

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

**FORTY-FIFTH DAY'S PROCEEDINGS**

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

House of Representatives  
 State Capitol  
 Baton Rouge, Louisiana

Tuesday, June 15, 2004

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

**Morning Hour**

**ROLL CALL**

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

PRESENT

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

Downs	McDonald	Walsworth
Durand	McVea	White
Erdey	Montgomery	Winston
Fannin	Morrell	Wooton
Farrar	Morrish	Wright
Faucheux	Murray	

Total—104

ABSENT

Total—0

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

**Prayer**

Prayer was offered by Dr. Ken Ward.

**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. Lancaster, the reading of the Journal was dispensed with.

On motion of Rep. Walker, and under a suspension of the rules, the Journal of June 14, 2004, was corrected to reflect her as voting yea on final passage of Senate Bill No. 243.

On motion of Rep. Michael Powell, and under a suspension of the rules, the Journal of June 14, 2004, was corrected to reflect him as voting yea on final passage of Senate Bill No. 757.

On motion of Rep. LaFleur, the Journal of June 14, 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 Senate Bill No. 394: Reps. Townsend, Hammett, and Downs.

**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 Senate Concurrent Resolution No. 46: Reps. Durand, Walker, and Burns.

**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 Senate Bill No. 145: Reps. Daniel, Ansardi, and McVea.

**Message from the Senate**

**SENATE BILLS**

June 15, 2004

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

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

Senate Bill No. 37

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

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

Rep. Honey asked for and obtained a suspension of the rules to take up at this time the following Senate Bills and Joint Resolutions just received from the Senate with a view of advancing same, which were taken up, read, and referred to committees, as follows:

**SENATE BILL NO. 37—**  
BY SENATOR HOLDEN

AN ACT

To amend and reenact R.S. 23:633, relative to employment; to provide with respect to payment of wages; to provide for criminal penalties; and to provide for related matters.

Read by title.

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

**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. 106—**  
BY REPRESENTATIVES SALTER AND WALSWORTH  
A RESOLUTION

To commend William Guyton of West Monroe upon his receipt of the J.H. Cain Law Enforcement Award from the Louisiana Moral and Civic Foundation.

Read by title.

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

**HOUSE RESOLUTION NO. 107—**  
BY REPRESENTATIVE BADON

A RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study all issues related to establishing enrollment limits in regular education classes as proposed by House Bill No. 1561 of the 2004 Regular Session and implementing such limits in the manner specified and to report in writing on study findings and recommendations to the House Committee on Education at least sixty days prior to convening the 2005 Regular Session.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 336—**  
BY REPRESENTATIVE DORSEY

A CONCURRENT RESOLUTION

To commend the LSU softball Lady Tigers upon the completion of the historic 2004 season.

Read by title.

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

Ordered to the Senate.

**Senate Concurrent Resolutions**

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

**SENATE CONCURRENT RESOLUTION NO. 154—**  
BY SENATOR MARIONNEAUX

A CONCURRENT RESOLUTION

To urge and request the Joint Legislative Committee on Capital Outlay, with the assistance of and input from the commissioner of administration, to develop recommendations for a new capital outlay budget process that encompasses a true priority system for capital projects throughout the state of Louisiana.

Read by title.

**Motion**

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

**Acting Speaker John Smith in the Chair**

**Acting Speaker Lambert in the Chair**

**Speaker Salter in the Chair**

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

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

**HOUSE CONCURRENT RESOLUTION NO. 58—**  
BY REPRESENTATIVES PINAC, LANCASTER, AND SCALISE AND  
SENATORS HOLLIS AND JONES

A CONCURRENT RESOLUTION

To urge and request the Joint Legislative Committee on the Budget to form a Subcommittee on Science and Technology to study science and technology issues; to seek ways to increase research and development and the availability of seed capital; to develop incentives to encourage investment; and to facilitate interactions among interested persons.

Read by title.

Reported favorably by the Committee on Appropriations.

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

**HOUSE CONCURRENT RESOLUTION NO. 306—**  
BY REPRESENTATIVE DANIEL

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.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Original House Concurrent Resolution No. 306 by Representative Daniel

AMENDMENT NO. 1

On page 1, line 7, change "grounds" to "ground"

AMENDMENT NO. 2

On page 1, line 8, change "this" to "his"

AMENDMENT NO. 3

On page 1, line 12, after "provides" insert a comma "," and delete the remainder of the line and add "in part, that when the owner of"

AMENDMENT NO. 4

On page 1, line 17, after "owner;" and before "and" delete the closed quotation

AMENDMENT NO. 5

On page 2, line 15, change "Article 493 of the Civil Code and" to "Article 493."

AMENDMENT NO. 6

On page 2, line 15, change "Unwanted" to "(Unwanted"

AMENDMENT NO. 7

On page 2, line 16, change "Property;" to "Property);"

AMENDMENT NO. 8

On page 3, at the beginning of line 25, change "set for the" to "set forth"

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

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

**Suspension of the Rules**

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

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

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

**Local and Consent Calendar**

**SENATE BILL NO. 142—**  
BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 33:4094.1(C), relative to the city of New Orleans; to extend the authorization for a voter-approved drainage tax within the city; and to provide for related matters.

Read by title.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Damico	Martiny	Wooton
Faucheux	St. Germain	
Total—5		

The Chair declared the above bill was finally passed.

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

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

AN ACT

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

Read by title.

Rep. Winston moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Glover  
Total—1

**ABSENT**

Ansardi	Daniel	Quezaire
Damico	Martiny	Strain
Total—6		

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.

**Regular Calendar**

**SENATE BILL NO. 14—**  
BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 15:587(A)(1)(a), relative to criminal procedure; to provide relative to the Louisiana Bureau of Criminal Identification and Information; to authorize such bureau to release criminal history records and identification files to the Louisiana State Bar Association; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Baldone to Engrossed Senate Bill No. 14 by Senator Dupre

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 15:587(A)(1)(a)" and before "relative" delete the comma "," and insert "and to enact R.S. 44:3(I),"

AMENDMENT NO. 2

On page 1, line 5, after "Association;" and before "and" insert "to provide for the accessibility of records of criminal convictions through the Louisiana Bureau of Criminal Identification and Information or any law enforcement agency; to provide for a charge to be assessed; to limit liability for any law enforcement agency furnishing such records;"

AMENDMENT NO. 3

On page 2, below line 7, add:

"Section 2. R.S. 44:3(I) is hereby enacted to read as follows:

§3. Records of prosecutive, investigative, and law enforcement agencies, and communications districts

\* \* \*

(1) Notwithstanding the provisions of Subsections A and C of this Section, records of criminal convictions of individuals are public record and shall be made accessible to any person through the Louisiana Bureau of Criminal Identification and Information, either directly from the bureau or from any law enforcement agency. A person requesting such records must provide the name, date of birth, and any other identifying information required by the bureau regarding the subject of the record. Any law enforcement agency shall provide only those records that are electronically maintained and shall not be required to provide any information which has not been entered into an electronic database maintained by the bureau.

(2) For purposes of this Section:

(a) "Conviction" shall include a finding of guilty, a plea of nolo contendere, a conviction which has been set aside and dismissed pursuant to the Code of Criminal Procedure Article 893 or 894, or an offense for which a person has received a first offender pardon.

(b) "Records of criminal convictions" shall not include any records which have been expunged pursuant to R.S. 44:9.

(3) A fee of twenty-six dollars shall be assessed for each inquiry, whether a conviction record is maintained or not, to defray the expenses of maintaining the records and responding to inquiries. Any agency other than the bureau that responds to a request may retain sixteen dollars of the fee and shall transmit ten dollars of the fee to the bureau.

(4) No law enforcement agency furnishing such records shall, for any reason, be liable in damages to any person for providing such conviction information."

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Farrar	Pierre
Alario	Faucheux	Pinac
Alexander	Flavin	Pitre
Ansardi	Frith	Powell, M.
Arnold	Futrell	Powell, T.
Baldone	Gallot	Quezaire
Baudoin	Glover	Ritchie
Baylor	Guillory, E.	Robideaux
Beard	Guillory, M.	Romero
Bowler	Hammett	Scalise
Broome	Heaton	Schneider
Bruce	Hebert	Smiley
Bruneau	Hill	Smith, J.D.—50th
Burns	Honey	Smith, J.H.—8th
Burrell	Hopkins	Smith, J.R.—30th
Carter, R.	Hutter	St. Germain
Cazayoux	Jackson	Strain
Crane	Johns	Thompson
Crowe	Katz	Toomy
Curtis	Kennard	Townsend
Damico	Kenney	Trahan
Daniel	LaBruzzo	Triche
Dartez	Lambert	Tucker
DeWitt	Lancaster	Waddell
Doerge	Martiny	Walker
Dove	McDonald	Walsworth
Downs	McVea	White
Durand	Montgomery	Winston
Erdey	Morrish	Wooton
Fannin	Odinet	Wright
Total—90		

**NAYS**

Badon	Jefferson	Richmond
Carter, K.	Marchand	Shepherd
Dorsey	Morrell	Smith, G.—56th
Gray	Murray	
Total—11		

**ABSENT**

Geymann	Hunter	LaFleur
Total—3		

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. 48—**

BY SENATOR HAINKEL

**AN ACT**

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

Read by title.

Rep. Bruneau moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Glover	LaFleur	Wooton
Guillory, M.	Powell, T.	
Hebert	Walker	
Total—7		

The Chair declared the above bill was finally passed.

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

**SENATE BILL NO. 55—**  
BY SENATOR JONES

AN ACT

To amend and reenact R.S. 18:464(A) and 1280.22(A), relative to elections; to provide for payment of qualifying fee by means of a certified or cashier's check or a money order issued by a credit union; and to provide for related matters.

Read by title.

Rep. Hunter moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Broome	Jackson
Guillory, M.	LaFleur
Total—4	

The Chair declared the above bill was finally passed.

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

**Suspension of the Rules**

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

**SENATE BILL NO. 62—**  
BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 15:574.20(A), and to enact Code of Criminal Procedure Art. 894.2(A)(4), relative to parole; to provide with respect to medical parole; to require medical parole consideration of inmates determined to be terminally ill; to provide for home incarceration; and to provide for related matters.

Read by title.

**Motion**

Rep. Flavin moved that the bill be returned to the calendar.

Rep. Jackson objected.

By a vote of 60 yeas and 34 nays, the House returned the bill to the calendar.

**SENATE BILL NO. 73—**  
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 22:1513(C)(2)(b) and to enact R.S. 22:250.43(C) and 250.48, relative to health insurance coverage; to provide with respect to the dental patient's option to choose services regardless of insurance coverage under specific circumstances; to provide an exception to contract requirements imposed on certain health insurers under certain circumstances; to provide for payment of services to dental providers by insurers; and to provide for related matters.

Read by title.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Flavin	Pierre
Alario	Frith	Pinac
Alexander	Futrell	Pitre
Ansardi	Gallot	Powell, M.
Arnold	Geymann	Powell, T.
Badon	Gray	Quezaire
Baudoin	Guillory, E.	Richmond
Baylor	Guillory, M.	Ritchie
Beard	Hammett	Robideaux
Broome	Heaton	Romero
Bruce	Hebert	Scalise
Bruneau	Hill	Schneider
Burns	Honey	Shepherd
Burrell	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. Germain

Curtis	Katz	Strain
Damico	Kennard	Thompson
Daniel	Kenney	Toomy
Dartez	LaBruzzo	Townsend
DeWitt	Lambert	Trahan
Doerge	Lancaster	Triche
Dorsey	Marchand	Tucker
Dove	Martiny	Waddell
Downs	McDonald	Walker
Durand	McVea	Walsworth
Erdey	Montgomery	White
Fannin	Morrish	Winston
Farrar	Murray	Wooton
Faucheux	Odinot	Wright

Total—99

NAYS

Total—0

ABSENT

Baldone	Glover	Morrell
Bowler	LaFleur	

Total—5

The Chair declared the above bill was finally passed.

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

**SENATE BILL NO. 74—**  
BY SENATOR HINES

AN ACT

To enact R.S. 37:1285(A)(32) and Part XIX of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1299.36 through 1299.36.6, all relative to human cloning; to prohibit the expenditure of state funds for the purpose of human cloning; to provide for definitions; to provide for penalties; and to provide for related matters.

Read by title.

**Motion**

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

**SENATE BILL NO. 125—**  
BY SENATOR ULLO AND REPRESENTATIVE CRANE  
AN ACT

To amend and reenact R.S. 15:587.1(E), relative to the Louisiana Child Protection Act; to provide that a nonpublic entity shall comply with the provisions of the Louisiana Child Protection Act; to provide that the head of any nonpublic entity who fails to comply with the provisions of the Louisiana Child Protection Act shall be fined; and to provide for related matters.

Read by title.

**Motion**

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

**SENATE BILL NO. 388—**  
BY SENATOR MCPHERSON

AN ACT

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

the duties and responsibilities of the coordinator; and to provide for related matters.

Read by title.

Rep. Farrar moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Total—94

NAYS

Total—0

ABSENT

Badon	Curtis	Morrell
Baldone	Erdey	Pierre
Carter, K.	Flavin	
Crane	Glover	

Total—10

The Chair declared the above bill was finally passed.

Rep. Farrar 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. 438—**  
BY SENATOR ULLO  
AN ACT

To amend and reenact R.S. 14:67.10(B)(2), relative to theft of goods; to increase the threshold value of misappropriated goods for the

purpose of meeting felony status; and to provide for related matters.

Read by title.

Rep. Martiny moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Flavin	Pierre
Alario	Frith	Pinac
Alexander	Futrell	Pitre
Ansardi	Gallot	Powell, M.
Arnold	Geymann	Powell, T.
Badon	Gray	Quezaire
Baldone	Guillory, E.	Richmond
Baudoin	Guillory, M.	Ritchie
Baylor	Hammett	Robideaux
Bowler	Heaton	Romero
Broome	Hebert	Scalise
Bruce	Hill	Schneider
Bruneau	Honey	Shepherd
Burns	Hopkins	Smiley
Burrell	Hunter	Smith, G.—56th
Carter, K.	Hutter	Smith, J.D.—50th
Carter, R.	Jackson	Smith, J.H.—8th
Cazayoux	Jefferson	Smith, J.R.—30th
Crane	Johns	St. Germain
Crowe	Katz	Strain
Curtis	Kennard	Thompson
Damico	Kenney	Toomy
Daniel	LaFleur	Townsend
Dartez	Lambert	Trahan
DeWitt	Lancaster	Triche
Doerge	Marchand	Tucker
Dorsey	Martiny	Waddell
Dove	McDonald	Walker
Downs	McVea	Walsworth
Durand	Montgomery	White
Erdey	Morrell	Winston
Fannin	Morrish	Wooton
Farrar	Murray	Wright
Faucheux	Odinet	
Total—101		

**NAYS**

Total—0

**ABSENT**

Beard	Glover	LaBruzzo
Total—3		

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.

**SENATE BILL NO. 439—**  
BY SENATOR ULLO

**AN ACT**

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

Read by title.

Rep. Martiny moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Flavin	Pierre
Alario	Frith	Pinac
Alexander	Futrell	Pitre
Ansardi	Gallot	Powell, M.
Arnold	Geymann	Powell, T.
Badon	Gray	Quezaire
Baldone	Guillory, E.	Richmond
Baudoin	Guillory, M.	Ritchie
Baylor	Hammett	Robideaux
Beard	Heaton	Romero
Bowler	Hebert	Scalise
Broome	Hill	Schneider
Bruce	Honey	Shepherd
Bruneau	Hopkins	Smiley
Burns	Hunter	Smith, G.—56th
Carter, K.	Hutter	Smith, J.D.—50th
Carter, R.	Jackson	Smith, J.H.—8th
Cazayoux	Jefferson	Smith, J.R.—30th
Crane	Johns	St. Germain
Crowe	Katz	Strain
Curtis	Kennard	Thompson
Damico	Kenney	Toomy
Daniel	LaFleur	Townsend
Dartez	Lambert	Trahan
DeWitt	Lancaster	Triche
Doerge	Marchand	Tucker
Dorsey	Martiny	Waddell
Dove	McDonald	Walker
Downs	McVea	Walsworth
Durand	Montgomery	White
Erdey	Morrell	Winston
Fannin	Morrish	Wooton
Farrar	Murray	Wright
Faucheux	Odinet	
Total—101		

**NAYS**

Total—0

**ABSENT**

Burrell	Glover	LaBruzzo
Total—3		

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.

**SENATE BILL NO. 441—**  
BY SENATOR ULLO

**AN ACT**

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

Read by title.

Rep. Martiny moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:



YEAS		
Mr. Speaker	Flavin	Odinet
Alario	Frith	Pierre
Alexander	Futrell	Pinac
Ansardi	Gallot	Pitre
Arnold	Geymann	Powell, M.
Badon	Glover	Powell, T.
Baldone	Gray	Quezaire
Baudoin	Guillory, E.	Richmond
Baylor	Guillory, M.	Ritchie
Beard	Hammett	Robideaux
Bowler	Heaton	Romero
Bruce	Hebert	Scalise
Bruneau	Hill	Schneider
Burns	Honey	Shepherd
Burrell	Hopkins	Smiley
Carter, K.	Hunter	Smith, G.—56th
Carter, R.	Hutter	Smith, J.D.—50th
Cazayoux	Jackson	Smith, J.H.—8th
Crane	Jefferson	Smith, J.R.—30th
Crowe	Johns	St. Germain
Curtis	Katz	Strain
Damico	Kennard	Thompson
Daniel	Kenney	Toomy
Dartez	LaBruzzo	Townsend
DeWitt	LaFleur	Trahan
Doerge	Lambert	Triche
Dorsey	Lancaster	Tucker
Dove	Marchand	Waddell
Downs	Martiny	Walker
Durand	McDonald	White
Erdey	McVea	Winston
Fannin	Montgomery	Wooton
Farrar	Morrell	Wright
Faucheux	Murray	
Total—101		
Total—0		
NAYS		
Total—0		
ABSENT		
Broome	Morrish	Walsworth
Total—3		

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.

**SENATE BILL NO. 443—**  
BY SENATOR ULLO

AN ACT

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

Read by title.

Rep. Martiny 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	Pitre
Arnold	Gray	Powell, M.
Badon	Guillory, E.	Powell, T.
Baudoin	Guillory, M.	Quezaire
Baylor	Hammett	Richmond
Beard	Heaton	Ritchie
Bowler	Hebert	Robideaux
Broome	Hill	Romero
Bruce	Honey	Scalise
Bruneau	Hopkins	Schneider
Burns	Hutter	Shepherd
Carter, R.	Jackson	Smiley
Cazayoux	Jefferson	Smith, G.—56th
Crowe	Johns	Smith, J.D.—50th
Damico	Katz	Smith, J.H.—8th
Daniel	Kennard	Smith, J.R.—30th
Dartez	Kenney	St. Germain
DeWitt	LaBruzzo	Strain
Doerge	LaFleur	Thompson
Dorsey	Lambert	Toomy
Dove	Lancaster	Townsend
Downs	Marchand	Trahan
Durand	Martiny	Triche
Erdey	McDonald	Waddell
Fannin	McVea	Walker
Farrar	Montgomery	White
Faucheux	Morrell	Winston
Flavin	Morrish	Wooton
Frith	Murray	Wright
Total—96		
Total—0		
NAYS		
Total—0		
ABSENT		
Baldone	Crane	Tucker
Burrell	Curtis	Walsworth
Carter, K.	Hunter	
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.

**SENATE BILL NO. 444—**  
BY SENATOR ULLO

AN ACT

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

Read by title.

Rep. Martiny moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

Page 10 HOUSE

45th Day's Proceedings - June 15, 2004

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

NAYS

Total—0

ABSENT

Curtis	Walsworth
Total—2	

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.

**SENATE BILL NO. 446—**  
BY SENATORS JACKSON AND SCHEDLER  
AN ACT

To amend and reenact R.S. 46:153.3(D)(5), relative to the Medicaid Drug Program; to provide for duties and responsibilities of the Medicaid Pharmaceutical and Therapeutics Committee; and to provide for related matters.

Read by title.

Rep. Durand moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

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

NAYS

Total—0

ABSENT

Geymann	Tucker
Lancaster	Walsworth
Total—4	

The Chair declared the above bill was finally passed.

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

**SENATE BILL NO. 495—**  
BY SENATOR SCHEDLER  
AN ACT

To amend and reenact R.S. 40:2115.15(B), relative to public hearings; to provide for locations of hearings; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Crowe to Engrossed Senate Bill No. 495 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 6, after "hearing" insert "; venue"

AMENDMENT NO. 2

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

AMENDMENT NO. 3

On page 1, line 8, after "held" delete the remainder of the line and at the beginning of line 9, delete "sold is located"

AMENDMENT NO. 4

On page 1, after line 11, insert the following:

"(2) The hearing shall be held in the municipality in which the hospital is located. However, if the hospital is not located within a municipality, the hearing shall be held in a municipality nearest to the hospital within the same parish the hospital is located."

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Lambert	Tucker
Lancaster	Walsworth
Total—4	

The Chair declared the above bill was finally passed.

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.

**SENATE BILL NO. 553—**  
BY SENATOR DUPRE

**AN ACT**

To enact R.S. 22:1430.18, relative to property insurance; to provide certain requirements for coverage and issuance of property insurance by the Louisiana Citizens Property Insurance Corporation; 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. 553 by Senator Dupre

AMENDMENT NO. 1

On page 1, line 10, after "accessible" and before "for" insert "by road"

On motion of Rep. Bowler, 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	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	Hammett	Ritchie
Baylor	Heaton	Robideaux
Beard	Hebert	Romero
Bowler	Hill	Scalise
Broome	Honey	Schneider
Bruce	Hopkins	Shepherd
Bruneau	Hunter	Smiley
Burns	Hutter	Smith, G.—56th
Burrell	Jackson	Smith, J.D.—50th
Carter, K.	Jefferson	Smith, J.H.—8th
Cazayoux	Johns	Smith, J.R.—30th
Crane	Katz	St. Germain
Crowe	Kennard	Strain
Damico	Kenney	Thompson
Daniel	LaBruzzo	Toomy
Dartez	LaFleur	Townsend
DeWitt	Lambert	Trahan

Dorsey	Lancaster	Triche
Dove	Marchand	Tucker
Downs	Martiny	Waddell
Durand	McDonald	Walker
Erdey	McVea	Walsworth
Fannin	Montgomery	White
Farrar	Morrell	Winston
Faucheux	Morrish	Wright
Flavin	Murray	
Frith	Odinet	

Total—100

NAYS

Total—0

ABSENT

Carter, R.	Doerge
Curtis	Wooton

Total—4

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. 659—**

BY SENATOR ULLO

AN ACT

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

Read by title.

Rep. Martiny moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Dartez	LaBruzzo	Triche
DeWitt	Lambert	Tucker
Doerge	Lancaster	Waddell
Dorsey	Marchand	Walker
Dove	Martiny	Walsworth
Downs	McDonald	White
Durand	McVea	Winston
Erdey	Montgomery	Wooton
Fannin	Morrell	Wright
Farrar	Morrish	
Faucheux	Murray	

Total—100

NAYS

Total—0

ABSENT

Carter, R.	Romero
LaFleur	St. Germain

Total—4

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.

**SENATE BILL NO. 689—**

BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 46:153.3(B)(2)(a)(introductory paragraph) and (b) and to enact R.S. 46:153.3(B)(2)(e), relative to the medical assistance drug program; to provide for the utilization of a prior approval process and criteria related thereto; to provide for rulemaking; to provide for an annual report to the legislature and governor; and to provide for related matters.

Read by title.

Rep. Durand moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Daniel	Kenney	Thompson
Dartez	LaBruzzo	Toomy
DeWitt	LaFleur	Townsend
Doerge	Lambert	Trahan
Dorsey	Lancaster	Triche
Dove	Marchand	Tucker
Downs	Martiny	Waddell
Durand	McDonald	Walker
Erdey	McVea	Walsworth
Fannin	Montgomery	White
Farrar	Morrell	Winston
Faucheux	Morrish	Wooton
Flavin	Murray	Wright

Total—102

NAYS

Total—0

ABSENT

Carter, R. Curtis  
Total—2

The Chair declared the above bill was finally passed.

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

**SENATE BILL NO. 691—**  
BY SENATOR JACKSON

AN ACT

To amend and reenact the introductory paragraph of R.S. 46:153.3(D)(2) and R.S. 46:153.3(D)(2)(c) through (s), relative to the Medicaid Pharmaceutical and Therapeutics Committee; to provide for changes with respect to who shall be appointed to the committee; and to provide for related matters.

Read by title.

Rep. Durand moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Flavin	Odinot
Alario	Frith	Pierre
Alexander	Futrell	Pinac
Ansardi	Gallot	Pitre
Arnold	Geymann	Powell, M.
Baldone	Glover	Powell, T.
Baudoin	Gray	Quezaire
Baylor	Hammett	Richmond
Bowler	Heaton	Ritchie
Broome	Hebert	Romero
Bruce	Hill	Scalise
Bruneau	Honey	Schneider
Burns	Hopkins	Smith, G.—56th
Burrell	Hunter	Smith, J.D.—50th
Carter, K.	Hutter	Smith, J.H.—8th
Carter, R.	Jackson	Smith, J.R.—30th
Cazayoux	Jefferson	St. Germain
Crane	Johns	Strain
Crowe	Kennard	Thompson
Curtis	Kenney	Toomy
Damico	LaBruzzo	Townsend
Daniel	LaFleur	Trahan

Dartez	Lambert	Triche
DeWitt	Lancaster	Tucker
Doerge	Marchand	Waddell
Dove	Martiny	Walker
Downs	McDonald	White
Durand	McVea	Winston
Erdey	Montgomery	Wooton
Fannin	Morrell	Wright
Farrar	Morrish	
Faucheux	Murray	

Total—94

NAYS

Katz Robideaux  
Total—2

ABSENT

Badon Guillory, E. Smiley  
Beard Guillory, M. Walsworth  
Dorsey Shepherd  
Total—8

The Chair declared the above bill was finally passed.

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

**SENATE BILL NO. 693—**  
BY SENATOR DUPRE

AN ACT

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

Read by title.

Rep. Lancaster moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Murray
Alario	Futrell	Odinot
Alexander	Gallot	Pierre
Ansardi	Geymann	Pinac
Arnold	Glover	Pitre
Badon	Gray	Powell, M.
Baldone	Guillory, E.	Powell, T.
Baudoin	Guillory, M.	Quezaire
Baylor	Hammett	Richmond
Bowler	Heaton	Ritchie
Broome	Hebert	Robideaux
Bruce	Hill	Scalise
Bruneau	Honey	Schneider
Burns	Hopkins	Shepherd
Burrell	Hunter	Smiley
Carter, K.	Hutter	Smith, G.—56th
Cazayoux	Jackson	Smith, J.H.—8th
Crane	Jefferson	Smith, J.R.—30th
Curtis	Johns	St. Germain
Damico	Katz	Strain
Daniel	Kennard	Thompson
Dartez	Kenney	Toomy

DeWitt	LaBruzzo	Townsend
Doerge	LaFleur	Trahan
Dorsey	Lambert	Triche
Dove	Lancaster	Tucker
Downs	Marchand	Waddell
Durand	Martiny	Walker
Erdey	McDonald	White
Fannin	McVea	Winston
Farrar	Montgomery	Wright
Fauchoux	Morrell	
Flavin	Morrish	
Total—97		

NAYS

Romero  
Total—1

ABSENT

Beard	Crowe	Walsworth
Carter, R.	Smith, J.D.—50th	Wooton
Total—6		

The Chair declared the above bill was finally passed.

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.

**SENATE BILL NO. 701—**  
BY SENATOR BAJOIE

AN ACT

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

Read by title.

Rep. Marchand moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Dartez	LaFleur	Townsend
DeWitt	Lambert	Trahan
Doerge	Lancaster	Triche
Dorsey	Marchand	Tucker
Dove	Martiny	Waddell
Downs	McDonald	Walker
Durand	McVea	White
Erdey	Montgomery	Winston
Fannin	Morrell	Wooton
Farrar	Morrish	Wright
Fauchoux	Murray	
Flavin	Odinet	
Total—100		

NAYS

Total—0

ABSENT

Beard	Guillory, M.
Burns	Walsworth
Total—4	

The Chair declared the above bill was finally passed.

Rep. Marchand 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. 808—**  
BY SENATOR HINES

AN ACT

To enact R.S. 40:1300.143(3)(d), relative to the rural hospital preservation act; to require certification by the Rural Hospital Coalition, Inc., as a prerequisite to being designated as a rural hospital; and to provide for related matters.

Read by title.

Rep. Thompson moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Montgomery
Alario	Flavin	Morrell
Ansardi	Frith	Morrish
Arnold	Futrell	Murray
Badon	Gallot	Odinet
Baldone	Geymann	Pierre
Baudoin	Glover	Pinac
Baylor	Gray	Pitre
Beard	Guillory, E.	Powell, M.
Broome	Guillory, M.	Powell, T.
Bruce	Hammett	Quezaire
Bruneau	Hebert	Ritchie
Burns	Hill	Schneider
Burrell	Honey	Shepherd
Carter, K.	Hopkins	Smiley
Carter, R.	Hunter	Smith, J.D.—50th
Cazayoux	Hutter	Smith, J.H.—8th
Crane	Jackson	Smith, J.R.—30th
Crowe	Jefferson	St. Germain
Curtis	Johns	Strain
Damico	Katz	Thompson
Daniel	Kennard	Toomy
Dartez	Kenney	Townsend

DeWitt  
Dorsey  
Dove  
Downs  
Durand  
Erdey  
Fannin  
Total—90

LaFleur  
Lambert  
Lancaster  
Marchand  
Martiny  
McDonald  
McVea

Triche  
Waddell  
Walker  
White  
Winston  
Wooton  
Wright

NAYS

Alexander  
Bowler  
Faucheux  
Total—9

LaBruzzo  
Robideaux  
Scalise

Smith, G.—56th  
Trahan  
Tucker

ABSENT

Doerge  
Heaton  
Total—5

Richmond  
Romero

Walsworth

The Chair declared the above bill was finally passed.

Rep. Thompson 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. 843—**  
BY SENATOR AMEDEE

AN ACT

To amend and reenact R.S. 46:285(A)(2) and to enact R.S. 46:285(A)(6), relative to child protection and foster care workers; to provide that such workers shall be trained in specific legal provision; and to provide for related matters.

Read by title.

Rep. Lambert 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  
Baudoin  
Baylor  
Beard  
Bowler  
Broome  
Bruce  
Bruneau  
Burrell  
Carter, K.  
Carter, R.  
Cazayoux  
Crane  
Crowe  
Curtis  
Damico  
Daniel  
Dartez  
Dorsey  
Dove

Frith  
Futrell  
Gallot  
Geymann  
Gray  
Guillory, E.  
Guillory, M.  
Heaton  
Hebert  
Hill  
Honey  
Hopkins  
Hunter  
Hutter  
Jackson  
Jefferson  
Johns  
Katz  
Kennard  
Kenney  
LaBruzzo  
Lambert  
Lancaster  
Marchand  
Martiny

Pinac  
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  
Thompson  
Toomy  
Townsend  
Trahan  
Triche  
Waddell

Downs  
Durand  
Erdey  
Fannin  
Farrar  
Faucheux  
Flavin  
Total—94

McDonald  
McVea  
Montgomery  
Morrell  
Morrish  
Murray  
Odinet

Walker  
White  
Winston  
Wooton  
Wright

NAYS

Total—0

ABSENT

Baldone  
Burns  
DeWitt  
Doerge  
Total—10

Glover  
Hammett  
LaFleur  
Pierre

Tucker  
Walsworth

The Chair declared the above bill was finally passed.

Rep. Lambert 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. 865—**

BY SENATORS SCHEDLER, AMEDEE, CAIN, CRAVINS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HINES, HOLLIS, JONES, LENTINI, MARIONNEAUX, ROMERO AND SMITH

AN ACT

To amend and reenact R.S. 46:1071 and to enact R.S. 46:1076.1, relative to hospital service districts; to provide for findings; to provide with respect to joint bargaining and contracting, including immunity from certain antitrust provisions; to provide for applicability; and to provide for related matters.

Read by title.

Rep. Pitre moved that the bill be recommitted to the Committee on Commerce.

Rep. Alario objected.

By a vote of 50 yeas and 49 nays, the House agreed to recommit the bill to the Committee on Commerce.

