to provide for related matters.

SENATE BILL NO. 226—
BY SENATOR DARDENNE
AN ACT
To amend and reenact R.S. 35:12(A), (B), and (D), relative to notaries public; to provide relative to names required on notarial acts; to authorize the use of initials; to provide that such names need not necessarily be Christian names; to authorize the use of stamps for the application of such names; and to provide for related matters.

SENATE BILL NO. 226—
BY SENATOR DARDENNE
AN ACT
To amend and reenact R.S. 35:12(A), (B), and (D), relative to notaries public; to provide relative to names required on notarial acts; to authorize the use of initials; to provide that such names need not necessarily be Christian names; to authorize the use of stamps for the application of such names; 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 Reengrossed Senate Bill No. 226 by Senator Dardenne

AMENDMENT NO. 1
On page 1, line 2, after "(D)" and before "relative" delete the comma "," and insert "and 511(3),"

AMENDMENT NO. 2
On page 1, line 5, after "names;" and before "and" insert "to provide relative to signatures on forms of acknowledgments;"

AMENDMENT NO. 3
On page 1, line 7, after "(D)" and before "are" delete the comma "," and insert "and 511(3),"

AMENDMENT NO. 4
On page 2, after line 19, add the following:

"§511. Forms of acknowledgment

Either the forms of acknowledgment now in use in this state, or the following, may be used in the case of conveyances or other written instruments, whenever such acknowledgment is required or authorized by law for any purpose:

(Begin in all cases by a caption specifying the state and place where the acknowledgment is taken).

*   *   *

3. In the case of corporations or joint stock associations:

On this _______ day of ________, 19___, before me appeared A B, to me personally known, who, being by me duly sworn (or affirmed) did say that he is the president (or other officer or agent of the corporation or association), of (describing the corporation or association), and that the seal affixed to said instrument is the corporate seal of said corporation (or association) and that the instrument was signed and sealed in behalf of the corporation (or association) by authority of its board of directors (or trustees) and that A B acknowledged the instrument to be the free act and deed of the corporation (or association).

(In case the corporation or association has no corporate seal, omit the words "the seal affixed to said instrument is the corporate seal of the corporation (or association), and that" and add, at the end of the affidavit clause, the words "and that the corporation (or association) has no corporate seal").

(In all cases add signature and title of the officer taking the acknowledgment). (In all cases, acknowledgments taken in this state shall be signed in conformity with the provisions of R.S. 35:12 and either Article 1836 of the Louisiana Civil Code or R.S. 13:3720)."

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 Frith Pinac
Alario Futrell Pitre
Alexander Gallot Powell, M.
Ansardi Geymann Powell, T.
Arnold Glover Quezaire
Badon Ritchie Richmond
Baldone Guillory, E. Robideaux
Baudoin Guillory, M. Romero
Beard Hammett Scalise
Bowler Heaton Schneider
Broome Hill Shephard
Bruneau Honey Smiley
Burns Hopkins Smith, G.—56th
Burrell Hutter Smith, J.—50th
Carter, K. Jackson Smith, J.H.—8th
Carter, R. Jefferson Smith, J.R.—30th
Cazayoux Johns St. Germain
Crate Katz Strain
Crowe Kennard Thompson
Curtis Kenney Toomy
Damico LaBruzzo Townsend
Daniel LaFleur Trafah
DeWitt Lambert Triche
Dertez Lancaster Tucker
Doerge Marchand Waddell
Dorsey McDonald Walker
Dove McVea Walsworth
Downs Montgomery White
Durand Morrell Winston
Erdy Morrish Wright
Farrar Murray Wooton
Fauchex Odinet
Flavin Pierre

Total—100

NAYS

Total—0

ABSENT

Baylor Hebert
Bruce Hunter

Total—4

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

SENATE BILL NO. 227—
BY SENATOR DARDENNE (On Recommendation of the La State Law Institute)

AN ACT
To amend and reenact R.S. 9:1149.5, 4521 (introductory paragraph), 4870(B)(introductory paragraph) and 4888(B)(introductory paragraph); R.S. 10:9-102(a)(2), (40), and (46), 9-107.1(b), 9-107.2, 9-109(d)(11)(C), 9-304(b)(1), 9-309(1), 9-311(b), 9-316(f)(introductory paragraph), 9-408(c)(introductory paragraph) and (d)(introductory paragraph), 9-409(a)(introductory paragraph), 9-501(a)(2), 9-513(a)(2) and (c)(introductory paragraph) and 9-516(a)(2); R.S. 32:706(D) and 710(F); and R.S. 39:1430.1, relative to security devices on movable property; to provide for uniformity between the Uniform Commercial Code and Louisiana law; to provide for definitions of account, fixture filings, and health-care-insurance-receivables; to provide for the consent of the beneficiary to a security interest life insurance policy; to provide for exercising control conditioned on default; to provide for the scope of fixture filings; to provide rules determining a bank's jurisdiction; to provide for the relation of titled motor vehicles to provisions of commercial laws relative to secured transactions; to provide for restrictions on assignments; to provide for the place of filing, the need for filing termination statements, and for what constitutes filing; to provide for the relation of the oil and gas lien law to provisions of commercial laws relative to secured transactions; to provide for security devices on a manufactured home; to provide for security devices by public entities; to provide for the correction of citations; and to provide for related matters.

Read by title.

Rep. Futrell moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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.

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.

Called from the calendar.

Read by title.

Rep. Cazayoux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS
The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 267—

BY SENATORS ULLO, HAINKEL, HOLLIS, LENTINI, DUPRE AND HEITMEIER AND REPRESENTATIVES ALARIO, ANSARDI, BOWLER, DAMICO, LABRUZZO, LANCASTER, MARTINY, SCALISE, SHEPHERD, TOOMY, TUCKER AND WOOTON

AN ACT

To rename the Lafitte Larose Boulevard to the Leo Kerner/Lafitte Parkway in Jefferson Parish; and to provide for related matters.

Read by title.

Rep. Damico moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Frith Pinac
Alario Futrell Pitre
Alexander Geymann Powell, M.
Ansardi Gray Powell, T.
Arnold Guillory, E. Quezaire
Badon Guillory, M. Richmond
Baldone Hammett Ritchie
Baudoin Heaton Robideaux
Beard Hebert Romero
Bowmer Hill Scalise
Broome Honey Smiley
Bruneau Hopkins Shepherd
Burns Hunter Smith, G.—56th
Carter, K. Hutter Smith, J.D.—50th
Carter, R. Jackson Smith, J.R.—30th
Cazayoux Katz Smith, J.H.—8th
Crane Johns Smith, J.R.—30th
Crowe Jefferson Smith, J.D.—50th
Curtis Jackson Smith, J.D.—50th
Damico Kenney St. Germain
Dartez LaBruzzo Thompson
DeWitt Lambert Toomy
Dorsey LaFleur Townsend
Dowens Marchand Triche
Durand Martiny Tucker
Erdey McDonald Waddell
Fannin McVea Walker
Farrar Morrell White
Faucheux Murray Walsworth
Flavin Odinet Wright
Flavin Pierre
Total—93

NAYS

Total—0

ABSENT

Baylor Curtis Heaton
Bruce Damico Smith, J.D.—50th
Burrell Gallot White
Carter, R. Glover
Total—11

SENATE BILL NO. 269—

BY SENATOR CAIN

AN ACT

To re-designate a portion of U. S. 90 in Calcasieu Parish as the "Veterans Memorial Highway 90."

Read by title.

Rep. Flavin moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Futrell Odinet
Alario Gallot Pierre
Alexander Geymann Pinac
Ansardi Glover Pite
Arnold Gray Powell, M.
Badon Guillory, E. Powell, T.
Baldone Guillory, M. Quezaire
Baudoin Hammett Richmond
Bowler Heaton Ritchie
Broome Hebert Robideaux
Bruneau Hill Romero
Burns Hopkins Scalise
Carter, K. Hunter Shepheard
Carter, R. Jackson Smiley
Cazayoux Johns Smith, G.—56th
Cray Jefferson Smith, J.D.—50th
Curtis Johns Smith, J.R.—30th
Damico Kenney Strain
Dartez Kenney Thompson
DeWitt LaBruzzo Toomy
Dorsey Lambert Townsend
Dowens Marchand Triche
Durand Martiny Tucker
Erdey McDonald Waddell
Fannin McVea Walker
Farrar Walsworth
Total—6

The Chair declared the above bill was finally passed.

Rep. Damico moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.
SENATE BILL NO. 282—
BY SENATOR DARDENNE
AN ACT
To amend and reenact Code of Civil Procedure Arts. 1201(C) and 1672(C), relative to service of citation; to provide relative to the manner in which service of citation shall be requested; to require the payment of fees for such service; and to provide for related matters.

Read by title.

Motion

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

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.

Rep. Tucker moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker    Flavin
Alario           Frith
Alexander        Futrell
Ansardi          Geymann
Arnold           Glover
Badon            Gray
Baldone          Guillory, E.
Mr. Speaker    Flavin
Alario           Frith
Alexander        Futrell
Ansardi          Geymann
Arnold           Glover
Badon            Gray
Baldone          Guillory, E.

NAYS

Total—98

NAYS

Total—0

ABSENT

Baylor         Bruce          Smith, J.H.—8th
Beard          Burrell        Wooton

Total—6

The Chair declared the above bill was finally passed.

Rep. Tucker 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. 302—
BY SENATOR HINES
AN ACT
To amend and reenact R.S. 40:1299.39.1(A)(1)(a) and 1299.47(A)(1)(a), relative to medical malpractice; to provide for medical review panel reports to be non-reportable; to provide for the filing of a request for a medical review panel to be non-reportable; and to provide for related matters.

Read by title.

Rep. Walker moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker    Flavin
Alario           Frith
Alexander        Futrell
Ansardi          Geymann
Arnold           Glover
Badon            Gray
Baldone          Guillory, E.
Baudoin          Guillory, M.
Beard            Hammet
Bowler           Heaton
Broome           Hebert
Bruner           Hill
Burns            Honey
Burrell          Hopkins
Carter, K.       Hunter
Carter, R.       Hutter
Cazayoux        Jackson
Crane            Jefferson
Crowe            Johns
Curitt           Katz
Damico          Kennard
Daniel           Kenney
Dartez          LaBruzzo
DeWitt          LaFleur
Doerge           Lambert
Dorsey          Lancaster
Dove            Marchand
Downs            Martiny
Durand           McDonald
Erdey           McVea
Fannin           Morrell
Farrar           Morrish
Faucheux        Murray

NAYS

Total—98

NAYS

Total—0

ABSENT

Baylor         Gallot          Strain
Bruce           Montgomery      Walsworth

Total—6

The Chair declared the above bill was finally passed.

Rep. Tucker 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.
The Chair declared the above bill was finally passed.

Rep. Walker 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. 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Faucheux

Mr. Speaker Flavin Murray

Mr. Speaker Frith Pierre

Mr. Speaker Odinet Wright

Mr. Speaker Murray Wooton

Mr. Speaker Olin White

Mr. Speaker Pierre

Faucheux Total—100

NAYS

Baylor Bruce Hammett

Baylor Hopkins Wooton

Baylor Bruce Odinet

Baylor Bruce Wooton

Baylor Olin White

Baylor Pierre

Baylor total—3

YEAS

Alario Frith Pierre

Alario Futrell Pinac

Alario Gallot Pitre

Alario Gangloff Pitre

Alario total—5

NAYS

Baylor Hopkins Wooton

Baylor Bruce Odinet

Baylor Bruce Wooton

Baylor Olin White

Baylor Pierre

Baylor total—3

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

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

SENATE BILL NO. 347—
BY SENATOR SMITH
AN ACT
To enact R.S. 48:282, relative to the sale of timber by the Department of Transportation and Development; to authorize the department to sell timber which has been cut or felled on state highway rights-of-way; to provide for the use of the proceeds; and to provide for related matters.

Read by title.

Rep. Fannin moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Flavin Murray

Mr. Speaker Frith Pierre

Mr. Speaker Olin White

Mr. Speaker Pierre

Mr. Speaker total—3
Arnold
Badon
Baldone
Baudoin
Beard
Bowler
Brosse
Brunelle
Bums
Burrell
Carter, K.
Carter, R.
Carayoux
Crane
Crowe
Curtis
Damico
Daniel
Dartez
DeWitt
Doerge
Dorsey
Dove
Downs
Durand
Erdey
Fannin
Farrar
Faucheux
Flavin

Glover
Gray
Guillory, E.
Guillory, M.
Hammett
Heaton
Hebert
Hill
Honey
Hopkins
Hutter
Hutter
Jackson
Jefferson
Jones
Katz
Kennard
Kenney
LaBruzzo
LaFleur
Lambert
Lancaster
Marchand
Martiny
McDonald
McVea
Montgomery
Morrell
Morris
Murray

Powell, M.
Powell, T.
Quezaire
Richmond
Ritchie
Robideaux
Romero
Scalise
Shepherd
Smiley
Smith, G.—56th
Smith, J.D.—50th
Smith, J.H.—5th
Smith, J.R.—30th
St. Germain
Strain
Thompson
Toomy
Townsend
Triche
Tucker
Walker
Walsworth
White
Wooton
Wright

Total—101

Total—0

Baylor
Bruce
Broome
Burns
Burrell
Carter, R.
Cazayoux
Crane
Crowe

Glover
Gray
Hutter
Hutter
Jackson
Jefferson
Jones
Katz
Kennard
Kenney
LaBruzzo
LaFleur
Lambert
Lancaster
Marchand
Martiny
McDonald
McVea
Montgomery
Morrell
Morris
Murray

Powell, M.
Powell, T.
Quezaire
Richmond
Ritchie
Robideaux
Romero
Scalise
Shepherd
Smiley
Smith, G.—56th
Smith, J.D.—50th

Total—3

NAYS

NAYS

FAUCHEUX

MORRISH

Total—5

FAUCHEUX

MORRISH

Total—98

FAUCHEUX

MORRISH

Total—1

FAUCHEUX

MORRISH

Total—101

FAUCHEUX

MORRISH

Total—101

SENATE BILL NO. 368—

BY SENATOR DUPRE

An ACT

To amend and reenact R.S. 38:291(F)(1)(d) and (2), and to enact R.S. 38:325(C)(4), relative to the Lafourche Basin Levee District; to provide for the authority, powers, duties, functions, and

membership on a medical review panel; and to provide for related matters.

