

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

THIRTEENTH DAY'S PROCEEDINGS

**Thirty-first Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

House of Representatives
State Capitol
Baton Rouge, Louisiana

Monday, May 16, 2005

The House of Representatives was called to order at 4:00 P.M., by the Honorable Joe R. Salter, Speaker of the House of Representatives.

Morning Hour

ROLL CALL

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

PRESENT

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

Durand	McDonald	Winston
Erdey	McVea	Wright
Fannin	Montgomery	
Farrar	Morrell	
Total - 103		
	ABSENT	

Pitre	Wooton
Total - 2	

The Speaker announced that there were 103 members present and a quorum.

Prayer

Prayer was offered by Rep. Katz.

Pledge of Allegiance

Rep. Cazayoux 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. Hutter, the reading of the Journal was dispensed with.

On motion of Rep. Scalise, and under a suspension of the rules, the Journal of May 12, 2005, was corrected to reflect him as voting yea on the adoption of House Concurrent Resolution No. 31.

On joint motion of Reps. Dartez, St. Germain, and Trahan, and under a suspension of the rules, the Journal of May 12, 2005, was corrected to reflect them as voting nay on final passage of House Bill No. 52.

On motion of Rep. Daniel, and under a suspension of the rules, the Journal of May 12, 2005, was corrected to reflect him as not voting on final passage of House Bill No. 52.

On joint motion of Reps. Dartez and St. Germain, and under a suspension of the rules, the Journal of May 12, 2005, was corrected to reflect them as voting nay on final passage of House Bill No. 90.

On motion of Rep. Fannin, the Journal of May 12, 2005, was adopted.

**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. 28—
BY REPRESENTATIVES BRUNEAU AND ALARIO
A RESOLUTION**

To express sincere and heartfelt condolences upon the death of Samuel J. Bonnette, Jr., former longtime staff member of the Louisiana House of Representatives.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 98—
BY REPRESENTATIVE BADON
A CONCURRENT RESOLUTION**

To request the Louisiana Board of Pharmacy to study the feasibility and effectiveness of implementing a prescription monitoring program for controlled dangerous substances and to report its findings to the speaker of the House of Representatives and the president of the Senate no later than February 1, 2006, and to create the Prescription Monitoring Program Task Force to assist in this study.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 99—

BY REPRESENTATIVE DAMICO

A CONCURRENT RESOLUTION

To commend the National Environmental Health Association and the Louisiana Environmental Health Association for their achievements in protecting public health and to recognize the fourth Monday in April, annually, as National Sanitarian and Environmental Health Specialist Day.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 100—

BY REPRESENTATIVE BALDONE

A CONCURRENT RESOLUTION

To urge and request the Louisiana Waterfowl Study Commission to study the possibility of permitting the taking of pen-raised mallards south of Interstate Highway 10 and Interstate Highway 12.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 101—

BY REPRESENTATIVES THOMPSON AND BALDONE

A CONCURRENT RESOLUTION

To authorize and request the Department of Wildlife and Fisheries to sponsor a pilot program to study the breeding and release of waterfowl in Louisiana.

Read by title.

Lies over under the rules

HOUSE CONCURRENT RESOLUTION NO. 102—

BY REPRESENTATIVE WINSTON

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Donna Contois, former member of the State Board of Elementary and Secondary Education.

Read by title.

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

Ordered to the Senate.

Suspension of the Rules

On motion of Rep. Kenney, 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.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Appropriations

May 16, 2005

To the Speaker and Members of the House of Representatives:

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

We have interviewed five candidates for election to the office of Legislative Fiscal Officer and recommend to the Legislature, by

the vote of 11 yeas and 0 nays, that H. Gordon Monk be elected the Legislative Fiscal Officer.

JOHN ALARIO
Chairman

House and House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 97—

BY REPRESENTATIVE THOMPSON AND SENATOR ELLINGTON

A CONCURRENT RESOLUTION

To urge and request the Louisiana Broadband Advisory Council to conduct any necessary pilot project relative to determining the true functionality and affordability of current and future broadband delivery technologies relative to broadband deployment.