**Suspension of the Rules**

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

**SENATE BILL NO. 873 (Substitute for Senate Bill No. 782 by Senator Lentini)—**

BY SENATOR LENTINI

AN ACT

To enact Part XIX of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1299.36 through 1299.36.7, and R.S. 37:1285(A)(32), all relative to human cloning; to provide for definitions; to prohibit the expenditure of state funds for the purpose of human cloning; to provide for penalties; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Beard to Reengrossed Senate Bill No. 873 by Senator Lentini

AMENDMENT NO. 1

On page 2, line 8, after "(3)" delete the remainder of the line and insert "Somatic cell"

AMENDMENT NO. 2

In House Floor Amendment No. 4 proposed by Representative Beard and adopted by the House of Representatives on June 3, 2004, on page 2, after line 17, insert the following:

"(9) In order to support therapeutic research for the treatment of diabetes, Parkinson's disease, Alzheimer's disease, heart disease, and all diseases and disorders, nothing in this Part shall restrict areas of scientific research not specifically prohibited by this statute, including invitro fertilization, the administration of fertility enhancing drugs, research in the use of nuclear transfer or other cloning techniques to produce molecules, DNA, tissues, organs, plants, or animals other than humans, or cells other than human embryos."

AMENDMENT NO. 3

On page 3, at the beginning of line 11, delete "Nothing" and insert "In order to clarify the state's interest in continuing existing research and promoting additional research to develop treatments and therapies for all diseases and disorders, including but not limited to diabetes, Parkinson's disease, Alzheimer's disease, and heart disease, nothing"

AMENDMENT NO. 4

On page 3, line 11, change "statute" to "Part"

AMENDMENT NO. 5

On page 3, line 12, change "statute" to "Part"

AMENDMENT NO. 6

On page 4, delete lines 11 through 16 in their entirety

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Beard to Reengrossed Senate Bill No. 873 by Senator Lentini

AMENDMENT NO. 1

On page 3, at the beginning of line 11, insert "A."

AMENDMENT NO. 2

On page 3, line 11, after "this" and before "shall" delete "statute" and insert "Part"

AMENDMENT NO. 3

On page 3, between lines 15 and 16, insert the following:

"B. Nothing in this Part shall restrict any person from obtaining any medical procedure, treatment, or therapy outside the state of Louisiana, nor restrict the ingress or egress of any person who has received or participated in any way in any such procedure, treatment,

or therapy including those using, derived from, or in any way related to animal or human somatic cell nuclear transfer.

C. Nothing in this Part shall prohibit the importation of any medication, drug, device, or cells other than a cloned human embryo or fetus, or cells or tissues derived from a cloned human embryo or fetus."

**Motion**

Rep. Strain moved to end consideration of amendments.

As a substitute motion, Rep. Jack Smith moved that the previous question be ordered on the amendments.

Which motion was agreed to.

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

**Acting Speaker St. Germain in the Chair**

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Montgomery to Reengrossed Senate Bill No. 873 by Senator Lentini

AMENDMENT NO. 1

On page 2, delete lines 27 through 29 in their entirety

AMENDMENT NO. 2

On page 3, delete lines 1 and 2 in their entirety

AMENDMENT NO. 3

On page 4, line 22, after "Part" add a period "." and delete the remainder of the line and delete line 23 in its entirety

AMENDMENT NO. 4

On page 5, line 3, change "a cell-based therapy" to "cell-based therapies"

AMENDMENT NO. 5

On page 5, line 4, after "Part" add a period "." and delete the remainder of the line

AMENDMENT NO. 6

On page 5, between lines 16 and 17, insert the following:

"Section 3(A). R.S. 40:1299.36.3(A)(2), (3), and (4) enacted by Act \_\_\_\_, which originated as House Bill 803 of the 2004 Regular Session, are hereby repealed in their entirety.

(B). The provisions of this Section shall become effective if and when any provision of the Act that originated as House Bill 803 of the 2004 Regular Session becomes law and shall supersede any conflicting provision of said Act, even if said Act was enacted last."

AMENDMENT NO. 7

On page 5, line 17, change "Section 3." to "Section 4."



**Motion**

Rep. LaBruzzo moved to end consideration of amendments.

As a substitute motion, Rep. Jack Smith moved that the previous question be ordered on the amendments.

Rep. Beard objected.

The vote recurred on the substitute motion.

By a vote of 59 yeas and 40 nays, the House agreed to order the previous question on the amendments.

Rep. Montgomery moved the adoption of the amendments.

Rep. Beard objected.

By a vote of 60 yeas and 40 nays, the amendments were adopted.

**Speaker Salter in the Chair**

**Motion**

Rep. Hopkins moved to table the bill.

Rep. Beard objected.

By a vote of 17 yeas and 84 nays, the House refused to table the bill.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Cazayoux to Reengrossed Senate Bill No. 873 by Senator Lentini

**AMENDMENT NO. 1**

In House Floor Amendment No. 3 of a set of 3 proposed by Representative Beard and adopted by the House on June 15, 2004, on page 1, line 13, delete "other than a cloned human embryo or fetus or cells or tissues"

Rep. Cazayoux moved the adoption of the amendments.

Rep. Beard objected.

By a vote of 48 yeas and 51 nays, the amendments were rejected.

**Suspension of the Rules**

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

Rep. Beard 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	Quezaire
Baldone	Guillory, E.	Richmond
Baudoin	Guillory, M.	Ritchie
Baylor	Hammett	Robideaux
Beard	Heaton	Romero
Bowler	Hebert	Scalise
Broome	Hill	Schneider
Bruce	Honey	Shepherd
Bruneau	Hopkins	Smiley
Burns	Hunter	Smith, G.—56th
Burrell	Hutter	Smith, J.D.—50th
Carter, R.	Jackson	Smith, J.H.—8th
Cazayoux	Jefferson	Smith, J.R.—30th
Crane	Johns	St. Germain
Crowe	Katz	Strain
Curtis	Kennard	Thompson
Damico	Kenney	Toomy
Daniel	LaBruzzo	Townsend
Dartz	LaFleur	Trahan
DeWitt	Lambert	Triche
Dorsey	Lancaster	Tucker
Dove	Marchand	Waddell
Downs	Martiny	Walker
Durand	McDonald	Walsworth
Erdey	McVea	White
Fannin	Montgomery	Winston
Farrar	Morrish	Wooton
Faucheux	Murray	Wright
Flavin	Odinot	
Total—101		

NAYS

Carter, K.  
Total—1

ABSENT

Doerge  
Total—2

Morrell

The Chair declared the above bill was finally passed.

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

**Suspension of the Rules**

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

**SENATE BILL NO. 579—**  
BY SENATOR JONES

AN ACT

To enact R.S. 44:22, relative to public records; to exempt certain records in the custody of the Department of Economic Development pertaining to negotiations relative to economic development activities from the laws relative to public records until negotiations are concluded; to provide for certain determinations by the secretary of the Department of Economic Development; to provide for notice; to delete certain types of information from the exemption; to provide relative to the effectiveness; and to provide for related matters.

**Suspension of the Rules**

On motion of Rep. Lancaster, and under a suspension of the rules, the above bill was taken up out of its regular order at this time.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Lancaster to Engrossed Senate Bill No. 579 by Senator Jones

**AMENDMENT NO. 1**

Delete Amendments Nos. 2 through 15 in the set of Conforming Amendments proposed by Representative Lancaster and adopted by the House of Representatives on June 8, 2004.

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Bruce	Heaton	Waddell
Gallot	Montgomery	
Total—5		

The Chair declared the above bill was finally passed.

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.

**Motion**

Rep. Winston moved to reconsider the vote by which Senate Bill No. 865 was recommitted to the Committee on Commerce.

Rep. Flavin objected.

By a vote of 48 yeas and 48 nays, the House refused to reconsider the vote by which Senate Bill No. 865 was recommitted to the Committee on Commerce.

**SENATE BILL NO. 8—**

BY SENATORS B. GAUTREUX AND ROMERO  
AN ACT

To enact R.S. 49:170.12, relative to state symbols; to designate St. Mary Parish as the Gateway to the Atchafalaya Basin; and to provide for related matters.

Rep. Dartez moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Faucheux	Morrish
Alario	Flavin	Murray
Alexander	Frith	Odinet
Arnold	Futrell	Pierre
Badon	Gallot	Pinac
Baldone	Geymann	Pitre
Baudoin	Glover	Powell, M.
Baylor	Gray	Powell, T.
Bowler	Guillory, E.	Quezaire
Broome	Guillory, M.	Ritchie
Bruce	Hammett	Robideaux
Bruneau	Hebert	Scalise
Burns	Hill	Schneider
Burrell	Honey	Smiley
Carter, K.	Hopkins	Smith, G.—56th
Carter, R.	Hunter	Smith, J.D.—50th
Cazayoux	Hutter	Smith, J.H.—8th
Crane	Jackson	Smith, J.R.—30th
Crowe	Jefferson	St. Germain
Curtis	Johns	Strain
Damico	Kennard	Thompson
Daniel	Kenney	Toomy
Dartez	LaBruzzo	Townsend
Doerge	LaFleur	Trahan
Dorsey	Lambert	Triche
Dove	Lancaster	Tucker
Downs	Marchand	Walker
Durand	McDonald	Walsworth
Erdey	McVea	White
Fannin	Montgomery	Winston
Farrar	Morrell	Wright
Total—93		

**NAYS**

Total—0

**ABSENT**

Ansardi	Katz	Shepherd
Beard	Martiny	Waddell
DeWitt	Richmond	Wooton
Heaton	Romero	
Total—11		

The Chair declared the above bill was finally passed.

Rep. Dartez 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. 51—**  
BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 17:47(C)(1)(a) and (b), relative to certification of injury or disability for certain leave for employees in the state special schools; to provide for sick leave for up to ninety days in certain cases; to authorize the extension of such leave beyond ninety days; and to provide for related matters.

Read by title.

Rep. Michael Powell moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Beard	Hill
Crowe	Wooton
Total—4	

The Chair declared the above bill was finally passed.

Rep. Michael Powell 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. 79—**  
BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 40:5.5(E)(2), relative to food safety; to provide with respect to the definition of a "food service establishment"; to exclude food prepared and served at private clubs; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Jack Smith to Engrossed Senate Bill No. 79 by Senator Dupre

AMENDMENT NO. 1

On page 1, line 4, after "clubs;" insert "to exclude establishments that heat or prepare boudin or sausage for personal consumption;"

AMENDMENT NO. 2

On page 1, line 15, after "sales," insert "any establishment that heats or prepares boudin or sausage for personal consumption."

On motion of Rep. Jack Smith, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Durand	Lancaster	Winston
Erdey	Marchand	Wooton
Farrar	Martiny	Wright
Flavin	McDonald	
Total—86		

NAYS

Badon	Faucheux	Toomy
Baudoin	McVea	Trahan
Burns	Pierre	Tucker
Cazayoux	Richmond	Walsworth
DeWitt	Robideaux	
Fannin	Scalise	
Total—16		

ABSENT

Morrell	Townsend
Total—2	

The Chair declared the above bill was finally passed.

Rep. Pitre 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. 98—**

BY SENATORS FIELDS, DARDENNE, HOLDEN AND MARIONNEAUX  
AN ACT

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

Read by title.

Rep. Daniel moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Doerge	Marchand	Tucker
Dorsey	Martiny	Waddell
Dove	McDonald	Walker
Downs	McVea	Walsworth
Durand	Montgomery	White
Erdey	Morrish	Winston
Fannin	Murray	Wooton
Faucheux	Odinet	Wright
Total—96		

NAYS

Arnold	Farrar
Total—2	

ABSENT

Beard	Geymann	Morrell
Flavin	Johns	Scalise
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. 126—**

BY SENATOR ULLO

AN ACT

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

Read by title.

Rep. Lancaster moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Damico	Kenney	Toomy
Daniel	LaBruzzo	Townsend
Dartez	LaFleur	Trahan
DeWitt	Lambert	Triche
Doerge	Lancaster	Tucker
Dorsey	Marchand	Waddell
Dove	Martiny	Walker
Downs	McDonald	Walsworth
Durand	McVea	Winston
Erdey	Montgomery	Wooton
Fannin	Morrish	Wright
Total—99		

NAYS

Total—0

ABSENT

Flavin	Morrell	White
Geymann	Smith, J.D.—50th	
Total—5		

The Chair declared the above bill was finally passed.

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.

**SENATE BILL NO. 219—**  
BY SENATORS DARDENNE AND BAJOIE  
AN ACT

To enact R.S. 46:977 and 1906(C), relative to the immunization of certain juveniles; to provide with respect to the Hepatitis B vaccine for juveniles in state custody; and to provide for related matters.

Read by title.

Rep. Broome moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Doerge	LaBruzzo	Townsend
Dorsey	Lambert	Trahan
Dove	Lancaster	Triche
Downs	Marchand	Tucker
Durand	Martiny	Walker
Erdey	McDonald	Walsworth
Fannin	McVea	White
Farrar	Montgomery	Winston
Total—96		

NAYS

Total—0

ABSENT

Baylor	Morrell	Wooton
Curtis	Shepherd	Wright
LaFleur	Waddell	
Total—8		

The Chair declared the above bill was finally passed.

Rep. Broome 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. 224—**  
BY SENATORS MALONE AND NEVERS  
AN ACT

To enact R.S. 17:3048.1(M), relative to the Louisiana Tuition Opportunity Program; to provide that any TOPS award granted to a student shall be credited against educational expenses in a specific order; to provide that cost of any housing, meal plan, books, dues or other fees shall be credited first prior to the cost of tuition; to provide for exceptions; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative M. Powell to Engrossed Senate Bill No. 224 by Senator Malone

AMENDMENT NO. 1

In Amendment No. 2 proposed by the House Committee on Education and adopted by the House of Representatives on June 8, 2004, on line 8, after "guidelines;" delete the remainder of the line and delete lines 9 and 10 and insert "and to"

AMENDMENT NO. 2

In Amendment No. 4 proposed by the House Committee on Education and adopted by the House of Representatives on June 8, 2004, at the end of line 22, change "other" to "any"

AMENDMENT NO. 3

In Amendment No. 4 proposed by the House Committee on Education and adopted by the House of Representatives on June 8, 2004, on line 27, change "(b)(i)" to "(b)"

AMENDMENT NO. 4

In Amendment No. 4 proposed by the House Committee on Education and adopted by the House of Representatives on June 8,

2004, on line 30, after "cover" and before ""cost" change "other" to "any"

AMENDMENT NO. 5

In Amendment No. 4 proposed by the House Committee on Education and adopted by the House of Representatives on June 8, 2004, at the end of line 33, after "amended" change the comma "," to a period "." and delete the remainder of the line and delete lines 34 through 41 in their entirety

On motion of Rep. Michael Powell, the amendments were adopted.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Michael Powell gave notice of his intention to call Senate Bill No. 224 from the calendar for future action.

SENATE BILL NO. 229— BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 18:1462(C) and to enact R.S. 18:1462(D)(3), relative to elections; to prohibit the intimidation of a person at a polling place on election day; to prohibit commissioners from carrying weapons while at the polling place; to provide for penalties; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Waddell to Reengrossed Senate Bill No. 229 by Senator Fields

AMENDMENT NO. 1

On page 1, line 2, after "amend" and before "relative to" delete "R.S. 18:1462(C) and to enact R.S. 18:1462(D)(3)," and insert the following:

"and reenact R.S. 18:18(A)(8)(a), 531.1(A)(2) and (C), 551(A), 553(E)(1), 1259(B)(5), 1302(4), (5), (6), and (7), 1303(A), (B)(4) and (5), (D), and (E), 1305, 1306(A)(1), (B), (D), (E)(1)(introductory paragraph), (F), and (G)(1)(introductory paragraph), (a), and (f), and (2), 1311(A), (B), (C)(1), (D)(1), and (4)(a), 1312(B), 1313(F)(1), (2), (4), (5), (6), (7), (9), and (10), (H), and (I)(3), 1315(A)(1) and (3), (B), and (C), 1317, 1331, 1332(A), 1333(B), (G)(6)(b), (H), 1353(C)(2) and (3)(b), and 1462(C); to enact R.S. 18:1302(8) and 1462(D)(3), to repeal R.S. 18:1304 and 1306(E)(1)(h), (G)(1)(g), and (H),"

AMENDMENT NO. 2

On page 1, line 4, after "penalties;" and before "and to provide" insert the following:

"to remove certain requirements for absentee in person voting; to provide with regard to conducting absentee in person voting; to

repeal special provisions for disabled voters to vote absentee in person; to redesignate and direct the Louisiana State Law Institute to further redesignate the terms "absentee in person" and "absentee" as they relate to absentee in person voting as "early voting";"

AMENDMENT NO. 3

On page 1, line 7, after "Section 1." delete the remainder of the line and at the beginning of line 8, delete "is" and insert the following:

"R.S. 18:1303(A), 1306(G)(1)(a) and (f), 1331, 1332(A), and 1462(C) are hereby amended and reenacted and R.S. 18:1462(D)(3) is hereby enacted to read as follows:"

AMENDMENT NO. 4

On page 1, between lines 8 and 9, insert the following:

"§1303. Persons entitled to vote in compliance with this Chapter

A. In person. ~~The persons hereafter enumerated, who are otherwise qualified to vote, Any person who is qualified to vote~~ may vote absentee in person at a place designated by the registrar as provided in R.S. 18:1309(A) and (B):

(1) ~~A person who expects to be absent from the parish in which he is qualified to vote on election day;~~

(2) ~~A person who expects to be hospitalized on election day or a person who expects to be hospitalized and released prior to election day but who expects to be restricted to his bed by his physician on election day;~~

(3) ~~A member of the United States Service, as defined in R.S. 18:1302, and his spouse and dependents, who expect to be out of the parish on election day;~~

(4) ~~A student, instructor, or professor in an institution of higher learning located outside the parish in which he is qualified to vote and who lives outside of said parish by reason thereof, and his spouse and dependents accompanying and residing with him, who expect to be out of the parish on election day;~~

(5) ~~A minister, priest, rabbi, or other member of the clergy assigned to a religious post outside of the United States and his spouse and any dependents accompanying and residing with him, who expect to be out of the parish on election day;~~

(6) ~~A person residing outside the United States who expects to be out of the parish on election day;~~

(7) ~~A person who, after the registration books have closed as required by R.S. 18:135, has moved his residence to another parish, and the new residence is more than one hundred miles from the parish seat of the parish of his former residence, in which case he may vote by absentee ballot in the parish of his former residence;~~

(9) ~~A person involuntarily confined to an institution for mental treatment who is not interdicted and judicially declared mentally incompetent;~~

(10) ~~A person who, by virtue of his employment or occupation, expects to be out of his parish of registration on election day or who by virtue of his employment or occupation expects to be out of his precinct of registration and upon the waters of the state on election day;~~

(11) ~~A disabled voter, as provided in R.S. 18:1304;~~

~~(12) A person who declares to the registrar that tenets of his religion require his attendance at religious services on election day, prevent him from affixing his handwritten signature on any ballot or registration rolls on an election day, or otherwise prevent him from casting his ballot on election day.~~

~~(13) A clerk of court, registrar of voters, or a person who is employed by the secretary of state, the commissioner of elections, a clerk of court, or registrar of voters and who, by virtue of his employment, expects to be unable to go to his polling place on election day to cast his ballot.~~

~~(14) A person serving as commissioner-in-charge, commissioner, or alternate commissioner for an election in a precinct other than the precinct in which he is registered to vote.~~

~~(15) A person who is sixty-five years of age or older.~~

~~(16) Any person who has registered by mail who has not previously voted in any election.~~

\* \* \*

§1306. Preparation and distribution of absentee ballots

\* \* \*

G.(1) An in-person absentee application shall bear a certificate prescribed by the secretary of state and approved by the attorney general. The certificate shall include but not necessarily be limited to:

(a) The full name and place of residence of the voter in Louisiana, including ~~state~~, parish, ward, precinct, city, and street.

\* \* \*

(f) Spaces for the ~~state and~~ parish where it is executed.

\* \* \*

§1331. Persons entitled to vote in compliance with this Chapter

A qualified voter who is physically disabled to the extent that he is unable to vote in person at the polls on election day, either at the polling place in the precinct in which he is registered to vote or at another polling place as provided in R.S. 18:531(B), and is unable to vote absentee in person at the registrar's office ~~as permitted by R.S. 18:1304~~, may vote by absentee ballot in accordance with the provisions of this Part.

§1332. Disabled voters; physical disability rendering voter incapable of voting in person, voting absentee by mail; requirements

A. Except as provided in R.S. 18:1333, a person otherwise qualified to vote who is physically disabled to an extent which prevents him from voting at the polls on election day or from voting absentee in person ~~as authorized by R.S. 18:1304~~ may vote absentee by mail in accordance with the applicable provisions of Chapter 7 of this Election Code, upon approval for participation in the special program as provided by this Chapter.

\* \* \*

AMENDMENT NO. 5

On page 1, after line 12, insert the following:

"Section 2. R.S. 18:18(A)(8)(a), 531.1(A)(2) and (C), 551(A), 553(E)(1), 1259(B)(5), 1302(4), (5), (6), and (7), 1303(A), (B)(4) and (5), (D), and (E), 1305, 1306(A)(1), (B), (D), (E)(1)(introductory paragraph), (F), and (G)(1)(introductory paragraph) and (2), 1309(D)(1), and (G), 1311(A), (B), (C)(1), (D)(1), and (4)(a), 1312(B), 1313(F)(1), (2), (4), (5), (6), (7), (9), and (10), (H), and (I)(3), 1315(A)(1) and (3), (B), and (C), 1317, 1331, and 1332(A), 1333(B), (G)(6)(b), (H), 1353(C)(2) and (3)(b) are hereby amended and reenacted and R.S. 18:1302(8) is hereby enacted as follows:

§18. Secretary of state; powers and duties

A. The secretary of state shall administer the laws relating to custody of voting machines and voter registration, and for the purpose he shall:

\* \* \*

(8)(a) Prescribe uniform rules, regulations, forms, and instructions as to standards for effective nonpartisan voter education, which shall be approved by the attorney general and thereafter shall be implemented uniformly by each registrar of voters in the state. In developing the standards, the secretary of state shall review current voter education programs within the state. The standards shall address but shall not be limited to voter education concerning voter registration, balloting procedures, both voting absentee by mail, during early voting, and at the polling places, distribution of sample ballots, and effective voter education methods, including the use of public service announcements and other public awareness methods. By December fifteenth of each general election year, each registrar of voters shall report to the secretary of state a detailed description of the voter education programs implemented in his parish. The secretary of state, upon receipt of such information, shall prepare a report on the effectiveness of voter education programs and shall submit the report to the governor, the president of the Senate, and the speaker of the House of Representatives by January thirty-first of each year following a general election.

\* \* \*

§531.1. Exception to opening polls; alternative voting locations

A. Notwithstanding any provision of law to the contrary, the polling place for a particular precinct shall not be required to be opened in either of the following circumstances:

\* \* \*

(2) When it is determined by the registrar of voters after the close of ~~absentee voting in person~~ early voting, that all voters eligible to vote in the precinct have voted absentee by mail or during early voting.

\* \* \*

C. Whenever the polling place for a precinct to which a voter is assigned is not opened pursuant to the provisions of Subsection A and it is subsequently determined on election day that a voter is eligible to vote and has not voted absentee by mail or during early voting, the voter may cast his vote at the polling place nearest the precinct at which he is registered, provided such polling place has the ballot for which he is eligible to vote on a voting machine. The registrar of voters shall authorize a commissioner at the nearest polling place to allow the voter to vote after the voter completes and signs the affidavit of voter form. If no such polling place is available, the voter may cast his vote by paper ~~absentee~~ ballot in the office of the registrar of voters or at a location designated by the registrar.

\* \* \*

§551. Ballots

A. Preparation. The secretary of state shall prepare and certify the absentee by mail ballots, the early voting ballots, and the ballots to be used on the voting machines in primary and general elections.

\* \* \*

§553. Inspection and preparation of voting machines at polling places; precinct registers and supplemental list

\* \* \*

E. Maintenance of precinct registers.

(1) The parish custodian of voting machines shall be responsible for delivering a supplemental list of absentee voters who voted absentee by mail and whose ballots were received after the last day for voting ~~absentee in person~~ early voting and before election day, if necessary.

\* \* \*

§1259. Arrangement of ballot; designation of party candidates

\* \* \*

B.

\* \* \*

(5) On a voting machine, there shall be a single lever, button, or candidate selection button with which to mark the ballot opposite each pair of names. On ~~mail absentee paper~~ ballots, there shall be a single box within which to mark the ballot opposite each pair of names.

\* \* \*

§1302. Definitions

As used in this Chapter, unless the context clearly indicates otherwise, the following terms shall have the meanings hereafter ascribed to each:

\* \* \*

(4) "Early voting" means the period of time from sixteen days to six days prior to any scheduled election when any person who is qualified to vote may vote in person at a place designated by the registrar as provided in R.S. 18:1309(A) and (B).

~~(4)~~ (5) "Election official" means the parish board of election supervisors; clerks and their employees who perform duties in the election process; registrars of voters and their employees; the secretary of state and employees of his office who perform duties in the election process; and the poll commissioners, including the commissioner-in-charge.

~~(5)~~ (6) "Federal postcard application" means an application for absentee by mail ballot as permitted by 50 USC 1464.

~~(6)~~ (7) "Registrar" means the registrar of voters of each parish.

~~(7)~~ (8) "United States Service" means the following persons, and their spouses and dependents:

\* \* \*

§1303. Persons entitled to vote in compliance with this Chapter

A. In person. Any person who is qualified to vote may vote ~~absentee in person~~ during the early voting period at a place designated by the registrar as provided in R.S. 18:1309(A) and (B).

B. By mail. The following persons, otherwise qualified to vote, who expect to be out of the parish on election day, may vote absentee by mail upon meeting the requirements of this Chapter:

\* \* \*

(4) A person who is or who expects to be temporarily outside the territorial limits of the state or absent from the parish in which he is qualified to vote during the ~~absentee voting~~ early voting period and on election day.

(5) A person who, after the registration books have closed as required by R.S. 18:135, has moved his residence to another parish and the new residence is more than one hundred miles from the parish seat of the parish of his former residence, in which case he may vote ~~by absentee~~ by mail ballot in the parish of his former residence.

\* \* \*

D. Hospitalized. (1) A person who is otherwise qualified to vote, who expects to be hospitalized on election day and who did not have knowledge of his proposed hospitalization until after the time ~~to vote absentee in person~~ for early voting had expired, may vote absentee by mail upon meeting the requirements of this Chapter.

(2) A person who is otherwise qualified to vote, who expects to be hospitalized on election day and who was hospitalized during the time ~~to vote absentee in person~~ for early voting, may vote absentee by mail upon meeting the requirements of this Chapter.

(3) A person who was hospitalized and released prior to an election but who is either hospitalized or restricted to his bed by his physician during ~~absentee voting in person~~ early voting and is restricted to his bed by his physician on election day may vote absentee by mail upon meeting the requirements of this Chapter.

E. Employed upon state waters. A person who, by virtue of his employment or occupation expects to be out of his precinct of registration and upon the waters of the state both during the ~~absentee~~ early voting period and on election day may vote absentee by mail upon meeting the requirements of this Chapter.

\* \* \*

§1305. Voting at polls prohibited

A person who has voted ~~by absentee ballot~~ either by absentee by mail ballot or ~~in person~~ during early voting shall not vote in person at the polls on election day.

§1306. Preparation and distribution of absentee by mail and early voting ballots

A.(1) The secretary of state shall prepare absentee by mail and early voting ballots. The size and weight of paper, size and type of print, and other matters pertaining to absentee by mail and early voting ballots shall be determined by the secretary of state, subject to approval as to content by the attorney general. All ballots and paraphernalia of the same kind shall be identical as to size and weight of paper, size, type, and color of print, and other matters.

\* \* \*



B.(1) The secretary of state shall prepare absentee by mail and early voting ballot envelopes, ~~in-person absentee early voting~~ applications, absentee by mail and early voting instructions, certificates, and other absentee by mail and early voting balloting paraphernalia consistent with the provisions of this Chapter, subject to approval of the attorney general as to content. Notwithstanding the provisions of R.S. 18:1316 relating to distinguishing marks on absentee by mail and early voting ballots, absentee by mail voting instructions on absentee ballots to be transmitted by facsimile in accordance with R.S. 18:1308(A)(1)(b) shall stipulate that the voter may mark his ballot with a cross (X) mark or a check [ T ] mark as provided in Subparagraphs (A)(2)(a) and (b) of this Section. When a court of competent jurisdiction, a registrar of voters, the secretary of state, or other competent authority determines that there exists a literate linguistic minority equal to more than five percent of the total population of any parish, the secretary of state, with approval of the attorney general as to content, shall prepare and furnish absentee by mail and early voting ballots, absentee by mail and early voting instructions, and certificates in the minority language in sufficient quantity to send each absentee by mail and early voter requesting voting material in that language.

(2) The secretary of state shall include with the election paraphernalia accompanying absentee by mail and early voting ballots an informational pamphlet, approved by the secretary of state and the attorney general, generally describing the particular absentee by mail and early voting counting equipment utilized in the election to count absentee by mail and early voting ballots or voting machines used to cast ~~absentee early voting~~ ballots. The instructions shall inform the voter how to cast his vote, which shall include if applicable, instructions for marking the absentee by mail and early voting ballot and examples of the correct and incorrect methods of marking the ballot.

C.(1) At least twenty days before each primary election and at least thirteen days before each general election, the secretary of state shall deliver to the registrar in each parish in which the election is to be held the paper absentee by mail and early voting ballots, envelopes, ~~in-person absentee early voting~~ applications, certificates, instructions to be used in voting by absentee by mail and early voting ballot in that election, and a statement, approved by the attorney general, explaining the scope and nature of any proposed constitutional amendment. The number of paper absentee by mail and early voting ballots and other necessary paraphernalia to be so delivered shall be up to ten percent of the registered voters within each parish.

\* \* \*

D. An absentee by mail and early voting ballot envelope shall have printed on its face in red bold face type:

FOR BALLOT ONLY  
VIOLATION OF ABSENTEE BY MAIL OR EARLY  
VOTING LAWS VOIDS BALLOT  
AND MAY RESULT IN CRIMINAL PENALTIES  
VOTING AT POLLS AFTER VOTING ABSENTEE BY MAIL  
OR DURING EARLY VOTING IS PROHIBITED  
AND MAY RESULT IN CRIMINAL PENALTIES

E.(1) An absentee by mail or early voting ballot envelope also shall have a perforated extension or flap below the sealing line, which shall bear a certificate prescribed by the secretary of state and approved by the attorney general. The certificate shall include but not necessarily be limited to:

\* \* \*

(2) An absentee by mail or early voting ballot envelope flap shall also contain lines for the handwritten signature of two witnesses. The voter may sign the certificate in the presence of two witnesses, who must also sign the certificate, and in such a case, the voter shall not be required to obtain the signature of a notary public, but his certificate shall be made under penalty of perjury for providing false or fraudulent information. Above the perforation and along the seal line the words "DO NOT DETACH FLAP" shall be printed.

F. An ~~in-person absentee early voting~~ application shall have printed on its face in bold face type:

"VIOLATION OF ABSENTEE BY MAIL OR EARLY VOTING  
LAWS  
VOIDS BALLOT AND MAY RESULT IN CRIMINAL  
PENALTIES  
VOTING AT POLLS AFTER VOTING ABSENTEE  
BY MAIL OR DURING EARLY VOTING IS PROHIBITED  
AND MAY RESULT IN CRIMINAL PENALTIES".

G.(1) An ~~in-person absentee early voting~~ application shall bear a certificate prescribed by the secretary of state and approved by the attorney general. The certificate shall include but not necessarily be limited to:

\* \* \*

(2) The ~~absentee early~~ voter shall sign the certificate in the presence of the registrar, and his certificate shall be made under penalty of perjury for providing false or fraudulent information.

\* \* \*

§1309. ~~Absentee Early voting~~ application and early voting in-person

\* \* \*

D.(1) Before any voter is allowed to vote ~~absentee in-person during early voting~~, the registrar or his deputy shall establish the voter's identity by requiring him to submit his Louisiana driver's license, his current registration certificate, or other identification card, by comparison with the descriptive information on the precinct register, or in the manner provided in R.S. 18:105(A).

\* \* \*

G. Prior to delivery of the precinct register to the parish custodian, the registrar shall enter the word "absentee" and the date of the election in the proper space on the precinct register for each voter who voted ~~absentee in-person during early voting~~ and for each voter who voted absentee by mail whose ballot the registrar had received on or before the last day for early voting absentee in-person.

\* \* \*

§1311. List of absentee by mail and early voting voters; posting; delivery of alphabetized list to precincts; supplements

A. Immediately upon receipt of an application to vote absentee by mail or ~~in-person during early voting~~, the registrar shall enter the name of the applicant and his street or mailing address, ward, and precinct number on a list. He shall post the list in a conspicuous place accessible to the public at the entrance to his office.