Read by title.

Rep. Walker moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker
Alario
Alexander
Ansardi
Arnold
Badon
Baldone
Baudoin
Beard
Bowler
Brosse
Brunelle
Bums
Burrell
Carter, K.
Carter, R.
Carayoux

Futrell
Gallot
Geymann
Glover
Gray
Guillory, E.
Guillory, M.
Hammett
Heaton
Hebert
Hill
Honey
Hopkins
Hutter
Hutter
Jackson
Jefferson

Pinac
Pitre
Powell, M.
Powell, T.
Richmond
Ritchie
Robideaux
Romero
Scalise
Shepherd
Smiley
Smith, G.—56th
Smith, J.D.—50th
St. Germain
Strain
Thompson
Toomy
Townsend
Triche
Tucker
Walker
Walsworth
White
Wooton
Wright

Total—101

Total—0

Baylor
Bruce
Broome
Burns
Burrell
Carter, R.
Cazayoux

LaBruzzo
LaFleur
Lambert
Lancaster
Marchand
Martiny
McDonald
McVea
Montgomery
Morrell
Morris
Murray

Triche
Tucker
Waddell
Walker
Walsworth
White
Wooton
Wright

Total—3

NAYS

Total—0

ABSENT

Baylor
Bruce
Broome
Burns
Burrell
Carter, R.
Cazayoux

LaBruzzo
LaFleur
Lambert
Lancaster
Marchand
Martiny
McDonald
McVea
Montgomery
Morrell
Morris
Murray

Triche
Tucker
Waddell
Walker
Walsworth
White
Wooton
Wright

Total—98

Total—5

The Chair declared the above bill was finally passed.

Rep. Walker 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. 359—

BY SENATOR HINES

AN ACT

To amend and reenact R.S. 40:1299.44(A)(3)(b) and (6)(a), 1299.45(A)(2), and 1299.47(A)(2)(a) and (b) and (C)(3)(f), and to enact R.S. 40:1299.47(A)(1)(g) and (C)(3)(g), (h), (i), and (j), relative to the Louisiana Medical Malpractice Act; to provide with respect to claims covered under the Act; to provide that the patient’s compensation fund shall be maintained so as to provide a surplus of thirty percent of the annual surcharge premiums, reserves established for individual claims, reserves established for incurred but not reported claims, and expenses; to provide with respect to a corporation, partnership, limited liability partnership, or limited liability company that desires to be qualified as a health care provider, with the payment of an additional surcharge, and the filing of a proof of financial responsibility with the board; to provide with respect to certain filing fees in connection with the naming of additional qualified defendants named in any amendment to the request for review; to provide that all amendments to a request for review shall be filed with the division of administration and that upon receipt of any amendment, the division of administration is required to forward the amendment to the Patient's Compensation Fund Oversight Board within five days; to provide with respect to
membership of the district; to provide for the scope of activities of the district; and to provide for related matters.

Read by title.

Rep. Triche 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 Pite
Ansardi Geymann Powell, M.
Arnold Glover Powell, T.
Badon Gray Quezaire
Baldone Guillory, E. Richmond
Baudoin Guillory, M. Ritchie
Beard Hammett Robideaux
Bowler Heaton Romero
Bruneau Hebert Scalise
Burns Hill Schneider
Burrell Hunt Shepherd
Carter, K. Hopkins Smiley
Carter, R. Hunter Smith, G.—56th
Cazayoux Hutter Smith, J.D.—50th
Crane Jefferson Smith, J.H.—8th
Crowe Johns Smith, J.R.—30th
Damico Katz St. Germain
Daniel Kenney Strain
Dartez LaBrouzo Thompson
DeWitt LaFleur Toomy
Doerge Lambert Townsend
Dorsey Lancaster Trahan
Dove Marchand Triche
Downs Martiny Tucker
Erdey Montgomery Walker
Fannin Morrell Waddell
Farrar Morish White
Faucheux Murray Wooton
Flavin Odinet Wright
Total—96

NAYS

Total—0

ABSENT

Baylor Curtis McVea
Broome Jackson Winston
Bruce Kennard
Total—8

The Chair declared the above bill was finally passed.

Rep. Triche 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. 394—
BY SENATORS BARHAM, MARIONNEAUX, CAIN AND NEVERS
AN ACT

To enact R.S. 47:337.10(I), relative to taxation by political subdivisions; to provide for an exemption for diesel fuel; and to provide for related matters.

Read by title.

Motion

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

SENATE BILL NO. 434—
BY SENATOR THEUNISSEN
AN ACT

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

Read by title.

Motion

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

SENATE BILL NO. 460—
BY SENATORS DUPRE, LENTINI, MARIONNEAUX AND NEVERS
AN ACT

To amend and reenact R.S. 47:1703(A), relative to the homestead exemption; to require any taxpayer entitled to the homestead exemption to own and occupy the homestead before a certain date in the calendar year in which the exemption is claimed; 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 Pite
Ansardi Geymann Powell, M.
Arnold Glover Powell, T.
Badon Gray Quezaire
Baldone Guillory, E. Richmond
Baudoin Guillory, M. Ritchie
Beard Hammett Robideaux
Bowler Heaton Romero
Bruneau Hebert Scalise
Burns Hill Schneider
Burrell Hunt Shepherd
Carter, K. Hopkins Smiley
Carter, R. Hunter Smith, G.—56th
Cazayoux Hutter Smith, J.D.—50th
Crane Jefferson Smith, J.H.—8th
Crowe Johns Smith, J.R.—30th
Damico Katz St. Germain
Daniel Kenney Strain
Dartez LaBrouzo Thompson
DeWitt LaFleur Toomy
Doerge Lambert Townsend
Dorsey Lancaster Trahan
Dove Marchand Triche
Downs Martiny Tucker
Erdey Montgomery Walker
Fannin Morrell Waddell
Farrar Morish White
Faucheux Murray Wooton
Flavin Odinet Wright
Total—96

NAYS

Total—0

ABSENT

Baylor Curtis McVea
Broome Jackson Winston
Bruce Kennard
Total—8

The Chair declared the above bill was finally passed.

Rep. Triche 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. 394—
BY SENATORS BARHAM, MARIONNEAUX, CAIN AND NEVERS
AN ACT

To enact R.S. 47:337.10(I), relative to taxation by political subdivisions; to provide for an exemption for diesel fuel; and to provide for related matters.

Read by title.
SENATE BILL NO. 487—
BY SENATOR HEITMEIER
AN ACT
To amend R.S. 32:413(B), relative to licenses; to waive collection of any charges required for duplicate licenses under certain conditions; and to provide for related matters.

Read by title.

Rep. Arnold moved the final passage of the bill.

ROLL CALL
The roll was called with the following result:

YEAS

Mr. Speaker Frith Murray
Alario Futrell Odinet
Alexander Geymann Powell, M.
Ansardi Hebert Quezaire
Arnold Geymann Powell, T.
Badon Guillory, E. Richmond
Baldone Guillory, M. Ritchie
Beard Hammett Robideaux
Bowler Heaton Romero
Broome Hebert St. Germain
Bruneau Hill Scalise
Burns Schneider Smiley
Burrell Smiley Smith, J.D.—56th
Carter, K. Hunter Smith, J.D.—50th
Carter, R. Hunter Smith, J.R.—30th
Cazayoux Jackson St. Germain
Crane Jackson St. Germain
Crowe Johns Thompson
Curtis Katz Thompson
Damico Kenney Townsend
Daniel Kenney Trahan
Dartez LaBruzzo Triche
DeWitt LaFleur Tucker
Dorger Lambert Walker
Dorsey Lancaster Walsworth
Dove Marchand White
Downs Martiny Wright
Durand McDonald Wright
Fannin MeVea Wright
Farrar Montgomery Wright
Fausheux Morrell Wright
Flavin Morrish Wright

Total—98

NAYS

Baylor Pinac Wooton
Bruce Smith, J.H.—8th
Erdey Waddell

Total—7

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 496—
BY SENATORS SCHEDLER, ADLEY, AMEDEE, BARHAM, BOASSO, BOISSIERE, CHEEK, CRAVINS, DARDENNE, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HANKEL, HINES, HOLDEN, HOLLIS, IRONS, JONES, KOSTELKA, LENTINI, MICHOT, NEVERS, ROMERO, SMITH AND THEUNISSEN
AN ACT
To designate a portion of Interstate 10 from the Mississippi State Line as the Stephen E. Ambrose Memorial Parkway; and to provide for related matters.

Read by title.

Rep. Daniel moved the final passage of the bill.

ROLL CALL
The roll was called with the following result:

YEAS

Mr. Speaker Frith Odinet
Alario Furrer Pierre
Alexander Geymann Pite
Ansardi Gallot Powell, M.
Arnold Glove Powell, T.
Badon Grey Quezaire
Baldone Guillory, E. Richard
Beard Hammett Smiley Riche
Bowler Heaton Romero Scalise
Broome Hebert Schneider Shepherd
Bruneau Hill Smiley Smith, J.R.—30th
Burns Hodgens Shepherd
Carter, K. Hunter
Carter, R. Hutter
Cazayoux Jackson
Crane Jackson
Crowe Johns
Curtis Katz
Damico Kenney
Daniel Kenney
Dartez LaBruzzo
DeWitt LaFleur
Dorger Lambert
Dorsey Lancaster
Dove Marchand
Downs Martiny
Durand McDonald
Erdey McVea
Fannin Montgomery
Farrar Morrell
Fausheux Morris

Total—98
NAYS

Total—0

ABSENT

Baylor
Hammett
St. Germain
Bruce
Morrish
Wooton
Total—6

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 513—

BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 47:1856(D)(3), (E), and (F), 1857(B)(1)(c) and (2), 1998(A)(1)(b)(ii), 2110(A)(2) and (3), (C), (E), and (F), relative to ad valorem property tax payment under protest procedure; to provide for the effectiveness of certain procedures; to provide for the use of protested amounts; and to provide for related matters.

Read by title.

Motion

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

SENATE BILL NO. 555—

BY SENATOR DUPRE

AN ACT

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

Read by title.

Motion

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

SENATE BILL NO. 564—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 9:315.9(A)(6), 315.18(C), and 374(C) and to enact R.S. 9:315.9(A)(7), relative to child support; to provide for discretion in awarding a dependency exemption; to provide for the pro rata sharing of uncovered medical expenses in a shared custody arrangement; to provide relative to rental or mortgage note reimbursement when sole use of the home is made; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Bowler to Engrossed Senate Bill No. 564 by Senator Dardenne

AMENDMENT NO. 1

Delete House Committee Amendment Nos. 1, 2, 3, 4 and 6 proposed by the House Committee on Civil Law and Procedure and adopted by the House of Representatives on May 26, 2004.

AMENDMENT NO. 2

On page 1, line 2, change "315.18(C)" to "315.18(B)(1)(introductory paragraph) and (C)"

AMENDMENT NO. 3

On page 1, line 3, after "9:315.9(A)(7)" and before the comma "," insert "and to repeal R.S. 9:315.18(D)"

AMENDMENT NO. 4

On page 1, line 3, delete "discretion in"

AMENDMENT NO. 5

On page 1, line 9, change "315.18(C)" to "315.18(B)(1)(introductory paragraph) and (C)"

AMENDMENT NO. 6

On page 2, delete lines 6 through 13 and insert the following:

"B.(1) The non-domiciliary party whose child support obligation is equal to or greater than equals or exceeds fifty percent and equal to or less than seventy percent of the total child support obligation shall be entitled to claim the federal and state tax dependency deductions if, after a contradictory motion, the judge finds both of the following:

 *  *  *

C. The non-domiciliary party whose child support obligation exceeds seventy percent of the total child support obligation shall be entitled to claim the federal and state tax dependency deductions every year if no arrearages are owed by the obligor.

D. The party who receives the benefit of the exemption for such tax year shall not be considered as having received payment of a thing not due if the dependency deduction allocation is not maintained by the taxing authorities."

AMENDMENT NO. 7

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

"Section 2. R.S. 9:315.18(D) is hereby repealed in its entirety. Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

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

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

ROLL CALL

The roll was called with the following result:
SENATE BILL NO. 581—
BY SENATOR SCHEDLER
AN ACT
To enact Civil Code Art. 2713(C), relative to obligations of the lessee; to provide relative to eviction; to provide relative to failure to comply with an order of eviction; to require lessee to pay court costs in such instances; and to provide for related matters.

Read by title.

Motion

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

SENATE BILL NO. 672—
BY SENATOR HOLDEN
AN ACT
To enact R.S. 23:1032(D), relative to workers' compensation; to provide with respect to exclusivity of remedy; to provide for exceptions to civil immunity under workers' compensation law; to provide that workers' compensation exclusivity as a remedy shall not extend to injuries that could have been prevented by safety devices that have knowingly and intentionally been removed by the employer or principal; and to provide for related matters.