Read by title.

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

House Bills and Joint Resolutions on Second Reading to be Referred

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

Motion

On motion of Rep. Kenney, the Committee on Natural Resources was discharged from further consideration of House Bill No. 283.

HOUSE BILL NO. 283—

BY REPRESENTATIVE KENNEY

AN ACT

To amend and reenact R.S. 56:109(B), relative to wildlife refuges; to require the Wildlife and Fisheries Commission to authorize limited hunting in the refuges; and to provide for related matters.

Read by title.

Motion

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

Senate Bills and Joint Resolutions on Second Reading to be Referred

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

SENATE BILL NO. 6—

BY SENATOR ADLEY

AN ACT

To amend and reenact R.S. 38:291(B)(2), relative to the Bossier Levee District; to provide for an increase in the membership of the district; to provide for the appointing authority; to provide for the term of the additional member; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 15—
BY SENATOR ADLEY

AN ACT

To enact R.S. 25:151(E), relative to the disposition of books by public libraries; to authorize the Webster Parish Library, through its governing board, to sell books directly to the public and retain the proceeds; and to provide for related matters.

Read by title.

Motion

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

SENATE BILL NO. 27—
BY SENATORS MCPHERSON, DUPLESSIS AND MURRAY

AN ACT

To enact R.S. 47:305.53 and 337.9(D)(27), relative to sickle cell disease organizations; to provide for a state and political subdivision sales tax exemption; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

SENATE BILL NO. 46—
BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 38:2219(A)(3), relative to public contracts; to provide relative to contracts with the New Orleans Sewerage and Water Board for the purchase of goods and services; to increase that amount which is not subject to performance or surety bond requirements; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 54—
BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 38:3086.23(A) and (B) and to enact R.S. 38:3086.22(D), relative to the Bayou Lafourche Fresh Water District; to authorize the inclusion of Terrebonne Parish within the district under certain terms, conditions and requirements; to provide relative to membership and composition of the district board; to require prior approval of the Terrebonne Parish Council and voters of Terrebonne Parish; to provide for an effective date; and to provide for related matters.

Read by title.

Motion

Rep. Baldone moved that Senate Bill No. 54 be designated as a duplicate of House Bill No. 266.

Which motion was agreed to.

Rep. Baldone moved that Senate Bill No. 54 be amended to conform with House Bill No. 266 and sent up the following floor amendments:

HOUSE FLOOR AMENDMENTS

Conforming amendments proposed by Representative Baldone to Reengrossed Senate Bill No. 54 by Senator Dupre (Duplicate of House Bill No. 266)

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete "R.S. 38:3086.23(A) and (B) and to enact R.S. 38:3086.22(D)," and insert "R.S. 38:3086.22(A) and 3086.23(A), (B), and (C),"

AMENDMENT NO. 2

On page 1, line 3, delete "authorize the inclusion of" and delete lines 4 through 7 in their entirety and insert the following:

"provide for expanding the jurisdiction of the district; to authorize the inclusion of Terrebonne Parish within the district subject to approval of the governing authority and the voters of the parish; to provide for the composition of the board if the jurisdiction is expanded; and to provide for related"

AMENDMENT NO. 3

On page 1, line 11, delete "R.S. 38:3086.23(A) and (B)" and insert "R.S. 38:3086.22(A) and 3086.23(A), (B), and (C)"

AMENDMENT NO. 4

On page 1, at the end of line 11, delete "and R.S." and on line 12, delete "38:3086.22(D) is hereby enacted"

AMENDMENT NO. 5

On page 1, between lines 13 and 14, insert the following:

"A. The Bayou Lafourche Fresh Water District shall be composed of all of Lafourche Parish, except that portion of the parish having a front of two hundred feet on Bayou Des Allemands and running back westerly a distance of thirty-eight thousand six hundred ninety-five feet, being one hundred feet on each side of the center line of the main line track of the Texas and New Orleans Railroad; that portion of Ascension Parish lying along both banks of Bayou Lafourche between the Mississippi River and the boundary line between the parishes of Assumption and Ascension, and within lines drawn on each side of the bayou for a distance of four thousand two hundred feet from the center of the bayou, as established by government survey; and all of Assumption Parish and Terrebonne Parish."