B. The registrar shall keep a list containing the names of all persons who vote by absentee early voting ballot ~~in-person during early voting~~ and of those whose absentee ballots by mail he has received. He shall post this list in a conspicuous place accessible to

the public at the entrance to his office. After the last day for early voting absentee in person, the registrar shall prepare a list, arranged alphabetically by precinct, of the names of all persons who have voted absentee in person during early voting or from whom absentee ballots by mail were received on or before the last day for early voting absentee in person. The registrar shall retain a copy of the list for use by the parish board of election supervisors on election night and shall post a copy of the list in a conspicuous place accessible to the public at the entrance to his office.

C.(1) The registrar shall prepare a supplemental list, arranged alphabetically by precinct, of the names of all persons from whom absentee ballots by mail have been received after the last day for early voting absentee in person and before election day. The registrar shall deliver the supplemental list for each precinct to the parish custodian. The parish custodian shall then deliver the supplemental list for each precinct to the deputy parish custodian appointed for that precinct when the key envelopes are delivered as provided in R.S. 18:553(A). The registrar shall retain a copy of the supplemental list for use by the parish board of election supervisors on election night and shall post a copy of the supplemental list in a conspicuous place accessible to the public at the entrance to his office.

\* \* \*

D.(1) Any absentee ballot submitted by a member of the United States Service or person who resides outside of the United States who has made application to vote absentee by mail timely and which ballot is received by the registrar on election day shall be endorsed with the day and hour of receipt and shall be segregated from and kept separately from any other absentee by mail ballot received on or after election day.

\* \* \*

(4)(a) If the voter has not voted in person at the precinct, the registrar shall instruct the commissioner-in-charge to mark "Absentee" in the place where the voter would ordinarily sign the precinct register and to initial the precinct register opposite the word "Absentee". The registrar shall then include the first absentee by mail ballot received, if received timely, with those to be counted by the board, or, if the counting and tabulation of absentee by mail and early voting ballots has commenced, shall transmit such ballot to the board to be counted. Any second or subsequent ballot received from such person shall be considered as not timely received. Accompanying any such absentee by mail ballot shall be a statement certified by the registrar that he has verified that such voter has not voted in person at the precinct where he is registered to vote.

\* \* \*

§1312. Retention of ballots at registrar's office

\* \* \*

B. All absentee by mail ballots which are received timely shall be removed from the mail return envelope, if applicable, shall be arranged by ward and precinct and placed and retained in a special absentee by mail and early voting ballot envelope designated and used only for that purpose, and shall be delivered to the parish board of election supervisors to be counted and tabulated as provided in R.S. 18:1313.

\* \* \*

§1313. Tabulation and counting of absentee by mail and early voting ballots

\* \* \*

F. The procedure for counting absentee by mail or early voting ballots shall be as follows:

(1) A member of the board shall remove the envelopes containing the absentee by mail and early voting ballots and ~~in-person early voting~~ absentee applications from the special absentee by mail and early voting ballot envelope.

(2) The board shall announce the name of each ~~absent~~ absentee by mail or early voting voter and the ward and precinct where he is registered to vote, and shall compare the name on the ~~in-person absentee early voting~~ application or on the flap of the envelope containing the absentee by mail or early voting ballot with the names on the list of absentee by mail or early voting voters and on the supplemental list.

\* \* \*

(4) If the board determines that an absentee by mail or early voting ballot is valid, a member of the board shall write the word "absentee" on the list beside the name of the voter as it appears on the list or supplemental list of persons who voted absentee by mail or during early voting, and shall sign his name in the space therefor which shall be provided on the list for the purpose. If applicable, a member of the board shall tear the flap from the envelope containing the absentee by mail or early voting ballot and leave the envelope sealed.

(5) If a majority of the members of the board determine that an absentee by mail or early voting ballot is invalid, the members shall leave the flap on the envelope containing the absentee by mail or early voting ballot, leave the envelope sealed, and shall write the word "rejected", together with the reasons for rejecting the ballot, across the envelope containing the ballot or across the ~~in-person absentee early voting~~ application. The rejected absentee by mail and early voting ballots and ~~in-person absentee early voting~~ applications shall be replaced in the special absentee by mail and early voting ballot envelope. No rejected absentee by mail or early voting ballot shall be counted.

(6) After the validity of all absentee by mail and early voting ballots has been determined, the members of the board shall place the valid ~~in-person absentee early voting~~ applications and the flaps removed from the valid absentee by mail and early voting ballots in the envelope provided for that purpose and seal the envelope. Two of the members shall execute the certificate on the envelope.

(7) The members shall open the envelopes containing the valid absentee by mail and early voting ballots and remove the ballots.

\* \* \*

(9) Prior to utilizing any absentee by mail and early voting counting equipment, the parish board of election supervisors shall generate a zero tally to ensure that the equipment's candidate and question counter are set at zero and that no votes have been cast for any candidate or for or against any proposition.

(10) The absentee by mail and early voting votes cast for a candidate and those cast for and against a proposition shall be counted and the total number of absentee by mail and early voting votes cast for a candidate and those cast for and against a proposition shall be announced in the order the offices and candidates and propositions are listed on the ballot. The members of the board shall

enter the total number of votes on the final absentee by mail and early voting vote report and shall certify the results.

\* \* \*

H. When the supplemental lists have been returned to the registrar of voters, the registrar, based on the information contained in the lists, shall enter confirm that the word "absentee" and the date of the election is written in the proper space on the precinct register for each voter who voted absentee by mail.

I.

\* \* \*

(3) A candidate or his representative, in the presence of a majority of the parish board of election supervisors, shall be allowed to inspect the valid ~~in-person absentee~~ early voting applications and the flaps removed from the valid absentee by mail and early voting ballots. All such inspections shall be held at 10:00 a.m. or following the recount of absentee by mail and early voting ballots on the fifth day after the election and at any time ordered by a court of competent jurisdiction. If the fifth day after the election falls on a holiday or weekend, such inspection shall be held on the next working day at 10:00 a.m. or following the recount of absentee by mail and early voting ballots. Any written request for inspection shall be filed with the clerk of court. The deadline for filing a request for inspection shall be the last working day prior to the date of the inspection. Immediately upon receiving any request, the clerk of court shall prominently post in his office a notice of the time and place where the inspection will occur and the name of the candidate requesting the inspection. The candidate requesting the inspection shall be responsible for all reasonable costs associated with such inspection.

\* \* \*

§1315. Challenge of absentee by mail or early voting ballot

A.(1) A candidate or his representative, a member of the board, or a qualified elector may challenge an absentee by mail or early voting ballot for the grounds specified in R.S. 18:565(A), by personally filing his written challenge with the registrar, no later than the fourth day before the election for which the ballot is challenged. Such challenge shall be on a form provided by the secretary of state.

\* \* \*

(3) The form shall also include information about the date and place where the board will determine the validity of the challenge, which information shall be included by the registrar. Within twenty-four hours after the challenge has been filed, the registrar shall mail a copy of the challenge to the voter whose absentee by mail or early voting ballot is being challenged at the address shown on the registrar's roll of electors. The registrar shall retain the original challenge form and shall transmit it to the place where the absentee by mail or early voting ballot will be counted and tabulated for the use of the board on election day.

B. During the counting of absentee by mail and early voting ballots, any candidate or his representative, member of the board, or qualified elector may challenge an absentee by mail or early voting ballot for cause, other than those grounds specified in R.S. 18:565(A).

C.(1) During the counting of absentee by mail and early voting ballots, at least a majority of the members of the board shall hear and determine the validity of any ballot challenged in accordance with the provisions of Subsection A or B of this Section.

(2) If a challenge in accordance with the provisions of Subsection A is sustained, the vote shall not be counted, the ballot or ~~in-person absentee~~ early voting application shall be placed in the special absentee by mail and early voting ballot envelope, and the board shall notify the voter in writing of the challenge and the cause therefor. This notification shall be on a form provided by the secretary of state and shall be signed by at least a majority of the members of the board. The notice of the challenge and the cause therefor shall be given within three days by certified mail, return receipt requested, addressed to the voter at his place of residence. The board shall retain a copy of the notification. However, if the challenge is based upon a change of residence within the parish or is based upon a change of residence outside the parish that has occurred within the last three months, the ballot shall be counted provided that the voter confirmed his current address as shown by the affidavit of the absentee by mail or early voting ballot envelope flap or ~~in-person absentee~~ early voting application or, if the voter is on the inactive list of voters, as shown by the information provided on an address confirmation card.

(3)(a) If a challenge in accordance with the provisions of Subsection B is sustained, the vote shall not be counted, the board shall write "rejected" and the cause therefor across the ballot envelope or ~~in-person absentee~~ early voting application, and shall place the ballots and ~~in-person absentee~~ early voting applications so rejected in the special absentee by mail and early voting ballot envelope.

(b) If a ballot is rejected pursuant to the provisions of R.S. 18:1316, the vote shall not be counted, the board shall write "rejected" and the cause therefor on a separate slip of paper and attach it to the ballot, and shall place the ballots so rejected in the special absentee by mail and early voting ballot envelope.

\* \* \*

§1317. Death of voter prior to opening of polls

When the members of the board determine by proof satisfactory to them that a voter who has voted by absentee mail or early voting ballot has died prior to the opening of the polls on the day of the election, they shall return the ballot or ~~in-person absentee~~ early voting application of the voter in the same manner as is provided in R.S. 18:1315 for the challenge of ballots. However, the casting of an absentee by mail or early voting ballot by a voter who thereafter dies or the tabulation of such a ballot shall not invalidate the election.

\* \* \*

§1331. Persons entitled to vote in compliance with this Chapter

A qualified voter who is physically disabled to the extent that he is unable to vote in person at the polls on election day, either at the polling place in the precinct in which he is registered to vote or at another polling place as provided in R.S. 18:531(B), and is unable to vote ~~absentee in person~~ during early voting at the registrar's office may vote by absentee ballot in accordance with the provisions of this Part.

§1332. Disabled voters; physical disability rendering voter incapable of voting in person, voting absentee by mail; requirements

A. Except as provided in R.S. 18:1333, a person otherwise qualified to vote who is physically disabled to an extent which prevents him from voting at the polls on election day or from voting ~~absentee in person~~ during early voting may vote absentee by mail in accordance with the applicable provisions of Chapter 7 of this

Election Code, upon approval for participation in the special program as provided by this Chapter.

\* \* \*

§1333. Voting by persons confined to a nursing home

\* \* \*

B. A qualified voter who is unable to vote because of confinement in a nursing home within the parish in which he is entitled to vote by reason of physical handicap to an extent which prevents him from voting in person at the polls or from voting in person by absentee ballot during early voting as otherwise provided by this Code may vote absentee as provided in this Section during the period extending at least one week prior to the beginning day for absentee early voting in person through the last day for absentee early voting in person established by R.S. 18:1309.

\* \* \*

G. The voting by each voter shall be accomplished in the following manner:

\* \* \*

(6)

\* \* \*

(b) Upon returning to the registrar's office, the registrar shall unlock the metal box containing the absentee ballots, remove them from the box, and otherwise follow the procedures for the posting of the name, ward, and precinct of the voter, and other procedures as required by R.S. 18:1311 and other applicable provisions of the Election Code relating to absentee by mail and early voting ballots.

\* \* \*

H. Notwithstanding the provisions of this Section, the registrar may utilize the same absentee voting procedures, voting machines, and equipment used for in-person absentee early voting to conduct voting under this Section.

\* \* \*

§1353. Secretary of state; powers and duties; voting machines; voter registration

\* \* \*

C. In addition to any other duties and functions now or hereafter provided by law, the secretary of state shall:

\* \* \*

(2) Be responsible for all purchases, sales, and transfers of voting machines and absentee by mail and early voting counting equipment and for all matters in connection with the advertising for and opening of bids for or in connection therewith.

(3)

\* \* \*

(b) Maintain and repair all voting machines used for absentee voting in person early voting and absentee by mail and early voting counting equipment and designate the registrar of voters in each parish to store all such voting machines and absentee by mail and

early voting counting equipment, except when, in accordance with law, such voting machines and absentee by mail and early voting counting equipment are placed in the direct charge and supervision of the parish custodian.

\* \* \*

Section 3. R.S. 18:1304 and 1306(E)(1)(h), (G)(1)(g), and (H) are hereby repealed in their entirety.

Section 4. The Department of State shall not discard or otherwise dispose of any of its ballot envelopes, voting instructions, informational pamphlets, posters, and other election related materials to accomplish the purposes of this Section, but shall take whatever means appropriate, such as stamping "early voting" on such materials, to implement the requirements of this Section.

Section 5. A. As used in Chapters 3 through 11 of the Louisiana Election Code, "absentee in person voting", "voting in-person absentee", "in-person absentee voting", and "voting absentee in person" shall mean "early voting". The Louisiana State Law Institute shall work with appropriate legislative staff and state elections officials to identify and redesignate all references to absentee in person voting remaining in such provisions.

B. The Louisiana State Law Institute shall change "absentee in person voting", "voting in-person absentee", "in-person absentee voting", "voting absentee in person" and any other incidence of the word "absentee" in the following provisions to "early voting", "during early voting", "early voting voter", "early voting ballots", "early voting votes", as the case may be, in the following provisions: R.S. 18:18(7), 115(F)(1)(a), 401.1(A), (B), and (C), 564(E), 566(title), (C), (D)(introductory paragraph), (1), and (2), 566.2(A) and (F)(1), 1300.6(A), 1309(A), (B), (C), (E)(1), (3), and (5), (F), and (H), 1309.1(title), (A), and (B), 1310(A)(2), 1321(A), 1332(B)(1)(introductory paragraph), (a)(i) and (ii), 1334 (title), (A)(introductory paragraph), 1400.3(D)(4), 1433(B), 1462(A)(introductory paragraph) and (2), 1531(A), (B), and (D).

C. In the following provisions, all occurrences of the word "absentee" refer to both voting absentee by mail and during early voting. The Louisiana State Law Institute shall change "absentee" to "absentee by mail and early voting", "absentee by mail and during early voting", "absentee by mail and early voting voter", "absentee by mail and early voting ballots", "absentee by mail and early voting votes", as the case may be, in the following provisions: R.S. 18:25(B), 58(B), 59(I)(2), 158(title) and (A), 573(B), 574(A)(2), Chapter 7 (title) of Title 18, 1301, 1302(2), 1312(A), (C), and (E), 1313(A), (B), (C), (D), (E), (G), (I)(1), (2)(a), (b), and (c), and (4), 1314(title), (B), (C), (D), and (E), Chapter 8 (title) of Title 18, 1351(1), 1352(title and body), 1353(B), 1361(B), 1364(title), (A), and (B), 1400.4(D)(3), Part III (title) of Chapter 9 of Title 18, 1451, 1452, and 1453(C).

D. In the following provisions, all occurrences of the word "absentee" refer to either voting absentee by mail or during early voting. The Louisiana State Law Institute shall change "absentee" to "absentee by mail or early voting", "absentee by mail or during early voting", "absentee by mail or early voting voter", "absentee by mail or early voting ballots", "absentee by mail or early voting votes", as the case may be, in the following provisions: R.S. 18:196(C)(2), 562(B)(1) and (2), 1310(B)(2) and (3), 1333(A), 1433(C), and 1433.1(C).

E. In the following provisions, all occurrences of the word "absentee" refer to voting absentee by mail. The Louisiana State Law Institute shall change "absentee" to "absentee by mail" in the following provisions: R.S. 18:101(D)(2) and (E)(1), 195(B)(2),

1306(A)(4) and (C)(2), 1308(A)(1)(a), 1308.2(A) and (B), 1311(D)(2), (5)(a), and (E).

F. In the following provisions, all occurrences of the word "absentee" are appropriate as used in present law and shall not be changed by the Louisiana State Law Institute: R.S. 18:105(A), 115(F)(3), 177(A), 152(C)(2)(b), 553(E)(2), 1303(C), (F), and (G), 1307(A)(introductory paragraph) and (B), 1307.1(A)(introductory paragraph), (1), (2), and (3), 1307.2(title), (introductory paragraph), (1), and (4), 1308(title), (A)(2)(a) and (c), 1308.1(title) and (A), 1308.2(title), 1310(A)(1), 1311(C)(2), and (D)(5)(c), 1312(D), 1333(D), (E), (F), (G)(1) and (6)(a), and 1334(D).

Section 6. A. This Section and Sections 1 and 3 of 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

B. Sections 2, 4, and 5 of this Act shall become effective on January 1, 2005."

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

Rep. Daniel moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Flavin	Murray
Alario	Frith	Odinet
Alexander	Futrell	Pierre
Ansardi	Gallot	Pitre
Badon	Geymann	Powell, M.
Baldone	Glover	Powell, T.
Baudoin	Gray	Quezaire
Baylor	Guillory, E.	Richmond
Bowler	Guillory, M.	Ritchie
Broome	Heaton	Romero
Bruce	Hill	Schneider
Bruneau	Honey	Shepherd
Burns	Hopkins	Smiley
Burrell	Hunter	Smith, G.—56th
Carter, K.	Hutter	Smith, J.D.—50th
Carter, R.	Jackson	Smith, J.H.—8th
Cazayoux	Jefferson	Smith, J.R.—30th
Crane	Johns	Strain
Curtis	Katz	Thompson
Daniel	Kenney	Toomy
Dartez	LaBruzzo	Townsend
DeWitt	LaFleur	Triche
Dorsey	Lambert	Waddell
Dove	Marchand	Walker
Downs	Martiny	White
Durand	McDonald	Winston
Fannin	Montgomery	Wooton
Fauchoux	Morrish	Wright
Total—84		

**NAYS**

Arnold	Hebert	Robideaux
Erdey	Kenard	Scalise
Farrar	McVea	
Total—8		

**ABSENT**

Beard	Hammett	St. Germain
Crowe	Lancaster	Trahan
Damico	Morrell	Tucker
Doerge	Pinac	Walsworth
Total—12		

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. 224—**

BY SENATORS MALONE AND NEVERS

**AN ACT**

To enact R.S. 17:3048.1(M), relative to the Louisiana Tuition Opportunity Program; to provide that any TOPS award granted to a student shall be credited against educational expenses in a specific order; to provide that cost of any housing, meal plan, books, dues or other fees shall be credited first prior to the cost of tuition; to provide for exceptions; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Michael Powell 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	Quezaire
Baldone	Guillory, E.	Richmond
Baudoin	Hammett	Ritchie
Baylor	Heaton	Robideaux
Bowler	Hebert	Romero
Broome	Honey	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hunter	Smiley
Burns	Hutter	Smith, G.—56th
Burrell	Jackson	Smith, J.D.—50th
Carter, K.	Jefferson	Smith, J.H.—8th
Carter, R.	Johns	Smith, J.R.—30th
Cazayoux	Katz	St. Germain
Crane	Kenard	Strain
Crowe	Kenney	Thompson
Curtis	LaBruzzo	Toomy
Daniel	LaFleur	Townsend
Dartez	Lambert	Trahan
DeWitt	Lancaster	Triche
Dorsey	Marchand	Tucker
Dove	Martiny	Waddell
Downs	McDonald	Walker
Durand	McVea	White
Erdey	Montgomery	Winston
Fannin	Morrell	Wooton
Farrar	Morrish	Wright

Faucheux  
Flavin  
Total—97

Murray  
Odinot

NAYS

Total—0

ABSENT

Beard  
Damico  
Doerge  
Total—7

Guillory, M.  
Hill  
Shepherd

Walsworth

The Chair declared the above bill was finally passed.

Rep. Michael Powell 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. 231—**  
BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 18:551(A), to enact Part IV of Chapter 3 of Title 24 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 24:195.1 through 195.3, and to enact R.S. 36:744(X), relative to constitutional amendment proposal propositions; to create and provide for the Constitutional Amendment Ballot Proposal Commission; to provide for the powers and duties of the commission; to provide for the preparation and use of certain election ballots; 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	Morrish
Alario	Futrell	Murray
Alexander	Gallot	Odinot
Ansardi	Geymann	Pierre
Arnold	Glover	Pinac
Badon	Gray	Pitre
Baldone	Guillory, E.	Powell, M.
Baudoin	Guillory, M.	Powell, T.
Baylor	Hammett	Quezaire
Bowler	Heaton	Richmond
Broome	Hebert	Ritchie
Bruce	Hill	Robideaux
Bruneau	Honey	Scalise
Burrell	Hopkins	Schneider
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
Dartez	LaBruzzo	Townsend
DeWitt	LaFleur	Trahan
Dorsey	Lambert	Triche
Dove	Lancaster	Tucker
Downs	Marchand	Walker

Durand  
Erdey  
Fannin  
Farrar  
Faucheux  
Total—96

Martiny  
McDonald  
McVea  
Montgomery  
Morrell

NAYS

Walsworth  
White  
Winston  
Wooton  
Wright

Romero  
Total—1

ABSENT

Beard  
Burns  
Doerge  
Total—7

Flavin  
Shepherd  
Toomy

Waddell

The Chair declared the above bill was finally passed.

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.

**SENATE BILL NO. 238—**  
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 17:2005(A) and (C), relative to an annual report issued by the Board of Supervisors of Community and Technical Colleges; to make certain changes to the content of the report and the time period for reporting; and to provide for related matters.

Read by title.

Rep. Crane moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Dorsey	Lancaster	White
Dove	Marchand	Winston
Downs	McDonald	Wooton
Durand	McVea	Wright
Erdey	Montgomery	
Fannin	Morrish	
Total—97		

NAYS

Total—0

ABSENT

Jackson	Pinac	Trahan
Martiny	Richmond	
Morrell	Shepherd	
Total—7		

The Chair declared the above bill was finally passed.

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

**SENATE BILL NO. 275—**  
BY SENATOR NEVERS

AN ACT

To enact R.S. 17:1519.3(E), (F), and (G), relative to the Louisiana State University Health Sciences Center-New Orleans; to provide with respect to reports to be submitted to the Senate and House committees on health and welfare; to provide for specific information and reports to be supplied to the committees; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Ritchie to Engrossed Senate Bill No. 275 by Senator Nevers

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "enact" insert "amend R.S. 17:1519.6(C) and to"

AMENDMENT NO. 2

On page 1, line 5, after "committees;" insert "to provide for payment methodology;"

AMENDMENT NO. 3

On page 1, line 8, after "Section 1." and before "R.S. 17:1519.3" insert "R.S. 17:1519.6(C) is hereby amended and reenacted and"

AMENDMENT NO. 4

On page 2, after line 12, insert:

"\* \* \*

§1519.6. Funding and budget

\* \* \*

C. Revenues from the Medicaid program for Medicaid costs included in the operating budget for hospitals operated by the LSU Health Sciences Center-New Orleans shall not exceed the amount of such revenues which are budgeted and allocated for such purpose in the Medicaid budget until implementation by the Department of Health and Hospitals of a common Medicaid payment methodology for all state and non-state acute care hospitals. If the amount of such revenues budgeted and allocated for such purpose in the Medicaid budget is revised during a fiscal year, the Department of Health and Hospitals shall notify the board of such revision. Upon receipt of the notification, the board shall adjust the operating budget for these hospitals which adjustment shall be in conformity with the revision. The Department of Health and Hospitals shall implement a common Medicaid and disproportionate share payment methodology, as soon as possible, but not later than ~~January~~ July, 2005. The common Medicaid payment methodology shall be based on acuity and diagnosis-related groupings.

\* \* \*

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

NAYS

Fannin  
Total—1

ABSENT

Doerge	Smith, J.H.—8th
Pinac	Waddell
Total—4	

The Chair declared the above bill was finally passed.

Rep. Ritchie 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. 330—**  
BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 13:964.1(A)(2)(a) and (D) and to enact R.S. 13:964.1(E), relative to courts; to provide relative to the Fourteenth Judicial District Court; to provide relative to the indigent transcript fund for such court; to provide relative to tasks for which court reporters shall be compensated from such fund; to provide with regard to the nature of the compensation paid to court reporters from such fund; and to provide for related matters.

Read by title.

Rep. Johns moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Burrell	Jackson
Doerge	Townsend
Total—4	

The Chair declared the above bill was finally passed.

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

**Speaker Pro Tempore Broome in the Chair**

**SENATE BILL NO. 337—**  
BY SENATOR SMITH

AN ACT

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

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Hunter to Engrossed Senate Bill No. 337 by Senator M. Smith

**AMENDMENT NO. 1**

Delete the set of amendments proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 8, 2004.

Rep. Hunter moved the adoption of the amendments.

Rep. Bowler objected.

By a vote of 71 yeas and 25 nays, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Faucheux	Pinac
Alario	Frith	Powell, T.
Ansardi	Gallot	Quezaire
Arnold	Glover	Richmond
Badon	Guillory, E.	Ritchie
Baldone	Hammett	Romero
Baudoin	Heaton	Shepherd
Baylor	Hebert	Smith, G.—56th
Broome	Hill	Smith, J.D.—50th
Bruce	Honey	Smith, J.H.—8th
Burrell	Hopkins	Smith, J.R.—30th
Carter, R.	Hunter	St. Germain
Cazayoux	Hutter	Strain
Crane	Jackson	Thompson
Curtis	Jefferson	Townsend
Damico	Johns	Trahan
Daniel	Kenney	Triche
Dartez	LaFleur	Waddell
DeWitt	Lambert	Walker
Doerge	Marchand	Walsworth
Dorsey	McDonald	White



Dove	Montgomery	Winston
Downs	Morrell	Wooton
Durand	Murray	Wright
Fannin	Odinet	
Farrar	Pierre	
Total—76		

NAYS

Alexander	Katz	Powell, M.
Beard	Kennard	Robideaux
Bowler	LaBruzzo	Scalise
Bruneau	Lancaster	Smiley
Crowe	Martiny	Toomy
Erdey	McVea	Tucker
Flavin	Morrish	
Futrell	Pitre	
Total—22		

ABSENT

Burns	Geymann	Guillory, M.
Carter, K.	Gray	Schneider
Total—6		

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.

**Notice of Intention to Call**

Pursuant to House Rule No. 8.26(A), Rep. LaFleur gave notice of his intention to call Senate Bill No. 74 from the calendar for future action.

**SENATE BILL NO. 387—**  
BY SENATOR MCPHERSON

AN ACT

To enact R.S. 37:935, relative to the practice of registered nursing; to provide authority for registered nurses to administer analgesic doses of anesthetic agents; and to provide for related matters.

Read by title.

Rep. Farrar moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Cazayoux	Jackson	Smith, J.R.—30th
Crane	Jefferson	St. Germain
Crowe	Johns	Strain
Curtis	Katz	Thompson
Damico	Kennard	Toomy
Daniel	Kenney	Townsend
Dartez	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	Lancaster	Tucker
Dorsey	Marchand	Waddell
Dove	Martiny	Walker
Downs	McDonald	Winston
Durand	McVea	Wooton
Erdey	Montgomery	Wright
Fannin	Morrish	
Farrar	Murray	
Total—97		

NAYS

Total—0

ABSENT

Alexander	Morrell	White
Guillory, M.	Smiley	
Lambert	Walsworth	
Total—7		

The Chair declared the above bill was finally passed.

Rep. Farrar 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. 432—**  
BY SENATOR JONES

AN ACT

To amend and reenact R.S. 23:1141(B) and 1143(B)(1), relative to workers' compensation; to provide with respect to attorney fees in workers' compensation matters; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Murray moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Carter, R.	Jefferson	Smith, J.R.—30th
Cazayoux	Johns	St. Germain
Crane	LaBruzzo	Strain
Curtis	LaFleur	Toomy
Damico	Lambert	Townsend
Daniel	Lancaster	Trahan
DeWitt	Marchand	Tucker
Doerge	Martiny	Waddell
Dorsey	Montgomery	Walker
Durand	Morrell	Wooton
Erdey	Morrish	Wright
Farrar	Murray	
Total—83		

NAYS

Dove	Kennard	Thompson
Downs	Kenney	Walsworth
Fannin	McDonald	White
Hebert	McVea	Winston
Katz	Powell, T.	
Total—14		

ABSENT

Beard	Futrell	Triche
Crowe	Hopkins	
Dartez	Schneider	
Total—7		

The Chair declared the above bill was finally passed.

**Suspension of the Rules**

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

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

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

**HOUSE RESOLUTION NO. 8—**  
BY REPRESENTATIVE TRICHE  
A RESOLUTION

To amend and readopt House Rule 6.4(A) and (B) of the Rules of Order of the House of Representatives to provide for the composition of the Committee on Appropriations.

Read by title.

**Suspension of the Rules**

On motion of Rep. Triche, and under a suspension of the rules, consideration of the above resolution was deferred at this time.

**HOUSE RESOLUTION NO. 41—**  
BY REPRESENTATIVE HEBERT  
A RESOLUTION

To adopt House Rule 10.3(D) of the Rules of Order of the House of Representatives to provide that only a member may cast his own vote after the voting machines are locked and to provide for an exception.

Read by title.

**Suspension of the Rules**

On motion of Rep. Hebert, and under a suspension of the rules, consideration of the above resolution was deferred at this time.

**HOUSE CONCURRENT RESOLUTION NO. 202—**  
BY REPRESENTATIVES JOHN SMITH, SCHNEIDER, TRAHAN, AND TRICHE

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to review and consider eliminating provisions of law which reduce social security benefits for those receiving benefits from federal, state, or local government retirement systems.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 212—**  
BY REPRESENTATIVE HUNTER

A CONCURRENT RESOLUTION

To create and provide with respect to a Workers' Compensation Medical Reimbursement Task Force to study the medical reimbursement schedule and its formulas to make recommendations regarding legislation.

Read by title.

Rep. Hunter moved the adoption of the resolution.

By a vote of 101 yeas and 0 nays, the resolution was adopted.

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 246—**  
BY REPRESENTATIVE BURNS

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Veterans Affairs to take appropriate measures to raise awareness of educational benefits available to surviving spouses and dependents of members of the military who have been killed or disabled in military service.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 269—**  
BY REPRESENTATIVE DURAND

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to oppose the Equal Employment Opportunity Commission's (EEOC) rule that allows employers to reduce or eliminate retiree health benefits offered to older, Medicare-eligible retirees.

Read by title.

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

Ordered to the Senate.

**Suspension of the Rules**

On motion of Rep. Martiny, the rules were suspended in order to take up and consider House Bills and Joint Resolutions Returned from the Senate with Amendments at this time.

**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. 32—**

BY REPRESENTATIVES MARTINY, BALDONE, AND BRUNEAU  
AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(e)(xii), to provide relative to Tuition Opportunity Program for Students high school core curriculum requirements for certain awards; to provide for applicability; to provide for an effective date; 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 Engrossed House Bill No. 32 by Representative Martiny

AMENDMENT NO. 1

On page 1, line 2, after "(xii)" insert "and to enact R.S. 17:3048.1(A)(1)(e)(xiii)"

AMENDMENT NO. 2

On page 1, line 7, after "reenacted" insert "and R.S. 17:3048.1(A)(1)(e)(xiii) is hereby enacted"

AMENDMENT NO. 3

On page 2, line 21, after "(xii)" and before "Computer" delete "(aa) Through the 2006-2007 school year,"

AMENDMENT NO. 4

On page 2, at the beginning of line 26, change "(bb)" to "(xiii)"

AMENDMENT NO. 5

On page 2, line 27, after "thereafter," delete the remainder of the line and delete lines 28 and 29 in their entirety and on page 3, at the beginning of line 1, delete "Elementary and Secondary Education; or substitute"

AMENDMENT NO. 6

On page 3, line 1, after "one" delete the remainder of the line and at the beginning of line 2 delete "electives" and insert in lieu thereof "unit as an elective"

AMENDMENT NO. 7

On page 3, line 2, after "other" and before "subjects" insert "math or science"

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Beard	Guillory, M.	White
Carter, R.	Hopkins	
Total—5		

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

**HOUSE BILL NO. 61—**

BY REPRESENTATIVES SCALISE, CROWE, ALEXANDER BADON, BURNS, ERDEY, FAUCHEUX, FLAVIN, FRITH, GEYMAN, JOHNS, LABRUZZO, T. POWELL, SMILEY, JANE SMITH, JOHN SMITH, AND WALKER AND SENATORS CAIN, MICHOT, AND THEUNISSEN  
A JOINT RESOLUTION

Proposing an amendment to the Constitution of Louisiana, to enact Article I, Section 27, relative to marriage; to provide for valid and recognized marriages; to provide for the legal incidents of marriage; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

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

**SENATE FLOOR AMENDMENTS**

Conforming Amendments proposed by Senator Hainkel to Engrossed House Bill No. 61 by Representative Scalise (Duplicate of Senate Bill No. 166)

Page 36 HOUSE

45th Day's Proceedings - June 15, 2004

AMENDMENT NO. 1

On page 1, line 2, after "enact" delete the remainder of the line and insert the following:

"Article XII, Section 15,"

AMENDMENT NO. 2

On page 1, line 3, after "relative to marriage;" delete the remainder of the line and on line 4, delete "legal incidents of marriage;" and insert in lieu thereof the following:

"to require that marriage in the state shall consist only of the union of one man and one woman; to provide that the legal incidents of marriage shall be conferred only upon such union; to prohibit the validation or recognition of the legal status of any union of unmarried individuals; to prohibit the recognition of a marriage contracted in another jurisdiction which is not the union of one man and one woman;"

AMENDMENT NO. 3

On page 1, line 5, between "electors" and the semicolon ";" insert "and provide a ballot proposition"

AMENDMENT NO. 4

On page 1, line 9, change "Article I, Section 27" to "Article XII, Section 15"

AMENDMENT NO. 5

On page 1, line 10, change "§27." to "§15."