Read by title.

Motion

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

SENATE BILL NO. 695—
BY SENATOR MALONE
AN ACT
To amend and reenact R.S. 31:149, and to repeal R.S. 31:149.1, 149.2, 149.3, 150, 151, and 152, relative to mineral rights in land acquired or expropriated by governments or governmental agencies; to provide certain procedures, terms, and conditions relative to such mineral rights; to provide relative to the prescription of nonuse; to repeal certain provisions; and to provide for related matters.

Read by title.

Motion

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

SENATE BILL NO. 805—
BY SENATOR ADLEY
AN ACT
To amend and reenact R.S. 13:3881(A)(introductory paragraph) and to enact R.S. 13:3881(A)(6), relative to general exemptions from seizure; to provide that federal earned income tax credit of a debtor shall be exempt from seizure; to provide for exceptions; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Triche to Reengrossed Senate Bill No. 805 by Senator Adley

AMENDMENT NO. 1

On page 1, line 15, after "Revenue" and before the period "." insert the following "or arrears in child support payments"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Frith Pierre
Alario Flinth Frith
Arnold Pitre
Ansardi Gallot
Badon Hope
Baldone Guillory, E.
Baudoin Hammett
Beard Heaton
Bowel Hebert
Broom Hill
Bruneau Honey
Burns Hopkins
Burrell Hunter
Carter, K. Hunter
Carter, R. Hunter
Cazayoux Jefferson
Crane Johns
Crowe Katz
Curtis Kennard
Damico Kenney
Daniel LaBruzoo
Dartez LaFleur
DeWitt Lambert
Doerge Lancaster
Dorsey Marchand
Dove Martin
Downs McDonald
Durand McVea
Erdey Montgomery
Fannin Morrish
Farrar Murray
Fauquier Odom
Flavin Pierre

Total—100

NAYS

Total—0

ABSENT

Baylor Guillory, M.
Bruce Morrell

Total—4
SENATE BILL NO. 822—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 47:337.2(C)(1)(b) and (5) and to enact 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.

Rep. Trahan moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker  Faucheux  Pierre
Alario  Flavin  Pinac

Total—96

NAYS

Katz  Tucker

Total—2

ABSENT

Baylor  Heaton  Romero
Bruce  Marchand  Shepherd
Curtis  Morrell  Richmond
Guillory, M.  Montgomery  Wooton
Farrar  Murray  Wright
Faucheux  Odinet

Total—10

The Chair declared the above bill was finally passed.

Rep. Triche 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. 825—

BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 47:337.2(C)(1)(b) and (5) and to enact Part H of Chapter 2-D of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be composed of R.S. 47:337.91 through 337.100, relative to the sales and use tax of political subdivisions; to create the Uniform Local Sales Tax Procedure Act; to provide a procedure for the adoption of certain regulations of local tax authorities; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hammett to Reengrossed Senate Bill No. 825 by Senator Mount
AMENDMENT NO. 1
On page 2, line 13, after "Part" delete "F" and insert "H"

AMENDMENT NO. 2
On page 3, line 13, after "authorities" and before the comma ",," insert 
"and which is not a 'common sales tax law' as defined in R.S.
47:337.2"

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

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

ROLL CALL
The roll was called with the following result:

YEAS
Mr. Speaker Frith Pierre
Alario Futrell Pinac
Alexander Geymann Pire
Ansardi Gallot Powell, M.
Arnold Glover Powell, T.
Badon Gray Quezaire
Baldone Guillory, E. Ritchie
Baudoin Hammett Robideaux
Beard Heaton Romero
Bowler Hebert Scalice
Broome Honey Schneider
Bruneau Hopkins Shepherd
Burns Hunter Smiley
Carter, K. Jackson Smith, G.—56th
Carter, R. John Jefferson, G.—56th
Cazayoux Johns Smith, J.H.—30th
Crowe Katz Smith, J.R.—30th
Curtis Kennard St. Germain
Damicco LaBruzzo Thompson
Daniel LaFleur Toomy
Dartez Lambert Townsend
DeWitt Lancaster Trahan
Doerge Marchand Triche
Dorsey Martiny Tucker
Dove McDonald Waddell
Downs McVea Walker
Durand Montgomery Walthour
Erdey Morrell White
Fannin Morris Winston
Farrar Murray Wooton
Faucheux Odinet Wright
Total—99

NAYS

Total—0

ABSENT

The Chair declared the above bill was finally passed.

Rep. Hammett 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. 434—  
BY SENATOR THEUNISSEN
AN ACT
To amend and reenact R.S. 2:903(B), relative to airports; to provide relative to the General Aviation and Reliever Airport Maintenance Grant Program; to authorize the use of Transportation Trust Fund monies; to provide limitations; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Quezaire moved the final passage of the bill.

ROLL CALL
The roll was called with the following result:

YEAS
Mr. Speaker Gallot Pierre
Alario Geymann Pinac
Alexander Gray Pire
Arnold Glover Powell, M.
Badon Guillory, E. Quezaire
Baldone Hammett Ritchie
Baudoin Heaton Robideaux
Beard Hebert Romero
Bowler Hill Scalise
Bruneau Honey Shepherd
Burns Hopkins Smiley
Carter, K. Jackson Smith, G.—56th
Carter, R. John Jefferson, G.—56th
Cayaguay Johns Smith, J.H.—30th
Crandel Jefferson Toomy
Crowe Katz Smith, J.R.—30th
Curtis Katz Smith, J.R.—30th
Daniel Kenney St. Germain
Dartez LaBruzzo Strain
DeWitt LaFleur Toomy
Doerge Lambert Townsent
Dorsey Lancaster Trahan
Dove Marchand Triche
Dove Martiny Tucker
Downs McDonald Waddell
Durand McVea Walker
Erdey Montgomery Walthour
Fannin Morrell White
Farrar Morris Winston
Faucheux Murray Wooton
Flavin Odinet Wright
Total—93

NAYS

Total—0

ABSENT

The Chair declared the above bill was finally passed.

Rep. Quezaire moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.
SENATE BILL NO. 105—
BY SENATOR DUPRE
AN ACT
To amend and reenact R.S. 56:2(D), relative to wildlife and fisheries; to provide for the elections of the chairman and vice-chairman; and to provide for related matters.

Read by title.

Rep. Baldone moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Gallot Pinac
Alario Geymann Pitre
Alexander Glover Powell, M.
Ansardi Gray Powell, T.
Arnold Guillory, E. Quezaire
Badon Guillory, M. Richmond
Baudoin Hammett Ritchie
Beard Heaton Robideaux
Browne Hill Romero
Bruneau Honey Scalise
Burns Hopkins Schneider
Burns Hunter Shepherd
Carter, K. Hutter Smiley
Carter, R. Jackson Smith, G.—56th
Cazayoux Jefferson Smith, J.D.—50th
Crowe Johns Smith, J.R.—30th
Curris Katz Smith, J.R.—8th
Damico Kennard Smith, J.H.—8th
Daniel Kenney Smith, J.H.—30th
Dartez LaBruzzo Smith, G.—66th
DeWitt LaFleur Smith, J.—7th
Dorsey Lambert Smith, J.—7th
Dorem Marchand Smith, J.—7th
Downs McDaniel Smith, J.—72nd
Erdey McVea Smith, J.—8th
Fannin Montgomery Smiley
Farrar Morrell Shepherd
Faucheux Morish Shepherd
Flavin Murray Smith, Dr.—1st
Frisch Odinet Smith, J.—8th
Futrell Pierre Smith, Dr.—1st
Total—98

NAYS

Total—0

ABSENT

Baldone Bruce Crane
Baylor Burrell Hebert
Total—6

The Chair declared the above bill was finally passed.

Rep. Baldone 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. 555—
BY SENATOR DUPRE
AN ACT
To amend and reenact R.S. 32:361.2, relative to motor vehicle safety; to provide for medical exemptions to restrictions on tint on motor vehicle windows; to provide for the review of such exemptions; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Baldone to Reengrossed Senate Bill No. 555 by Senator Dupre

AMENDMENT NO. 1

On page 2, line 15, after “involving” insert “a threat to”

AMENDMENT NO. 2

On page 2, line 22, after “person” delete “or dealer”

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Frith Morrish
Alario Futrell Murray
Alexander Gallot Odinet
Ansardi Geymann Pierre
Arnold Glover Pinac
Badon Gray Pitre
Baldone Guillory, E. Powell, M.
Baudoin Guillory, M. Powell, T.
Beard Hammett Quezaire
Bowder Heaton Richmond
Broome Hill Ritchie
Bruneau Honey Robideaux
Burns Hopkins Romero
Carter, K. Hunter Scalise
Carter, R. Hutter Schneider
Cazayoux Jackson Shepherd
Crowe Jefferson Smiley
Damico Jefferson Smith, G.—66th
Daniel Katz Smith, J.H.—8th
Dartez Kennard Smith, J.H.—8th
DeWitt Kenney St. Germain
Doerge LaBruzzo Thompson
Dorsey LaFleur Toomy
Dove Lambert Triche
Downs Marchand Tucker
Erdey Martiny Walker
Fannin McDonald Walsworth
Farrar Morrell White
Faucheux Montgomery Wooton
Flavin Murray Wooton
Frisch Odinet Wright
Futrell Pierre

Total—93

NAYS

Total—0
The Chair declared the above bill was finally passed.

Rep. Baldone 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. 140—
BY SENATOR BAJOIE
AN ACT
To amend and reenact R.S. 40:1300.51(3) and to enact R.S. 40:1300.51(2)(h), (i), and (j), relative to those employed to care for the infirm; to provide for criminal background checks on those seeking employment at agencies that care for the infirm; to provide a bar to employment in these agencies of persons convicted of certain offenses; to provide for an effective date; and to provide for related matters.

Read by title.


ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Futrell Pierre
Alario Gallot Pitre
Alexander Geymann Powell, M.
Ansardi Glover Powell, T.
Arnold Gray Quezaire
Badon Heaton Richmond
Baldone Hampton Robideaux
Baudoin Heaton Romero
Beard Hebert Scalise
Bowler Hill Schneider
Broune Hill Smiley
Burns Hopkins Shepherd
Burrell Hunter Smith, G.—56th
Carter, K. Jackson Smith, J.H.—8th
Carter, R. Johns Smith, J.R.—30th
Cazayoux Katz Smith, J.—8th
Crawe Katch Smith, J.—30th
Curtis Kenyard St. Germain
Daniel Kenney Thompson
Dartez LaBruzzo Townsend
DeWitt LaFleur Trahan
Doerge Lancaster Triche
Dorsey Marchand Tucker
Dove Martiny Walker
Downs McDonald Walsworth
Duran McVeA White
Erley Montgomery Wooton
Fannin Morrell Wright
Farrar Morrish
Faucheux Murray
Flavin Oden
Frith Total—101

The Chair declared the above bill was finally passed.

Rep. Jefferson 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. 160—
BY SENATOR HAINKEL
AN ACT
To repeal R.S. 56:1855(K), relative to natural and scenic rivers; to provide relative to exceptions; to repeal the exception authorizing certain commercial or suburban agricultural zoning exemptions for tracts of land located along the Tchefuncte River between Louisiana Highway No. 22 and Lake Pontchartrain; and to provide for related matters.

Read by title.

Rep. Winston moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Futrell Pierre
Alario Gallot Pitre
Alexander Geymann Powell, M.
Ansardi Glover Powell, T.
Arnold Gray Quezaire
Badon Heaton Richmond
Baldone Hampton Robideaux
Baudoin Heaton Romero
Beard Hebert Scalise
Bowler Hill Schneider
Broune Hill Smiley
Burns Hopkins Shepherd
Burrell Hunter Smith, G.—56th
Carter, R. Jackson Smith, J.H.—8th
Cazayoux Johns Smith, J.R.—30th
Crawe Katch St. Germain
Curtis Kenyard Thompson
Daniel Kenney Townsend
Dartez LaBruzzo Trahan
DeWitt LaFleur Trique
Doerge Lacaster Tucker
Dorsey Marchand Walker
Dove Martiny Walsworth
Downs McDonald White
Duran McVeA Wooton
Erley Montgomery Wright
Fannin Morrell
Farrar Morrish
Faucheux Murray
Flavin Oden
Frith Total—101
The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 169—
BY SENATOR IRONS
AN ACT
To amend and reenact Children's Code Articles 607(A) and 1016(B), subdivisions; to provide for an exemption for diesel fuel; and to relative to the protection of children; to provide for related matters.

Rep. Winston moved the final passage of the bill.

ROLL CALL
The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Baylor  Gallot  Walsworth
Bruce  Lancaster
Burrell  Montgomery
Total—7

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 394—
BY SENATORS BARHAM, MARIONNEAUX, CAIN AND NEVERS
AN ACT
To enact R.S. 47:337.10(I), relative to taxation by political subdivisions; to provide for an exemption for diesel fuel; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS
Amendments proposed by Representative Downs to Reengrossed Senate Bill No. 394 by Senators Barham, Marionneaux, Cain, and Nevers

AMENDMENT NO. 1
On page 1, line 3, after "exemption for" and before "diesel" insert "certain"

AMENDMENT NO. 2
Delete Amendment No. 3 proposed by the House Committee on Ways and Means and adopted by the House on May 27, 2004.

AMENDMENT NO. 3
On page 1, delete lines 6 through 10 in their entirety and insert:

"§337.9 Exemptions applicable to local tax in Chapters 2, 2-A, and 2-B; other exemptions applicable

*  *  *  

E.(1) Except as provided in Paragraph (2) of this Subsection, political subdivisions are prohibited from levying a sales or use tax or any other tax on diesel fuel.