AMENDMENT NO. 6

On page 1, delete lines 15 through 17 in their entirety and on page 2, delete lines 1 through 4 in their entirety

AMENDMENT NO. 7

On page 2, line 20, after "(1)" delete the remainder of the line, delete line 21 in its entirety, and on line 22, delete "membership of the" and insert "The"

AMENDMENT NO. 8

On page 2, line 22, after "composed of" delete "seven" and insert "eleven"

AMENDMENT NO. 9

On page 2, line 24, after "Assumption," delete "and"

AMENDMENT NO. 10

On page 2, line 25, after "Lafourche" change the period "." to a comma "," and delete the remainder of the line and delete lines 26 and 27 in their entirety and insert the following:

"and four members appointed to represent the parish of Terrebonne, all as otherwise provided by this Subsection."

AMENDMENT NO. 11

On page 2, line 28, delete "of the governing authority"

Page 4 HOUSE

13th Day's Proceedings - May 16, 2005

AMENDMENT NO. 12

On page 3, line 7, delete "Subparagraph." and insert "Paragraph."

AMENDMENT NO. 13

On page 3, line 8, after "confirmation and" insert "each such commissioner"

AMENDMENT NO. 14

On page 3, line 29, delete "district includes" and insert "districts include"

AMENDMENT NO. 15

On page 4, delete lines 2 through 29 in their entirety and on page 5, delete lines 1 through 14 in their entirety

AMENDMENT NO. 16

On page 5, line 16, after "governor" delete the remainder of the line and delete lines 17 through 29 in their entirety and insert the following:

"(5)(a) Four commissioners shall be residents of the parish of Terrebonne appointed by the governor, subject to Senate confirmation, from nominations and subject to further residency requirements as follows:

(i) The governor shall appoint two residents of that portion of the parish north of the Intracoastal Waterway from a single list of nominations submitted by a majority of members of the state legislature representing that portion of the parish.

(ii) The governor shall appoint two residents of that portion of the parish south of the Intracoastal Waterway from a single list of nominations submitted by a majority of members of the state legislature representing that portion of the parish.

(b) Members appointed pursuant to this Paragraph shall serve four-year terms.

~~C. B.~~ A vacancy in an unexpired term shall be filled in the same manner as the original appointment for the balance of the unexpired term.

C. The members so selected and appointed shall meet within thirty days after the appointment last made. They shall elect a chairman, a vice chairman, and a secretary-treasurer."

AMENDMENT NO. 17

On page 6, delete lines 1 through 11 in their entirety

AMENDMENT NO. 18

On page 6, between lines 12 and 13, insert the following:

"Section 2. Section 1 of this Act shall become effective upon approval by the governing authority and the voters of Terrebonne Parish including Terrebonne Parish in the Bayou Lafourche Fresh Water District as provided in this Section:

A. Parish governing authority approval of inclusion shall be indicated by adoption of a resolution expressing such approval. The governing authority may adopt such a resolution at a regular or special meeting.

B. Upon adoption of the resolution, the governing authority may call an election, to be held in accordance with the Louisiana

Election Code, on the question of whether or not the parish shall be included within the boundaries of the Bayou Lafourche Fresh Water District. The ballot proposition submitted to the voters shall specify the types and rates of taxes levied by the district at that time and any applicable dedications of proceeds from those taxes.

C. If a majority of those voting at the election provided for in this Section vote in favor of the proposition, the boundaries of the district shall be expanded to include Terrebonne Parish on the day following promulgation of the results of the election. As of that day, any taxes being levied by the district at the time of the election shall be applicable in Terrebonne Parish.