AMENDMENT NO. 6

On page 1, line 11, change "Section 27." to "Section 15."

AMENDMENT NO. 7

On page 2, line 2, change "November 2," to "September 18,"

AMENDMENT NO. 8

On page 2, line 9, after "woman" change the semicolon ";" to a comma "," and delete "to provide"

AMENDMENT NO. 9

On page 2, line 10, after "conferred" delete the remainder of the line and delete lines 11 through 14 in their entirety and insert in lieu thereof the following:

"on a member of any union other than such union, and that the state shall not validate or recognize a legal status identical or substantially similar to that of marriage for unmarried individuals or any marriage contracted in any other jurisdiction which is not the union of one man and one woman. (Adds Article XII, Section 15)"

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 61 by Representative Scalise

In Senate Conforming Floor Amendment No. 2 proposed by the Senate and adopted by the Senate on May 20, 2004, on line 5, change "page 2" to "page 1"

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns listing names of representatives and their counts for YEAS. Includes Mr. Speaker, Alario, Alexander, Ansardi, Badon, Baldone, Baudooin, Baylor, Beard, Broome, Bruce, Bruneau, Burns, Burrell, Cazayoux, Crane, Crowe, Curtis, Damico, Daniel, DeWitt, Doerge, Dove, Downs, Durand, Erdey, Fannin, Farrar, Faucheux, Flavin, Total—88.

NAYS

Table with 3 columns listing names of representatives and their counts for NAYS. Includes Carter, K., Dartez, Dorsey, Gallot, Gray, Total—13.

ABSENT

Table with 3 columns listing names of representatives and their counts for ABSENT. Includes Arnold, Bowler, Carter, R., Total—3.

The amendments proposed by the Senate, having received a two-thirds vote of the elected members, were concurred in by the House.

Suspension of the Rules

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

HOUSE BILL NO. 177—

BY REPRESENTATIVES MONTGOMERY AND JANE SMITH AN ACT

To enact R.S. 17:2138(C), to provide for the applicability of certain requirements for admission to Louisiana public colleges and universities, including minimum scores on specified tests; to

provide for effectiveness; to provide for an effective date; and to provide for related matters.

Read by title.

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

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Dardenne to Engrossed House Bill No. 177 by Representative Montgomery

AMENDMENT NO. 1

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

AMENDMENT NO. 2

On page 1, line 7, change "is" to "and (D) are"

AMENDMENT NO. 3

On page 1, between lines 14 and 15, insert the following:

"D. Effective for the 2004-2005 academic year and thereafter, the provisions of this Section shall not be applicable to any person who is a resident of another state and who is seeking admission to any Louisiana public college or university who meets National Collegiate Athletic Association initial eligibility standards required for participation in intercollegiate athletics."

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Downs	McDonald	Walsworth
Durand	McVea	White
Erdey	Montgomery	Winston
Fannin	Morrell	Wooton
Farrar	Morrish	Wright
Faucheux	Murray	

Total—101

NAYS

Total—0

ABSENT

Doerge	Hopkins	Shepherd
Total—3		

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

**HOUSE BILL NO. 349—**

BY REPRESENTATIVES HEBERT, K. CARTER, ERDEY, FAUCHEUX, JACKSON, MORRISH, GARY SMITH, TOWNSEND, TUCKER, AND WALSWORTH

AN ACT

To amend and reenact R.S. 22:636.2(D), relative to property, casualty, and liability insurance; to provide for claims; to provide for homeowners' policies; 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 Insurance to Engrossed House Bill No. 349 by Representative Hebert

AMENDMENT NO. 1

On page 1, line 18, between "payment" and "under" insert the following:

"by the insured or the insured's representative"

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Cravins to Engrossed House Bill No. 349 by Representative Hebert

AMENDMENT NO. 1

On page 1, line 2, after "22:" and before "636.2(D)" insert "636.1(L) and"

AMENDMENT NO. 2

On page 1, line 2, after "relative to" and before "property" insert "automobile,"

AMENDMENT NO. 3

On page 1, line 3, after "claims;" and before "to provide" insert "to provide for automobile policies;"

AMENDMENT NO. 4

On page 1, line 6, after "22:" and before "636.2(D)" insert "636.1(L) and"

AMENDMENT NO. 5

On page 1, line 6, change "is" to "are"

AMENDMENT NO. 6

On page 1, between lines 6 and 7 add the following:

"§636.1 Automobile, Property, Casualty, and Liability Insurance Policies, Cancellations

\* \* \*

L. No insurer shall cancel an automobile insurance policy for any insured solely on the ground that the insured has submitted a single claim under his or her policy for damage incurred or arising from the operation of an automobile. The provisions of this Subsection shall not prohibit an insurer from increasing the cost of the insured's premium based on the number of claims submitted under his or her policy for damage incurred or arising from the operation of an automobile. For the purposes of this Subsection, an incident shall be deemed a claim only when there is a demand for payment under the terms of the policy. A report of loss or a question relating to coverage shall not independently establish a claim.

\* \* \*

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Faucheux	Murray
Flavin	Odinot
Total—100	
	NAYS
Total—0	
	ABSENT
Cazayoux	LaFleur
Doerge	Wooton
Total—4	

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

**HOUSE BILL NO. 415—**  
BY REPRESENTATIVE JACK SMITH  
AN ACT

To amend and reenact R.S. 56:305.6, relative to moratoriums on the purchase of crab trap gear licenses; to institute a moratorium from January 1, 2005 through December 31, 2005; 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 Natural Resources to Engrossed House Bill No. 415 by Representative Jack Smith

AMENDMENT NO. 1

On page 1, line 3, delete "from January 1, 2005 through December 31," and insert "for commercial license year 2005"

AMENDMENT NO. 2

On page 1, line 4, delete "2005"

AMENDMENT NO. 3

On page 1, delete lines 8 through 11

AMENDMENT NO. 4

On page 1, delete line 12, and insert "For commercial license year 2005, no person shall be"

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator B. Gautreaux to Engrossed House Bill No. 415 by Representative Jack Smith

AMENDMENT NO. 1

Delete Senate Committee Amendment No. 3, proposed by the Senate Committee on Natural Resources, and adopted by the Senate on June 1, 2004.

AMENDMENT NO. 2

On page 1, delete lines 8 through 11, and insert in lieu thereof

~~"Notwithstanding any other provision of the law to the contrary, on or after January 1, 1996 through December 31, 1998, no person shall~~

~~be issued a commercial crab trap gear license unless that person possessed a valid commercial crab trap gear license for the year 1993, 1994, or 1995."~~

AMENDMENT NO. 3

On page 1, line 12, delete "B."

Rep. Jack Smith moved that the amendments proposed by the Senate be rejected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Flavin	Murray
Alario	Frith	Odinet
Alexander	Futrell	Pierre
Ansardi	Gallot	Pinac
Arnold	Geymann	Pitre
Badon	Glover	Powell, M.
Baldone	Gray	Powell, T.
Baudoin	Guillory, E.	Quezaire
Baylor	Guillory, M.	Richmond
Beard	Hammitt	Ritchie
Bowler	Heaton	Robideaux
Broome	Hebert	Romero
Bruce	Hill	Scalise
Bruneau	Honey	Schneider
Burns	Hopkins	Shepherd
Burrell	Hunter	Smiley
Carter, K.	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
Dartez	LaBruzzo	Toomy
DeWitt	LaFleur	Townsend
Doerge	Lambert	Triche
Dorsey	Lancaster	Tucker
Dove	Marchand	Waddell
Downs	Martiny	Walker
Durand	McDonald	Walsworth
Erdey	McVea	Winston
Fannin	Montgomery	Wright
Farrar	Morrell	
Faucheux	Morrish	
Total—100		

**NAYS**

Total—0

**ABSENT**

Carter, R.	White
Trahan	Wooton
Total—4	

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

**HOUSE BILL NO. 417—**

BY REPRESENTATIVE RICHMOND  
AN ACT

To enact R.S. 33:9078, relative to the Kenilworth Improvement District; to create and provide with respect to such district, including provisions for the district and its board of commissioners and their powers, duties, functions, and responsibilities; to provide for imposition and collection of a parcel fee and for the use thereof; 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 Local and Municipal Affairs to Engrossed House Bill No. 417 by Representative Richmond

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "enact" insert "amend and reenact R.S. 33:9076 and to"

AMENDMENT NO. 2

On page 1, line 2, after "relative to" and before "to create" delete "the Kenilworth Improvement District;" and insert "improvement districts in parishes with a population in excess of four hundred seventy-five thousand persons;"

AMENDMENT NO. 3

On page 1, line 3, after "with respect to" and before "including" delete "such district," and insert in lieu thereof "the Kenilworth Improvement District,"

AMENDMENT NO. 4

On page 1, line 5, after "thereof;" and before "and to" insert "to provide relative to the renewal of parcel fees in improvement districts in parishes with a population in excess of four hundred seventy-five thousand persons;"

AMENDMENT NO. 5

On page 1, line 11, after "Section 1." and before "R.S." insert "R.S. 33:9076 is hereby amended and reenacted and"

AMENDMENT NO. 6

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

"§9076. Certain improvement districts

A. Notwithstanding any provision of law to the contrary, the governing authority in any parish with a population in excess of four hundred seventy-five thousand persons or more according to the latest federal decennial census may continue to levy and collect any tax or fee levied to support an improvement district within such parish created to promote and encourage the beautification, security, and betterment of any subdivision located within the district. The continuation of such levy shall be contingent on the approval of a majority of the registered voters of the district at an election called pursuant to the Louisiana Election Code.

B. Notwithstanding any provision of law to the contrary, any election to authorize renewal of a fee pursuant to this Section or any Section in this Subpart which is held during calendar year 2004, 2005, or 2006 shall be held at the same time as a regularly scheduled election held in accordance with the Louisiana Election Code and at such election such fee may be renewed for a period not to extend beyond December 31, 2010; however, any election to authorize a subsequent renewal of a fee renewed as provided in this Subsection shall be held only at the same time as the mayoral primary election of the largest city in the parish and such renewal shall be for a period not to exceed eight years.

\* \* \*

Rep. Richmond 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	Pierre
Alario	Futrell	Pinac
Alexander	Gallot	Pitre
Ansardi	Geymann	Powell, M.
Arnold	Glover	Powell, T.
Badon	Gray	Quezaire
Baldone	Guillory, E.	Richmond
Baudoin	Guillory, M.	Ritchie
Baylor	Hammett	Robideaux
Beard	Hebert	Romero
Bowler	Hill	Scalise
Broome	Honey	Schneider
Bruce	Hopkins	Shepherd
Bruneau	Hunter	Smiley
Burns	Hutter	Smith, G.—56th
Burrell	Jackson	Smith, J.D.—50th
Carter, K.	Jefferson	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Curtis	Katz	St. Germain
Damico	Kennard	Strain
Daniel	Kenney	Thompson
Dartez	LaBruzzo	Toomy
DeWitt	Lambert	Townsend
Doerge	Lancaster	Trahan
Dorsey	Marchand	Triche
Dove	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Walsworth
Fannin	Morrell	White
Farrar	Morrish	Winston
Faucheux	Murray	Wright
Flavin	Odinot	
Total—98		

**NAYS**

Total—0

**ABSENT**

Carter, R.	Crowe	LaFleur
Cazayoux	Heaton	Wooton
Total—6		

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

**HOUSE BILL NO. 691—**

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 23:215(A), (B), and (D) and to enact R.S. 23:215(E) and (F), relative to the employment of minors; to provide work hours for minors; to provide for written parental consent; to define "school day"; to provide for minors with equivalency diplomas; 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 Labor and Industrial Relations to Reengrossed House Bill No. 691 by Representative Johns

AMENDMENT NO. 1

On page 1, lines 10 and 16 change "sixteen" to "seventeen"

AMENDMENT NO. 2

On page 1, line 13, delete "between the hours of 10:00 p.m." and insert in lieu thereof:

"after the hour of 10:30 p.m." and at the beginning of line 14, delete ""and 1:30 a.m."

AMENDMENT NO. 3

On page 1, line 17, change "1:30 a.m." to "10:30 p.m."

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Dardenne to Reengrossed House Bill No. 691 by Representative Johns

AMENDMENT NO. 1

Delete Senate Committee Amendments Nos. 1, 2, and 3 proposed by the Senate Committee On Labor and Industrial Relations and adopted by the Senate on June 1, 2004.

AMENDMENT NO. 2

On page 1, at the end of line 2 delete "and (F)"

AMENDMENT NO. 3

On page 1, line 8 after "23:215(E)" delete "and (F)"

AMENDMENT NO. 4

On page 1, line 10 after "A." insert "(1)" and after "age" delete "or older"

AMENDMENT NO. 5

On page 1, line 13 change "10:00 p.m." to "11:00 p.m."

AMENDMENT NO. 6

On page 1, line 14 change "1:30 a.m." to "5:00 a.m."

AMENDMENT NO. 7

On page 1, line 14 after "school day" insert a period "." and delete the remainder of the line and lines 15 through 18.



AMENDMENT NO. 8

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

"(2) No minor seventeen years of age who has not graduated from high school shall be employed, or permitted, or suffered to work between the hours of 12:00 a.m. and 5:00 a.m. prior to the start of any school day."

AMENDMENT NO. 9

On page 2, delete lines 14 through 18

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Holden to Reengrossed House Bill No. 691 by Representative Johns

AMENDMENT NO. 1

On page 1, line 2, between "(E) and (F)", replace "and" with "," and after "(F)", insert "and (G)"

AMENDMENT NO. 2

On page 2, after line 18, insert the following:

"(G) Employment pursuant to this Section shall be subject to the provisions of any local curfew ordinance."

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Nevers to Reengrossed House Bill No. 691 by Representative Johns

AMENDMENT NO. 1

On page 2, line 5, after "day." insert "Minors who are employed in the dairy industry shall be exempt from the provisions of this Section."

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

As a substitute motion, Rep. Hebert moved that the amendments proposed by the Senate be rejected.

Rep. Johns objected.

The vote recurred on the substitute motion.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Badon	Gray	Marchand
Carter, K.	Guillory, E.	Morrell
Crowe	Hebert	Murray
Curtis	Honey	Smith, G.—56th
DeWitt	Jefferson	
Dorsey	Kenney	
Total—16		

**NAYS**

Mr. Speaker	Frith	Powell, T.
Alario	Futrell	Quezaire
Alexander	Gallot	Richmond
Ansardi	Geymann	Ritchie

Arnold	Glover	Robideaux
Baldone	Guillory, M.	Romero
Baudoin	Hammett	Scalise
Baylor	Heaton	Schneider
Beard	Hill	Shepherd
Bowler	Hopkins	Smiley
Broome	Hunter	Smith, J.D.—50th
Bruce	Hutter	Smith, J.H.—8th
Bruneau	Jackson	Smith, J.R.—30th
Burns	Johns	St. Germain
Burrell	Katz	Strain
Carter, R.	Kennard	Thompson
Crane	LaBruzzo	Toomy
Damico	Lambert	Townsend
Daniel	Lancaster	Trahan
Dartez	Martiny	Tucker
Doerge	McDonald	Waddell
Dove	McVea	Walker
Downs	Montgomery	Walsworth
Durand	Morrish	White
Erdey	Odinot	Winston
Fannin	Pierre	Wooton
Farrar	Pinac	Wright
Faucheux	Pitre	
Flavin	Powell, M.	
Total—85		

ABSENT

Cazayoux	LaFleur	Triche
Total—3		

The House refused to reject the amendments.

Rep. Johns insisted on his motion that the amendments proposed by the Senate be concurred in.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Downs	Montgomery	White
Durand	Morrish	Winston
Erdey	Odinot	Wooton
Fannin	Pierre	Wright
Farrar	Pinac	
Total—95		

NAYS

Carter, K.	Guillory, E.	Marchand
DeWitt	Hebert	Morrell
Gray	Honey	Murray
Total—9		

ABSENT

Total—0

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

**HOUSE BILL NO. 789—**

BY REPRESENTATIVE FUTRELL  
AN ACT

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

Read by title.

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

**SENATE COMMITTEE AMENDMENTS**

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

**AMENDMENT NO. 1**

On page 2, line 11, after "effect." delete the remainder of the line and delete lines 12 through 16, and insert:

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

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Heitmeier to Reengrossed House Bill No. 789 by Representative Futrell

**AMENDMENT NO. 1**

Delete Senate Committee Amendment No. 1 proposed by the Senate Committee on Transportation, Highways, and Public Works and adopted by the Senate on May 27, 2004.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Flavin	Pierre
Alario	Frith	Pinac
Alexander	Futrell	Pitre
Ansardi	Gallot	Powell, M.
Arnold	Geymann	Powell, T.
Badon	Glover	Quezaire
Baldone	Gray	Richmond
Baudoin	Guillory, E.	Ritchie
Baylor	Guillory, M.	Robideaux
Beard	Hammett	Romero
Bowler	Heaton	Scalise
Broome	Hebert	Schneider
Bruce	Hill	Shepherd
Bruneau	Honey	Smiley
Burns	Hopkins	Smith, G.—56th
Burrell	Hunter	Smith, J.D.—50th
Carter, K.	Hutter	Smith, J.H.—8th
Carter, R.	Jackson	Smith, J.R.—30th
Cazayoux	Jefferson	St. Germain
Crane	Katz	Strain
Crowe	Kennard	Thompson
Curtis	Kenney	Toomy
Damico	LaBruzzo	Townsend
Daniel	LaFleur	Trahan
Dartez	Lambert	Triche
DeWitt	Lancaster	Tucker
Doerge	Marchand	Waddell
Dorsey	Martiny	Walker
Dove	McDonald	Walsworth
Downs	McVea	White
Durand	Montgomery	Winston
Erdey	Morrell	Wooton
Fannin	Morrish	Wright
Farrar	Murray	
Faucheux	Odinot	
Total—103		

NAYS

Total—0

ABSENT

Johns  
Total—1

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

**Speaker Salter in the Chair**

**HOUSE BILL NO. 1284—**

BY REPRESENTATIVE PINAC  
AN ACT

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

Read by title.

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

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Engrossed House Bill No. 1284 by Representative Pinac

AMENDMENT NO. 1

On page 1, line 2 after "R.S. 32:1253(A)" delete "(introductory paragraph) and"

AMENDMENT NO. 2

On page 1, line 8 after "R.S. 32:1253(A)" delete "(introductory paragraph) and"

AMENDMENT NO. 3

On page 1, line 14 change "fourteen" to "fifteen"

AMENDMENT NO. 4

On page 1, line 17 after "(2)" delete "(a)"

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Flavin	Pierre
Alario	Frith	Pinac
Alexander	Futrell	Pitre
Ansardi	Gallot	Powell, M.
Arnold	Geymann	Powell, T.
Badon	Glover	Quezaire
Baldone	Gray	Richmond
Baudoin	Guillory, E.	Ritchie
Baylor	Guillory, M.	Robideaux
Beard	Hammett	Romero
Bowler	Heaton	Scalise
Broome	Hebert	Schneider
Bruce	Hill	Shepherd
Bruneau	Honey	Smiley
Burns	Hopkins	Smith, G.—56th
Burrell	Hutter	Smith, J.D.—50th
Carter, K.	Jackson	Smith, J.H.—8th
Carter, R.	Jefferson	Smith, J.R.—30th
Cazayoux	Johns	St. Germain
Crane	Katz	Strain
Crowe	Kennard	Thompson
Curtis	Kenney	Toomy
Damico	LaBruzzo	Townsend
Daniel	LaFleur	Trahan
Dartez	Lambert	Triche
DeWitt	Lancaster	Tucker
Doerge	Marchand	Waddell
Dorsey	Martiny	Walker
Dove	McDonald	Walsworth
Downs	McVea	White
Durand	Montgomery	Winston
Erdey	Morrell	Wooton
Fannin	Morrish	Wright
Farrar	Murray	
Faucheux	Odinet	
Total—103		

**NAYS**

Total—0

ABSENT

Hunter  
Total—1

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

**HOUSE BILL NO. 849—**

BY REPRESENTATIVE FARRAR

AN ACT

To enact R.S. 56:109.1, relative to wildlife management areas; to provide for the use of all-terrain vehicle trails in such areas year round; 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 Natural Resources to Engrossed House Bill No. 849 by Representative Farrar

AMENDMENT NO. 1

On page 1, line 3, delete "such" and insert "certain"

AMENDMENT NO. 2

On page 1, line 7, after "each" insert "department-owned"

AMENDMENT NO. 3

On page 1, line 10, after "hazard" and before the period, insert "or environmental condition"

AMENDMENT NO. 4

On page 1, line 11, after "bicycles" and before the period, insert "under rules and regulations promulgated under the Administrative Procedure Act"

AMENDMENT NO. 5

On page 1, line 14, change "one" to "two"

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Bowler	Hammett	Robideaux
Broome	Heaton	Romero
Bruce	Hebert	Schneider
Burns	Hill	Shepherd
Burrell	Honey	Smiley
Carter, K.	Hopkins	Smith, G.—56th
Carter, R.	Hunter	Smith, J.D.—50th
Cazayoux	Hutter	Smith, J.H.—8th
Crane	Jackson	Smith, J.R.—30th
Crowe	Jefferson	Strain
Curtis	Johns	Thompson
Damico	Katz	Toomy
Daniel	Kennard	Townsend
Dartez	Kenney	Trahan
DeWitt	LaBruzzo	Triche
Doerge	LaFleur	Tucker
Dorsey	Lambert	Waddell
Dove	Marchand	Walker
Downs	Martiny	Walsworth
Durand	McDonald	White
Erdey	McVea	Winston
Fannin	Montgomery	Wright
Farrar	Morrell	
Faucheux	Morrish	
Total—97		

NAYS

Total—0

ABSENT

Beard	Pinac	Wooton
Bruneau	Scalise	
Lancaster	St. Germain	
Total—7		

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

**HOUSE BILL NO. 899—**  
BY REPRESENTATIVE GALLOT  
AN ACT

To amend and reenact R.S. 17:3390(B)(introductory paragraph), (2), and (3) and (D), relative to nonprofit corporations which support public higher education institutions; to provide that the definition of a nonprofit corporation that is not public or quasi public includes certain nonprofit corporations whose primary purpose is to finance the design, construction, renovation, or equipping of facilities; to provide relative to auditing of such nonprofit corporations; 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 Engrossed House Bill No. 899 by Representative Gallot

AMENDMENT NO. 1

On page 1, line 7, after "corporations;" insert "to provide certain authority to the legislative auditor with regard to certain of such corporations;"

AMENDMENT NO. 2

On page 2, line 12, after "D." insert "(1)"

AMENDMENT NO. 3

On page 2, between lines 20 and 21, insert the following:

"(2) With regard to an audit received by the legislative auditor from any nonprofit corporation, the primary purpose of which is to design, construct, renovate, or equip a facility to be leased to a public institution of higher learning which is under the management of the Board of Supervisors of Community and Technical Colleges, the legislative auditor may recommend to the Legislative Audit Advisory Council that an audit be conducted by the legislative auditor pursuant to and in the manner provided in R.S. 24:513. Upon such recommendation, the Legislative Audit Advisory Council may direct that such an audit be conducted."

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 899 by Representative Gallot

AMENDMENT NO. 1

On page 2, between lines 20 and 21, insert "\* \* \*"

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Odinot
Alario	Flavin	Pierre
Alexander	Frith	Pinac
Ansardi	Futrell	Pitre
Arnold	Gallot	Powell, M.
Badon	Geymann	Powell, T.
Baldone	Glover	Quezaire
Baudoin	Gray	Richmond
Baylor	Guillory, E.	Ritchie
Beard	Guillory, M.	Robideaux
Bowler	Hammett	Romero
Broome	Heaton	Scalise
Bruce	Hebert	Schneider
Bruneau	Hill	Shepherd
Burns	Honey	Smiley
Burrell	Hunter	Smith, G.—56th
Carter, K.	Hutter	Smith, J.D.—50th
Carter, R.	Jackson	Smith, J.H.—8th
Cazayoux	Jefferson	Smith, J.R.—30th
Crane	Johns	St. Germain
Crowe	Katz	Strain
Curtis	Kennard	Thompson
Damico	Kenney	Toomy
Daniel	LaBruzzo	Townsend
Dartez	LaFleur	Trahan
DeWitt	Lambert	Triche
Doerge	Lancaster	Tucker
Dorsey	Marchand	Waddell
Dove	Martiny	Walker
Downs	McDonald	Walsworth
Durand	McVea	White
Erdey	Montgomery	Winston
Fannin	Morrell	Wright
Farrar	Murray	
Total—101		

NAYS

Total—0

ABSENT

Hopkins                      Morrish                      Wooton  
Total—3

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

**HOUSE BILL NO. 904—**  
BY REPRESENTATIVES HAMMETT AND FUTRELL  
AN ACT

To enact R.S. 47:463.2.1 and 463.126, relative to motor vehicle license plates; to provide for creation of a NASCAR special prestige license plate; to provide relative to the design and color of such plate; to authorize the commissioner of motor vehicles to enter into an agreement with the supplier of such plate; to provide relative to the fees for such plate; to authorize promulgation of rules and regulations; to require issuance of plates established for veterans and military personnel; 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 Transportation, Highways, and Public Works to Reengrossed House Bill No. 904 by Representative Hammett

AMENDMENT NO. 1

On page 1, delete lines 4 and 5, and insert "and color of such plate; to provide relative to the fees for such"

AMENDMENT NO. 2

On page 2, delete lines 23 through 27, and insert in lieu thereof "applicants for such plate. The license plate shall be restricted to"

AMENDMENT NO. 3

On page 3, line 5, after "supplier" delete the remainder of the line and delete line 6

AMENDMENT NO. 4

On page 3, line 9, after "Section" insert a period "." and delete the remainder of the line and delete lines 10 and 11 in their entirety

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 904 by Representative Hammett

In Senate Committee Amendment No. 3 proposed by the Senate Committee on Transportation, Highways, and Public Works and adopted by the Senate on June 1, 2004, on line 8 after "supplier" and before "delete" insert a period "." and "

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Flavin	Pierre
Alario	Frith	Pinac
Alexander	Futrell	Pitre
Ansardi	Gallot	Powell, M.
Arnold	Geymann	Powell, T.
Badon	Glover	Quezaire
Baldone	Gray	Richmond
Baudoin	Guillory, E.	Ritchie
Baylor	Guillory, M.	Robideaux
Beard	Hammett	Romero
Bowler	Heaton	Scalise
Broome	Hebert	Schneider
Bruce	Hill	Shepherd
Bruneau	Honey	Smiley
Burns	Hopkins	Smith, G.—56th
Burrell	Hunter	Smith, J.D.—50th
Carter, K.	Hutter	Smith, J.H.—8th
Carter, R.	Jackson	Smith, J.R.—30th
Cazayoux	Jefferson	St. Germain
Crane	Johns	Strain
Crowe	Katz	Thompson
Curtis	Kennard	Toomy
Damico	Kenney	Townsend
Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Triche
DeWitt	Lambert	Tucker
Doerge	Lancaster	Waddell
Dorsey	Marchand	Walker
Dove	Martiny	Walsworth
Downs	McDonald	White
Durand	McVea	Winston
Erdey	Montgomery	Wooton
Fannin	Morrell	Wright
Farrar	Murray	
Faucheux	Odinot	
Total—103		

NAYS

Total—0

ABSENT

Morrish  
Total—1

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

**HOUSE BILL NO. 907—**  
BY REPRESENTATIVE HUNTER  
AN ACT

To amend and reenact R.S. 23:1034.2(C), relative to workers' compensation medical reimbursement schedule; to allow the director to collect charge information; to provide for guidelines; to provide for confidentiality; to provide for penalties; and to provide for related matters.

Read by title.

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

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 907 by Representative Hunter

AMENDMENT NO. 1

On page 2, line 13, change "records" to "record"

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of representatives who voted 'YEAS' in two columns.

Total—102

NAYS

Total—0

ABSENT

Smith, J.D.—50th Wooton
Total—2

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

HOUSE BILL NO. 991— BY REPRESENTATIVE FUTRELL AN ACT

To enact R.S 32:414.2(A)(9), relative to commercial driver's licenses; to provide relative to operating records of commercial drivers; to require certain violations and judgments be included on a

commercial motor vehicle driver's operating record; to provide relative to the definition of "conviction"; to provide relative to certain notice requirements; and to provide for related matters.

Read by title.

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

SENATE COMMITTEE AMENDMENTS

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

AMENDMENT NO. 1

On page 2, delete lines 12 through 15 and insert as follows:

"(b) By January 1, 2005, the Department of Public Safety and Corrections shall develop a system that allows a motor carrier to elect to receive electronic notification when a driver operating under its authority is cited for a moving violation on a Department of Public Safety and Corrections motor carrier safety inspection report attributed to the motor carrier's USDOT Number and/or ICC Number. This notification shall occur as soon as possible after the report has been entered into the appropriate Department of Public Safety and Corrections database but not less than sixty days after the issuance of the citation."

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 991 by Representative Futrell

In Senate Committee Amendment No. 1 proposed by the Senate Committee on Transportation, Highways, and Public Works and adopted by the Senate on June 1, 2004, on line 7, change "and/or" to "or"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Engrossed House Bill No. 991 by Representative Futrell

AMENDMENT NO. 1

In Senate Committee Amendment No. 1 proposed by the Senate Committee on Transportation, Highways, and Public Works and adopted by the Senate on June 1, 2004, on page 1, line 9, after "but not" change "less" to "more"

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of representatives who voted 'YEAS' in three columns.

Baylor	Guillory, M.	Ritchie
Beard	Hammett	Robideaux
Bowler	Heaton	Romero
Broome	Hebert	Scalise
Bruce	Hill	Schneider
Bruneau	Honey	Shepherd
Burns	Hopkins	Smith, G.—56th
Burrell	Hunter	Smith, J.D.—50th
Carter, K.	Hutter	Smith, J.H.—8th
Carter, R.	Jackson	Smith, J.R.—30th
Cazayoux	Jefferson	St. Germain
Crane	Johns	Strain
Crowe	Katz	Thompson
Curtis	Kennard	Toomy
Damico	Kenney	Townsend
Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Triche
DeWitt	Lambert	Tucker
Doerge	Lancaster	Waddell
Dorsey	Marchand	Walker
Dove	Martiny	Walsworth
Downs	McDonald	White
Durand	McVea	Winston
Erdey	Montgomery	Wooton
Fannin	Morrell	Wright
Farrar	Morrish	
Faucheux	Murray	
Total—103		

NAYS

Total—0

ABSENT

Smiley  
Total—1

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

**HOUSE BILL NO. 1292—**  
BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 32:771(1) and (15), relative to motorcycles and all-terrain vehicles; to revise the definition of all-terrain vehicle; to provide that the term "motorcycle" shall not include electric-powered scooters; 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 Transportation, Highways, and Public Works to Engrossed House Bill No. 1292 by Representative Pinac

AMENDMENT NO. 1

On page 1, line 2, after "(15) and before the comma" insert "and to enact R.S. 32:300.2"

AMENDMENT NO. 2

On page 1, line 4, after "scooters;" insert "to provide relative to electric personal assistive mobility devices; to provide relative to the operation of such devices;"

AMENDMENT NO. 3

On page 1, line 7, after "reenacted" insert "and R.S. 32:300.2 is hereby enacted"

AMENDMENT NO. 4

On page 1, between lines 8 and 9, insert as follows:

"§300.2. Electric personal assistive mobility devices; operation; exceptions

A. Electric personal assistive mobility devices shall be authorized to operate on sidewalks, bicycle paths, and highways with posted speed limits of thirty-five miles per hour or less, except that any parish or municipal governing authority may limit or prohibit the operation of such devices on any sidewalk, bicycle path, or highway under its jurisdiction.

B. For purposes of this Section, the term "electric personal assistive mobility device" shall mean a self-balancing two, non-tandem wheeled device designed to transport only one person at a time, with an electric propulsion system which limits the maximum speed of the device to not more than fifteen miles per hour. An electric personal assistive mobility device shall not be considered a motor scooter, an electric scooter, a vehicle, or a motor vehicle.