(2) Political subdivisions which have continuously and without interruption validly levied and collected a sales or use tax or any other excise tax on diesel fuel since January 1, 1975, are authorized to continue the levy and collection of such tax."

Rep. Downs moved the adoption of the amendments.


By a vote of 51 yeas and 36 nays, the amendments were adopted.

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

The roll was called with the following result:

YEAS

Mr. Speaker Frith Odinet
Alario Futrell Pierre
Alexander Gallot Pinac
Ansardi Geymann Pitre
Arnold Glover Powell, M.
Badon Gray Powell, T.
Baldone Guillory, E. Quezaire
Baudoin Guillory, M. Richmond
Beard Hammett Ritchie
Bowler Heaton Robideaux
Broome Hebert Romero
Bruneau Hill Scalise
Burns Honey Schneider
Burrell Hopkins Shepherd
Carter, K. Hunter Smiley
Carter, R. Hutter Smith, G.—56th
Cazayoux Jackson Smith, J.D.—50th
Crane Jefferson Smith, J.H.—8th
Crowe Johns Smith, J.R.—30th
Curtis Katz St. Germain
Damico Kennard Strain
Daniel Kenney Thompson
Dargetz LaBruzio Toomy
DeWitt LaFleur Townsend
Doerger Lambert Trahan
Dorsey Lancaster Tiche
Dove Marchand Tucker
Downs Martiny Waddell
Durand McDonald Walker
Erdey McVea Walsworth
Fannin Montgomery White
Farrar Morrell Wooton
Faucheux Morrish Wright
Flavin Murray Wright
Total—102

NAYS

Total—0

ABSENT

Baylor Bruce
Total—2

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 581—
BY SENATOR SCHEDLER

To enact Civil Code Art. 2713(C), relative to obligations of the lessee; to provide relative to eviction; to provide relative to failure to comply with an order of eviction; to require lessee to pay court costs in such instances; and to provide for related matters.

Called from the calendar.

Read by title.

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

Amendments proposed by Representative Murray to Engrossed Senate Bill No. 581 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 10, delete "order has been given" and insert "a final judgment has been rendered declaring"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Frith Pitre
Alario Futrell Powell, M.
Alexander Gallot Powell, T.
Arnold Geymann Quezaire
Badon Gray Richmond
Baldone Guillory, E. Ritchie
Baudoin Guillory, M. Robideaux
Beard Hammett Romero
Bowler Heaton Scalise
Broome Hebert Schneider
Bruneau Hill Smiley
Burns Hopkins Shepherd
Burrell Hunter Smith, G.—56th
Carter, K. Hutter Smith, J.D.—50th
Carter, R. Hutter Smith, J.H.—8th
Cazayoux LaFleur Smith, J.R.—30th
Crane Johns St. Germain
Damico Kennard Strain
Daniel Kenney Thompson
Dargetz LaBruzio Toomy
DeWitt LaFleur Townsend
Doerger Hutter Trahan
Dorsey Tiche Tucker
Dove Marchand Waddell
Downs Martin Walsworth
Durand McVea Walker
Erdey Montgomery White
Fannin Morrell Wooton
Faucheux Kenney Wright
Flavin LaBruzio Wright
Total—95

NAYS

Total—0

ABSENT

Ansardi Burrell Hunter
Baylor Glover LaFleur
Bruce Guillory, M. Martiny
Total—9

The Chair declared the above bill was finally passed.

Rep. Strain 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. 513—
BY SENATOR ELLINGTON

AN ACT
To amend and reenact R.S. 47:1856(D)(3), (E), and (F), 1857(B)(1)(c) and (2), 1998(A)(1)(b)(ii), 2110(A)(2) and (3), (C), (E), and (F), relative to ad valorem property tax payment under protest procedure; to provide for the effectiveness of certain procedures; to provide for the use of protested amounts; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hammett to Reengrossed Senate Bill No. 513 by Senator Ellington

AMENDMENT NO. 1
Delete Amendment Nos. 7 through 9 of the set of amendments proposed by the House Committee on Ways and Means and adopted by the House on May 27, 2004.

AMENDMENT NO. 2
On page 1, line 3, after "(F)" and the comma "," and before "relative" insert "to amend and reenact R.S. 47:1856(D)(3), (E), and (F), 1857(B)(1)(c) and (2), 1998(A)(1)(b)(ii), and 2110(A)(2) and (3), (C), and (E), and Section 2 of Act No. 1149 of the 2001 Regular Session, as amended, and to repeal R.S. 47:2110(F)."

AMENDMENT NO. 3
On page 1, line 5, after "amounts" and the semicolon ";" and before "and" insert "to provide for an effective date;"

AMENDMENT NO. 4
On page 7, delete lines 25 through 29, and on page 8, delete lines 1 through 3, all in their entirety, and insert in lieu thereof the following:

"Section 2. Section 2 of Act 1149 of the 2001 Regular Session of the Legislature, as amended by Acts 791 and 792 of the 2003 Regular Session of the Legislature, is hereby amended and reenacted to read as follows:

Section 2. The provisions of this Act shall be effective until July 1, 2005; however the provisions of this Act shall not apply to payments under protest made prior to July 1, 2001.

Section 3. R.S. 47:1856(D)(3), (E), and (F), 1857(B)(1)(c) and (2), 1998(A)(1)(b)(ii), and 2110(A)(2) and (3), (C), and (E) are hereby amended and reenacted to read as follows:

§1856. Notice of valuation, hearings, appeals

D. 

§1856. Notice of valuation, hearings, appeals

* * *

D. 

* * *

(3) Any appeal from a judgment of the district court shall be heard by preference within sixty days of the lodging of the record in the court of appeal. The appeal shall be taken thirty days from the date the judgment of the district court is rendered. If such appeal is timely filed, any amount of taxes that were paid under protest pursuant to Subsection E of this Section shall remain segregated and invested pursuant to Subsection F of this Section and no bond or other security shall be necessary to perfect such appeal.

* * *

E. (i) Any company instituting suit under these provisions of Subsection D of this Section shall timely pay the disputed portion of its taxes in the jurisdiction from which its tax bill emanates and shall give written notice to the officer or officers designated for the collection of said taxes in the parish or parishes where the property is located, the assessor or assessors for the parish or parishes or districts, where the property is located and the chairman of the Louisiana Tax Commission of the amount of taxes paid that are in dispute; under protest to the officer or officers designated by law for the collection of such taxes and shall cause notice or notices to issue in such suit to such officer or officers as provided in R.S. 47:2110(E). However, the portion of taxes that are not in dispute by the taxpayer shall be paid without being made subject to the protest.

(2)(a) Prior to any disbursement to a governing authority by the officer designated for its collection, he shall first give written notice to such governing authority that the law requires the Tax Commission to deduct any credit granted to a taxpayer from the assessment of the year subsequent to a final determination by a court and that, if a company chooses a refund, that the refund must be paid by such tax collector no later than March 31st of the year subsequent to the final determination by the court.

(b) Any funds received as payment of taxes under the provisions of this Subsection may be used by the governing authority only for nonrecurring expenses. The governing authority of any jurisdiction shall not use any such funds for nonrecurring expenses in a manner which will displace, replace, or supplant funds which were otherwise available for such nonrecurring expenses.

F. (1)(a)(i) If the assessed valuation finally determined by the court is less than the company's own assessed valuation, the court shall enter judgment against the company for the additional taxes due together with interest at the actual rate earned on the funds paid under protest, segregated and invested, which interest shall be paid solely from such funds. In any case in which a judgment is entered against the company, each tax recipient body shall remit an amount equal to ten percent of the proceeds received pursuant to the judgment amount determined by the Louisiana Tax Commission, the company shall be entitled to a credit against future property taxes in each jurisdiction affected or a refund in cash from such jurisdiction affected. Such credit shall be deducted by the Louisiana Tax Commission from the assessment of the year subsequent to any final determination. If a company chooses a refund, that refund shall be paid by the tax collector of each affected jurisdiction no later than March 31st of the year subsequent to any final determination. Interest shall be credited at the minimum rate as provided in R.S. 39:1217.1 or, if excorated by the governing authority, at the actual rate earned on the money paid under protest in the escrow account during the period from the date such funds were received by the governing authority to the date of such refund.

* * *

(ii) Notwithstanding Subsubparagraph (i) of this Paragraph, the company shall be granted a refund in cash in the year subsequent to the final determination if the credit granted against taxes in that year does not fully grant to the company the full amount of the credit
 awarded to the company by the court, along with the interest provided for in Subparagraph (i).

(b) The Louisiana Tax Commission may adopt rules and regulations pertaining to credits generally and to the transferability of such credits.

(2) In all cases in which a judgment is entered against the company, each tax recipient body shall remit an amount equal to ten percent of the difference between the amount of taxes received, less any credits, and that which would have been received had the company's own set of assessed valuations been upheld to the Louisiana Tax Commission, which shall then forward such amount directly to the state treasurer.

(2) If the taxpayer prevails, the court shall enter judgment against the officer or officers designated by law for the collection of such taxes ordering such officer or officers to immediately refund to the company the amount of any overpayment of taxes together with interest at the actual rate earned on the funds paid under protest, segregated and invested during the period, from the date such funds were received by such officer or officers to the date of such refund or refunds, which interest shall be paid solely from such funds.

§1857. Corrections and changes

B.(1)

(c) Any appeal from a judgment of the district court shall be heard by preference within sixty days of the lodging of the record in the court of appeal. The appeal shall be taken thirty days from the date the judgment of the district court is rendered. If such appeal is timely filed, any amount of taxes that were paid under protest pursuant to R.S. 47:1856(E) shall remain segregated and invested pursuant to that Subsection and no bond or other security shall be necessary to perfect such appeal.

§2110. Suits to recover taxes paid under protest

A.

(2)(a)(i) Any public service property taxpayer person resisting the payment of any amount of tax due shall pay the amount due to the officer designated by law for the collection of such tax and shall give him, the parish or district assessor, and the Louisiana Tax Commission written notice at the time of payment of his intention to file suit for the recovery of such tax. Upon receipt of such notice, the amount so paid shall be segregated and held by the officer or officers as provided in R.S. 47:2110(E). Upon receipt of such notice or notices, the amount paid under protest shall be segregated and invested by such officer or officers either in an interest-bearing account or in a certificate of deposit pending a final, nonappealable judgment in the suit.

(b) Prior to any disbursement to a governing authority by the officer designated for its collection, he shall first give written notice to such governing authority that the law requires any credit granted to a person to be deducted from the assessment of the year subsequent to a final determination by a court and that, if a company chooses a refund, that the refund must be paid by such tax collector no later than March 31st of the year subsequent to the final determination by the court.

(c) Any funds received as payment of taxes under the provisions of this Subsection shall be used only for nonrecurring expenses. The governing authority of any jurisdiction shall not use any such funds for nonrecurring expenses in a manner which will displace, replace, or supplant funds which were otherwise available for such nonrecurring expenses.
court shall then order the release of any moneys that are not shown by the taxpayer to be in dispute.

(c) If the taxpayer which is a public service property taxpayer prevails, the amount shall be credited or refunded in the manner provided for in R.S. 47:1856(F). If the taxpayer does not prevail, the taxpayer shall be liable for the additional taxes together with interest as provided for in such Subsection.

(3) (a) Any other taxpayer which is not a public service property taxpayer resisting the payment of any amount of tax due shall pay the amount due to the officer designated by law for the collection of such tax and shall give him written notice at the time of payment of his intention to file suit for the recovery of such tax. Upon receipt of such notice, the amount so paid shall be segregated and held by the officer for a period of thirty days. If a suit is timely filed seeking the recovery of the tax, then that portion of the taxes paid that are in dispute shall be deemed paid under protest and such amount shall be segregated and shall be further held pending the outcome of the suit. That portion of the taxes paid by the taxpayer which is not in dispute shall not be made subject to the protest.

(b) If the taxpayer which is a public service property taxpayer prevails, the officer shall refund the amount to the taxpayer with interest at the actual rate earned on the money paid under protest in the escrow account during the period from the date such funds were received by the officer to the date of such refund. If the taxpayer does not prevail, the taxpayer shall be liable for the additional taxes together with interest at the rate set forth above during the period from the date the notice of intention to file suit for recovery of taxes was given to the officer until the date such taxes are paid.

* * *

C. The right to sue for recovery of a tax paid under protest as provided herein shall afford a legal remedy and right of action at law in the state or federal courts where any tax or the collection thereof is claimed to be an unlawful burden upon interstate commerce, or in violation of any act of the Congress of the United States, the Constitution of the United States, or the constitution of the state. Upon request of a taxpayer and upon proper showing by such taxpayer that the principle of law involved in an additional assessment is already pending before the courts for judicial determination, the taxpayer, upon agreement to abide by the pending decision of the courts, may pay the additional assessment under protest but need not file an additional suit. With respect to any taxpayer which is not a public service property taxpayer, in such cases the tax so paid under protest shall be segregated and held by the officer designated by law for the collection of such tax until the question of law involved has been determined by the courts and shall then be disposed of as provided in the decision therein.

* * *

E. Any taxpayer in the state who has paid his disputed taxes under protest as provided herein and who has filed suit under the provisions of R.S. 47:1856, 1857, or 1998 shall cause to be served in said suit notice to the officer or officers designated for the collection of said taxes in the parish or parishes where the property is located, the assessor or assessors for the parish or district, or parishes or districts, where the property is located and the chairman of the Louisiana Tax Commission, which provided that the taxpayer is a public service property taxpayer. Such notice shall be sufficient to cause such officer or officers to further hold said amount segregated pending the outcome of the suit, with respect to any taxpayer which is not a public service property taxpayer.
The Chair declared the above bill was finally passed.