D. Upon expansion of the district as provided in this Section, nominations for commissioners made pursuant to R.S. 38:3086.23(A)(5) as enacted by this Act shall be submitted to the governor, and the governor shall proceed to make such appointments."

AMENDMENT NO. 19

On page 6, line 13, delete "Section 2. This" and insert "Section 3. Section 2 and this Section of this"

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

Motion

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

SENATE BILL NO. 56— BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 33:4121(E), relative to the Sewerage and Water Board of New Orleans; to provide for a technical change in the board's bonding authority; to provide for an effective date; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 70— BY SENATORS KOSTELKA AND ELLINGTON

AN ACT

To amend and reenact R.S. 32:387.17(A)(5), relative to special permits; to extend authorization for issuance of special permits for trucks hauling containerized cargo in international trade intended for exportation within a fifty-mile radius of the Port of Ouachita; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 80— BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 33:4084(A)(1)(a), relative to the Sewerage and Water Board of New Orleans; to change the threshold contract amount of materials and supplies contracts with the board that must be advertised for public bid; to provide for an effective date; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 81—
BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 33:4079, relative to the Sewerage and Water Board of New Orleans; to provide for the conformity to plans for drainage system and related facilities; to provide for an effective date; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 97—
BY SENATOR CRAVINS

AN ACT

To enact R.S. 33:221.4, relative to St. Landry Parish; to provide for municipal annexation; to provide with regard to special service districts and contracts, taxes, and services related thereto; to provide for an effective date; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 99—
BY SENATOR CRAVINS

AN ACT

To enact R.S. 33:1448(P), relative to group insurance premiums; to provide for the payment of insurance premiums for certain retired sheriffs and retired deputy sheriffs in St. Landry Parish; to provide for an effective date; and to provide for related matters.

Read by title.

Motion

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

SENATE BILL NO. 100—
BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 29:36.1(A) and (B), relative to exemption from tuition charges for service in the Louisiana National Guard; to extend eligibility for tuition exemption charges to include the period of commitment in the inactive National Guard; and to provide for related matters.

Read by title.

Motion

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

SENATE BILL NO. 101—
BY SENATOR BOASSO

AN ACT

To amend and reenact R.S. 34:1702 and to enact R.S. 34:1703(F) and 1703.1, relative to deep water ports; to provide for the board of commissioners of the St. Bernard Port, Harbor and Terminal District; to increase membership; to provide relative to the appointment and terms of commissioners; to provide relative to the qualifications and responsibilities of a port director; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 102—
BY SENATOR ELLINGTON AND REPRESENTATIVE QUEZAIRE

AN ACT

To enact R.S. 49:191(3) and to repeal R.S. 191(1)(e), relative to the Department of Transportation and Development; to provide for the re-creation of the Department of Transportation and Development and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 115—
BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 15:146(B)(1)(a), relative to the indigent defender fund for the Eighteenth Judicial District; to increase criminal costs in the City Court of Port Allen to fund indigent defense; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 119—
BY SENATORS JACKSON, CHEEK AND MALONE

AN ACT

To amend and reenact R.S. 17:1516(A), 1517(A) and (B) and the introductory paragraph of (D), 3215(6), (7), and (8) and to enact R.S. 17:3215(9), relative to the Louisiana State University and Agricultural and Mechanical College Medical School at Shreveport, to provide for the components and organization of this facility; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 143—
BY SENATORS CAIN, ADLEY AND MOUNT

AN ACT

To designate a portion of Louisiana Highway 12 located in the city of DeQuincy as the "Buddy Henagan Memorial Parkway."

Read by title.