\* \* \*

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Erdey	Montgomery	Winston
Fannin	Morrell	Wooton
Farrar	Morrish	Wright
Faucheux	Murray	
Total—104		

NAYS

Total—0

ABSENT

Total—0

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

**HOUSE BILL NO. 1319—**

BY REPRESENTATIVE TRICHE

AN ACT

To amend and reenact R.S. 56:6(30), relative to private ownership of certain animals; to authorize the secretary to promulgate rules and regulations to prohibit exotic big cats such as tigers, lions, leopards, and jaguars from being imported or privately owned; 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 Natural Resources to Reengrossed House Bill No. 1319 by Representative Triche

AMENDMENT NO. 1

On page 1, line 3, after "regulations to" and before "prohibit" insert "control and"

AMENDMENT NO. 2

On page 1, line 16, after "Center" insert ", Chimp Haven of Caddo Parish."

AMENDMENT NO. 3

On page 1, delete lines 20 and 21 and insert

"(b) Shall promulgate rules and regulations to (1) control the importation and private ownership of big exotic cats acquired prior to the effective date of this Paragraph, and (2) prohibit the importation and private ownership, except as provided in subparagraph (1), of big exotic cats on and after the effective date of this Paragraph. For the purposes of this Paragraph, "big exotic cats" include, but are not limited to, tigers, lions"

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Romero to Reengrossed House Bill No. 1319 by Representative Triche

AMENDMENT NO. 1

Delete Senate Committee Amendment Nos. 1 and 3, proposed by the Senate Committee on Natural Resources, and adopted by the Senate on June 1, 2004.

AMENDMENT NO. 2

On page 1, line 11, delete "(a)"

AMENDMENT NO. 3

On page 1, line 13, after "venomous snakes," delete the remainder of the line, and insert:

"nonhuman primates, and big exotic cats, including but not limited to tigers, lions, leopards, and jaguars. The rules shall"

AMENDMENT NO. 4

On page 1, line 15, delete "and"

AMENDMENT NO. 5

On page 1, line 17, after "Center" and before the period insert ", and colleges and universities with big exotic cats as school mascots"

AMENDMENT NO. 6

On page 1, line 19, after "ownership" delete the remainder of the line, and insert "of nonindigenous constrictors which can reach a length in excess of twelve feet as an adult, venomous snakes, and nonhuman primates prior to July 1, 2003, and ownership of big exotic cats prior to August 15, 2004."

AMENDMENT NO. 7

On page 1, delete lines 20 and 21

AMENDMENT NO. 8

On page 2, delete lines 1 through 3

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Boasso to Reengrossed House Bill No. 1319 by Representative Triche

AMENDMENT NO. 1

On page 1, line 12 after "constrictors" delete the remainder of the line and at beginning of line 13, delete "of twelve feet as an adult,"

**Motion**

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

**HOUSE BILL NO. 1354—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 32:773.1(A)(2)(o), 773.2(B) and (F)(1), and 775(A)(7)(introductory paragraph), (8), and (9) and (B) and to enact R.S. 32:775(A)(10), relative to used motor vehicle dealers and marine dealers; to provide relative to certain area of responsibility provisions; to provide for certain penalties for marine dealers; to provide for the commencement period for certain penalties; to provide relative to licensing procedures; 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 Transportation, Highways, and Public Works to Reengrossed House Bill No. 1354 by Representative Pinac



AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line and insert "R.S. 32:771(2)(b) and (4), 773.1(A)(2)(c) and (o), 773.2(A)(1), (B), (F)(1) and (5)(introductory paragraph), and"

AMENDMENT NO. 2

On page 1, line 4, delete "32:775(A)(10)" and insert "32:773.1(C), 773.2(G) and (H), and 775(A)(10)"

AMENDMENT NO. 3

On page 1, line 7, after "procedures;" insert "to provide for definitions; to provide for unlawful acts; to provide for marine dealer/manufacture/distributor agreements; to provide for voluntary termination of a marine dealer's business; to provide for procedures regarding disputes between marine dealers and marine manufacturers and distributors;"

AMENDMENT NO. 4

On page 1, line 9, after "Section 1." delete the remainder of the line and insert "R.S. 32:771(2)(b) and (4), 773.1(A)(2)(c) and (o), 773.2(A)(1), (B), (F)(1) and (5)(introductory paragraph), and 775(A)(7)(introductory)"

AMENDMENT NO. 5

On page 1, at the end of line 10, delete "R.S. 32:775(A)(10)" and insert "R.S. 32:773.1(C), 773.2(G) and (H), and 775(A)(10)"

AMENDMENT NO. 6

On page 1, line 11, change "is" to "are"

AMENDMENT NO. 7

On page 1, between lines 11 and 12 insert as follows:

"§771. Definitions

As used in this Chapter:

\* \* \*

(2)(a)

\* \* \*

(b) A marine dealer's area of responsibility shall mean ~~both of the following:~~

~~(i) The area within not less than a fifteen-mile radius of the location of his dealership if such dealership is located within a trade area, as defined by the commission, containing a population of five hundred thousand persons or more.~~

~~(ii) The area within not less than a thirty-mile radius of the location of his dealership if such dealership is located within a trade area, as defined by the commission, containing a population of less than five hundred thousand persons; the marine dealer's area of principal sales and service responsibility as specified by the contract, franchise, or selling agreement in effect with the manufacturer or distributor. The marine manufacturer or distributor shall designate and provide to the commission in writing the marine dealer's area of responsibility when the contract is granted or, should there be contracts in existence on August 15, 2004 without such designation, the commission shall require the manufacturer or distributor to~~

designate the area of responsibility. The manufacturer or distributor shall adopt uniform procedures to establish the community or territory that is assigned to a marine dealer. The uniform procedures shall include market research information from identified credible industry sources that project product sales of the brand of marine product for which the contract or franchise agreement is granted. In the absence of such designation by the manufacturer or distributor, or in the event that the area of responsibility designated by the manufacturer or distributor is rejected by the commission, and such decision by the commission is affirmed on appeal, the marine dealer's area of responsibility shall mean either of the following:

(i) The area within a fifteen-mile radius of the dealership if the dealership is located in a parish containing a population of four hundred thousand persons or more.

(ii) The area within a thirty-mile radius of the dealership if the dealership is located in a parish containing a population of less than four hundred thousand persons.

\* \* \*

(4) "Boat package" means a component of a marine product that is equipped with an outboard or inboard/outboard motor attached thereto. The term shall also include a boat that is equipped with an outboard or inboard/outboard motor sold therewith for use thereon. boat that is equipped from its manufacturer or distributor with an inboard, outboard, or inboard/outboard motor or engine attached thereto, installed thereon, or shipped and/or invoiced together as a package. For the purposes of this Chapter, the boat package brand shall be determined by the brand of the boat.

\* \* \*

AMENDMENT NO. 8

On page 1, between lines 16 and 17, insert as follows:

"\* \* \*

(c) To unfairly, without due regard to the equities in favor of any such dealer and without just provocation, cancel any franchise, selling, or other contractual arrangement with any motorcycle, all-terrain vehicle, trailer, motor home, recreational vehicle, travel trailer, or marine dealer without just cause and without ninety days notice prior thereto, unless such cancellation arises out of financial default of the dealer or fraudulent activity of the dealer principal which results in the conviction of a crime punishable by imprisonment. The nonrenewal of a franchise, selling, or other agreement with such dealer or his successor without just provocation or cause, and without ninety days prior notice, or the refusal to approve a qualified transferee or qualified successor to the rights of the dealer-operator as provided for in the franchise, selling, or other contractual agreement shall be deemed an evasion of this Paragraph and shall constitute an unfair cancellation, notwithstanding any contrary terms or provisions of such franchise, selling, or other contractual agreement. Any such prohibited cancellation, nonrenewal, or refusal to approve the transfer successor or qualified transferee of such agreements without any just provocation or cause shall further constitute a violation of the Unfair Trade Practices and Consumer Protection Law. However, the successor or transferee to the marine dealer's rights in the franchise, selling, or other contractual agreement shall meet the criteria generally applied by the manufacturer or distributor in approving new marine dealers and agrees to be bound by all the terms and conditions of the standard franchise, selling, or other agreement."

AMENDMENT NO. 9

On page 1, after line 22, insert as follows:

"C. Notwithstanding any other provision of law to the contrary, a successor or transferee to a marine dealer franchise or selling agreement shall apply to the manufacturer, distributor, wholesaler, distributor branch, or factory brand for approval to become the holder of a marine franchise or selling agreement. The applicant shall meet all reasonable requirements of the manufacturer, distributor, wholesaler, distributor branch, or factory branch for approval. The failure to meet the reasonable requirements within sixty days after notice to the proposed successor or transferee shall be just cause to deny the application."

AMENDMENT NO. 10

On page 2, between lines 4 and 5, insert as follows:

"A.(1) In the event that a dealer ceases to engage in the business of being a motorcycle, all-terrain vehicle, trailer, motor home, recreational vehicle, travel trailer, or marine dealer, or ceases to sell a particular make of motorcycle, all-terrain vehicle, trailer, motor home, recreational vehicle, travel trailer, or marine product, and after notice thereof to the manufacturer or distributor by registered or certified mail return receipt requested within thirty days thereafter, the manufacturer or distributor, at a minimum, shall repurchase all new and unused motorcycles, all-terrain vehicles, trailers, motor homes, recreational vehicles, travel trailers, or marine products of the current and immediate prior model year and all parts on hand that are currently listed in the manufacturer's price book that have not been damaged or substantially altered to the prejudice of the manufacturer while in the possession of the dealer and all required demonstrators. However, whenever the marine dealer gives notice of termination of the contract, franchise, or selling agreement, the manufacturer or distributor shall have the right to appoint an Independent Marine Surveyor to inspect the marine dealer's inventory to determine whether or not the inventory has been substantially altered or damaged to the prejudice of the manufacturer, through neglect or otherwise, while in the possession of the marine dealer and shall determine a fair diminution of value caused by such alteration, damage, or neglect. If the Independent Marine Surveyor finds that the inventory of marine products has been so altered, damaged, or neglected, the value assessment of the inventory of marine products established by him shall be considered by the commission in determining the market value of the inventory."

AMENDMENT NO. 11

On page 2, between lines 20 and 21, insert as follows:

"(5) Whenever the commission receives an objection pursuant to the provisions of Paragraph (2) of this Subsection, or whenever the commission receives an objection pursuant to the assignment of the marine dealer's area of principal sales and service responsibility, the commission shall consider the following and may consider any other relevant factors in determining whether there is good cause to approve or reject the assignment of the marine dealer's area of principal sales and service responsibility, or to issue a license:

\* \* \*

G. With regard to disputes between the marine dealers and marine manufacturers and distributors, or for any violations of R.S. 32:773.1(A)(2)(n) and (o), the name brand of the boat determines whether a dealer may enter into a franchise or selling agreement for a particular boat package or boat package line. The marine motor, marine engine, boat trailer, or any accessory made a part of a boat

package shall not be the subject of, or a consideration in, an area of responsibility dispute for violation involving the boat package.

H. A manufacturer or distributor of a marine motor or marine engine may, in their discretion, enter into a warranty service agreement with a marine dealer of a boat package that is packaged with its particular brand marine motor or engine without violating the area of responsibility of any other marine dealer that has a franchise or selling agreement of that brand marine motor or engine. Provided however, the warranty service agreement shall not be construed to permit the marine dealer to sell the marine motor or engine separate from the boat package, and the marine dealer shall not hold itself out to be a full-line and/or loose marine motor or engine dealership.

\* \* \*

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 1354 by Representative Pinac

AMENDMENT NO. 1

In Senate Committee Amendment No. 7 proposed by the Senate Committee on Transportation, Highways, and Public Works and adopted by the Senate on June 1, 2004, on page 2, line 23, change "and/or" to "or"

AMENDMENT NO. 2

In Senate Committee Amendment No. 11 proposed by the Senate Committee on Transportation, Highways, and Public Works and adopted by the Senate on June 1, 2004, on line 53 change "and/or" to "or"

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Name, Name. Lists names of representatives who voted 'YEAS'.

DeWitt	Lambert	Waddell
Doerge	Lancaster	Walker
Dorsey	Marchand	Walsworth
Dove	McDonald	White
Downs	McVea	Winston
Durand	Montgomery	Wooton
Erdey	Morrell	Wright
Fannin	Morrish	
Farrar	Murray	
Total—100		

NAYS

Total—0

ABSENT

Jefferson	Smith, G.—56th
Martiny	St. Germain
Total—4	

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

**HOUSE BILL NO. 1356—**  
BY REPRESENTATIVE SHEPHERD  
AN ACT

To enact R.S. 23:1205(C), relative to workers' compensation; to require health care benefits providers to pay medical expenses under certain circumstances; to provide for penalties and attorney fees; to provide for the recovery of paid medical expenses; and to provide for related matters.

Read by title.

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

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Holden to Engrossed House Bill No. 1356 by Representative Shepherd

AMENDMENT NO. 1

On page 1, line 12, after "any" delete "company" and insert "health insurer"

AMENDMENT NO. 2

On page 1, at the beginning of line 13, after "contracts" delete "for" and insert "to provide"

AMENDMENT NO. 3

On page 1, line 13, after "employee" delete "or dependents"

AMENDMENT NO. 4

On page 1, line 14 after "medical" delete "expenses incurred" and insert "benefits"

AMENDMENT NO. 5

On page 1, line 15, delete "contractor's" and insert "health insurer's"

AMENDMENT NO. 6

On page 1, line 15 after "contracts" delete "for" and insert "to provide"

AMENDMENT NO. 7

On page 1, line 16, after "employee" delete "or dependents"

AMENDMENT NO. 8

On page 1, line 16, after "Subsection" delete the remainder of the line and delete line 17 and on line 18 delete "employee or health care provider,"

AMENDMENT NO. 9

On page 2, line 2, after "any" delete "medical expense so incurred" and insert "health benefits payable"

AMENDMENT NO. 10

On page 2, line 4, after "(B)" insert the following:

"However, if it is determined that the workers' compensation payor was responsible for payment of medical benefits that have been paid by the health insurer, the obligation of the workers' compensation payor for such benefits shall be to reimburse the health insurer one hundred percent of the benefits it paid. If it is determined that the workers' compensation payor was responsible for payment of benefits and its denial of responsibility is determined to be arbitrary and capricious, then the health insurer shall also be entitled to recover legal interest on any benefits it paid, calculated from the date such benefits were due."

AMENDMENT NO. 11

On page 2, line 5, after "filed" insert "against the worker's compensation carrier"

AMENDMENT NO. 12

On page 2, after line 8, insert the following:

"(4) Any claim filed by a health care provider against a health insurer pursuant to this Section shall be filed no later than one hundred eighty days after the denial by the workers' compensation payor."

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Flavin	Montgomery
Alario	Frith	Morrell
Ansardi	Gallot	Murray
Arnold	Geymann	Odinot
Badon	Glover	Pierre
Baldone	Gray	Pinac
Baudoin	Guillory, E.	Pitre
Baylor	Guillory, M.	Powell, M.
Bowler	Hammett	Quezaire
Broome	Heaton	Richmond
Bruce	Hebert	Ritchie
Bruneau	Hill	Robideaux
Burns	Honey	Romero
Burrell	Hopkins	Schneider
Carter, K.	Hunter	Shepherd
Carter, R.	Hutter	Smith, G.—56th

Page 52 HOUSE

45th Day's Proceedings - June 15, 2004

Cazayoux	Jackson	Smith, J.H.—8th
Curtis	Jefferson	Smith, J.R.—30th
Damico	Kennard	St. Germain
Daniel	Kenney	Thompson
Dartez	LaFleur	Toomy
DeWitt	Lambert	Townsend
Doerge	Lancaster	Trahan
Dorsey	Marchand	Waddell
Durand	Martiny	Walker
Farrar	McDonald	White
Fauchoux	McVea	Wooton
Total—81		

NAYS

Alexander	Fannin	Scalise
Beard	Futrell	Smiley
Crane	Johns	Strain
Crowe	Katz	Triche
Dove	LaBruzzo	Winston
Erdey	Powell, T.	Wright
Total—18		

ABSENT

Downs	Smith, J.D.—50th	Walsworth
Morrish	Tucker	
Total—5		

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

**HOUSE BILL NO. 1374—**  
BY REPRESENTATIVE JACK SMITH  
AN ACT

To enact R.S. 56:303(F), relative to commercial fishing; to provide for a senior commercial fishing license for persons sixty-five and older; 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 Natural Resources to Reengrossed House Bill No. 1374 by Representative Jack Smith

AMENDMENT NO. 1

On page 1, line 3, change "sixty-five" to "seventy"

AMENDMENT NO. 2

On page 1, line 8, change "sixty-five" to "seventy"

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Baldone	Glover	Quezaire
Baudoin	Gray	Richmond
Baylor	Guillory, E.	Ritchie
Beard	Guillory, M.	Robideaux
Bowler	Hammett	Romero
Broome	Heaton	Scalise
Bruce	Hebert	Schneider
Bruneau	Hill	Shepherd
Burns	Honey	Smiley
Burrell	Hopkins	Smith, G.—56th
Carter, K.	Hunter	Smith, J.D.—50th
Cazayoux	Hutter	Smith, J.H.—8th
Crane	Jackson	Smith, J.R.—30th
Crowe	Jefferson	St. Germain
Curtis	Johns	Strain
Damico	Kenney	Thompson
Daniel	LaBruzzo	Toomy
Dartez	LaFleur	Townsend
DeWitt	Lambert	Trahan
Doerge	Lancaster	Triche
Dorsey	Marchand	Waddell
Dove	McDonald	Walker
Downs	McVea	White
Durand	Montgomery	Winston
Erdey	Morrell	Wooton
Fannin	Morrish	Wright
Farrar	Murray	
Total—98		

NAYS

Total—0

ABSENT

Carter, R.	Kennard	Tucker
Katz	Martiny	Walsworth
Total—6		

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

**HOUSE BILL NO. 1378—**  
BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 32:756(B), 771(22)(a)(i), 772(A)(1), 774(G)(1), and 780(B) and R.S. 36:4.1(D)(14) and to enact R.S. 32:771(22)(b)(vi) and 774.1, relative to used motor vehicle dealers; to provide for expiration of license of automotive dismantler and parts recycler; to provide for auctioning of used cars; to rename the Louisiana Used Motor Vehicle and Parts Commission to the Recreational and Used Motor Vehicle Commission; to provide relative to certain license fees; to create the rent with option-to-purchase program; to provide relative to certain penalties; 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 Transportation, Highways, and Public Works to Engrossed House Bill No. 1378 by Representative Pinac

AMENDMENT NO. 1

On page 1, delete line 2, and insert:

"To amend and reenact R.S. 32:756(A) and (B), 771(6) and (22)(a)(i), 772(A)(1), 773(B), 774(G)(1), 776(E), and 780(B) and"

AMENDMENT NO. 2

On page 1, delete line 11, and insert:

"Section 1. R.S. 32:756(A) and (B), 771(6) and (22)(a)(i), 772(A)(1), 773(B), 774(G)(1), 776(E), and 780(B) are"

AMENDMENT NO. 3

On page 1, delete lines 15 through 19, and insert:

"A. All bonds and licenses issued under the provisions of this Chapter shall expire on ~~the first anniversary of the date of issue~~ December thirty-first of each year and shall be nontransferable.

B. All applications for renewal of licenses hereunder shall be submitted on or before sixty days prior to ~~the date on which the existing license will expire~~ December thirty-first of each year. If application has not been made for renewal of licenses, such licenses shall expire ~~one year from the date issued~~ on December thirty-first of the following year and it shall be"

AMENDMENT NO. 4

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

\* \* \*

(6) "Commission" means the Louisiana Recreational and Used Motor Vehicle and Parts Commission, or its designee."

AMENDMENT NO. 5

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

"§773. Dealers, manufacturers, and distributors to be licensed; exception

\* \* \*

B. Any motor vehicle dealer, not licensed under the provisions of Chapter 6 of Title 32, who rents on a daily basis, motor vehicles not of the current year or immediate prior year models, that have been titled previously to an ultimate purchaser, shall be subject to the regulation of the Louisiana Recreational and Used Motor Vehicle and Parts Commission.

\* \* \*

AMENDMENT NO. 6

On page 7, between lines 18 and 19, insert:

"§776. Denial, suspension, or revocation of license; violations; procedure

\* \* \*

E. When a licensee is found in violation of any provision of R.S. 32:751 through 780, relative to the Louisiana Recreational and Used Motor Vehicle and Parts Commission, the licensee shall attend a four-hour educational seminar. The licensee who is found in violation of any provision of R. S. 32:751 through 780 shall complete the four-hour educational seminar within three months of the date the hearing decision becomes final.

\* \* \*

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Odinet
Alario	Flavin	Pierre
Alexander	Frith	Pinac
Ansardi	Futrell	Pitre
Arnold	Gallot	Powell, M.
Badon	Geymann	Powell, T.
Baldone	Glover	Quezaire
Baudoin	Gray	Richmond
Baylor	Guillory, E.	Ritchie
Beard	Guillory, M.	Robideaux
Bowler	Hammett	Romero
Broome	Heaton	Scalise
Bruce	Hebert	Schneider
Bruneau	Hill	Shepherd
Burns	Honey	Smiley
Burrell	Hopkins	Smith, G.—56th
Carter, K.	Hunter	Smith, J.D.—50th
Carter, R.	Hutter	Smith, J.H.—8th
Cazayoux	Jackson	Smith, J.R.—30th
Crane	Jefferson	St. Germain
Crowe	Johns	Strain
Curtis	Katz	Thompson
Damico	LaBruzzo	Toomy
Daniel	LaFleur	Townsend
Dartez	Lambert	Trahan
DeWitt	Lancaster	Triche
Doerge	Marchand	Waddell
Dorsey	Martiny	Walker
Dove	McDonald	Walsworth
Downs	McVea	White
Durand	Montgomery	Winston
Erdey	Morrell	Wooton
Fannin	Morrish	Wright
Farrar	Murray	
Total—101		

NAYS

Total—0

ABSENT

Kennard	Kenney	Tucker
Total—3		

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

**HOUSE BILL NO. 1467—**  
BY REPRESENTATIVE PIERRE  
AN ACT

To amend and reenact R.S. 56:25 and to repeal R.S. 56:26, 644, and 645, relative to fish and wildlife restoration and management projects; to specify that the department will adhere to the provisions of federal law which govern the use of federal funds for fish and wildlife habitat restoration projects; 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 Natural Resources to Engrossed House Bill No. 1467 by Representative Pierre

AMENDMENT NO. 1

On page 2, delete line 8, and insert "administration of the divisions of fish and game"

AMENDMENT NO. 2

On page 2, line 9, delete "Fisheries"

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator McPherson to Engrossed House Bill No. 1467 by Representative Pierre

AMENDMENT NO. 1

Delete Senate Committee Amendment No. 1 proposed by the Senate Committee on Natural Resources and adopted by the Senate on June 1, 2004.

AMENDMENT NO. 2

On page 2, delete line 8 and insert the following:

"administration, implementation, and support of hunting and fishing activities"

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

Erdey	McDonald	Walker
Fannin	McVea	Walsworth
Farrar	Montgomery	White
Faucheux	Morrell	Winston
Flavin	Morrish	Wright
Total—99		

NAYS

Total—0

ABSENT

Carter, R.	DeWitt	Wooton
Daniel	Odinot	
Total—5		

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

**HOUSE BILL NO. 1516—**  
BY REPRESENTATIVE BALDONE  
AN ACT

To enact R.S. 56:499(D), relative to shrimp nets; to provide for the relative location of stationary shrimp nets; and to provide for related matters.

Read by title.

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

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senators Dupre, B. Gautreaux, Boasso, and Romero to Engrossed House Bill No. 1516 by Representative Baldone

AMENDMENT NO. 1

On page 1, delete lines 2 and 3 and insert:

"amend and reenact R.S. 56:10(B)(1)(b) and 305(G) and to enact R.S. 56:305(H), 499(D) and 506.1, relative to shrimping; to provide relative to commercial shrimping; to provide relative to shrimp gear and licenses; to provide for certain additional fees for the purchase of commercial shrimp gear licenses; to create the Shrimp Trade Petition Account in the Conservation Fund and provide for certain revenues and expenditures; to provide for certain additional fees for wholesale/retail seafood dealers licenses; to provide relative to shrimp nets; to provide for the relative location of stationary shrimp nets; to provide an effective date; and to provide for related matters."

AMENDMENT NO. 2

On page 1, between lines 4 and 5 insert:

"Section 1. R.S. 56:10(B)(1)(b) and 305(G) are hereby amended and reenacted, and R.S. 56:305(H) and 506.1 are hereby enacted, to read as follows:

§10. Annual report to governor; estimate of proposed expenditures; particular funds; warrants; vouchers; surplus funds

\* \* \*

B.(1) Subject to the exception contained in Article VII, Section 9(A) of the Constitution of Louisiana, all funds collected by the commission from every source shall be paid into the state treasury and shall be credited to the Bond Security and Redemption Fund. Out of the funds remaining in the Bond Security and Redemption

Fund after a sufficient amount is allocated from that fund to pay all obligations secured by the full faith and credit of the state which become due and payable within any fiscal year, the treasurer shall, prior to placing such remaining funds in the state general fund, conform to the following:

\* \* \*

(b)(i) Pay annually into the Seafood Promotion and Marketing Fund, into a special account entitled the "Shrimp Marketing and Promotion Account", an amount equal to the fees collected pursuant to R.S. 56:305(G) and paid into the treasury by the commission. All expenditures and allocation of funds from this account shall be administered by the Louisiana Seafood Promotion and Marketing Board to be used for the development of markets for shrimp and creation of marketing strategies for the development and market expansion for shrimp harvested from Louisiana waters.

(ii) Pay annually into the Conservation Fund, into a special account entitled the "Shrimp Trade Petition Account", an amount equal to the fees collected pursuant to R.S. 56:305(H) and 506.1. Subject to annual appropriation by the legislature, the monies in the fund shall be used exclusively for the purposes of promotion and protection of domestic wild-caught shrimp. For purposes of this Item, promotion and protection of domestic wild-caught shrimp shall include expenses related to the petition filed by the Southern Shrimp Alliance in December 2003 for the imposition of anti-dumping duties pursuant to Section 731 of the Tariff Act of 1930, as amended. The monies in this account shall be invested by the state treasurer in the same manner as monies in the state general fund and all returns on such investment shall be deposited to the account. All unexpended and unencumbered monies remaining in this account at the end of the fiscal year shall remain in the account.

\* \* \*

§305. Commercial gear license; issuance to certain nonresidents prohibited; moratorium on certain new gear licenses; renewals

\* \* \*

G. In addition to any other fees provided for in this Section, any commercial fisherman who purchases ~~any gear for taking shrimp a trawl, skimmer, or butterfly gear license~~ shall be required to pay an annual fee of ten dollars for residents and forty dollars for nonresidents for deposit into the Shrimp Marketing and Promotion Account as provided for in ~~R.S. 56:10(B)(1)(b)~~ R.S. 56:10(B)(1)(b)(i). The licensee shall pay the fee required by this Subsection only once in any single license year.

H. For license years 2005 and 2006, in addition to any other fees provided for in this Section, any commercial fisherman who purchases a trawl, skimmer, or butterfly gear license shall be required to pay an annual fee of ten dollars for residents and forty dollars for nonresidents for deposit into the Shrimp Trade Petition Account as provided for in R.S. 56:10(B)(1)(b)(ii). The licensee shall pay the fee required by this Subsection only once in any single license year.

\* \* \*

§506.1. Fee for promotion and protection of wild-caught shrimp

For license years 2005 and 2006, any wholesale/retail seafood dealer who is required to pay excise tax on shrimp pursuant to R.S. 56:506 shall also pay an annual fee of one hundred fifty dollars for residents and six hundred dollars for nonresidents. Any wholesale/retail seafood dealer who bought, sold, acquired, handled, or purchased in excess of two hundred fifty thousand pounds of shrimp equivalent to head on weight during the previous license year shall pay an additional annual fee of one thousand dollars. Fees paid

pursuant to this Section shall be indicated on the original valid wholesale/retail seafood dealers license. Any person who fails to comply with the provisions of this Section shall be guilty of a class three violation.

**AMENDMENT NO. 3**

On page 1, line 5, change "Section 1." to "Section 2."

**AMENDMENT NO. 4**

On page 2, after line 6, insert:

"Section 3. The provisions of Section 1 of this Act shall become effective only if the United States International Trade Commission rules that shrimp harvesters are eligible for funds under the Continued Dumping and Subsidy Offset Act of 2000, commonly called the "Byrd Amendment"."

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Faucheux Morrish  
Total—2

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

**HOUSE BILL NO. 1531—**  
BY REPRESENTATIVE M. GUILLORY  
AN ACT

To amend and reenact R.S. 32:381(A), relative to the height of vehicles; to increase the maximum allowable height of vehicles; 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 Transportation, Highways, and Public Works to Engrossed House Bill No. 1531 by Representative M. Guillory

AMENDMENT NO. 1

On page 1, line 3, after "vehicles" insert "on interstate highways"

AMENDMENT NO. 2

On page 1, delete line 7, and insert in lieu thereof the following:

"A.(1) The height of any vehicle and its load shall not exceed thirteen feet, six inches, except the height on any vehicle which operates on the interstate highway system shall not exceed"

AMENDMENT NO. 3

On page 1, between lines 8 and 9, insert as follows:

"(2) The operator of a vehicle that is higher than thirteen feet six inches shall ensure that the vehicle will pass through each vertical clearance of a structure in its path without touching the structure.

(3) Any damage to a bridge, underpass, or similar structure caused by the height of a vehicle shall be the responsibility of the owner of the vehicle."

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Ellington to Engrossed House Bill No. 1531 by Representative M. Guillory

AMENDMENT NO. 1

Delete Senate Committee Amendment No. 2 proposed by the Senate Committee on Transportation, Highways and Public Works and adopted by the Senate on June 1, 2004

AMENDMENT NO. 2

On page 1, delete lines 7 and 8 and insert in lieu thereof the following:

"A.(1) The height of any vehicle and its load shall not exceed thirteen feet, six inches, except that the height of any vehicle and its load which operates exclusively on the interstate highway system shall not exceed fourteen feet, provided that vehicles operating on the interstate highway system shall have reasonable access, within one road mile from the interstate highway to terminals and facilities for

food, fuel, repairs, and rest, unless prohibited for specific safety reasons on individual routes."

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Flavin	Odinet
Alario	Frith	Pierre
Alexander	Futrell	Pinac
Ansardi	Gallot	Pitre
Arnold	Geymann	Powell, M.
Badon	Glover	Powell, T.
Baldone	Gray	Quezaire
Baudoin	Guillory, E.	Richmond
Baylor	Guillory, M.	Ritchie
Beard	Hammett	Robideaux
Bowler	Heaton	Romero
Broome	Hebert	Scalise
Bruce	Hill	Schneider
Bruneau	Honey	Shepherd
Burns	Hopkins	Smiley
Burrell	Hunter	Smith, G.—56th
Carter, K.	Hutter	Smith, J.D.—50th
Carter, R.	Jackson	Smith, J.H.—8th
Cazayoux	Jefferson	Smith, J.R.—30th
Crane	Johns	St. Germain
Crowe	Katz	Strain
Curtis	Kennard	Thompson
Damico	Kenney	Toomy
Daniel	LaBruzzo	Townsend
Dartez	LaFleur	Trahan
DeWitt	Lambert	Triche
Doerge	Lancaster	Tucker
Dorsey	Marchand	Waddell
Dove	Martiny	Walker
Downs	McDonald	Walsworth
Durand	McVea	White
Erdey	Montgomery	Winston
Fannin	Morrell	Wooton
Farrar	Morrish	Wright
Faucheux	Murray	
Total—104		

NAYS

Total—0

ABSENT

Total—0

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

**HOUSE BILL NO. 1555—**  
BY REPRESENTATIVE WALSWORTH  
AN ACT

To authorize and provide for the transfer of certain state property in Ouachita Parish to the governing authority of Ouachita Parish; and to provide for related matters.

Read by title.

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



**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Natural Resources to Engrossed House Bill No. 1555 by Representative Walsworth

AMENDMENT NO. 1

On page 1, line 3, delete "governing authority of Ouachita Parish;" and insert "Veterans Affairs Office of the State of Louisiana;"

AMENDMENT NO. 2

On page 1, line 8, delete "governing authority of Ouachita Parish." and insert "Veterans Affairs Office of the State of Louisiana."

AMENDMENT NO. 3

On page 1, line 9, delete "assisting" and delete line 10, and insert "the establishment of a national cemetery in Ouachita Parish."

AMENDMENT NO. 4

On page 1, line 16, delete "governing authority of Ouachita Parish." and insert "Veterans Affairs Office of the State of Louisiana."