Rep. Hammett 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. 695—
BY SENATOR MALONE
AN ACT
To amend and reenact R.S. 31:149, and to repeal R.S. 31:149.1, 149.2, 149.3, 150, 151, and 152, relative to mineral rights in land acquired or expropriated by governments or governmental agencies; to provide certain procedures, terms, and conditions relative to such mineral rights; to provide relative to the prescription of nonuse; to repeal certain provisions; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS
Amendments proposed by Representative Bowler to Reengrossed Senate Bill No. 695 by Senator Malone

AMENDMENT NO. 1
On page 1, line 13, change "any legal entity with" to "any other legal entity exercising its"

AMENDMENT NO. 2
On page 2, line 14, after "impresscriptibility" delete the comma ";" and insert "as authorized under the provisions of this Section."

AMENDMENT NO. 3
On page 2, delete lines 22 through 29 and insert:

"D. If a mineral right subject to prescription has already been established over land at the time it is acquired by an acquiring authority, the mineral right shall continue to be subject to the prescription of nonuse to the same extent as if the acquiring authority had not acquired the land. Upon the prescription or other extinction of such mineral right, the transferor of the land shall without further action or agreement become vested with a mineral right identical to that extinguished, if (1) the instrument or judgment by which the land was acquired expressly reserves or purports to reserve the mineral right to the transferor, whether or not the transferor then actually owns the mineral right that is reserved, and (2) the land is still owned by an acquiring authority at the time of extinguishment."

AMENDMENT NO. 4
On page 3, delete lines 1 through 3

AMENDMENT NO. 5
On page 5, line 27, delete "September 1, 2004." and insert "August 1, 2004."

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

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

ROLL CALL
The roll was called with the following result:

YEAS
Mr. Speaker  Frith  Pierre
Alario  Futrell  Pinac
Alexander  Gallot  Pitre
Ansardi  Geymann  Powell, M.
Arnold  Glover  Powell, T.
Badon  Gray  Quezanne
Baldone  Guillory, E.  Richmond
Baudoin  Guillory, M.  Ritchie
Beard  Hammett  Robideaux
Bowler  Heaton  Romero
Broome  Hebert  Scalise
Bruneau  Hill  Schneider
Burns  Honey  Shepard
Burrell  Hopkins  Smiley
Carter, K.  Hunter  Smith, G.—65th
Carter, R.  Hutter  Smith, J.D.—50th
Cazayoux  Jackson  Smith, J.H.—8th
Crate  Jefferson  Smith, J.R.—30th
Crowe  Johns  Strain
Curtis  Katz  Thompson
Damico  Kennard  Toomy
Daniel  Kenney  Townsend
Dartez  LaBruzzo  Trahan
DeWitt  LaFleur  Triche
Doerge  Lambert  Tucker
Dorsey  Lancaster  Waddell
Dove  Marchand  Walker
Downs  Martin  Walsworth
Durand  McDonald  White
Erdrey  McVeah  Winston
Fannin  Montgomery  Wright
Farrar  Morrish  Wright
Faucheux  Murray  Wright
Flavin  Odinet  Wright

Total—100

NAYS

Total—0

ABSENT

Baylor  Morrell  Wooton
Bruce  Wooton

Total—4

The Chair declared the above bill was finally passed.

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

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

House Bills and Joint Resolutions on Third Reading and Final Passage

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

Regular Calendar

Speaker Pro Tempore Broome in the Chair

HOUSE BILL NO. 1595—

BY REPRESENTATIVE CROWE

AN ACT

To amend and reenact R.S. 15:541(14.1) and to enact R.S. 14:283.1, relative to sex offenses; to create the crime of voyeurism; to provide for criminal penalties; to provide with respect to sex offender registration and notification requirements; to provide with respect to the definition of "sex offense"; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Crowe to Engrossed House Bill No. 1595 by Representative Crowe

AMENDMENT NO. 1

On page 1, line 10, after "person" and before "without" insert "by looking through the doors, windows, or other openings of a private residence."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Cazayoux and Crowe to Engrossed House Bill No. 1595 by Representative Crowe

AMENDMENT NO. 1

On page 1, line 10 after "victim" and before "for" insert "who has a reasonable expectation of privacy"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Flavin Odinet
Alexander Gallot Pierre
Ansardi Frith Pitre
Arnold Geymann Powell, M.
Badon Glover Powell, T.
Baldone Grey Quezaire
Baldone Guillory, E.
Baudoin Guillory, M.
Beard Hammett Ritchie
Biever Heaton Robideaux
Bowler Hebert Romero
Broome Hefert Scalise
Bruneau Hill Schneider
Burns Honey Smiley
Burrell Hopkins Smith, J.H.—50th
Carter, K. Hunter Smith, J.H.—8th
Carter, R. Hutter St. Germain
Cazayoux Jackson Strain
Cone Jefferson Thompson
Crowe Johns Toomy
Curtis Kätz Townsend
Damico Kenard Trahan
Daniel Kenney Triche
Dartez LaBruzio Tucker
Doerge LaFleur Waddell
Dorsey Lancaster Walker
Dove Marchand Waddell
Durand Martiny Winston
Erdey McDonald Wooton
Fannin Montgomery
Farrar Murray

Total—88
The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Suspension of the Rules

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

Petitions, Memorials and Communications

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

Message from the Senate

HOUSE BILLS

June 9, 2004

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

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

House Bill No. 1659

Returned with amendments.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Suspension of the Rules

Rep. Karen Carter moved for a suspension of the rules in order to take up and consider House Bills and Joint Resolutions Returned from the Senate with Amendments at this time.


By a vote of 81 yeas and 8 nays, the rules were suspended.

House Bills and Joint Resolutions Returned from the Senate with Amendments

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

HOUSE BILL NO. 1659—
BY REPRESENTATIVE K. CARTER
AN ACT

To enact R.S. 17:10.6, relative to school and district accountability; to provide for the status of a city, parish, or other local public school system which is academically in crisis; to provide for notice of the status; to provide for the powers of the school board of such a system; to provide for the powers of the school superintendent of such a system; to provide for definitions and audit and accounting requirements; and to provide for related matters.

Read by title.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Reengrossed House Bill No. 1659 by Representative Carter

AMENDMENT NO. 1
On page 1, line 14, change "board" to "superintendent of education" and after "notify" insert "the state board."

AMENDMENT NO. 2
On page 3, line 19, between "of" and "law" insert "state"

AMENDMENT NO. 3
On page 4, line 1, change "of" to "after"

AMENDMENT NO. 4
On page 4, line 13, after "(e)" delete the remainder of the line and insert the following:

"(i)(aa) The superintendent shall develop a structured system improvement plan which contains timetables, measurable goals, and priorities and shall provide for instructional changes, organizational changes, and budgetary changes deemed necessary for the local school system to cease to be academically in crisis. Such plan shall be submitted within one-hundred twenty days of receipt by the local board of notice of the effectiveness of this Section to the state board. The president of the state board shall submit the plan to an independent national organization with the expertise to make an evaluation of the plan which agrees to provide such evaluation to the state board within thirty days of its submission to them which is selected by the committee provided in Subitem (bb) of this Item. The plan shall provide for meaningful consultation with parents of children enrolled in the school system, an effective and comprehensive program of parental involvement strategies and activities to build the schools' and parents' capacity for strong parental involvement. The plan shall be revised as determined necessary by the independent evaluator and by the state board until both the state board and the independent evaluator approves the plan.

(bb) The independent national organization shall be selected by a majority vote of a committee composed of a member of the State Board of Elementary of Secondary Education chosen by the governor, the chairman of the Legislative Audit Advisory Committee, and a member of the local school board chosen by its president.

(ii)(aa) Once the plan is approved, the local school board monthly may conduct a status hearing on the progress of each or any element of the system improvement plan. If a hearing is held, the
superintendent shall report to the board on the status of the progress of the system in response to the implementation of the approved plan.

(b) In addition, the superintendent shall provide a quarterly report on such status to the state board.

(iii) The failure of the superintendent to timely submit a system improvement plan or to revise the plan as required by the independent evaluator and by the state board or to respond to the local board at a status hearing or provide the state board with a quarterly report shall render the superintendent to be in noncompliance with the requirements of this Section.

(iv) Notwithstanding any other provision of this Section, the local board may terminate the superintendent upon a favorable vote of a majority of the elected members of the local board if he is in noncompliance under the terms of this Subparagraph.

AMENDMENT NO. 5

On page 4, delete lines 17 through 19 and insert the following:

"(f)(i) The superintendent shall seek and consider advice and input from the local board.

(ii) The superintendent shall have the authority to enter into and obligate the school system to any contracts not otherwise reserved to the local board in Paragraph (1) of Subsection C of this Section, subject to the requirements of this Paragraph.

(iii)(aa) The superintendent shall at the same time any request for proposals or request for quotations is solicited have delivered by facsimile transmission with a receipt or by United States postal service with return receipt requested to each local school board member at such member’s home address and shall post at a location of public access reserved for such purpose in the offices of the local school board a copy of such request for any of the following type of contracts: a professional service contract, as defined in R.S. 39:1484(A)(18); a social service contract, as defined in R.S. 39:1484(A)(22); a personal contract, as defined in R.S. 39:1484(A)(16); a consulting service contract, as defined in R.S. 39:1484(A)(14); any contract for employee benefits; or, any other contract which is not subject to a state law requiring public bidding and which provides for more than two hundred and fifty thousand dollars in total expenditure.

(bb) The superintendent shall, not less than thirty days prior to entering into any contract of the following type, have delivered by facsimile transmission with a receipt or by United States postal service with return receipt requested to each local school board member at such member’s home address and shall post at a location of public access reserved for such purpose in the offices of the local school board a summary of each such contract which summary contains, at a minimum, a description of the service or item being provided pursuant to the contract, the identity of the contractor, the duration of the contract, and the dollar amount in total expenditure provided for by such contract: a professional service contract, as defined in R.S. 39:1484(A)(18); a social service contract, as defined in R.S. 39:1484(A)(22); a personal contract, as defined in R.S. 39:1484(A)(16); a consulting service contract, as defined in R.S. 39:1484(A)(14); any contract for employee benefits; or, any other contract which is not subject to a state law requiring public bidding and which provides for more than two hundred and fifty thousand dollars in total expenditure.

(iii) Prior to the conclusion of the thirtieth day after the delivery and posting of the contract summary as required in Item (ii) of this Subparagraph, the local school board may prohibit the superintendent from initiating or renewing such contract by a vote of two-thirds of the elected members of the board.

(iv) The provisions of Items (ii) and (iii) of this Subparagraph shall not apply to any contract which provides for a total expenditure of twenty-five thousand dollars or less.

(v) Notwithstanding any requirements of this Subparagraph, whenever an exigent circumstance exists that requires a contract be entered into on an expedited basis, the superintendent may enter into any contract without compliance with the requirements of this Paragraph upon a favorable vote of the majority of the elected members of the local board."
"(i)(aa) The superintendent shall develop a structured system improvement plan which contains timetables, measurable goals, and priorities and shall provide for instructional changes, organizational changes, and budgetary changes deemed necessary for the local school system to cease to be academically in crisis. Such plan shall be submitted within one hundred and twenty days of receipt of notice of the effectiveness of this Section to the state board for the approval of the state board. If the state board does not approve the plan, the president of the state board shall submit the plan to an independent national organization with the expertise to make an evaluation of the plan which agrees to provide such evaluation to the state board and the superintendent within thirty days of its submission to them which is selected by the committee provided in Subitem (bb) of this Item. Any costs incurred and any payment required by the organization making the evaluation shall be borne by the local board. The plan shall provide for meaningful consultation with parents of children enrolled in the school system, an effective and comprehensive program of parental involvement strategies and activities to build the school's and parents capacity for strong parental involvement. The plan shall be revised by the superintendent as determined necessary for approval by the independent evaluator.

(bb) The independent national organization shall be selected by a majority vote of a committee composed of a member of the State Board of Elementary of Secondary Education appointed by the president of the state board, an educator appointed by the governor, and a member of the local school board chosen by its president.

(ii) Once the plan is approved whether by the state board or by the independent national organization, the superintendent shall implement the approved plan and shall report quarterly to the local board and the state board on the progress being made in implementing the approved plan.

Motion


By a vote of 22 yeas and 67 nays, the House refused to make the bill Special Order of the Day for Monday, June 14, 2004.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Frith
Alario Gallot
Alexander Geymann
Arnold Gray
Badon Guillory, E.
Baldone Guillory, M.
Baudoin Hammett
Beard Hebert
Bowler Hill
Broome Honey
Bums Hunter
Burrell Hutter
Carter, K. Jackson
Cazayoux Jefferson
Crane Katz
Crowe Kennard
Damico Kenney

Pitre Powell, M.
Powell, T.
Quezaire Ritchie
Robideaux Scalise
Schneider Smiley
Smith, G.—56th
Smith, J.D.—50th
Smith, J.H.—8th
Smith, J.R.—30th
St. Germain
Strain
Thompson
Toomy

NAYS

Bruneau Curtis Shepherd
Carter, R. Richmond

Total—5

ABSENT

Ansardi Glover Morrell
Baylor Heaton Pierre
Bruce Hopkins Romero
Dove Johns
Futrell LaFleur

Total—13

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

Speaker Salter in the Chair

HOUSE BILL NO. 1468—

BY REPRESENTATIVE TOWNSEND

AN ACT

To enact Part VI-F of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:250.51 through 250.62, relative to health insurance; to provide relative to prompt payment of health insurance claims submitted by pharmacies or pharmacists; to provide with respect to usage of nationally recognized benchmarks to calculate the reimbursement to be paid to pharmacies or pharmacists by health insurance issuers; to provide for definitions; to provide with respect to violations, cease and desist orders, and penalties; to provide for coordination of benefits; to provide for recoupment; and to provide for related matters.