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Kostelka to Engrossed House Bill No. 1555 by Representative Walsworth

AMENDMENT NO. 1

On page 1, at the end of line 10, after "cemetery." insert the following:

"The general property description shall be as follows:

'A portion of the present LSU Agricultural Experiment Station property located at Calhoun, Louisiana, comprising approximately fifty (50) acres and located in the West ½ of Section 26, Township 18 North, Range 1 East, Ouachita Parish, Louisiana. Said tract to be bounded by U.S. Interstate 20 on the North; by U.S. Highway 80 on the South; and, by the eastern line of the present LSU Agricultural Experiment Station property on the East. The West boundary of the tract will be fixed by survey at a location which accommodates those continuing operations of the LSU Agricultural Experiment Station and yields fifty acres, more or less (50+/-), useable for the establishment of a National Veteran's Cemetery.'

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Kostelka to Engrossed House Bill No. 1555 by Representative Walsworth

AMENDMENT NO. 1

On page 1, line 2, delete "state property" and insert "property of the Louisiana State University and Agricultural and Mechanical College"

AMENDMENT NO. 2

On page 1, line 5, delete "commissioner of administration" and insert "Board of Supervisors for the Louisiana State University and Agricultural and Mechanical College"

AMENDMENT NO. 3

On page 1, line 6, after "empowered" insert "at its discretion"

AMENDMENT NO. 4

On page 1, line 7, delete "the state" and insert "that the Louisiana State University and Agricultural and Mechanical College"

AMENDMENT NO. 5

On page 1, line 9, delete "commissioner of administration" and insert "the Board of Supervisors of the Louisiana State University and Agricultural and Mechanical College"

AMENDMENT NO. 6

On page 1, line 11, delete "commissioner of administration" and insert "Board of Supervisors of the Louisiana State University and Agricultural and Mechanical College"

AMENDMENT NO. 7

On page 1, line 11, after "authorized" insert "at its discretion"

AMENDMENT NO. 8

On page 1, line 16, delete "commissioner of administration" and insert "Board of Supervisors of the Louisiana State University and Agricultural and Mechanical College"

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

Farrar	Morrell	Winston
Faucheux	Morrish	Wooton
Flavin	Murray	Wright
Total—102		

NAYS

Total—0

ABSENT

Beard	Erdey
Total—2	

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

**HOUSE BILL NO. 1560—**  
BY REPRESENTATIVE CROWE  
AN ACT

To authorize and provide for the transfer of certain state property in St. Tammany Parish to the St. Tammany Parish School Board; and to provide for related matters.

Read by title.

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

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Natural Resources to Engrossed House Bill No. 1560 by Representative Crowe

AMENDMENT NO. 1

On page 2, at the end of line 19, insert "The state shall receive compensation of equal or greater value in exchange for the transfer of property."

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

**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	Guillory, E.	Richmond
Baldone	Guillory, M.	Ritchie
Baudoin	Hammett	Robideaux
Baylor	Heaton	Romero
Bowler	Hebert	Scalise
Broome	Hill	Schneider
Bruneau	Honey	Shepherd
Burns	Hopkins	Smiley
Burrell	Hunter	Smith, G.—56th
Carter, R.	Hutter	Smith, J.D.—50th
Cazayoux	Jackson	Smith, J.R.—30th
Crane	Jefferson	St. Germain
Crowe	Johns	Strain
Curtis	Katz	Thompson
Damico	Kenney	Toomy
Daniel	LaBruzzo	Townsend
Dartez	LaFleur	Triche

DeWitt	Lambert	Tucker
Doerge	Lancaster	Waddell
Dorsey	Marchand	Walker
Dove	Martiny	Walsworth
Downs	McDonald	White
Durand	Montgomery	Winston
Fannin	Morrell	Wooton
Farrar	Murray	Wright
Faucheux	Odinet	
Flavin	Pierre	
Total—94		

NAYS

Carter, K.	Trahan
Total—2	

ABSENT

Beard	Gray	Morrish
Bruce	Kennard	Smith, J.H.—8th
Erdey	McVea	
Total—8		

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

**HOUSE BILL NO. 15—**  
BY REPRESENTATIVE TOWNSEND  
AN ACT

To amend and reenact R.S. 13:2111, relative to the City Court of Natchitoches; to authorize the transfer of surplus funds or unclaimed fees from the court's civil fee account to the court's judicial expense account; 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 Judiciary A to Engrossed House Bill No. 15 by Representative Townsend

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 13:2111" delete the remainder of the line and insert in lieu thereof "and to enact R.S. 13:2080.1(C), relative to city courts; to provide relative to the City Court of Natchitoches; to provide relative to certain other city courts; to authorize"

AMENDMENT NO. 2

On page 1, line 9, after "reenacted" insert "and R.S. 13:2080.1(C) is hereby enacted"

AMENDMENT NO. 3

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

"§2080.1. Miscellaneous city court; fees; surplus in civil fee account

\* \* \*

C. When a surplus of filing fees and costs or unclaimed fees and costs has accumulated in the civil fee account of any city court in a city having a population of not less than seven thousand and not more than seven thousand two hundred, according to the latest decennial

census, and the surplus or unclaimed fees and costs have remained unclaimed for a period of five years or more, the judge of the court may transfer the amount of the surplus or the amount of the unclaimed fees and costs that remain unclaimed to the operating fund known as the judicial expense account of the court after notice to the depositors by publication in the legal journal of the parish or by other reasonable means to the operating fund known as the judicial expense account of the court. The provisions of this Subsection shall not affect any claim or right granted to a claimant by the provisions of the Uniform Unclaimed Property Act, R.S. 9:151 et seq. After transfer of the surplus funds from the civil fee account to the judicial expense account of the court, the city court shall remain liable for the full amount of any viable claim for unclaimed property in accordance with any other provision of law.

\* \* \*

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

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

Total—101

**NAYS**

Total—0

**ABSENT**

Beard	Erdey	Faucheux
-------	-------	----------

Total—3

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

**HOUSE BILL NO. 37—**  
BY REPRESENTATIVE BALDONE  
AN ACT

To amend and reenact R.S. 40:981.3(E), relative to drug-free zone; to provide that sentences imposed pursuant to the drug free zone provisions shall be served without benefit of suspension of sentence; 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 Judiciary C to Engrossed House Bill No. 37 by Representative Baldone

AMENDMENT NO. 1

On page 1, line 10, change "E." to "E.(1)"

AMENDMENT NO. 2

On page 1, line 13, after "970." delete the remainder of the line and delete line 14 in its entirety and insert in lieu thereof the following:

"(2) Notwithstanding any other provision of law to the contrary, the minimum sentence imposed for a violation of R.S. 40:966 through 970 in a drug free zone, shall be served without benefit of suspension of sentence."

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Flavin	Powell, M.
Alario	Frith	Powell, T.
Alexander	Futrell	Quezaire
Ansardi	Geymann	Ritchie
Arnold	Glover	Robideaux
Baldone	Guillory, E.	Romero
Baudoin	Guillory, M.	Scalise
Baylor	Hammett	Schneider
Bowler	Heaton	Shepherd
Bruce	Hebert	Smiley
Bruneau	Hill	Smith, G.—56th
Burns	Honey	Smith, J.D.—50th
Burrell	Hopkins	Smith, J.H.—8th
Carter, R.	Hutter	Smith, J.R.—30th
Cazayoux	Johns	St. Germain
Crane	Katz	Strain
Crowe	Kennard	Thompson
Curtis	Kenney	Toomy
Damico	LaBruzzo	Townsend
Daniel	LaFleur	Trahan
Dartez	Lambert	Triche
DeWitt	Lancaster	Tucker
Doerge	Martiny	Waddell
Dove	McDonald	Walker
Downs	McVea	Walsworth

Durand  
Erdey  
Fannin  
Farrar  
Faucheux  
Total—88

Montgomery  
Morrish  
Odinot  
Pinac  
Pitre

White  
Winston  
Wright

NAYS

Badon  
Broome  
Carter, K.  
Dorsey  
Total—12

Gray  
Jackson  
Jefferson  
Marchand

Morrell  
Murray  
Pierre  
Richmond

ABSENT

Beard  
Gallot  
Total—4

Hunter  
Wooton

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

**HOUSE BILL NO. 77—**

BY REPRESENTATIVE HUTTER  
AN ACT

To amend and reenact R.S. 15:255(A)(1) and (D)(1) and to enact R.S. 15:255(A)(4), relative to fees paid to off-duty law enforcement officers who are witnesses in criminal cases; to require the witness fees to only be paid from the specified fund; and to provide for related matters.

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 Judiciary A to Reengrossed House Bill No. 77 by Representative Hutter

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 15:255(A)(4)" insert "and (D)(3)"

AMENDMENT NO. 2

On page 1, line 8, after "15:255(A)(4)" delete "is" and insert "and (D)(3) are"

AMENDMENT NO. 3

On page 3, after line 1, add the following:

"(3) In any court in which the judge appoints bailiffs in accordance with R.S. 13:1457, thirty percent of the funds collected in accordance with Paragraph (1) of this Subsection may be utilized for the compensation of the bailiffs and other court room security.

\* \* \*

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 77 by Representative Hutter

AMENDMENT NO. 1

Delete Senate Committee Amendments Nos. 1 through 3 proposed by the Senate Committee on Judiciary A and adopted by the Senate on May 26, 2004.

AMENDMENT NO. 2

On page 1, delete line 4, and insert:

"to provide requirements with respect to the payment of such fees; and to provide for"

AMENDMENT NO. 3

On page 2, line 19, delete "only"

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker  
Alario  
Alexander  
Ansardi  
Arnold  
Badon  
Baldone  
Baudoin  
Baylor  
Beard  
Bowler  
Broome  
Bruce  
Bruneau  
Burns  
Burrell  
Carter, K.  
Carter, R.  
Cazayoux  
Crane  
Crowe  
Curtis  
Damico  
Daniel  
Dartez  
DeWitt  
Doerge  
Dorsey  
Dove  
Downs  
Durand  
Erdey  
Fannin  
Farrar  
Faucheux  
Total—103

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

Pierre  
Pinac  
Pitre  
Powell, M.  
Powell, T.  
Quezaire  
Richmond  
Ritchie  
Robideaux  
Romero  
Scalise  
Schneider  
Shepherd  
Smiley  
Smith, G.—56th  
Smith, J.D.—50th  
Smith, J.H.—8th  
Smith, J.R.—30th  
St. Germain  
Strain  
Thompson  
Toomy  
Townsend  
Trahan  
Triche  
Tucker  
Waddell  
Walker  
Walsworth  
White  
Winston  
Wooton  
Wright

NAYS

Total—0

ABSENT

Frith  
Total—1

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

**HOUSE BILL NO. 104—**

BY REPRESENTATIVES TOOMY AND FRITH  
AN ACT

To amend and reenact R.S. 1:55(E)(1)(b), relative to state holidays for the offices of clerks of court; to provide that the offices of district, parish, and city clerks of court shall be closed on any day that the governor proclaims a state holiday; 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 Senate and Governmental Affairs to Engrossed House Bill No. 104 by Representative Toomy

AMENDMENT NO. 1

On page 1, line 13, after "on" delete the remainder of the line and delete line 14, and insert "all of the legal holidays provided in R.S. 1:55(B)(1)(a)"

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Fannin  
Farrar  
Total—102

Morrell  
Morrish  
NAYS

Wooton  
Wright

Total—0

ABSENT

Frith  
Total—2

Townsend

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

**HOUSE BILL NO. 126—**

BY REPRESENTATIVES ANSARDI AND LANCASTER  
AN ACT

To amend and reenact R.S. 13:3727, relative to the admissibility of evidence; to provide for the presumption of originality; to provide for the period of time for which an instrument is required to be recorded; 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 Judiciary A to Engrossed House Bill No. 126 by Representative Ansardi

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 13:3727" insert " and 3733.1(A)(4) and (G)(1)(d)"

AMENDMENT NO. 2

On page 1, line 4, after "recorded;" insert "to provide relative to the definition of reproduction; to provide relative to the admissibility of a substitute check;"

AMENDMENT NO. 3

On page 1, line 6, change "is" to "and 3733.1(A)(4) and (G)(1)(d) are"

AMENDMENT NO. 4

On page 2, after line 3, add the following:

\* \* \*

§3733.1. Financial institution records; reproductions; record keeping; admissibility into evidence; definitions

A. As used in this Section the following terms shall have the following meanings:

\* \* \*

(4) "Reproduction" means a counterpart, duplicate, or copy, or a durable medium for making a counterpart, duplicate, or copy, produced from the same impression as the original, or from the same matrix, or produced or obtained by any photographic, photostatic, microfilm, microcard or miniature or microphotographic process, or by any mechanical or electronic recording or re-recording, electronic or optical imaging, chemical process or other process or technique

which accurately reproduces the original or forms or creates a durable medium for so reproducing the original, including but not limited to computer and other printouts, and counterparts, duplicates, copies, and other output generated or produced by or from an electronic imaging system such as counterparts, duplicates, or copies produced or obtained from optical disks. A reproduction shall also mean a substitute check as defined under the federal Check Clearing for the 21st Century Act and Regulation CC, 12 CFR 229.2(zz).

\* \* \*

G.(1) A reproduction of a promissory note, negotiable instrument, letter of credit, certificated security, document of title, or a certificate of title pertaining to a motor vehicle shall not be deemed to be an original of such record for the following purposes:

\* \* \*

(d) Use of the record in a judicial proceeding or action involving a claim based on such record, unless the original has been lost, stolen, or inadvertently destroyed. However, a reproduction of a check, as defined in R.S. 10:3-104, that has been destroyed by a financial institution in the regular course of its business activities shall be deemed to be an original of such check in a judicial proceeding or action involving a claim based on or involving such check. However, a substitute check, as defined in the federal Check Clearing for the 21st Century Act and Regulation CC, 12 CFR 229.2(zz), may be deemed to be an original of such check in a judicial proceeding or action involving a claim based on or involving such check.

\* \* \*"

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Dove	Martiny	Waddell
Downs	McDonald	Walker
Durand	McVea	Walsworth
Erdey	Montgomery	White
Fannin	Morrell	Winston
Farrar	Morrish	Wooton
Faucheux	Murray	Wright

Total—102

NAYS

Total—0

ABSENT

Cazayoux

LaFleur

Total—2

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

**HOUSE BILL NO. 160—**

BY REPRESENTATIVE FRITH

AN ACT

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

Read by title.

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

**SENATE COMMITTEE AMENDMENTS**

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

AMENDMENT NO. 1

On page 1, line 2, after "(C)," insert "(F),"

AMENDMENT NO. 2

On page 1, line 6, after "(C)," insert "(F),"

AMENDMENT NO. 3

On page 3, between lines 3 and 4, insert:

"F. With the proper licenses, no more than ten one and one-half bushel sacks of oysters per boat per day may be harvested. ~~However, a person may harvest up to two sacks of oysters per boat per day without obtaining any license provided the oysters are used for his own consumption and are not permitted to enter into commerce. However, the recreational taking of oysters shall be as provided in R.S. 56:424(C).~~"

AMENDMENT NO. 4

On page 3, at the end of line 29, insert "In addition, recreational fishermen may harvest oysters as provided in R.S. 56:424(C)."

Rep. Frith 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	Pierre
Alario	Futrell	Pinac
Alexander	Gallot	Pitre
Ansardi	Geymann	Powell, M.
Arnold	Glover	Powell, T.
Badon	Gray	Quezaire
Baldone	Guillory, E.	Richmond
Baudoin	Guillory, M.	Ritchie
Baylor	Hammett	Robideaux
Beard	Heaton	Romero
Bowler	Hebert	Scalise
Broome	Hill	Schneider
Bruce	Honey	Shepherd
Bruneau	Hopkins	Smiley
Burns	Hunter	Smith, G.—56th
Burrell	Hutter	Smith, J.D.—50th
Carter, R.	Jackson	Smith, J.H.—8th
Cazayoux	Jefferson	Smith, J.R.—30th
Crane	Johns	St. Germain
Crowe	Katz	Strain
Curtis	Kennard	Thompson
Damico	Kenney	Toomy
Daniel	LaBruzzo	Townsend
Dartez	LaFleur	Trahan
DeWitt	Lambert	Triche
Doerge	Lancaster	Tucker
Dorsey	Marchand	Waddell
Dove	Martiny	Walker
Downs	McDonald	Walsworth
Durand	McVea	White
Erdey	Montgomery	Winston
Fannin	Morrish	Wooton
Farrar	Murray	Wright
Flavin	Odinet	
Total—101		

NAYS

Total—0

ABSENT

Carter, K.	Faucheux	Morrell
Total—3		

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

**HOUSE BILL NO. 184—**  
BY REPRESENTATIVE GRAY

AN ACT

To amend and reenact Children's Code Articles 116(10), 897.1, and 901(E) and R.S. 15:906(B) and 908(A), to enact Children's Code Article 116(24.1) and (24.2), and to repeal Children's Code Article 728(3.1), relative to the confinement of children adjudicated delinquent; to provide for a list of offenses which require confinement; to provide for definitions; to provide for age limitations with respect to the confinement of children; to provide for the furlough of children adjudicated delinquent of certain crimes; to provide for the preparation of a transitional plan; 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 Judiciary B to Engrossed House Bill No. 184 by Representative Gray

AMENDMENT NO. 1

On page 2, delete line 11 and insert "secure detention facility. However, no placement of a child to a community-based secure detention facility shall occur when a child has been adjudicated for the commission of a crime listed in Article 901(E) unless notice of such placement is provided to the committing judge and the district attorney."

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 184 by Representative Gray

AMENDMENT NO. 1

In Senate Committee Amendment No. 1 proposed by the Senate Committee on Judiciary B, and adopted by the Senate on June 9, 2004, on line 2 after "detention" and before ". However" change "facility" to "facilities"

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

NAYS

Total—0

ABSENT

Carter, R. Heaton  
Total—2

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

HOUSE BILL NO. 252—

BY REPRESENTATIVES BROOME, BOWLER, ALEXANDER, ANSARDI, JOHNS AND WALKER AND SENATORS HAINKEL AND SCHEDLER  
AN ACT

To enact Part II of Chapter 2 of Code Title IV of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:293 through 298, and R.S. 9:307(C) and (D), relative to covenant marriage; to provide for applicable law; to provide for incidents of marriage; to provide for obligations; to provide for rights and duties; to provide for counseling; 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 Judiciary A to Engrossed House Bill No. 252 by Representative Broome

AMENDMENT NO. 1

On page 2, line 29, after "9:291" insert "and 292"

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

Dartez	LaFleur	Trahan
DeWitt	Lambert	Triche
Doerge	Lancaster	Tucker
Dorsey	Marchand	Waddell
Dove	Martiny	Walker
Downs	McDonald	Walsworth
Durand	McVea	White
Erdey	Montgomery	Winston
Fannin	Morrell	Wooton
Farrar	Morrish	Wright
Faucheux	Murray	
Flavin	Odinot	
Total—103		

NAYS

Total—0

ABSENT

Carter, R.  
Total—1

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

Motion

On motion of Rep. Baldone, the vote by which the Senate Amendments to House Bill No. 37 were concurred in was reconsidered.

HOUSE BILL NO. 37—

BY REPRESENTATIVE BALDONE  
AN ACT

To amend and reenact R.S. 40:981.3(E), relative to drug-free zone; to provide that sentences imposed pursuant to the drug free zone provisions shall be served without benefit of suspension of sentence; 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 Judiciary C to Engrossed House Bill No. 37 by Representative Baldone

AMENDMENT NO. 1

On page 1, line 10, change "E." to "E.(1)"

AMENDMENT NO. 2

On page 1, line 13, after "970." delete the remainder of the line and delete line 14 in its entirety and insert in lieu thereof the following:

"(2) Notwithstanding any other provision of law to the contrary, the minimum sentence imposed for a violation of R.S. 40:966 through 970 in a drug free zone, shall be served without benefit of suspension of sentence."

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

ROLL CALL

The roll was called with the following result:



YEAS

Alario	Flavin	Pierre
Alexander	Frith	Pinac
Ansardi	Futrell	Pitre
Arnold	Gallot	Powell, M.
Badon	Geymann	Powell, T.
Baldone	Glover	Quezaire
Baudoin	Gray	Richmond
Baylor	Guillory, E.	Ritchie
Beard	Guillory, M.	Robideaux
Bowler	Hammett	Romero
Broome	Heaton	Scalise
Bruce	Hebert	Schneider
Bruneau	Hill	Shepherd
Burns	Honey	Smiley
Burrell	Hopkins	Smith, G.—56th
Carter, K.	Hunter	Smith, J.D.—50th
Carter, R.	Hutter	Smith, J.H.—8th
Cazayoux	Jackson	Smith, J.R.—30th
Crane	Jefferson	St. Germain
Crowe	Johns	Strain
Curtis	Katz	Thompson
Damico	Kenney	Toomy
Daniel	LaBruzzo	Townsend
Dartez	LaFleur	Trahan
DeWitt	Lambert	Triche
Doerge	Lancaster	Tucker
Dorsey	Marchand	Waddell
Dove	Martiny	Walker
Downs	McDonald	Walsworth
Durand	McVea	White
Erdey	Montgomery	Winston
Fannin	Morrell	Wooton
Farrar	Murray	Wright
Fauchoux	Odinet	
Total—101		

NAYS

Total—0

ABSENT

Mr. Speaker	Kennard	Morrish
Total—3		

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

**HOUSE BILL NO. 334—**  
BY REPRESENTATIVE K. CARTER  
AN ACT

To amend and reenact R.S. 22:9(A)(1)(introductory paragraph), (b), (c), (q), and (gg), to enact R.S. 22:9(A)(1)(hh) through (mm) and to repeal R.S. 22:9(A)(1)(i), relative to the Louisiana Health Care Commission; to provide with respect to the functions and membership of the commission; and to provide for related matters.

Read by title.

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

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Irons to Reengrossed House Bill No. 334 by Representative Karen Carter

AMENDMENT NO. 1

On page 2, line 25, delete "New Orleans Medical Association" and insert "National Independent Insurance Agents"

AMENDMENT NO. 2

On page 2, line 27, delete "Pelican State Dental Association." and insert "National Association for the Advancement of Colored People"

AMENDMENT NO. 3

On page 2, line 28, delete "New Orleans Dental Society" and insert "Association of Community Organizations for Reform Now"

AMENDMENT NO. 4

On page 2, line 29, delete "Capitol Dental Society" and insert "Louisiana Council on Human Relations"

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Cheek to Reengrossed House Bill No. 334 by Representative Karen Carter

AMENDMENT NO. 1

On page 1, line 2, after "(c)," insert "(m),"

AMENDMENT NO. 2

On page 1, line 7, after "(c)," insert "(m),"

AMENDMENT NO. 3

On page 2, between lines 20 and 21 insert the following:

"(m) Louisiana ~~Pharmacists~~ Independent Pharmacies Association.

\* \* \*

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	Odinet
Alario	Futrell	Pierre
Alexander	Gallot	Pinac
Ansardi	Geymann	Pitre
Arnold	Glover	Powell, M.
Badon	Gray	Powell, T.
Baudoin	Guillory, E.	Quezaire
Baylor	Guillory, M.	Richmond
Beard	Hammett	Ritchie
Bowler	Heaton	Robideaux
Broome	Hebert	Romero
Bruce	Hill	Scalise
Burns	Honey	Shepherd
Burrell	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. Germain
Curtis	Katz	Strain
Damico	Kennard	Thompson
Daniel	Kenney	Toomy
Dartez	LaBruzzo	Townsend
DeWitt	LaFleur	Trahan
Doerge	Lambert	Triche
Dorsey	Lancaster	Tucker
Dove	Marchand	Waddell
Downs	Martiny	Walker
Durand	McDonald	Walsworth
Erdey	McVea	White
Fannin	Montgomery	Winston
Farrar	Morrell	Wright
Fauchoux	Morrish	
Flavin	Murray	
Total—100		

NAYS

Total—0

ABSENT

Baldone	Schneider
Bruneau	Wooton
Total—4	

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

**HOUSE BILL NO. 382—**  
BY REPRESENTATIVE E. GUILLORY  
AN ACT

To enact R.S. 18:463(E), relative to the qualifying of candidates for elected office; to require the Board of Ethics to work with the attorney general to provide information to any candidate who qualifies for elective office summarizing provisions of law regarding dual officeholding, conflicts of interest, and prohibited transactions, payments, contracts, and employment applicable to public officials; and to provide for related matters.

Read by title.

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

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Marionneaux to Engrossed House Bill No. 382 by Representative E. Guillory

AMENDMENT NO. 1

On page 1, line 2, after "To" insert "amend and reenact R.S. 18:1491.6(B)(4) and (5) and 1495.4(B)(4) and (5) and to" and after "relative to" insert "the Louisiana Election Code; to provide for"

AMENDMENT NO. 2

On page 1, line 6, after "officials;" insert "to provide for reporting requirements prior to a general election;"

AMENDMENT NO. 3

On page 1, line 9, after "Section 1." insert "R.S. 18:1491.6(B)(4) and (5) and 1495.4(B)(4) and (5) are hereby amended and reenacted and"

AMENDMENT NO. 4

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

"\* \* \*

§1491.6. Reports required; reporting times and periods

\* \* \*

B. A report shall be filed for a political committee for each regularly scheduled election in which the committee participates according to the following schedule:

\* \* \*

(4)(a) Each committee shall file a report no later than the tenth day prior to the primary election which shall be complete through the twentieth day prior to the primary election.

(b) This shall be the final report for the election for any committee of a candidate who was elected in the primary election and who does not participate in the general election, unless supplemental reports are required as provided in Subsection D of this Section.

(5)(a) Each committee shall file a report no later than the tenth day prior to the general election which shall be complete through the twentieth day prior to the general election. This shall be the final report for the election for any committee which does not participate in the general election, unless supplemental reports are required as provided in Subsection D of this Section.

(b) This shall be the final report for the election for any committee of a candidate who was not elected in the primary election and who does not participate in the general election, unless supplemental reports are required as provided in Subsection D of this Section.

\* \* \*

§1495.4. Reports required; reporting times and periods

\* \* \*

B. A report shall be filed for a candidate for each regularly scheduled election in which the candidate participates according to the following schedule:

\* \* \*

(4) Each candidate shall file a report no later than the tenth day prior to the primary election which shall be complete through the twentieth day prior to the primary election. This shall be the final report for the election for any candidate who was elected in the primary election and who does not participate in the general election, unless supplemental reports are required as provided in Subsection D of this Section.

(5) Each candidate shall file a report no later than the tenth day prior to the general election which shall be complete through the twentieth day prior to the general election. This shall be the final report for the election for any candidate who was not elected in the primary election and who does not participate in the general election, unless supplemental reports are required as provided in Subsection D of this Section.

\* \* \*

Rep. Elcie Guillory moved that the amendments proposed by the Senate be rejected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Cazayoux	Hebert	Thompson
Dartez	LaFleur	
Total—5		

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

**HOUSE BILL NO. 448—**  
BY REPRESENTATIVE HEBERT

**AN ACT**

To enact R.S. 22:230.6, relative to health insurance; to provide for continuity of health care services under limited circumstances; and to provide for related matters.

Read by title.

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

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 448 by Representative Hebert

AMENDMENT NO. 1

On page 2, line 1, following "Chapter" and before "of" change "II" to "2"

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator N. Gautreaux to Reengrossed House Bill No. 448 by Representative Hebert

AMENDMENT NO. 1

On page 1, line 14, after "physician" insert "licensed by the Louisiana State Board of Medical Examiners to practice medicine"

AMENDMENT NO. 2

On page 1, line 16, after "law" delete the period "." and insert "subject to direct supervision by such a licensed physician."

AMENDMENT NO. 3

On page 2, line 9, after "terminated." insert the following:

"the health care provider shall notify the health insurance issuer of any enrollee or insured who has begun a course of treatment by the provider before the effective date of the termination. Based on this notice from the health care provider."

AMENDMENT NO. 4

On page 2, line 11, after "network" delete the period "." and insert "and the enrollee's or insured's right to continuity of care."

AMENDMENT NO. 5

On page 2, line 24, after "Paragraph" delete "(B)(1) or (2)." and insert "(1) or (2) of this Subsection."

AMENDMENT NO. 6

On page 2, at the end of line 27, insert the following:

"In addition, the contractual requirements for the health care provider to follow the health insurance issuer's utilization management and quality management policies and procedures shall remain in effect for the applicable period specified in Paragraph (1) or (2) of this Subsection."

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

**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  
 Baudoin  
 Baylor  
 Beard  
 Bowler  
 Broome  
 Bruce  
 Bruneau  
 Burns  
 Burrell  
 Carter, K.  
 Crane  
 Crowe  
 Curtis  
 Damico  
 Daniel  
 Dartez  
 DeWitt  
 Doerge  
 Dorsey  
 Dove  
 Downs  
 Durand  
 Erdey  
 Fannin  
 Farrar  
 Faucheux  
 Total—99

Gray  
 Guillory, E.  
 Guillory, M.  
 Hammett  
 Heaton  
 Hebert  
 Hill  
 Honey  
 Hopkins  
 Hunter  
 Hutter  
 Jackson  
 Jefferson  
 Johns  
 Katz  
 Kennard  
 Kenney  
 LaBruzzo  
 Lambert  
 Marchand  
 Martiny  
 McDonald  
 McVea  
 Montgomery  
 Morrell  
 Morrish  
 Murray

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  
 White  
 Winston  
 Wooton  
 Wright

NAYS

Total—0

ABSENT

Carter, R.  
 Cazayoux  
 Total—5

LaFleur  
 Lancaster

Thompson

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

**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. 349: Reps. Hebert, K. Carter, and Jackson.

**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. 904: Reps. Hammett, Quezaire, and Futrell.

**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. 935: Reps. Schneider, Robideaux, and Doerge.

**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. 976: Reps. Schneider, Triche, and Arnold.

**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. 382: Reps. Elcie Guillory, Lancaster, and Bruneau.

**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 Senate Bill No. 762: Reps. St. Germain, Pierre, and Lambert.

**HOUSE BILL NO. 487—**

BY REPRESENTATIVES T. POWELL, SCALISE, AND SCHNEIDER  
AN ACT

To enact R.S. 17:3048.1(X), to establish an additional means for certain students to qualify for a Tuition Opportunity Program for Students Opportunity, Performance, and Honors awards; to provide relative to award eligibility, applicability, limitations, effectiveness, and payment amounts; to provide for an effective date; 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 Engrossed House Bill No. 487 by Representative T. Powell

AMENDMENT NO. 1

On page 1, line 17, after "in" delete the remainder of the line and delete line 18 in its entirety and insert in lieu thereof "an eligible college or university."

AMENDMENT NO. 2

On page 2, line 15, after "in" delete the remainder of the line and on line 16 delete "education institution or eligible nonpublic institution." and insert in lieu thereof "an eligible college or university."

AMENDMENT NO. 3

On page 2, line 21, after "in" delete the remainder of the line and on line 22 delete "nonpublic college or university in the state" and insert in lieu thereof "an eligible college or university"

AMENDMENT NO. 4

On page 2, line 24, after "basis" and before "to" insert "no later than his nineteenth birthday"

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Flavin	Odinet
Alario	Frith	Pierre
Alexander	Futrell	Pinac

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

NAYS

Total—0

ABSENT

Burrell	Guillory, M.	St. Germain
Cazayoux	LaFleur	
Total—5		

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

**HOUSE BILL NO. 490—**

BY REPRESENTATIVE RITCHIE  
AN ACT

To repeal R.S. 24:513(A)(1)(b)(v) and (I)(3), relative to the entities subject to audit and review by the legislative auditor; to remove provisions relative to the authority of the legislative auditor to audit certain organizations subject to the open meetings laws which derive a portion of their income from any public agency or body; 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 Senate and Governmental Affairs to Engrossed House Bill No. 490 by Representative Ritchie

**AMENDMENT NO. 1**

On page 1, line 2, change "repeal" to "enact" and after "513" delete "(A)(1)(b)(v) and (I)(3)" and insert "(I)(4)"

**AMENDMENT NO. 2**

On page 1, line 3, after "auditor; to" delete the remainder of the line and delete lines 4 and 5 and insert "provide with regard to audit requirements for certain organizations; and to"

**AMENDMENT NO. 3**

On page 1, line 8, delete "(A)(1)(b)(v) and (I)(3)" and insert "(I)(4)" and change "are hereby repealed in their entirety." to "is hereby enacted to read as follows:"

**AMENDMENT NO. 4**

On page 1, after line 8, insert the following:

"§513. Powers and duties of legislative auditor; audit reports as public records; assistance and opinions of attorney general; frequency of audits; subpoena power

\* \* \*

I.

\* \* \*

(4)(a) Notwithstanding any provision of this Section to the contrary, any entity which establishes scholastic rules which are the basis for the State Board of Elementary and Secondary Education's policy required by R.S. 17:176 to be adhered to by all high schools under the board's jurisdiction shall not be required to be audited by the legislative auditor but shall file an audit with the legislative auditor and the Legislative Audit Advisory Council which has been prepared by an auditing firm which has been approved by the legislative auditor. Such entity shall submit such audit to the legislative auditor and the Legislative Audit Advisory Council.

(b) The Legislative Audit Advisory Council may order an audit by the legislative auditor upon a finding of cause by the council.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Crowe	LaBruzzo	Thompson
Curtis	LaFleur	Toomy
Damico	Lambert	Townsend
Daniel	Lancaster	Trahan
Dartez	Marchand	Triche
DeWitt	Martiny	Tucker
Doerge	McDonald	Waddell
Dorsey	McVea	Walker
Dove	Montgomery	Walsworth
Downs	Morrell	White
Durand	Morrish	Winston
Erdey	Murray	Wooton
Fannin	Odinet	Wright

Total—99

NAYS

Hebert  
Total—1

ABSENT

Futrell	Jackson
Hammett	Katz

Total—4

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

**HOUSE BILL NO. 580—**  
BY REPRESENTATIVE DORSEY  
AN ACT

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

Read by title.

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

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary C to Engrossed House Bill No. 580 by Representative Dorsey

AMENDMENT NO. 1

On page 1, line 16, after "by the" delete the remainder of the line

AMENDMENT NO. 2

On page 1, at the end of line 17, after "Voters" and before the period "." insert "of Louisiana"

AMENDMENT NO. 3

On page 2, between lines 10 and 11, insert the following:

"(12) One member appointed by the Louisiana attorney general."

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 580 by Representative Dorsey

AMENDMENT NO. 1

On page 1, line 11, following "of" change "thirteen" to "fourteen"

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Irons to Engrossed House Bill No. 580 by Representative Dorsey

AMENDMENT NO. 1

On page 1, line 2, after "To" insert "to amend and reenact R.S. 46:2525(D)(introductory paragraph) and (13) and to"

AMENDMENT NO. 2

On page 1, line 4, after "force;" insert "to provide for the membership of the Louisiana Women's Policy and Research Commission;"

AMENDMENT NO. 3

On page 1, line 6, after "Section 1." insert "R.S. 46:2525(D)(introductory paragraph) and (13) is hereby amended and reenacted and"

AMENDMENT NO. 4

On page 1, between lines 6 and 7, insert the following:

"§2525. Louisiana Women's Policy and Research Commission

\* \* \*

D. The commission shall consist of a maximum of ~~twenty four~~ twenty-six members. The ~~eleven~~ thirteen members serving pursuant to Paragraph (13) of this Subsection shall be appointed by the governor, subject to Senate confirmation, and serve terms concurrent with the appointing governor. The commission shall be reflective of all geographic regions of the state and, as much as possible, shall consist of the following members:

\* \* \*

(13) ~~Eleven~~ Thirteen Louisiana women who have significant academic or professional expertise in one or more of the following areas:

- (a) Business or industry.
- (b) Economics.
- (c) Education.
- (d) Demographics.
- (e) Public health.
- (f) Law.
- (g) Social science and/or social work.
- (h) Violence against women.
- (i) Gender studies.
- (j) Youth organization focused solely on girls.
- (k) Women's organization.

\* \* \*

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Flavin	Odinet
Alario	Frith	Pierre
Alexander	Futrell	Pinac
Ansardi	Gallot	Pitre
Arnold	Geymann	Powell, M.
Badon	Glover	Powell, T.
Baldone	Gray	Quezaire
Baudoin	Guillory, E.	Richmond
Baylor	Guillory, M.	Ritchie
Beard	Hammett	Robideaux
Bowler	Heaton	Romero
Broome	Hebert	Scalise
Bruce	Hill	Schneider
Bruneau	Honey	Shepherd
Burns	Hopkins	Smiley
Burrell	Hunter	Smith, G.—56th
Carter, K.	Hutter	Smith, J.D.—50th
Carter, R.	Jackson	Smith, J.H.—8th
Cazayoux	Jefferson	Smith, J.R.—30th
Crane	Johns	St. Germain
Crowe	Katz	Strain
Curtis	Kennard	Thompson
Damico	Kenney	Toomy
Daniel	LaBruzzo	Townsend
Dartez	LaFleur	Trahan
DeWitt	Lambert	Triche
Doerge	Lancaster	Tucker
Dorsey	Marchand	Waddell
Dove	Martiny	Walker
Downs	McDonald	White
Durand	McVea	Winston
Erdey	Montgomery	Wooton
Fannin	Morrell	Wright
Farrar	Morrish	
Faucheux	Murray	
Total—103		

**NAYS**

Total—0

**ABSENT**

Walsworth  
Total—1

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

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

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

Read by title.

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

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 613 by Representative Hebert

AMENDMENT NO. 1

On page 1, line 2, change "through 348" to "and 347"

AMENDMENT NO. 2

On page 1, at the end of line 3, delete "to provide relative to public interaction with" and at the beginning of line 4, delete "a child;"

AMENDMENT NO. 3

On page 1, line 7, change "through 348" to "and 347"

AMENDMENT NO. 4

On page 1, delete lines 18 and 19, and insert the following in lieu thereof:

"B. A pattern of willful and intentional violation of this Section, without good cause, may be grounds to allow a party to move for modification of a custody or visitation decree."

AMENDMENT NO. 5

On page 2, delete line 1 through 13 and add the following in lieu thereof:

"§347. Parenting interference

A person is in violation of parenting interference when the person on one or more occasions intentionally obstructs visitation time in a manner so as to violate R.S. 9:346."

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Downs	Martiny	Walker
Durand	McDonald	White
Erdey	McVea	Wooton
Fannin	Montgomery	Wright
Farrar	Morrell	
Faucheux	Morrish	
Total—97		

NAYS

Scalise	Walsworth
Tucker	Winston
Total—4	

ABSENT

Carter, R.	Cazayoux	LaFleur
Total—3		

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

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

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

Read by title.

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

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 622 by Representative Hebert

AMENDMENT NO. 1

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

"(f) A pattern of willful and intentional violation of this Section, without good cause, may constitute a material change in circumstances warranting a modification of an existing custody or visitation order."

AMENDMENT NO. 2

On page 2, delete lines 10 through 12 and insert the following in lieu thereof:

"F. A pattern of willful and intentional violation of this Section, without good cause, may constitute a material change in circumstances warranting a modification of an existing custody or visitation order."

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Flavin	Murray
Alario	Frith	Odinot
Alexander	Futrell	Pierre
Ansardi	Gallot	Pinac

Arnold	Geymann	Pitre
Badon	Glover	Powell, M.
Baldone	Gray	Powell, T.
Baudoin	Guillory, E.	Quezaire
Baylor	Guillory, M.	Ritchie
Bowler	Hammett	Robideaux
Broome	Heaton	Romero
Bruce	Hebert	Scalise
Bruneau	Hill	Schneider
Burns	Honey	Shepherd
Burrell	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. Germain
Curtis	Katz	Strain
Damico	Kennard	Thompson
Daniel	Kenney	Toomy
Dartez	LaBruzzo	Townsend
DeWitt	LaFleur	Trahan
Doerge	Lambert	Triche
Dorsey	Lancaster	Waddell
Dove	Marchand	Walker
Downs	Martiny	White
Durand	McDonald	Winston
Erdey	McVea	Wooton
Fannin	Montgomery	Wright
Farrar	Morrell	
Faucheux	Morrish	
Total—100		

NAYS

Beard  
Total—1

ABSENT

Richmond	Tucker	Walsworth
Total—3		

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

**HOUSE BILL NO. 682—**  
BY REPRESENTATIVE TOWNSEND AND SENATORS BARHAM AND MALONE  
AN ACT

To amend and reenact R.S. 56:115(A) and to enact R.S. 56:108, relative to hunting for deer or turkey; to provide for the issuance and use of harvest records, which authorize the taking of deer or turkey; to provide for penalties; to provide the season for taking deer; and to provide for related matters.

**Suspension of the Rules**

On motion of Rep. Townsend, and under a suspension of the rules, the above bill was taken up out of its regular order at this time.

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 Natural Resources to Reengrossed House Bill No. 682 by Representative Townsend

AMENDMENT NO. 1

On page 1, delete line 2, and insert "To enact R.S. 56:108, relative to hunting for deer"



AMENDMENT NO. 2

On page 1, delete lines 4 and 5, and insert "taking of deer or turkey; and to provide for related matters."

AMENDMENT NO. 3

On page 1, line 7, delete "R.S. 56:115(A) is hereby amended and reenacted and"

AMENDMENT NO. 4

On page 1, delete lines 9 through 18 and insert:

"§108. Deer and turkey harvest records and tagging

A. The Wildlife and Fisheries Commission may promulgate and adopt rules and regulations in accordance with the Administrative Procedure Act in relation to deer or turkey harvest records and tagging. Such rules and regulations may include the following: tagging requirements, gender, age, antler requirements, take, possession, limit, and reporting requirements.

B. Deer tagging shall only occur when a reduced buck limit is adopted by the commission."

AMENDMENT NO. 5

On page 2, delete lines 1 through 29

AMENDMENT NO. 6

On page 3, delete lines 1 through 17

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

Dorsey	Lancaster	Tucker
Dove	Marchand	Waddell
Downs	Martiny	Walker
Durand	McVea	White
Erdey	Montgomery	Winston
Fannin	Morrell	Wright
Farrar	Morrish	

Total—98

NAYS

Total—0

ABSENT

Cazayoux	McDonald	Walsworth
LaFleur	Romero	Wooton
Total—6		

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

**HOUSE BILL NO. 1444—**

BY REPRESENTATIVE SMILEY (BY REQUEST)  
AN ACT

To amend and reenact R.S. 18:1307(A)(3), relative to applications to vote absentee by mail; to provide for the address given to a registrar of voters by a person submitting an application to vote absentee by mail; and to provide for related matters.

**Suspension of the Rules**

On motion of Rep. Smiley, and under a suspension of the rules, the above bill was taken up out of its regular order at this time.

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 Senate and Governmental Affairs to Engrossed House Bill No. 1444 by Representative Smiley

AMENDMENT NO. 1

On page 1, line 2, after "R.S.18: " insert "1300.21(D) and" and after "relative to" insert "the provision in the election code; to provide for additional clarification on criteria for new gaming elections in areas annexed by parishes; to provide"

AMENDMENT NO. 2

On page 1, line 6, after "R.S.18: " insert "1300.21(D) and" and change "is" to "are"

AMENDMENT NO. 3

On page 1, between lines 6 and 7, insert the following:

"§1300.21. Discontinuance of certain gaming activities, except as continued by local election

\* \* \*

D. If a majority of the electors voting in the election vote in favor of permitting the continuation of any gaming activity, then such gaming activity may be conducted within ~~in~~ each such respective

parish boundaries as the parish boundaries are recognized and taxed by the respective local governing authority at the time of the 1996 congressional general election, as provided by law, regardless of whether the parish boundaries may, subsequent to such vote, be moved, established or otherwise recognized or taxed whether via the statutory process provided for in R.S. 50:221 et seq., R.S. 33:141 et seq., annexation or in any other manner for any reason whatsoever. If a majority of the electors voting in the election vote not to continue any gaming activity in the parish, then no license or permit shall be issued to conduct such gaming activity and no such gaming activity may be permitted ~~in that~~ within each such respective parish boundaries as the parish boundaries are recognized and taxed by the respective local governing authority at the time of the 1996 congressional general election, regardless of whether the parish boundaries may, subsequent to such vote, be moved, established or otherwise recognized or taxed whether via the statutory process provided for in R.S. 50:221 et seq., R.S. 33:141 et seq., annexation or in any other manner for any reason whatsoever. If any such gaming activity was, prior to May 9, 1996, authorized, licensed, or permitted, and conducted in any parish in which the voters vote against continuance of such gaming activity, the licensees or permittees for such gaming activity shall discontinue gaming activity in that parish upon expiration of their current gaming license or upon revocation, suspension, or return thereof if such revocation, suspension, or return occurs prior to expiration of the license. Video draw poker licenses may be renewed twice following the election provided the licensee is in compliance with the law and the rules adopted thereunder. The regulatory and licensing agency for the regulation of video draw poker operations, as authorized by R.S. 27:301 et seq., and for the regulation of riverboats upon which gaming may be conducted as authorized by R.S. 27:41 et seq., shall obtain the results of the election and shall not issue any licenses in parishes where a majority of the voters voting in the election have voted against continuance of gaming activities within the respective parish boundaries as the parish boundaries are recognized and taxed by the respective local governing authority at the time of the 1996 congressional general election in that parish, regardless of whether the parish boundaries may, subsequent to such vote, be moved, established or otherwise recognized or taxed whether via the statutory process provided for in R.S. 50:221 et seq., R.S. 33:141 et seq., annexation or in any other manner for any reason whatsoever.

\* \* \*

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Frith	Murray
Alario	Futrell	Odinot
Alexander	Gallot	Pierre
Ansardi	Geymann	Pinac
Arnold	Glover	Pitre
Badon	Gray	Powell, M.
Baldone	Guillory, E.	Powell, T.
Baudoin	Guillory, M.	Quezaire
Baylor	Hammitt	Richmond
Beard	Heaton	Ritchie
Broome	Hebert	Robideaux
Bruce	Hill	Romero
Bruneau	Honey	Scalise
Burns	Hopkins	Schneider
Burrell	Hunter	Shepherd
Carter, R.	Hutter	Smiley

Cazayoux	Jackson	Smith, G.—56th
Crane	Jefferson	Smith, J.H.—8th
Crowe	Johns	Smith, J.R.—30th
Curtis	Katz	St. Germain
Damico	Kennard	Strain
Daniel	Kenney	Thompson
Dartez	LaBruzzo	Toomy
DeWitt	LaFleur	Waddell
Doerge	Lambert	Trahan
Dove	Lancaster	Triche
Downs	Marchand	Tucker
Durand	Martiny	Waddell
Erdey	McDonald	Walker
Fannin	McVea	White
Farrar	Montgomery	Winston
Faucheux	Morrell	Wooton
Flavin	Morrish	Wright
Total—99		
	NAYS	
Total—0		
	ABSENT	
Bowler	Dorsey	Walsworth
Carter, K.	Smith, J.D.—50th	
Total—5		

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

**HOUSE BILL NO. 1576—**  
BY REPRESENTATIVE BURNS  
AN ACT

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

**Suspension of the Rules**

On motion of Rep. Burns, and under a suspension of the rules, the above bill was taken up out of its regular order at this time.

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 Judiciary A to Engrossed House Bill No. 1576 by Representative Burns

AMENDMENT NO. 1

On page 1, line 2, after "enact" insert "R.S. 47:2426 and"

AMENDMENT NO. 2

On page 1, line 6, after "article;" insert "to provide relative to exemptions from the filing of inheritance tax returns;"

AMENDMENT NO. 3

On page 2, delete lines 4 through 11 and insert the following in lieu thereof:

"C.(1) For deaths occurring after June 30, 2004, the filing of an inheritance tax return shall not be required if a judgment of possession is rendered or if the succession is judicially opened no later than the last day of the ninth month following the death of the decedent as provided in R.S. 47:2401(B).

(2) For deaths occurring after June 30, 2004, the provisions of Subsections (A) and (B) of this Article shall not apply if a judgment of possession is rendered or if the succession is judicially opened no later than the last day of the ninth month following the death of the decedent as provided in R.S. 47:2401(B). Upon the application of this Paragraph, the rendering of a judgment of possession, the delivery of an inheritance or legacy, or the discharge of a succession representative shall proceed without delay.

(3) The provisions of this Subsection shall not apply to deaths occurring prior to January 1, 2005, where a federal estate tax return is required."

AMENDMENT NO. 4

On page 2, delete lines 26 through 29

AMENDMENT NO. 5

On page 3, delete lines 1 through 4, and insert the following in lieu thereof:

"C.(1) For deaths occurring after June 30, 2004, proof of the filing with the secretary of the Department of Revenue of an inheritance tax return, including the related succession documentation required under Code of Civil Procedure Article 2951(A)(1), and proof that no inheritance taxes are due or that such taxes have been paid, shall not be required if a judgment of possession is rendered or if the succession is judicially opened no later than the last day of the ninth month following the death of the decedent, as provided in R.S. 47:2401(B).

(2) The provisions of this Subsection shall not apply to deaths occurring prior to January 1, 2005, where a federal estate tax return is required.

Section 2. R.S. 47:2426 is hereby enacted to read as follows:

§2426. Inheritance tax return; exemptions from filing

A.(1) Notwithstanding any provision of this Chapter to the contrary, the provisions of this Section shall apply to deaths occurring after June 30, 2004.

(2) The filing of an inheritance tax return or any other related succession documentation shall not be required if a judgment of possession is rendered or if the succession is judicially opened no later than the last day of the ninth month following the death of the decedent, as provided in R. S. 47:2401(B).

(3) The delivery of an inheritance or legacy shall proceed without delay, notwithstanding the provisions of R.S. 47:2407(C) or R.S. 47:2408(C).

B. The provisions of this Section shall not apply to deaths occurring prior to January 1, 2005, where a federal estate tax return is required."

AMENDMENT NO. 6

On page 3, line 5, after "Section" change "2" to "3"

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 1576 by Representative Burns

AMENDMENT NO. 1

On page 1, line 3, following "2951(C)" and before ", and" delete "and (D)"

AMENDMENT NO. 2

On page 1, line 9, following "2951(C)" and before "hereby" change "and (D) are" to "is"

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Morrish	Smiley	Walsworth
Richmond	Waddell	
Total—5		

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

**Notice of Intention to Call**

Pursuant to House Rule No. 8.26(A), Rep. Murray gave notice of his intention to call Senate Bill No. 815 from the calendar for future action.

**Conference Committee Reports Received**

Conference Committee Reports were received for the following legislative instruments:

**HOUSE BILL NO. 30—**

BY REPRESENTATIVE BRUNEAU  
AN ACT

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

**HOUSE BILL NO. 1227—**

BY REPRESENTATIVE HILL  
AN ACT

To enact R.S. 47:1903.4, relative to the imposition of fees to derive funds for the operation and maintenance of the office of the assessor for the parish of Allen; to authorize the assessor of Allen Parish to impose a conveyance fee; to provide for the collection of the fee; to provide for the use of the monies collected; and to provide for related matters.

**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.

**HOUSE BILL NO. 648—**

BY REPRESENTATIVE ALARIO  
AN ACT

To amend and reenact R.S. 9:154(A)(16) and 165(B) and to enact R.S. 9:154(A)(17), relative to the Uniform Unclaimed Property Act; to provide for time periods for presumption of abandonment; to provide for administrative costs related to the sale of abandoned property; and to provide for related matters.

**HOUSE BILL NO. 1015—**

BY REPRESENTATIVES LANCASTER, BROOME, HAMMETT, SALTER, AND THOMPSON  
AN ACT

To amend and reenact R.S. 24:56 and 56.1 and to enact R.S. 18:1505.2(Q), (R), and (S) relative to campaign finance; to prohibit certain persons from accepting certain campaign contributions during certain legislative sessions; to prohibit the governor from accepting certain campaign contributions during certain legislative sessions and for a certain time period thereafter; to prohibit statewide elected officials and public service commissioners from receiving campaign contributions during certain legislative sessions; to prohibit a legislator from accepting certain campaign contributions during certain legislative sessions; to prohibit a legislator from soliciting certain campaign contributions during certain legislative

sessions; to prohibit the offer or providing of certain campaign contributions to a legislator during certain legislative sessions; to provide relative to notice of certain fundraising functions; to provide for penalties and enforcement; to provide exceptions; and to provide for related matters.

**HOUSE BILL NO. 606—**

BY REPRESENTATIVES JACK SMITH, PIERRE, AND THOMPSON AND SENATORS B. GAUTREAUX AND MALONE  
AN ACT

To amend and reenact R.S. 56:649.3(A) and 650(A)(2), relative to lifetime hunting and fishing licenses; to provide for a senior lifetime hunting and fishing license; 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. Lancaster, 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:

**LOUISIANA HOUSE OF REPRESENTATIVES  
Office of the Clerk**

June 15, 2004

TO: All Members of the House of Representatives

FROM: Alfred W. Speer

RE: Appropriations Committee Election  
Congressional District 7

In accordance with House Rule 6.4(C), an election to fill the vacancy on the Appropriations Committee was held with the following results:

Congressional District 7 - Representative Dan Morrish - Elected.  
Election results: Ernie Alexander - 0 votes; Mickey Frith - 0 votes; Eric LaFleur - 6 votes; Dan Morrish - 8 votes.

**Message from the Senate**

**HOUSE CONCURRENT RESOLUTIONS**

June 15, 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. 148  
Returned without amendments.

House Concurrent Resolution No. 323  
Returned without amendments.

House Concurrent Resolution No. 324  
Returned without amendments.

House Concurrent Resolution No. 325  
Returned without amendments.

House Concurrent Resolution No. 326  
Returned without amendments.

House Concurrent Resolution No. 327  
Returned without amendments.

House Concurrent Resolution No. 328  
Returned without amendments.

House Concurrent Resolution No. 329  
Returned without amendments.

House Concurrent Resolution No. 330  
Returned without amendments.

House Concurrent Resolution No. 331  
Returned without amendments.

House Concurrent Resolution No. 333  
Returned without amendments.

House Concurrent Resolution No. 334  
Returned without amendments.

House Concurrent Resolution No. 335  
Returned without amendments.

Respectfully submitted,  
GLENN A. KOEPP  
Secretary of the Senate

### Message from the Senate

#### HOUSE BILLS

June 15, 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. 1  
Returned with amendments.

House Bill No. 445  
Returned with amendments.

House Bill No. 481  
Returned without amendments.

House Bill No. 573  
Returned with amendments.

House Bill No. 759  
Returned with amendments.

House Bill No. 793  
Returned with amendments.

House Bill No. 973  
Returned with amendments.

House Bill No. 1112  
Returned without amendments.

House Bill No. 1162  
Returned with amendments.

House Bill No. 1605  
Returned with amendments.

House Bill No. 1674  
Returned with amendments.

Respectfully submitted,  
GLENN A. KOEPP  
Secretary of the Senate

### Message from the Senate

#### DISAGREEMENT TO SENATE BILL

June 15, 2004

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

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 570 by Sen. Chaisson, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,  
GLENN A. KOEPP  
Secretary of the Senate

### Message from the Senate

#### DISAGREEMENT TO SENATE BILL

June 15, 2004

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

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 616 by Sen. Chaisson, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,  
GLENN A. KOEPP  
Secretary of the Senate

### Message from the Senate

#### APPOINTMENT OF CONFERENCE COMMITTEE

June 15, 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. 616: Senators Chaisson, Marionneaux, and Ullo.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**ASKING CONCURRENCE IN  
SENATE CONCURRENT RESOLUTIONS**

June 15, 2004

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

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

Senate Concurrent Resolution Nos. 157 and 158

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Suspension of the Rules**

On motion of Rep. Odinet, the rules were suspended in order to take up and consider Senate Concurrent Resolutions at this time.

**Senate Concurrent Resolutions**

The following Senate Concurrent Resolutions contained in the message were taken up and acted upon as follows:

**SENATE CONCURRENT RESOLUTION NO. 158—  
BY SENATOR DUPLESSIS  
A CONCURRENT RESOLUTION**

To memorialize the Congress of the United States to enact and fully fund the National Aeronautics and Space Administration's Vision for Space Exploration Program.

Read by title.

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

**Message from the Senate**

**SIGNED SENATE BILLS AND JOINT RESOLUTIONS**

June 15, 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. 249, 274, 308, 494, 542, 581, 592, 732, and 837

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. 108—**

BY REPRESENTATIVE BADON  
A RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study all issues related to establishing enrollment limits in regular education classes as proposed by House Bill No. 1561 of the 2004 Regular Session and implementing such limits in the manner specified and to report in writing on study findings and recommendations to the House Committee on Education at least sixty days prior to convening the 2005 Regular Session.

Read by title.

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

**HOUSE RESOLUTION NO. 109—**

BY REPRESENTATIVE KENNARD  
A RESOLUTION

To commend LSU head track and field coach Pat Henry upon his outstanding accomplishments.

Read by title.

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

**HOUSE RESOLUTION NO. 110—**

BY REPRESENTATIVE KENNARD  
A RESOLUTION

To commend LSU head gymnastics coach D-D Breaux for her outstanding accomplishments.

Read by title.

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

**HOUSE RESOLUTION NO. 111—**

BY REPRESENTATIVE KENNARD  
A RESOLUTION

To commend LSU head softball coach Yvette Girouard upon her outstanding accomplishments in coaching.

Read by title.

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

**HOUSE RESOLUTION NO. 112—**

BY REPRESENTATIVE KENNARD

**A RESOLUTION**

To commend LSU head baseball coach Smoke Laval for his outstanding accomplishments.

Read by title.

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

**HOUSE RESOLUTION NO. 113—**

BY REPRESENTATIVE ARNOLD

**A RESOLUTION**

To recognize Tuesday, June 15, 2004, as Hibernia People for Good Government Day in the House of Representatives.

Read by title.

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

**HOUSE RESOLUTION NO. 114—**

BY REPRESENTATIVE SCHNEIDER

**A RESOLUTION**

To request the Commission on Public Retirement to study the benefits, risks, and issues involved in, and the feasibility of establishing a defined contribution plan in any or all of the four state public retirement systems, the Louisiana State Employees' Retirement System, the Teachers' Retirement System of Louisiana, the Louisiana School Employees' Retirement System, and the Louisiana State Police Pension and Retirement System.

Read by title.

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

**HOUSE RESOLUTION NO. 115—**

BY REPRESENTATIVE MORRELL

**A RESOLUTION**

To express the condolences of the House of Representatives of the Legislature of Louisiana upon the death of Reverend Percy M. Griffin, longtime pastor of St. John Baptist Church of Phoenix, Louisiana.

Read by title.

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

**HOUSE RESOLUTION NO. 116—**

BY REPRESENTATIVE MORRELL

**A RESOLUTION**

To express the sincere and heartfelt condolences of the House of Representatives of the Legislature of Louisiana upon the death of Freda Lupin of New Orleans.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 337—**

BY REPRESENTATIVE DORSEY

**A CONCURRENT RESOLUTION**

To commend the LSU men's and women's track and field teams for their outstanding accomplishments.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 338—**

BY REPRESENTATIVE SCALISE

**A CONCURRENT RESOLUTION**

To urge and request the House Committee on Education and the Senate Committee on Education to meet and to function as a joint committee to study issues relative to a state takeover of a failing public school system, including but not limited to a review of state takeover policies implemented in other states, the most effective and efficient approaches to taking over a school system, the point of intervention by the state in enforcing the takeover, the length of the takeover and whether the school system will be returned to the school board or to another designated entity, and the level of state control and local influence in managing the school system during the takeover, and to report the findings of the joint committee to the legislature prior to the convening of the 2005 Regular Session.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 339—**

BY REPRESENTATIVES MONTGOMERY, ODINET, JANE SMITH, AND HUTTER

**A CONCURRENT RESOLUTION**

To urge and request the Department of Transportation and Development to erect signs on Interstates 20 and 220 in Bossier City, Louisiana, and on Interstates 10 and 510 in Chalmette, Louisiana, indicating the exits for Bossier Parish Community College and Elaine P. Nunez Community College.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 340—**

BY REPRESENTATIVE QUEZAIRE AND SENATOR ELLINGTON

**A CONCURRENT RESOLUTION**

To urge and request the Department of Transportation and Development to erect appropriate directional signage along interstate highways indicating the location of regionally accredited degree-granting universities, including the University of Phoenix, licensed by the Board of Regents.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 341—**

BY REPRESENTATIVES DORSEY AND KENNARD

**A CONCURRENT RESOLUTION**

To commend the LSU baseball Tigers upon winning the National Collegiate Athletic Association Super Regional and to extend best wishes for victory in the 2004 College World Series.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 342—**

BY REPRESENTATIVE SMILEY

**A CONCURRENT RESOLUTION**

To request the Department of Transportation and Development and the Louisiana State Police to take actions to facilitate traffic flow after serious accidents on interstate highways.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 343—**

BY REPRESENTATIVE JOHNS

**A CONCURRENT RESOLUTION**

To urge and request the Louisiana State Law Institute to study the feasibility of raising or lowering the monetary amount required for a jury trial and to report its recommendations for revisions to Louisiana laws relative to the monetary amount required for a jury trial.

Read by title.

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

Ordered to the Senate.

**Reports of Committees**

The following reports of committees were received and read:

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

June 15, 2004

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Administration of Criminal Justice to submit the following report:

Senate Bill No. 781, by Lentini  
Reported with amendments. (6-0) (Regular)

DANIEL MARTINY  
Chairman

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

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

June 15, 2004

To the Speaker and Members of the House of Representatives:

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

House Concurrent Resolution No. 300, by Durand  
Reported favorably. (11-0)

Senate Concurrent Resolution No. 145, by Holden  
Reported with amendments. (12-0)

Senate Concurrent Resolution No. 149, by Lentini  
Reported with amendments. (13-0)

Senate Bill No. 562, by Fontenot  
Reported with amendments. (11-0) (Regular)

Senate Bill No. 875, by McPherson  
Reported with amendments. (11-3) (Regular)

SYDNIE MAE DURAND  
Chairman

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

**Report of the Committee on Insurance**

June 15, 2004

To the Speaker and Members of the House of Representatives:

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

Senate Bill No. 591, by Cheek  
Reported with amendments. (10-0) (Regular)

KAREN CARTER  
Chairman

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

**Report of the Committee on Transportation, Highways and Public Works**

June 15, 2004

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on June 14, 2004, I am directed by your Committee on Transportation, Highways and Public Works to submit the following report:

Senate Bill No. 29, by Chaisson  
Reported with amendments. (12-0-1) (Regular)

Senate Bill No. 519, by Ellington  
Reported favorably. (10-0-1) (Regular)

Senate Bill No. 774, by Hollis  
Reported favorably. (10-0-1) (Regular)

ROY QUEZAIRE  
Chairman

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

**Report of the Committee on Education**

June 15, 2004

To the Speaker and Members of the House of Representatives:



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

Senate Concurrent Resolution No. 35, by Fields  
Reported with amendments. (13-0)

Senate Concurrent Resolution No. 122, by Ullo  
Reported favorably. (11-0)

Senate Concurrent Resolution No. 141, by Smith  
Reported with amendments. (13-0)

Senate Bill No. 16, by B. Gautreaux  
Reported favorably. (12-0) (Regular)

Senate Bill No. 435, by Theunissen  
Reported with amendments. (11-0) (Regular)

Senate Bill No. 879, by Jones  
Reported with amendments. (12-0) (Regular)

CARL CRANE  
Chairman

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

**Suspension of the Rules**

On motion of Rep. Crane, the rules were suspended in order to take up and consider Senate Concurrent Resolution No. 122 at this time.

**Senate Concurrent Resolutions  
Reported by Committee**

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

**SENATE CONCURRENT RESOLUTION NO. 122—**  
BY SENATOR ULLO  
A CONCURRENT RESOLUTION

To provide for legislative approval of the formula to determine the cost of a minimum foundation program of education in all public elementary and secondary schools as well as to equitably allocate the funds to each parish, city and other local school systems as developed by the State Board of Elementary and Secondary Education and adopted by the board on March 12, 2004, and as subsequently revised pursuant to board action on April 15, 2004.

Read by title.

Reported favorably by the Committee on Education.

Under the rules, the above resolution was recommitted to the Committee on Appropriations.

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

June 15, 2004

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on House and Governmental Affairs to submit the following report:

House Resolution No. 16, by Hebert  
Reported with amendments. (8-0)

House Concurrent Resolution No. 281, by Gray  
Reported with amendments. (6-0)

House Concurrent Resolution No. 289, by Gray  
Reported with amendments. (6-0)

House Concurrent Resolution No. 332, by Dorsey  
Reported with amendments. (6-0)

Senate Bill No. 121, by Jones  
Reported with amendments with recommendation to recommit the bill to the Committee on Appropriations. (7-0)

Senate Bill No. 338, by Adley  
Reported with amendments. (7-0) (Regular)

Senate Concurrent Resolution No. 56, by Dardenne  
Reported with amendments. (7-0)

Senate Concurrent Resolution No. 151, by Bajoie  
Reported with amendments. (6-0)

Senate Concurrent Resolution No. 156, by Jones  
Reported with amendments. (7-0)

CHARLES D. LANCASTER, JR.  
Chairman

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

**Suspension of the Rules**

On motion of Rep. Lancaster, the rules were suspended in order to take up and consider Senate Bill No. 121 at this time.