Called from the calendar.

Read by title.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Reengrossed House Bill No. 1468 by Representative Townsend

AMENDMENT NO. 1

On page 6, line 26, after "claim." delete the rest of the line and delete line 27

AMENDMENT NO. 2

On page 10, line 16 after "No." insert "1714"
SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cravins to Reengrossed House Bill No. 1468 by Representative Townsend

AMENDMENT NO. 1

On page 5, line 5, change "fifteenth" to "tenth"

Rep. Townsend moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker  Futrell  Pierre
Alario  Gallot  Pinac
Alexander  Geymann  Pitre
Ansardi  Glover  Powell, M.
Arnold  Gray  Powell, T.
Badon  Guillory, E.  Quezaire
Baldone  Guillory, M.  Richmond
Baudoin  Hummett  Ritchie
Beard  Heaton  Robideaux
Bowler  Hill  Romero
Bruneau  Honey  Scalise
Burns  Hopkins  Schneider
Burrell  Hunter  Shepherd
Carter, R.  Hutter  Smith, G.—56th
Cazayoux  Jackson  Smith, J.D.—50th
Crane  Jefferson  Smith, J.H.—8th
Crowe  Johns  Smith, J.R.—30th
Curtis  Kennard  St. Germain
Dumico  Kenney  Strain
Daniel  LaBruzio  Thompson
Dartez  LaFleur  Toomy
DeWitt  Lambert  Townsend
Doerge  Lancaster  Trahan
Dorsey  Marchand  Triche
Dove  Martiny  Tucker
Downs  McDonald  Waddell
Durand  McVea  Walker
Fannin  Montgomery  Wallsorth
Farrar  Morrel  White
Faucheux  Morris  Winston
Flavin  Murray  Wooton
Firth  Odinet  Wright

Total—96

NAYS

Total—0

ABSENT

Baylor  Carter, K.  Katz
Broome  Erdey  Smiley
Bruce  Hebert

Total—8

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

Conference Committee Reports Received

Conference Committee Reports were received for the following legislative instruments:

HOUSE BILL NO. 402—
BY REPRESENTATIVE FLAVIN
AN ACT
To amend and reenact Code of Criminal Procedure Article 734(C), relative to subpoenas; to authorize service of subpoenas by investigators employed by district attorneys; and to provide for related matters.

HOUSE BILL NO. 1220—
BY REPRESENTATIVES THOMPSON, BRUCE, CAZAYOUX, DOWNS, FANNIN, FRITH, M. GUILLORY, HILL, MORRISH, ST. GERMAIN, AND STRAIN AND SENATOR SMITH
AN ACT
To enact Part III of Chapter 4-A of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:331 through 333, relative to rural development; to create the Louisiana Center for Rural Initiatives; to provide for the powers, duties, and functions of the center; to provide relative to implementation; and to provide for related matters.

HOUSE BILL NO. 1363—
BY REPRESENTATIVES WINSTON, MARTIN, BURNS, R. CARTER, DOERGE, DURAND, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HUNTER, KATZ, LABRUZZO, MARCHAND, MCDONALD, MONTGOMERY, STRAIN, WADDELL, WALKER, SCHNEIDER, AND THOMPSON AND SENATORS MOUNT, CRAVINS, JONES, AND LENTINI
AN ACT
To amend R.S. 46:1941.1, 1941.2, 1941.5, and 1941.8 and to repeal R.S. 46:1941.3(1), 1941.4, 1941.6, 1941.7, 1941.9, and 1941.13, relative to youth services; to provide for the creation of youth services planning boards; to provide for the purpose of such boards; to provide with respect to membership; to repeal provisions of law providing for parish youth services programs; to repeal provisions providing for parish youth services subsidy program; and to provide for related matters.

The conference committee reports for the legislative instruments above lie over under the rules.

Suspension of the Rules

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

Petitions, Memorials and Communications

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

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS
June 9, 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. 113
Returned without amendments.

House Concurrent Resolution No. 137
Returned without amendments.

House Concurrent Resolution No. 139
Returned without amendments.

House Concurrent Resolution No. 157
Returned without amendments.
House Concurrent Resolution No. 158
Returned without amendments.

House Concurrent Resolution No. 195
Returned without amendments.

House Concurrent Resolution No. 201
Returned without amendments.

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

HOUSE BILLS
June 9, 2004
To the Honorable Speaker and Members of the House of Representatives:

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

House Bill No. 61
Returned with amendments.

House Bill No. 177
Returned with amendments.

House Bill No. 246
Returned without amendments.

House Bill No. 251
Returned without amendments.

House Bill No. 270
Returned without amendments.

House Bill No. 415
Returned with amendments.

House Bill No. 417
Returned with amendments.

House Bill No. 486
Returned without amendments.

House Bill No. 691
Returned with amendments.

House Bill No. 789
Returned with amendments.

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

APPOINTMENT OF CONFERENCE COMMITTEE
June 9, 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 appointed the following committee to serve with a like committee from the House to confer on the disagreement to Senate Bill No. 161: Senators B. Gautreaux, Smith, and Hainkel.

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

SIGNED SENATE CONCURRENT RESOLUTIONS
June 9, 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. 56 and 62

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

SIGNED SENATE BILLS AND JOINT RESOLUTIONS
June 9, 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. 370 and 692

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS
June 9, 2004
To the Honorable Speaker and Members of the House of Representatives:

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

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate
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. 96—
BY REPRESENTATIVE DORSEY
A RESOLUTION
To express the sincere and heartfelt condolences of the House of Representatives of the Legislature of Louisiana to the family of Hilton S. White, Sr.

Read by title.

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

HOUSE RESOLUTION NO. 97—
BY REPRESENTATIVES JANE SMITH, M. POWELL, AND WADDELL
A RESOLUTION
To urge and request each public postsecondary education institution that offers an approved teacher education degree program and requires as part of such program that each student enrolled in the program successfully pass all parts of the PRAXIS test prior to performing the student teaching component of the program, to instead allow any such student who has not passed all parts of the PRAXIS test to perform the student teaching component while the student continues to take the PRAXIS test.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 306—
BY REPRESENTATIVE DORSEY
A CONCURRENT RESOLUTION
To express the intent of the Louisiana Legislature in the passage of Act No. 715 of the 2003 Regular Session relative to the retroactive effects on the ownership of improvements, including oil casings and facilities placed by a lessee or another third party on the land of another.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 307—
BY REPRESENTATIVE CROWE
A CONCURRENT RESOLUTION
To urge and request the Federal Court to reconsider its decision in the Henderson v. Studder case regarding issuance of special prestige license plates and to lift the court-ordered injunction prohibiting the office of motor vehicles from issuing special prestige license plates to new applicants.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 308—
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 to the family of Marco J. Mannino.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 309—
BY REPRESENTATIVE HUTTER
A CONCURRENT RESOLUTION
To urge and request the Norfolk Southern Railroad to abide by and honor the new curfews imposed by the United States Coast Guard for the St. Claude Avenue, Florida Avenue, and Judge Seiber or Claiborne Avenue bridges in Orleans Parish.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 310—
BY REPRESENTATIVES LABRIZZO AND SENATOR HOLLIS
A CONCURRENT RESOLUTION
To commend Caitlyn Clarke upon her selection as a representative of south Louisiana at the Hugh O'Brian World Leadership Congress in July in Washington, D.C.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 311—
BY REPRESENTATIVE QUEZAIRE
A CONCURRENT RESOLUTION
To urge and request the Department of Transportation and Development to study the feasibility of installing new barrier technology along US Highway 61 in St. Charles Parish to prevent cross-median crashes.

Read by title.

On motion of Rep. Quezaire, 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 House and Governmental Affairs
June 9, 2004

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on June 8, 2004, I am directed by your Committee on House and Governmental Affairs to submit the following report:

House Resolution No. 8, by Triche
Reported favorably. (7-0)

House Resolution No. 16, by Hebert
Reported with amendments. (7-0)

House Resolution No. 41, by Hebert
Reported with amendments. (7-0)

Senate Bill No. 96, by Marionneaux
Reported with amendments. (5-3) (Regular)

Senate Bill No. 261, by Hines
Reported with amendments. (7-0) (Regular)

Senate Bill No. 479, by B. Gautreaux
Reported favorably. (5-3) (Regular)

Senate Bill No. 636, by McPherson
Reported with amendments. (9-0) (Regular)

Senate Bill No. 730, by Dupre
Reported favorably. (7-0) (Regular)

Senate Bill No. 795, by Boissiere
Reported favorably. (9-0) (Regular)

Senate Bill No. 869, by Jones
Reported with amendments. (9-0) (Regular)

Senate Concurrent Resolution No. 58, by Irons
Reported with amendments. (9-0)

Senate Concurrent Resolution No. 93, by Fields
Reported favorably. (8-0)

Senate Concurrent Resolution No. 107, by Boasso
Reported with amendments. (7-0)

Senate Concurrent Resolution No. 124, by Duplessis
Reported with amendments. (9-0)

Senate Concurrent Resolution No. 127, by Schleder
Reported with amendments. (9-0)

Senate Concurrent Resolution No. 132, by Chaissen
Reported favorably. (6-0)

Senate Concurrent Resolution No. 144, by Boasso
Reported favorably. (7-0)

CHARLES D. LANCASTER, JR.
Chairman

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

Report of the Committee on Appropriations
June 9, 2004

To the Speaker and Members of the House of Representatives:

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

House Bill No. 1629, by Glover
Reported favorably. (10-0) (Regular)

House Bill No. 1645, by Scalise
Reported with amendments. (11-0) (Regular)

House Bill No. 1711, by Wooton
Reported with amendments. (10-0) (Regular)

Senate Bill No. 12, by Theunissen
Reported favorably. (12-0) (Regular)

Senate Bill No. 41, by McPherson
Reported favorably. (14-0) (Regular)

Senate Bill No. 72, by McPherson
Reported favorably. (14-0) (Regular)

Senate Bill No. 288, by Schleder
Reported with amendments. (12-0) (Regular)

Senate Bill No. 363, by Holden
Reported favorably. (12-0) (Regular)

Senate Bill No. 463, by Dardenne
Reported favorably. (10-0) (Regular)

Senate Bill No. 468, by Fontenot
Reported with amendments. (11-0) (Regular)

Senate Bill No. 493, by Schleder
Reported with amendments. (11-0) (Regular)

Senate Bill No. 560, by Fontenot
Reported with amendments. (11-0) (Regular)

Senate Bill No. 654, by Bajoie
Reported favorably. (12-0) (Regular)

Senate Bill No. 749, by Cain
Reported with amendments. (12-0) (Regular)

Senate Bill No. 769, by Heitmeier
Reported with amendments. (12-0) (Regular)

Senate Bill No. 785, by Jones
Reported with amendments. (16-0) (Regular)

Senate Bill No. 842, by Romero
Reported with amendments. (11-0) (Regular)

Senate Concurrent Resolution No. 139, by Jackson
Reported with amendments. (11-0)

JOHN ALARIO
Chairman

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

Report of the Committee on Labor and Industrial Relations
June 9, 2004

To the Speaker and Members of the House of Representatives:
I am directed by your Committee on Labor and Industrial Relations to submit the following report:

House Concurrent Resolution No. 212, by Hunter
Reported favorably. (6-0)

House Concurrent Resolution No. 269, by Durand
Reported favorably. (6-0)

WILLIE HUNTER
Chairman

Report of the Committee on Municipal, Parochial and Cultural Affairs

June 9, 2004

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Municipal, Parochial and Cultural Affairs to submit the following report:

Senate Bill No. 128, by N. Gautreaux
Reported favorably. (7-0) (Regular)

Senate Bill No. 129, by Theunissen
Reported with amendments. (7-0) (Regular)

Senate Bill No. 142, by Boissiere
Reported favorably. (7-0) (Local and Consent)

Senate Bill No. 191, by Irons
Reported with amendments. (8-0) (Regular)

Senate Bill No. 212, by Dupre
Reported with amendments. (8-0) (Regular)

Senate Bill No. 480, by Theunissen
Reported favorably. (7-0) (Regular)

Senate Bill No. 545, by Duplessis
Reported with amendments. (7-0) (Regular)

Senate Bill No. 655, by Dardenne
Reported favorably. (7-0) (Regular)

Senate Bill No. 761, by Schedler
Reported favorably. (8-0) (Local and Consent)

Senate Bill No. 800, by Mount
Reported favorably. (8-0) (Regular)

Senate Bill No. 855, by Bajoie
Reported with amendments. (8-0) (Regular)

Senate Bill No. 864, by McPherson
Reported favorably. (7-0) (Regular)

CLARA G. BAUDOIN
Vice-Chairman

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

Report of the Committee on Retirement

June 9, 2004

To the Speaker and Members of the House of Representatives:

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

House Bill No. 1175, by Murray
Reported with amendments. (7-0) (Regular)

House Bill No. 1194, by Montgomery
Reported favorably. (7-0) (Regular)

House Concurrent Resolution No. 202, by J. R. Smith
Reported favorably. (7-0)

Senate Bill No. 205, by Boissiere
Reported favorably. (6-0) (Regular)

PETE SCHNEIDER
Chairman

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

Report of the Committee on Judiciary

June 9, 2004

To the Speaker and Members of the House of Representatives:

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

House Concurrent Resolution No. 246, by Burns
Reported favorably. (8-0-1)

House Bill No. 294, by Shepherd
Reported with amendments. (7-3-1) (Regular)

Senate Concurrent Resolution No. 135, by Michot
Reported with amendments. (7-0-1)

Senate Bill No. 364, by Romero
Reported favorably. (7-0-1) (Regular)

Senate Bill No. 716, by Hainkel
Reported favorably. (7-0-1) (Regular)

Senate Bill No. 746, by N. Gautreaux
Reported favorably. (8-0-1) (Regular)

JOSEPH F. TOOMY
Chairman

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

Suspension of the Rules

On motion of Rep. Toomy, the rules were suspended in order to take up House Bills contained in the committee report at this time.

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. 294—
BY REPRESENTATIVE SHEPHERD
AN ACT
To enact Code of Civil Procedure Article 228 and Code of Criminal Procedure Article 25.1, relative to contempt of court by attorneys; to require the judicial administrator of the supreme court to maintain a public record of all attorneys adjudged guilty of contempt in civil and criminal proceedings; to provide for submitting and reporting of the records; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on Judiciary to Original House Bill No. 294 by Representative Shepherd

AMENDMENT NO. 1
On page 2, at the end of line 1, after "records" insert a period ." and delete the remainder of the line

AMENDMENT NO. 2
On page 2, delete line 2 in its entirety

AMENDMENT NO. 3
On page 2, at the end of line 16, after "public records" insert a period ." and delete the remainder of the line

AMENDMENT NO. 4
On page 2, delete line 17 in its entirety

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1175—
BY REPRESENTATIVE MURRAY
AN ACT
To enact R.S. 11:2227(D)(1)(d) and 3635.1 and to repeal R.S. 11:3639, relative to police pension funds and retirement systems; to provide for payment of employer contributions for the city of New Orleans to the Municipal Police Employees' Retirement System; to provide for dedication of certain funds to said system; to provide for actuarial determination of assets and liabilities of the fund; to provide for disbursement of such assets; to

"such system; to provide for the operating expenses of the pension fund for the police department of New Orleans; to provide for actuarial determination of assets and liabilities of the fund; to provide for disbursement of such assets; to"

AMENDMENT NO. 4
On page 1, line 13, after "Section 1." and before "R.S." insert "R.S. 11:3639 is hereby amended and reenacted and"

AMENDMENT NO. 5
On page 2, line 3, after "(d)", delete the remainder of the line and insert "Fifty percent of the proceeds"

AMENDMENT NO. 6
On page 2, line 9, after "state" change the period "." to a comma ," and insert the following:

"shall be paid to and shall be used for paying the operating expenses of the police pension fund for the police department of the city of New Orleans."

AMENDMENT NO. 7
On page 2, line 11, after "board" and before the period "." insert the following:

"of the pension fund. Any proceeds in excess of the amount needed to pay for the operating expenses of the New Orleans police pension fund not otherwise covered as provided in R.S. 11:3635.1(A)(3) shall be paid by the entity responsible for collection to the Municipal Police Employees' Retirement System."

AMENDMENT NO. 8
On page 2, line 11, change "Said" to "Such"

AMENDMENT NO. 9
On page 2, line 11, after "applied to" delete the remainder of the line and delete line 12 in its entirety and insert "meet the city's required employer contribution due to the system."
AMENDMENT NO. 10
On page 2, line 14 after "§3635.1," delete the remainder of the line and insert in lieu thereof "Disposition of fund assets"

AMENDMENT NO. 11
On page 2, line 17, after "in this system," delete the remainder of the line and delete lines 18 through 20 in their entirety and insert in lieu thereof the following:

"the assets of the fund shall be valued and disbursed as provided in this Section.

"B. The assets of this fund shall be disposed of in the following manner:"

AMENDMENT NO. 12
On page 2, at the beginning of line 21, change "(2)" to "(1)"

AMENDMENT NO. 13
On page 2, delete lines 22 and 23 in their entirety

AMENDMENT NO. 14
On page 2, at the beginning of line 24, change "(4)" to "(2)"

AMENDMENT NO. 15
On page 2, line 24, change "aforesaid actuarial liabilities" to "actuarial liabilities so determined"

AMENDMENT NO. 16
On page 2, delete lines 26 through 28 in their entirety

AMENDMENT NO. 17
On page 3, at the beginning of line 1, change "(6)" to "(3)"

AMENDMENT NO. 18
On page 3, at the beginning of line 4, change "(7)" to "(4)"

AMENDMENT NO. 19
On page 3, line 5, after "nonforfeitable," delete the remainder of the line and insert "less the amount determined pursuant to Paragraph (3) of this Subsection, shall be paid to the Municipal Police Employees' Retirement System for satisfaction of any debt or obligation owed by the city of New Orleans to that system."

AMENDMENT NO. 20
On page 3, line 6, change "system" to "fund"

AMENDMENT NO. 21
On page 3, delete line 9 in its entirety and insert in lieu thereof the following:

"* * *

§3639. Portion of proceeds from sale of drivers' licenses paid into fund

There shall be paid monthly to the board fifty percent of all The official, department, board, commission, or agency charged with collecting proceeds from the sale and issuance of certificates or other evidence of competency or authority to bona fide residents of the city of New Orleans to operate motor vehicles on the streets of the city of New Orleans, particularly drivers' and chauffeurs' licenses, and whether or not the same are levied and collected by authority of the Commission City Council of the city of New Orleans or the state of Louisiana, or any department, board, commission, or agency of the city or state. The proper official, department, board, commission, or agency charged with the collection of such funds shall make the payments to the board; shall pay to the board monthly the lesser of:

(1) Fifty percent of such proceeds; or
(2) The amount necessary to pay the operating expenses of the fund not covered as provided in R.S. 11:3635.1(A)(3).

AMENDMENT NO. 22
On page 3, at the beginning of line 10, change "Section 3." to "Section 2."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1194—
BY REPRESENTATIVE MONTGOMERY
AN ACT
To amend and reenact R.S. 11:2178.1(A)(2) and to enact R.S. 11:2178(N), relative to the Sheriffs' Pension and Retirement Fund and the repealed Deferred Retirement Option Plan of the fund; to provide for rescission of election to participate; to provide for a rescinding member's return to active status, including the paying of employee contributions; to provide for forfeiture of plan benefits; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Retirement.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1629—
BY REPRESENTATIVE GLOVER
AN ACT
To enact R.S. 39:1494.1(C), relative to the procurement of social service contracts; to prohibit the state and political subdivisions from entering into adult ex-offender rehabilitation service contracts under certain circumstances; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

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

Under the rules, placed on the regular calendar.
HOUSE BILL NO. 1645—
BY REPRESENTATIVE SCALISE AND SENATOR HOLLIS
AN ACT
To enact R.S. 39:1498(A)(10) and (C), relative to contract approval; to prohibit the approval of certain state contracts; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on Appropriations to Original House Bill No. 1645 by Representative Scalise

AMENDMENT NO. 1
On page 1, delete line 12 in its entirety and insert the following:

"the using agency has confirmed and documented in writing that the contracting entity is in full compliance with local zoning laws and regulations."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1711 (Substitute for House Bill No. 913 by Representative Wooton)—
BY REPRESENTATIVE WOOTON
AN ACT
To amend and reenact R.S. 56:10(B)(1)(b) and 305(G) and to enact R.S. 56:305(H) and 506.1, relative to the commercial shrimp industry; to provide for additional fees for the purchase of commercial shrimp gear licenses; to create the Shrimp Trade Petition Account in the Conservation Fund; to provide for revenues and expenditures; to provide for additional fees for wholesale/retail seafood dealers licenses; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on Appropriations to Engrossed House Bill No. 1711 by Representative Wooten

AMENDMENT NO. 1
On page 3, line 1, after "H." delete "In" and insert "For license years 2005 and 2006. in"

AMENDMENT NO. 2
On page 3, at the beginning of line 9, delete "Any" and insert "For license years 2005 and 2006. any"

AMENDMENT NO. 3
On page 3, delete lines 18 and 19 in their entirety and insert in lieu thereof 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.

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

Under the rules, placed on the regular calendar.

Privileged Report of the Legislative Bureau

June 9, 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. 10
Reported without amendments.

Senate Bill No. 15
Reported without amendments.

Senate Bill No. 57
Reported without amendments.

Senate Bill No. 70
Reported without amendments.

Senate Bill No. 157
Reported with amendments.

Senate Bill No. 209
Reported without amendments.

Senate Bill No. 301
Reported without amendments.

Senate Bill No. 310
Reported with amendments.

Senate Bill No. 375
Reported without amendments.

Senate Bill No. 490
Reported without amendments.

Senate Bill No. 523
Reported without amendments.

Senate Bill No. 535
Reported without amendments.

Senate Bill No. 538
Reported without amendments.

Senate Bill No. 579
Reported without amendments.

Senate Bill No. 731
Reported with amendments.

Senate Bill No. 859
Reported without amendments.
Senate Bill No. 871
Reported with amendments.

Senate Bill No. 874
Reported without amendments.

Respectfully submitted,
CHARLES MCDONALD
Chairman

Privileged Report of the Committee on Enrollment
June 9, 2004

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

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

The following House Resolutions have been properly enrolled:

HOUSE RESOLUTION NO. 93—
BY REPRESENTATIVES LANCASTER, ARNOLD, BRUNEAU, GALLOW, JEFFERSON, MONTGOMERY, MURRAY, PITRE, AND SMILEY
A RESOLUTION
To commend Grover Austin upon his retirement as the first assistant legislative auditor in the office of the Louisiana Legislative Auditor.

HOUSE RESOLUTION NO. 94—
BY REPRESENTATIVE QUEZAIRE
A RESOLUTION
To recognize June 9, 2004 as Knights of Peter Claver, Inc. and Ladies Auxiliary Day.

HOUSE RESOLUTION NO. 95—
BY REPRESENTATIVE WALKER
A RESOLUTION
To commend Brad Golson and Jenny Byrd and members of the New Balance ticket upon their landslide victory in the LSU student government elections in the spring of 2004.

Respectfully submitted,
DONALD RAY KENNARD
Chairman

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

Privileged Report of the Committee on Enrollment
June 9, 2004

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

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

The following House Concurrent Resolutions have been properly enrolled:

HOUSE CONCURRENT RESOLUTION NO. 86—
BY REPRESENTATIVES DORSEY, DARTZ, FARRAR, RICHARD, SHEPHERD, AND WHITE
A CONCURRENT RESOLUTION
To urge and request the Department of Public Safety and Corrections, office of state police, to develop rules for the coordination of investigations and the sharing of information regarding the investigation of possible "serial killers" and unsolved murders.

HOUSE CONCURRENT RESOLUTION NO. 189—
BY REPRESENTATIVES LABRUZZO AND SCALISE
A CONCURRENT RESOLUTION
To urge and request the Department of Transportation and Development to send all the necessary and proper information to the Federal Railroad Administration, the Norfolk Southern Railroad, and the Jefferson Parish Sheriff's Office which is required, according to the Federal Railroad Administration's interim final rule regarding the use of horns at highway-rail crossings, to preserve and continue the railroad "quiet zone" in the Old Metairie corridor in Jefferson Parish.

HOUSE CONCURRENT RESOLUTION NO. 276—
BY REPRESENTATIVES TUCKER, STRAIN, ALEXANDER, BEARD, BOWLER, BRUNEAU, BURNS, CRANE, CROWE, DOVE, DOWNS, ERDEY, FLAVIN, FUTRELL, GEYMANN, HUTCHER, JOHNS, KATZ, KENNARD, LABRUZZO, LAMBERT, LANCASTER, MARTIN, MCVEA, PITRE, M. POWER, P. POWER, SCALISE, SCHNEIDER, SMILEY, SMITH, TOOMY, TRAHAN, WADDELL, WALSCH, WHITE, AND WINSTON AND SENATORS BARHAM, BOASSO, CAIN, CHEEK, DARDENE, FONTEOT, HAINKEL, HOLLIS, KOSTELC, LENTINI, MALONE, MICHOT, ROMERO, SCHEDLER, AND THEUNISSEN
A CONCURRENT RESOLUTION
To express sincere and heartfelt condolences upon the death of President Ronald Reagan and to express enduring appreciation for his singular contributions and achievements.

HOUSE CONCURRENT RESOLUTION NO. 284—
BY REPRESENTATIVE BROOME
A CONCURRENT RESOLUTION
To proclaim September, 2004, as National Alcohol and Drug Addiction Recovery Month.

HOUSE CONCURRENT RESOLUTION NO. 285—
BY REPRESENTATIVE KENNARD
A CONCURRENT RESOLUTION
To commend and congratulate Louisiana State University head football coach Nick Saban upon leading the Tigers to the national championship on January 4, 2004.

HOUSE CONCURRENT RESOLUTION NO. 286—
BY REPRESENTATIVE DOWNS
A CONCURRENT RESOLUTION
To memorialize Congress to fully fund the National Aeronautics and Space Administration's fiscal year 2005 budget request.

HOUSE CONCURRENT RESOLUTION NO. 288—
BY REPRESENTATIVE MURRAY
A CONCURRENT RESOLUTION
To recognize the vital role that minority community banks have played in the economic development of the communities that they serve by providing investment capital, home mortgages and employment opportunities and to proclaim 2004 as the Year of the Minority Bank.

HOUSE CONCURRENT RESOLUTION NO. 290—
BY REPRESENTATIVE ALARIO
A CONCURRENT RESOLUTION
To urge and request the Louisiana Advisory Commission on Intergovernmental Relations to meet to study alternative methods of competitive sealed bidding, and specifically the method of bidding known as reverse auction.
To urge and request the Department of Health and Hospitals to establish a study commission to research and study the implementation of a recycling method for unused prescription drugs.