**Senate Bills on Second Reading  
Reported by Committee**

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

**SENATE BILL NO. 121—**  
BY SENATORS JONES AND MCPHERSON  
AN ACT

To amend and reenact R.S. 18:424(E) and 425(E), relative to compensation of election commissioners; to provide for additional compensation of commissioners; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs with recommendation that the bill be recommitted to the Committee on Appropriations.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on House and Governmental Affairs to Re-reengrossed Senate Bill No. 121 by Senator Jones

AMENDMENT NO. 1

On page 1, line 10, change "~~one two~~" to "one"

AMENDMENT NO. 2

On page 1, line 11, before "dollars" insert "seventy-five"

AMENDMENT NO. 3

On page 1, line 11, after "he serves." delete the remainder of the line and delete lines 12 through 16 and insert the following:

"The clerk of court of each parish shall transmit to the Department of State the names, addresses, and social security numbers of all persons who served as commissioners-in-charge on election day in that parish no later than seven days after the election. Any Upon receipt of such information from the parish clerks of court, the Department of State shall compensate any commissioner-in-charge who has served at a polling place on an election day ~~shall be compensated~~ within ~~thirty-seven days after the election.~~"

AMENDMENT NO. 4

On page 2, line 7, after "and" change "fifty" to "twenty-five"

AMENDMENT NO. 5

On page 2, line 8, after after "dollars." delete the remainder of the line and delete lines 9 through 13 and insert the following:

"The clerk of court of each parish shall transmit to the Department of State the names, addresses, and social security numbers of all persons who served as commissioners on election day in that parish no later than seven days after the election. Any Upon receipt of such information from the parish clerks of court, the Department of State shall compensate any commissioner who has served at a polling place on an election day ~~shall be compensated~~ within ~~thirty-seven days after the election.~~"

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

On motion of Rep. Lancaster, the bill, as amended, was recommitted to the Committee on Appropriations, under the rules.

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

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

**Motion**

On motion of Rep. Ansardi, the Committee on Civil Law and Procedure was discharged from further consideration of Senate Bill No. 44.

**SENATE BILL NO. 44—**

BY SENATOR NEVERS AND REPRESENTATIVE STRAIN  
A JOINT RESOLUTION

Proposing to add Article VII, Section 10.12 of the Constitution of Louisiana, relative to providing funds for the support of dairy farmers; to establish the Dairy Farmer Support Fund as a special fund in the state treasury; to provide for sources of revenue, and for deposit and uses of monies in the fund; to authorize the legislature by law to establish and implement programs to assist Louisiana dairy farmers; to specify an election for submission of

the proposition to electors and provide a ballot proposition; and to provide for related matters.

Read by title.

**Motion**

On motion of Rep. Ansardi, and under a suspension of the rules, the bill was referred to the Legislative Bureau.

**Privileged Report of the Legislative Bureau**

June 15, 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. 29  
Reported without amendments.

Respectfully submitted,

CHARLES MCDONALD  
Chairman

**Privileged Report of the Legislative Bureau**

June 15, 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. 27  
Reported with amendments.

Senate Bill No. 39  
Reported without amendments.

Senate Bill No. 40  
Reported without amendments.

Senate Bill No. 182  
Reported without amendments.

Senate Bill No. 561  
Reported without amendments.

Senate Bill No. 593  
Reported without amendments.

Senate Bill No. 876  
Reported without amendments.

Senate Bill No. 877  
Reported without amendments.

Senate Bill No. 878  
Reported without amendments.

Respectfully submitted,

CHARLES MCDONALD  
Chairman

**Privileged Report of the Legislative Bureau**

June 15, 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. 44  
Reported without amendments.

Respectfully submitted,

CHARLES MCDONALD  
Chairman

**Privileged Report of the Committee on Enrollment**

June 15, 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. 101—**

BY REPRESENTATIVE DEWITT

**A RESOLUTION**

To urge and request the Kansas City Southern Railroad to permit the Poland Water Association and South Central Bell to drill under the railroad to provide service to residents living in homes on the opposite side of the railroad line.

**HOUSE RESOLUTION NO. 102—**

BY REPRESENTATIVE HUTTER

**A RESOLUTION**

To urge and request the Board of Regents, in consultation with its advisory committee on articulation and each of the public postsecondary education management boards, to take certain actions relative to the articulation of course credit among Louisiana public colleges and universities and to provide that the Board of Regents shall report in writing on all actions taken when the board reports to the House Committee on Education and to the Senate Committee on Education on articulation matters as required by law.

**HOUSE RESOLUTION NO. 103—**

BY REPRESENTATIVE WRIGHT

**A RESOLUTION**

To urge and request the Board of Regents to conduct a review of all applicable policies of the Board of Supervisors of Community and Technical Colleges relative to academic freedom, tenure, and responsibility and to determine if such policies comply with the Board of Regents' statewide policy on these matters, and if the minimum provisions for tenure adopted by the Board of Regents have been implemented in all colleges in the Louisiana Community and Technical College System, and to report in writing on the findings of such review and any actions taken by the Board of Regents as a result of such review to the House Committee on Education.

**HOUSE RESOLUTION NO. 104—**

BY REPRESENTATIVES FRITH, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOIN, BAYLOR, BEARD, BOWLER, BROOME, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FLAVIN, FUTRELL, GALLOT,

GEYMANN, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, LABRUZZO, LAFLEUR, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, MURRAY, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SHEPHERD, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, WOOTON, AND WRIGHT

**A RESOLUTION**

To commend Cynthia B. Duhon upon her retirement as senior caucus administrator of the Acadiana Delegation.

**HOUSE RESOLUTION NO. 105—**

BY REPRESENTATIVE QUEZAIRE

**A RESOLUTION**

To urge and request the Department of Transportation and Development to erect signage along Louisiana highways and interstates identifying Louisiana historic sites, tourist attractions, public buildings, and libraries.

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 15, 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. 25—**

BY REPRESENTATIVE FAUCHEUX

**A CONCURRENT RESOLUTION**

To urge and request the Louisiana High School Athletic Association to prepare warnings regarding dietary supplements containing ephedra for distribution at high schools in the state of Louisiana.

**HOUSE CONCURRENT RESOLUTION NO. 76—**

BY REPRESENTATIVES RICHMOND, BAYLOR, GLOVER, AND BROOME

**A CONCURRENT RESOLUTION**

To create the Louisiana Housing and Community Development Advisory Task Force to study and develop recommendations for regional and statewide strategies and initiatives to meet the housing and community development needs of Louisiana.

**HOUSE CONCURRENT RESOLUTION NO. 79—**

BY REPRESENTATIVE DURAND

**A CONCURRENT RESOLUTION**

To urge and request the Louisiana Health Works Commission to convene a task force to study the status of salaries of postsecondary education faculty in nursing and allied health occupations, relative to corresponding salaries of other faculty, nurses, and allied health practitioners in the private sector and to submit a written report of its findings and recommendations

to improve the level of faculty salaries for these individuals to the Louisiana Health Works Commission, the Louisiana Board of Regents, the House Committee on Health and Welfare, the Senate Committee on Health and Welfare, the House Committee on Education, and the Senate Committee on Education prior to the convening of the 2005 Regular Session.

**HOUSE CONCURRENT RESOLUTION NO. 121—**  
BY REPRESENTATIVE QUEZAIRE  
A CONCURRENT RESOLUTION

To authorize and direct the Department of Public Safety and Corrections to include the image of a pelican on the standard private passenger motor vehicle license plate.

**HOUSE CONCURRENT RESOLUTION NO. 143—**  
BY REPRESENTATIVE LAFLEUR  
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to designate Louisiana Highway 167 within Evangeline Parish as a Blue Star Memorial Highway in honor of the citizens of Evangeline Parish who have served, are now serving, or will serve in the armed forces of the United States and to authorize placement of a Blue Star Memorial Highway monument along this route.

**HOUSE CONCURRENT RESOLUTION NO. 154—**  
BY REPRESENTATIVES WINSTON AND STRAIN  
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to seek immediate funding to widen and replace the two-lane bridge located along Louisiana Highway 21 which crosses the Tchefuncte River in St. Tammany Parish.

**HOUSE CONCURRENT RESOLUTION NO. 172—**  
BY REPRESENTATIVES JANE SMITH AND CAZAYOUX  
A CONCURRENT RESOLUTION

To urge and request the Louisiana School Boards Association, the Louisiana Association of School Superintendents, and the Louisiana Association of School Executives to make available without delay to each of their members copies of Opinion No. 03-0351 issued November 13, 2003, by the office of the state attorney general confirming the authority of local public school boards to adopt regulations concerning the possession by students of cellular telephones while students are in school, on school grounds, and in school buses, provided such regulations meet certain standards and guidelines, the letter requesting the opinion, and this Resolution.

**HOUSE CONCURRENT RESOLUTION NO. 174—**  
BY REPRESENTATIVE MARTINY  
A CONCURRENT RESOLUTION

To urge and request the chairman of the Greater New Orleans Expressway Commission, commonly referred to as "The Causeway Commission" to comply with current law providing for the free and unhampered passage by firemen on toll bridges and ferries.

**HOUSE CONCURRENT RESOLUTION NO. 186—**  
BY REPRESENTATIVE QUEZAIRE  
A CONCURRENT RESOLUTION

To urge and request the governor to support the Sea Point container transfer facility project.

**HOUSE CONCURRENT RESOLUTION NO. 190—**  
BY REPRESENTATIVE DOWNS  
A CONCURRENT RESOLUTION

To request the Department of Transportation and Development to erect "slower traffic keep right" signs on all state highways with four or more lanes.

**HOUSE CONCURRENT RESOLUTION NO. 193—**  
BY REPRESENTATIVE STRAIN AND SENATOR NEVERS  
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to install a traffic signal at the intersection of Louisiana Highways 442, 443, and 40 in Loranger, Louisiana.

**HOUSE CONCURRENT RESOLUTION NO. 197—**  
BY REPRESENTATIVES CRANE, BROOME, SALTER, AND HUNTER  
AND SENATORS HOLDEN AND ULLO  
A CONCURRENT RESOLUTION

To create the Adult Learning Task Force within the office of the governor for the purpose of reviewing policies and programs related to adult learning in the state of Louisiana and to provide that the task force shall submit a written report to the Legislature of Louisiana on the state of adult learning in Louisiana by not later than January 30, 2005.

**HOUSE CONCURRENT RESOLUTION NO. 211—**  
BY REPRESENTATIVE FAUCHEUX  
A CONCURRENT RESOLUTION

To urge and request the commissioner of conservation, the Louisiana Municipal Association, and the Police Jury Association to study compliance by Louisiana cities, towns, villages, and special districts in an underground utility regional damage prevention program.

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 15, 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. 27—**  
BY REPRESENTATIVE E. GUILLORY  
AN ACT

To enact R.S. 49:170.12, relative to state symbols; to designate gumbo as the official state cuisine; and to provide for related matters.

**HOUSE BILL NO. 130—**  
BY REPRESENTATIVE LANCASTER  
AN ACT

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

**HOUSE BILL NO. 159—**BY REPRESENTATIVE QUEZAIRE  
AN ACT

To enact R.S. 33:450, relative to mayors' courts; to create a mayor's court of the town of St. Gabriel in Iberville Parish; to provide for jurisdiction of the court; to provide for the power and authority of the mayor; and to provide for related matters.

**HOUSE BILL NO. 180—**BY REPRESENTATIVES FUTRELL, DORSEY, AND WALSWORTH  
AN ACT

To enact R.S. 18:425.2, relative to the authority of parish boards of election supervisors to provide for two commissioners to work half of an election day; to authorize any parish board of election supervisors in the event of a shortage of commissioners to create two equal work shifts for commissioners; to authorize such parish board of election supervisors to select commissioners to serve one or two shifts on an election day; to provide for a commissioner who serves for one shift to receive half of the compensation a commissioner would receive for a full day; to require the State Board of Election Supervisors to prescribe uniform rules for the selection, scheduling, and procedures for creating two equal shifts for commissioners on election day; to provide for the effectiveness of such provisions; and to provide for related matters.

**HOUSE BILL NO. 185—**BY REPRESENTATIVE GRAY  
AN ACT

To amend and reenact Children's Code Articles 804(7), 832, 834, 835, 837, and 838 and to enact Children's Code Article 730(9), relative to juvenile delinquency proceedings; to provide for definitions; to provide relative to the appointment of members of the sanity commission; to provide for requirements relative to the report of the sanity commission; to provide with respect to procedures after a determination has been made regarding mental incapacity to proceed; to provide for procedures to be used when such capacity is regained; to provide for the grounds of a family in need of services proceeding; and to provide for related matters.

**HOUSE BILL NO. 208—**BY REPRESENTATIVE GALLOT  
AN ACT

To enact R.S. 33:1704.5, relative to the City Court of Ruston; to increase the fees that the office of marshal is entitled to charge for services provided in civil matters; and to provide for related matters.

**HOUSE BILL NO. 209—**BY REPRESENTATIVE GALLOT  
AN ACT

To enact R.S. 33:1702.3, relative to the marshal of the City Court of Ruston; to prohibit the marshal from receiving a salary greater than the salary of the sheriff of Lincoln Parish; and to provide for related matters.

**HOUSE BILL NO. 258—**BY REPRESENTATIVE CRANE AND SENATOR ULLO  
AN ACT

To amend and reenact R.S. 17:1951, relative to the special school district; to specify that children with exceptionalities enrolled in state-operated facilities and receiving special education services provided by the special school district shall be enrolled as residents of such facilities; to specify that eligible children enrolled in state-operated mental health facilities and receiving appropriate educational services by the special school district shall be enrolled as residents of such facilities; to authorize the special school district to enter into certain interagency agreements; to provide appropriate services to certain children

who are not residents of state-operated facilities and to eligible individuals enrolled as residents in state-operated facilities; and to provide for related matters.

**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. 409—**BY REPRESENTATIVES DAMICO, ANSARDI, LANCASTER, MARTINY,  
AND TOOMY AND SENATORS BOISSIERE, LENTINI, AND ULLO  
AN ACT

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

**HOUSE BILL NO. 431—**BY REPRESENTATIVE TOWNSEND  
AN ACT

To amend and reenact R.S. 17:1964(C)(2)(o)(ii)(bb) and (iii), relative to certain fees imposed by the board of directors of the Louisiana School of Math, Science, and the Arts; to remove provisions relative to a room deposit fee; to authorize a security deposit fee and limit the amount of such fee; to provide relative to the room and board fee, including limiting the amount of such fee; to provide an effective date; and to provide for related matters.

**HOUSE BILL NO. 472—**BY REPRESENTATIVE K. CARTER  
AN ACT

To amend and reenact R.S. 22:844(G)(1)(a) and to repeal R.S. 22:844(G)(4) and (5), relative to investments by domestic insurers; to delete prior approval of commissioner before purchase of land; and to provide for related matters.

**HOUSE BILL NO. 493—**BY REPRESENTATIVE HONEY  
AN ACT

To amend and reenact R.S. 17:1170 and 1200, relative to leaves of absence for certain employees of city, parish, and other local public school boards; to include guidance counselors who hold valid professional ancillary certificates in counseling issued by the state Department of Education in the definitions of persons eligible for certain sabbatical leave and sick leave benefits provided by law; to provide an effective date; and to provide for related matters.

**HOUSE BILL NO. 498—**BY REPRESENTATIVES TRICHE, JOHNS, AND BROOME  
AN ACT

To amend and reenact R.S. 46:236.1.1(1), 236.2(A)(2) and (B)(2), and 236.3(A)(1) and (D)(1), relative to child support programs; to provide for definitions; to provide for the electronic transmission of the notice for an income assignment order; to provide for judgments awarding retroactive support; and to provide for related matters.

**HOUSE BILL NO. 508—**BY REPRESENTATIVE M. POWELL  
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(E)(2) and (H), relative to the jurisdictional amount in controversy for the City Court of Shreveport; to increase the jurisdictional amount; and to provide for related matters.

**HOUSE BILL NO. 523—**

BY REPRESENTATIVE K. CARTER  
AN ACT

To amend and reenact R.S. 22:1193(G) and (I)(2), relative to insurance agents; to provide with respect to continuing education requirements and exemptions from such requirements; and to provide for related matters.

**HOUSE BILL NO. 524—**

BY REPRESENTATIVE K. CARTER  
AN ACT

To repeal Part XII of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, consisting of R.S. 22:491 through 507, relative to Lloyd's plan insurers.

**HOUSE BILL NO. 525—**

BY REPRESENTATIVE QUEZAIRE  
AN ACT

To amend and reenact R.S. 35:399(B), relative to ex officio notaries for police departments; to provide for the authority of ex officio notaries; to provide for certain sworn reports; and to provide for related matters.

**HOUSE BILL NO. 533—**

BY REPRESENTATIVE LANCASTER  
AN ACT

To amend and reenact R.S. 18:1483(7)(e), relative to the Campaign Finance Disclosure Act; to define the term "district office" for purposes of the Campaign Finance Disclosure Act; and to provide for related matters.

**HOUSE BILL NO. 627—**

BY REPRESENTATIVE BURNS  
AN ACT

To amend and reenact R.S. 9:1783(A)(1) and to repeal R.S. 9:2005(3), relative to trusts; to provide for person qualifying as trustee; to repeal certain provision authorizing the seizure of interests in trusts.

**HOUSE BILL NO. 667—**

BY REPRESENTATIVE MORRELL  
AN ACT

To amend and reenact R.S. 38:2212(C)(2)(b), relative to advertisement and letting public contracts to the lowest bidder; to provide relative to addenda to plans and specifications prior to opening of bids; and to provide for related matters.

**HOUSE BILL NO. 706—**

BY REPRESENTATIVE HEBERT  
AN ACT

To repeal R.S. 22:81(2), relative to domestic insurance corporations; to repeal certain shareholder requirements for directors.

**HOUSE BILL NO. 735—**

BY REPRESENTATIVE BRUNEAU  
AN ACT

To amend and reenact R.S. 18:18(A)(7), 59.2(A) and (C), 171(A), (C)(2) and (3) and (D), 193(G)(1), 196(C)(3), 424(E), 425(E), 431(A)(5) and (B)(4), 435(C), 443.1(B), 463(C), 464(A), 513(C), 532(B)(4)(a)(iii) and (c), 532.1(B)(2)(a) and (3), (C)(3), (D), and (G)(1), 566(B)(1), 574(A)(2) and (3), 581(1), 602(G), 1259(B)(5), 1280.22(A), 1307(A)(2), (B)(1) and (2), (C), and (E), 1313(H), 1354(C), 1400.1(A), (B)(2), and (C)(1), 1400.2(A), (B)(2), and (C)(1), 1400.3(A), (B)(2), and (C)(1), 1400.4(A), (B)(2), and (C)(1), 1405, and 1903(A) and to enact R.S. 18:426(A)(4), 463(E), 513(D), 1309(E)(6), and 1435, relative to the Election Code; to make technical changes to the Election Code; to provide relative to population data used to determine employment in registrars' offices; to provide relative to the Department of State monitoring its databases relative to voters' felony convictions; to provide relative to procedure for

the challenge and cancellation of registration of certain voters; to provide relative to confirmation of a voter's address; to provide relative to the time period for compensation of commissioners and commissioners-in-charge; to provide for certain persons under age eighteen to serve as alternate commissioners; to provide relative to the information contained in lists of persons qualified to serve as commissioners; to provide for a watcher to serve at multiple precincts; to make technical changes relative to the membership of certain state central committees; to provide relative to the information posted on the secretary of state's website; to provide relative to changes to the notice of candidacy after the close of qualifying; to provide for the manner of payment of qualifying fees; to provide for the certification of candidates elected to a reduced term due to a postponed election; to provide for the use of the word "merger" to describe whenever more than one precinct is combined into a single precinct with one geographical description; to provide for the requirements for merging precincts; to provide relative to the handling of provisional ballot envelopes; to provide relative to the counting and tabulation of provisional ballots; to provide relative to the compilation of election returns; to provide relative to vacancies in office; to provide for provisions of the election code to govern the time and manner of calling special elections as authorized by the constitution; to provide relative to requirements for applications to absentee vote by mail; to provide for voiding a ballot when a voter has received and voted on an incorrect ballot; to prohibit convicted felons from serving as deputy parish custodians of voting machines; to provide relative to election costs paid by the secretary of state and parish governing authorities; to provide for the time period for commencing an action objecting to candidacy or contesting an election; to provide relative to court determination of election results; and to provide for related matters.

**HOUSE BILL NO. 809—**

BY REPRESENTATIVE LANCASTER AND SENATOR DARDENNE  
AN ACT

To amend and reenact R.S. 18:1483(7)(d), relative to the definition of district office for purposes of the Campaign Finance Disclosure Law; to provide that all elected public offices to a board or governing authority which has a municipality within its jurisdiction with a certain population are included in the definition of district office; and to provide for related matters.

**HOUSE BILL NO. 836—**

BY REPRESENTATIVES GLOVER AND HOPKINS  
AN ACT

To amend and reenact R.S. 11:3724(8), as enacted by Act No. 74 of the 1991 Regular Session of the Legislature of Louisiana, relative to the Police Pension and Relief Fund of the City of Shreveport; to provide relative to survivor benefits; to repeal R.S. 11:3724(8) as amended and reenacted by prior Acts of the Legislature of Louisiana; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 842—**

BY REPRESENTATIVE JOHNS  
AN ACT

To enact Civil Code Article 191 and R.S. 9:395.1, relative to paternity; to provide for the establishment of paternity; to provide a time limitation for actions; and to provide for related matters.

**HOUSE BILL NO. 866—**

BY REPRESENTATIVE QUEZAIRE  
AN ACT

To amend and reenact R.S. 32:306, relative to equipment on motor vehicles; to provide relative to stop lamps and turn signals on motor vehicles; and to provide for related matters.

**HOUSE BILL NO. 870—**

BY REPRESENTATIVES TUCKER, DOERGE, GALLOT, HEBERT, HILL, KENNARD, MONTGOMERY, JOHN SMITH, ST. GERMAIN, TRAHAN, TRICHE, AND WALSWORTH AND SENATOR BOSSIERE  
AN ACT

To amend and reenact R.S. 11:2257(F)(2) and (H), relative to the Firefighters' Retirement System; to provide definitions of terms; to remove the authorization for retired members to participate in the Deferred Retirement Option Plan; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 953—**

BY REPRESENTATIVE MCVEA  
AN ACT

To amend and reenact R.S. 33:4303, relative to Gas Utility District No. 1 of West Feliciana Parish; to increase the membership of the board of commissioners of the district; to provide for the appointment and terms of office of board members; and to provide for related matters.

**HOUSE BILL NO. 1047—**

BY REPRESENTATIVE BURNS  
AN ACT

To amend and reenact R.S. 12:1308(C)(1) and (D)(2), relative to limited liability companies; to revise the procedure for changing a registered agent and the registered agent's address; and to provide for related matters.

**HOUSE BILL NO. 1105—**

BY REPRESENTATIVE WOOTON  
AN ACT

To amend and reenact R.S. 27:308(B), relative to the Video Draw Poker Devices Control Law; to provide with respect to sanctions of licensees; to provide limitations on sanctions for failure to disclose misdemeanor criminal offenses in license renewal applications; and to provide for related matters.

**HOUSE BILL NO. 1163—**

BY REPRESENTATIVE LAFLEUR  
AN ACT

To amend and reenact R.S. 40:2404(9) and to enact R.S. 17:416.19 and R.S. 40:2404(11), relative to school resource officers; to provide for the contracting of school resource officers by school systems; to provide for definitions and qualifications; and to provide for related matters.

**HOUSE BILL NO. 1183—**

BY REPRESENTATIVE ERDEY  
AN ACT

To amend and reenact R.S. 22:636(D), relative to cancellation of policies; to provide for unearned premiums; to provide for commission; to provide for payments; to provide for notice; and to provide for related matters.

**HOUSE BILL NO. 1363—**

BY REPRESENTATIVES WINSTON, MARTINY, BURNS, R. CARTER, DOERGE, DURAND, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HUNTER, KATZ, LABRUZZO, MARCHAND, MCDONALD, MONTGOMERY, STRAIN, WADDELL, WALKER, SCHNEIDER, THOMPSON, ALEXANDER, ANSARDI, BADON, BALDONE, BAUDOIN, BAYLOR, BEARD, BROOME, BRUCE, CAZAYOUX, CROWE, CURTIS, DARTEZ, DORSEY, FANNIN, GALLOT, GEYMAN, HONEY, HOPKINS, HUTTER, JEFFERSON, JOHNS, KENNEY, LAFLEUR, LAMBERT, LANCASTER, MORRISH, MURRAY, PIERRE, T. POWELL, RICHMOND, RITCHIE, SCALISE, GARY SMITH, JACK SMITH, JANE SMITH, TRAHAN, AND TUCKER AND SENATORS MOUNT, CRAVINS, JONES, AND LENTINI  
AN ACT

To amend and reenact R.S. 46:1941.1, 1941.2, 1941.5, and 1941.8 and to repeal R.S. 46:1941.3(1), 1941.4, 1941.6, 1941.7, 1941.9 through 1941.13, relative to youth services; to provide for the creation of children and youth 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.

**HOUSE BILL NO. 1391—**

BY REPRESENTATIVE THOMPSON  
AN ACT

To enact R.S. 40:2006.1, relative to Medicare surveys; to provide for a fee for an initial Medicare survey under certain circumstances; to provide for a fee for an application for an initial state licensure survey under certain circumstances; to provide for definitions; and to provide for related matters.

**HOUSE BILL NO. 1447 (Substitute for House Bill No. 99 by Representative Baldone)—**

BY REPRESENTATIVE BALDONE  
AN ACT

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

**HOUSE BILL NO. 1448—**

BY REPRESENTATIVES ODINET AND HUTTER  
AN ACT

To enact R.S. 17:85.5 and 85.6, relative to naming certain athletic facilities; to authorize the parish school board in certain parishes to name a baseball stadium and a gymnasium in honor of a former coach and a former teacher, respectively; to provide limitations; and to provide for related matters.

**HOUSE BILL NO. 1464—**

BY REPRESENTATIVES CROWE AND SCHNEIDER  
AN ACT

To amend and reenact R.S. 9:5141(C) and (D) and R.S. 35:17(B), relative to public records on immovable property; to provide relative to social security and other taxpayer identification numbers; and to provide for related matters.

**HOUSE BILL NO. 1481—**

BY REPRESENTATIVES MARTINY AND ANSARDI  
AN ACT

To amend and reenact Code of Criminal Procedure Article 336(A)(2) and (3) and to enact Code of Criminal Procedure Article 336(A)(4), relative to release conditioned on participation in pretrial drug testing program; to provide that every person arrested for a felony offense not otherwise required to submit to a pretrial drug test may be required to submit to a pretrial drug test; and to provide for related matters.

**HOUSE BILL NO. 1492—**

BY REPRESENTATIVE HOPKINS  
AN ACT

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

**HOUSE BILL NO. 1510—**

BY REPRESENTATIVE DORSEY  
AN ACT

To enact R.S. 40:1379.5, relative to the powers, functions, and duties of public safety services of the Department of Public Safety and Corrections; to provide that public safety services shall be responsible for the performance of certain functions and duties within the state capitol complex; to provide relative to the responsibility of the deputy secretary for public safety services

relative to such functions and duties; to define the state capitol complex for such purposes; and to provide for related matters.

**HOUSE BILL NO. 1527—**  
BY REPRESENTATIVES ST. GERMAIN AND LAMBERT AND SENATOR AMEDEE

AN ACT

To amend and reenact Children's Code Articles 791.1, 791.4, and 791.5, relative to juveniles; to authorize all judicial districts to create truancy and assessment and service centers; to provide with respect to monitoring and evaluation; and to provide for related matters.

**HOUSE BILL NO. 1636—**  
BY REPRESENTATIVES GLOVER AND FAUCHEUX

AN ACT

To amend and reenact R.S. 18:102(A)(2), 102.1, 104(A)(6), and 172, relative to interdicted voters; to provide for ineligibility to vote of persons under full interdiction; to provide for voting rights for persons under limited interdiction under certain circumstances; and to provide for related matters.

**HOUSE BILL NO. 1647—**  
BY REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact R.S. 25:380.35(A), relative to the Garyville Timberrill Museum; to provide with respect to the transfer of ownership of the building known as the St. John the Baptist Theater to the museum; to provide for acceptance of the transfer by the board; and to provide for related matters.

**HOUSE BILL NO. 1655—**  
BY REPRESENTATIVE BOWLER

AN ACT

To enact R.S. 42:267 and to repeal R.S. 14:316, relative to naming public buildings and certain other public property in honor of a living person; to remove criminal penalties for violation of the prohibition on naming such buildings or property in honor of a living person; to provide for the enforcement of the prohibition and of provisions requiring changing the name and removing evidence of the name; and to provide for related matters.

**HOUSE BILL NO. 1666—**  
BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 30:213(A), relative to geophysical surveys and information; to provide for ownership of the data gathered through such surveys; and to provide for related matters.

**HOUSE BILL NO. 1668—**  
BY REPRESENTATIVE LANCASTER

AN ACT

To amend and reenact R.S. 24:51(5), relative to the definition of lobbyist for the purpose of lobbying the legislature; to increase the amount of expenditures per calendar year in order for persons to be considered lobbyists; and to provide for related matters.

**HOUSE BILL NO. 1670—**  
BY REPRESENTATIVE MORRISH

AN ACT

To amend and reenact R.S. 3:3414.2(C), (D), (E), and (F) and to enact R.S. 3:3414.2(G) and (H), relative to payments for rice under bid contracts; to provide for certain changes in purchaser requirements; to provide options for producers under bid contracts for rice; and to provide for related matters.

**HOUSE BILL NO. 1682—**  
BY REPRESENTATIVES HONEY AND DANIEL AND SENATOR HOLDEN

AN ACT

To amend and reenact R.S. 12:202.1(C), relative to quasi-public nonprofit corporations; to provide that such corporation created to acquire and operate a public transportation system in East

Baton Rouge Parish is a political subdivision; to provide that the assets of such corporation are public property; and to provide for related matters.

**HOUSE BILL NO. 1706 (Substitute for House Bill No. 44 by Representative Lambert)**

BY REPRESENTATIVE LAMBERT AND SENATORS AMEDEE, CHAISSON, AND FONTENOT

AN ACT

To amend and reenact R.S. 15:255(A)(1), (E)(1), (G), (H), and (I) and to enact R.S. 15:255(A)(4), (E)(5), and (J), relative to witness fees paid to off-duty law enforcement officers; to increase the amount of witness fees paid to off-duty law enforcement officers; to require the law enforcement officer to provide documentation; to require the municipal and parish governing authority to timely transmit the fee to the law enforcement officer; to prohibit an officer from receiving the fee if he has received certain federal compensation; to not prohibit the governing authority of a parish or municipality from entering into a cooperative endeavor agreement; to not require a parish or municipal governing authority to appropriate general fund monies for the payment of the fee; and to provide for related matters.

**HOUSE BILL NO. 1721 (Substitute for House Bill No. 1684 by Representative Gary Smith)**

BY REPRESENTATIVE GARY SMITH

AN ACT

To enact Chapter 13-D of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4720.51 through 4720.59, relative to St. Charles Parish; to provide with respect to blighted property; to authorize St. Charles Parish to acquire and dispose of such property under certain circumstances; to provide definitions; 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.

**Privileged Report of the Committee on Enrollment**

June 15, 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 Joint Resolutions have been properly enrolled:

**HOUSE BILL NO. 261—**  
BY REPRESENTATIVES FUTRELL, ARNOLD, BRUNEAU, GALLOT, JEFFERSON, LANCASTER, MONTGOMERY, MURRAY, PITRE, AND SMILEY AND SENATOR DARDENNE

A JOINT RESOLUTION

Proposing to amend Article X, Sections 10(A)(2) and 48(A)(2) of the Constitution of Louisiana, relative to the eligibility for preference points for veterans for civil service and state police service; to provide eligibility for veterans who served for a certain period of continuous service on active duty after a certain date and have served honorably in the armed forces of the United States; to provide for eligibility for preference points in the state police service for service during wars declared by



congress; to provide that certain war periods and armed conflicts for eligibility for preference points for veterans for state police service shall be as provided by law; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Respectfully submitted,

DONALD RAY KENNARD  
Chairman

The above Joint Resolution 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 Secretary of State in accordance with the rules of the House.

### **Suspension of the Rules**

On motion of Rep. Alario, the rules were suspended to permit the Committee on Appropriations to meet on Wednesday, June 16, 2004, and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

Senate Bill Nos. 118 and 121

Senate Concurrent Resolution No. 122

### **Suspension of the Rules**

On motion of Rep. Hunter, the rules were suspended to permit the Committee on Labor and Industrial Relations to meet on Wednesday, June 16, 2004, and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

Senate Bill No. 37

### **Adjournment**

On motion of Rep. Kenney, at 7:40 P.M., the House agreed to adjourn until Wednesday, June 16, 2004, at 1:00 P.M.

The Speaker of the House declared the House adjourned until 1:00 P.M., Wednesday, June 16, 2004.

ALFRED W. SPEER  
Clerk of the House