HOUSE CONCURRENT RESOLUTION NO. 292—
BY REPRESENTATIVE DORSEY
A CONCURRENT RESOLUTION
To commend the Louisiana State University baseball Tigers for winning the regional championship and to extend best wishes for victory in the National Collegiate Athletic Association Super Regional series.

HOUSE CONCURRENT RESOLUTION NO. 293—
BY REPRESENTATIVES WINSTON, BAUDOIN, BOWLER, BROOME, BRUCE, K. CARTER, DARTEZ, DOERGE, DORSEY, DURAND, GRAY, HUTTER, JEFFERSON, KATZ, MARCHAND, JANE SMITH, ST. GERMAIN, AND WALKER AND SENATORS BAJOIE, CHEEK, DUPLESSIS, IRONS, JACKSON, MOUNT, AND MARIONNEAUX
A CONCURRENT RESOLUTION
To commend Joycelyn Mason Green upon her retirement as executive director of the Louisiana Legislative Women's Caucus.

Respectfully submitted,
DONALD RAY KENNARD
Chairman

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

Privileged Report of the Committee on Enrollment
June 9, 2004

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

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

The following House Bills have been properly enrolled:

HOUSE BILL NO. 6—
BY REPRESENTATIVE FAUCHEUX
AN ACT
To enact R.S. 17:85.5, relative to naming a gymnasium; to authorize the parish school board in certain parishes to name a gymnasium in honor of a former school board member; to provide limitations; and to provide for related matters.

HOUSE BILL NO. 39—
BY REPRESENTATIVE BRUNEAU
AN ACT
To amend and reenact Civil Code Article 1582.1, relative to donations; to provide for witnesses; to prohibit persons from witnessing testaments; and to provide for related matters.

HOUSE BILL NO. 50—
BY REPRESENTATIVE CROWE
AN ACT
To provide relative to speed limits; to require the Department of Transportation and Development to make a final decision regarding the maximum speed limit along certain interstate highways; and to provide for related matters.

HOUSE BILL NO. 63—
BY REPRESENTATIVES ERDEY AND SMILEY
AN ACT
To enact R.S. 33:2711.20, relative to municipal sales and use taxes; to authorize the governing authority of the town of Springfield to levy and collect an additional sales and use tax; to provide for voter approval; and to provide for related matters.

HOUSE BILL NO. 106—
BY REPRESENTATIVE FARRAR
AN ACT
To amend and reenact R.S. 34:851.31(A)(1) and to enact R.S. 34:851.27(C), relative to speed limits on waterways; to establish "no-wake" zones around public boat launches and public and commercial docking facilities; and to provide for related matters.

HOUSE BILL NO. 114—
BY REPRESENTATIVE ODINET
AN ACT
To amend and reenact R.S. 22:1404(3)(d)(iii), relative to automobile liability insurance rates; to provide for discounts; to provide for defensive driving; to provide for senior drivers; and to provide for related matters.

HOUSE BILL NO. 117—
BY REPRESENTATIVE JACK SMITH
AN ACT
To amend and reenact R.S. 56:8(28.1) and 320(B)(3), relative to crab traps; to provide that only crab traps located south of the northern bank of the Intracoastal Waterway must be marked with floats; and to provide for related matters.

HOUSE BILL NO. 175—
BY REPRESENTATIVE HAMMET
AN ACT
To enact R.S. 33:2711.20, relative to the town of Lake Providence; to authorize the governing authority of the town to levy and collect an additional sales and use tax; and to provide for voter approval; and to provide for related matters.

HOUSE BILL NO. 272—
BY REPRESENTATIVES DURAND, THOMPSON, SALTER, JOHN SMITH, STRAIN, TOOMY, CURTIS, DOERGE, DORSEY, GRAY, E. GUILLORY, M. GUILLORY, KATZ, MARCHAND, MCDONALD, STRAIN, WADDELL, WALKER, WINSTON, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOIN, BAYLOR, BEARD, BROOME, BRUCE, BURNS, BURRELL, K. CARTER, R. CARTER, CAYATOUX, CROWE, DAMICO, DANIEL, DARTEZ, DEWITT, DOVE, DOWNS, EKDY, FANNIN, FARRAR, FAUCHEUX, FLAVIN, FRITH, FUTRELL, GALLOT, GLOVER, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, JACKSON, JEFFERSON, KENNEY, LAFLEUR, MARTIN, MCVEA, MONTGOMERY, MURRAY, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZIERE, RICHMOND, RITCHIE, ROMERO, SHEPHERD, SMILEY, SMITH, D. SMITH, JACK SMITH, JANE SMITH, ST. GERMAIN, TOWNSEND, TRICHE, TUCKER, AND WRIGHT AND SENATORS BARHAM, HINES, JONES, MCPHERSON, AND SCHEDLER
AN ACT
To amend and reenact R.S. 36:801.1(A) and to enact R.S. 36:259(J) and Chapter 34 of Title 40 of the Louisiana Revised Statutes of
1950, to be comprised of R.S. 40:2841 through 2846, relative to the Louisiana Emergency Response Network (LERN); to provide for statement of purpose; to provide for definitions; to provide for the creation of the Louisiana Emergency Response Network; to provide for the board and its membership, appointments, terms of office, vacancies, meetings, compensation, functions, powers, and duties; to provide for rules and regulations; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 726—
BY REPRESENTATIVE WALKER
AN ACT
To enact R.S. 40:2006(A)(2)(n), (o), and (p) and (B)(2)(f),(g), and (h), relative to the powers of the Department of Health and Hospitals; to provide for the ability to assess fees for psychiatric residential treatment facilities, children’s respite care centers, and other licensed DHH facilities; and to provide for related matters.

HOUSE BILL NO. 742—
BY REPRESENTATIVES CAZAYOUX AND DURAND
AN ACT
To amend and reenact R.S. 46:114.3(B), (C), and (D), relative to regional fraud detection units; to provide for subpoenas and subpoenas duces tecum; to include businesses and legal entities; and to provide for related matters.

HOUSE BILL NO. 791—
BY REPRESENTATIVE JOHNS
AN ACT
To amend and reenact Code of Civil Procedure Article 893(A)(1), relative to pleadings; to provide for the pleading of damages; and to provide for related matters.

HOUSE BILL NO. 896—
BY REPRESENTATIVE MARTINY
AN ACT
To enact R.S. 27:303 and to repeal R.S. 27:114 and 365(5), relative to the monitoring and reading of certain electronic gaming devices; to provide that electronic gaming devices at certain gaming establishments shall be linked by telecommunication to a central computer system for purposes of monitoring and reading device activities; to provide for the assessment and collection of fees; to provide for the adoption of rules; to provide for exceptions; and to provide for related matters.

HOUSE BILL NO. 909—
BY REPRESENTATIVE MARTINY
AN ACT
To amend and reenact Code of Criminal Procedure Article 895.4, relative to crime stoppers organizations and the additional cost of court which is imposed on offenders who are convicted of criminal and traffic violations and which is used to fund certain operations of those organizations; to provide for the certification of crime stoppers organizations by sheriffs and chiefs of police; to provide for the payment of the funds derived from the additional cost of court to certified crime stoppers organizations; to provide for the use of those funds; to provide definitions; and to provide for related matters.

HOUSE BILL NO. 925—
BY REPRESENTATIVE JACK SMITH
AN ACT
To enact R.S. 15:542(B)(6), relative to notification by sex offenders; to provide with respect to posting of notices in certain places of business; and to provide for related matters.

HOUSE BILL NO. 971—
BY REPRESENTATIVE BRUCE
AN ACT
To enact R.S. 13:756.12, relative to establishing a branch office of the clerk of court in DeSoto Parish; to authorize the clerk of court of the parish of DeSoto to establish a branch office in Stonewall; to provide for duties and functions of the branch office; and to provide for related matters.

HOUSE BILL NO. 1053—
BY REPRESENTATIVE K. CARTER
AN ACT
To amend and reenact R.S. 22:39(D), relative to domestic insurers; to provide for securities; to provide for brokerage accounts; and to provide for related matters.

HOUSE BILL NO. 1070—
BY REPRESENTATIVE PINAC AND SENATORS HOLLIS AND MICHOT
AN ACT
To amend and reenact R.S. 37:3173(A)(3) and 3182 and to enact R.S. 37:3186, relative to interior designers; to provide for terms of office of the members of the board; to provide for an increase in fees; to prohibit certain acts; to provide penalties; and to provide for related matters.

HOUSE BILL NO. 1132—
BY REPRESENTATIVE FARRAR
AN ACT
To enact R.S. 40:966(E)(5), relative to possession of marijuana; to provide that prior convictions of distribution, dispensing, or possession with intent to distribute or dispense marijuana may serve as predicate offenses for penalties for multiple offenders; and to provide for related matters.

HOUSE BILL NO. 1143—
BY REPRESENTATIVE PINAC
AN ACT
To amend and reenact R.S. 9:3515(A)(1)(a), relative to consumer loans; to provide for exemptions from prohibited acts at the locations where consumer loans are made; and to provide for related matters.

HOUSE BILL NO. 1145—
BY REPRESENTATIVE PINAC
AN ACT
To amend and reenact R.S. 9:3515(A)(1)(a), relative to consumer loans; to provide for exemptions from prohibited acts at the locations where consumer loans are made; and to provide for related matters.

HOUSE BILL NO. 1209—
BY REPRESENTATIVE SHEPHERD
AN ACT
To amend and reenact R.S. 32:1254(N)(3)(f), relative to motor vehicle sales; to provide relative to spot delivery sales; to provide for immediate refund of prospective purchaser's deposit; and to provide for related matters.

HOUSE BILL NO. 1361—
BY REPRESENTATIVE JOHNS
AN ACT
To amend and reenact R.S. 22:3053(A)(2), to enact R.S. 22:3053.1, and to repeal R.S. 22:3059(A)(1), (2), and (3) and (C) and 3064, relative to the sale of insurance products; to provide for financial institutions; to provide for statements; to provide for marketing; to provide for records; and to provide for related matters.
HOUSE BILL NO. 1408—
BY REPRESENTATIVES DANIEL, KENNARD, BRUCE, CROWE, DOERGE, FRITH, MARCHAND, PINAC, T. POWELL, RITCHIE, GARY SMITH, TRAHAN, WALSWORTH, AND WHITE
AN ACT
To amend and reenact R.S. 4:420, 421(A)(2) through (9), 422, 423(B), (G)(3), (H), and (I), 424, 426, 432, and 433 and to enact R.S. 4:421(A)(10) through (14), 422.1(A)(5), 423(G)(4), 425(D), 427(A)(6) and (7) and (D), and 430(C), relative to athlete agents; to provide for legislative purpose; to provide for definitions; to provide for registration; to provide for denial or revocation of registration; to provide for notice to head coach instead of president of institution; to provide for notice to athlete; to provide for contract relationship between athlete and institution or school; to provide for duties and obligations; to provide relative to contact with athletes; to provide for prohibited activities; to provide for recordkeeping; to provide for attorney athlete agents; to provide remedies and penalties; and to provide for related matters.

HOUSE BILL NO. 1420—
BY REPRESENTATIVES PINAC, BRUCE, DOERGE, FLAVIN, FRITH, JACKSON, MARCHAND, T. POWELL, RITCHIE, WHITE, AND WINSTON
AN ACT
To enact R.S. 37:2156(C)(3), relative to contractors; to require the license renewal form to include a donation portion; to provide for collection and remittance of such donations; and to provide for related matters.

HOUSE BILL NO. 1425—
BY REPRESENTATIVE MARTINY
AN ACT
To enact R.S. 39:198(F), relative to contracts for the Video Gaming Monitoring System; to authorize the Department of Public Safety and Corrections to enter into a multiyear contract for up to ten years for the monitoring of video draw poker devices as required by law; and to provide for related matters.

HOUSE BILL NO. 1431—
BY REPRESENTATIVE LAMBERT
AN ACT
To amend and reenact R.S. 37:2551(D), relative to the Board of Examiners of Certified Shorthand Court Reporters; to provide for the payment of per diem to board members; to restrict the number of per diem payments for special meetings; and to provide for related matters.

HOUSE BILL NO. 1487—
BY REPRESENTATIVE MCDONALD
AN ACT
To enact R.S. 40:41(J), relative to death certificates; to require the state registrar of vital records to issue a copy of a death certificate to the Office of Student Financial Assistance, and the office of the attorney general, under certain circumstances; and to provide for related matters.

HOUSE BILL NO. 1697 (Substitute for House Bill No. 153 by Representative Faucheux)—
BY REPRESENTATIVE FAUCHEUX
AN ACT
To amend and reenact R.S. 13:2586(C)(1) and to enact R.S. 13:2586(E), relative to jurisdiction of justice of the peace courts; to provide for certain parishwide jurisdiction in criminal matters; to provide for retention of original jurisdiction over certain judgments; to provide that a constable of the court has parishwide jurisdiction to enforce certain civil judgments; and to provide for related matters.

Respectfully submitted,
DONALD RAY KENNARD
Chairman

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

Leave of Absence
Rep. Baylor - 1 day
Rep. Bruce - 1 day

Adjournment
On motion of Rep. Kenney, at 5:40 P.M., the House agreed to adjourn until Thursday, June 10, 2004, at 9:00 A.M.

The Speaker of the House declared the House adjourned until 9:00 A.M., Thursday, June 10, 2004.

ALFRED W. SPEER
Clerk of the House