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

SENATE BILL NO. 144—
BY SENATOR NEVERS AND REPRESENTATIVE CRANE

AN ACT

To amend and reenact R.S. 17:427.3(A), (B), (C), (H) and (I)(1), relative to the Teach Louisiana First Program; to provide relative to reducing the shortage of certified teachers in low-performing schools and districts; to provide relative to program purposes, incentive payments, eligibility and selection criteria, reports, and administration; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 167—
BY SENATOR AMEDEE AND REPRESENTATIVE QUEZAIRE
AN ACT

To enact R.S. 38:326.1(E), relative to the Lafourche Basin Levee District; to authorize the district to contract for certain law enforcement services with sheriffs' offices within the boundaries of the levee district; and to provide for related matters.

Read by title.

Motion

Rep. Quezaire moved that Senate Bill No. 167 be designated as a duplicate of House Bill No. 362.

Which motion was agreed to.

Rep. Quezaire moved that Senate Bill No. 167 be amended to conform with House Bill No. 362 and sent up the following floor amendments:

HOUSE FLOOR AMENDMENTS

Conforming amendments proposed by Representative Quezaire to Engrossed Senate Bill No. 167 by Senator Amedee (Duplicate of House Bill No. 362)

AMENDMENT NO. 1

On page 1, line 2, after "To" insert "amend and reenact R.S. 38:326.1(C) and to"

AMENDMENT NO. 2

On page 1, line 7, after "Section 1." insert "R.S. 38:326.1(C) is hereby amended and reenacted and"

AMENDMENT NO. 3

On page 1, between lines 10 and 11, insert the following:

"C. No person shall be commissioned as a Lafourche Basin Levee District police officer, unless prior to such commissioning the person has, as a minimum requirement, ~~completed and graduated from the six-week program of basic law enforcement training at Louisiana State University and Agricultural and Mechanical College or possesses equivalent training and experience, successfully completed a certified law enforcement training course and basic firearms training program, including any annual recertification,~~ and meets the other requirements set by the secretary of the Department of Public Safety and Corrections or his designee.

* * *

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

Motion

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

SENATE BILL NO. 189—
BY SENATOR BROOME
AN ACT

To enact Part VI-B of Chapter 20 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:1742.1, relative to providing information and making recommendation of food and dietary supplements; to provide with respect to disclosure by certain individuals who provide such information and recommendations; to provide for information to be disclosed in the disclosure; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 190—
BY SENATORS BROOME, BAJOE, HINES, MCPHERSON, MOUNT, JACKSON AND SCHEDLER AND REPRESENTATIVES ALARIO, DORSEY, HAMMETT AND SALTER
AN ACT

To amend and reenact R.S. 40:1299.53 (A)(6) and 1299.58 (A)(introductory paragraph) and (A)(1), to enact R.S. 40:1299.53 (A)(10) and (11), (C) and (D), 1299.58 (G), Chapter 4-A of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:445.1 through 445.32, and Part VI-D of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2180 through 2180.5, and to repeal R.S. 28:380 through 382 and 383 through 444 and R.S. 28:421 through 427, relative to citizens with developmental disabilities; to provide for definitions; to provide for system components, operations, and principles; to provide for the rights of persons with developmental disabilities; to provide for appeal and grievance procedures; to provide for consent by a person with a developmental disability; to provide for judicial commitment; to provide for the administration of the state developmental centers; to provide for the ombudsman program and quality assurance of facilities and services for persons with developmental disabilities; to provide for licensure of intermediate care facilities for the mentally retarded; to provide for licensing fees for such services; to provide for definitions; to provide for an effective date; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 205—
BY SENATOR DUPLESSIS
AN ACT

To enact Chapter 51 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:3071 through 3076, relative to database security; to provide for legislative findings; to provide definitions; to provide for disclosure upon breach in the security of personal information by agencies and persons; to provide for delayed notification in the event of certain criminal investigations; to provide for means of notification; to provide for the recovery of damages; to provide for financial institution compliance in certain cases; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 210—
BY SENATOR HEITMEIER
AN ACT

To amend and reenact Sections 1 and 2 of Act No. 233 of the 1984 Regular Session of the Legislature, as amended by Act No. 847 of the 1992 Regular Session of the Legislature, Act No. 1364 of the 1997 Regular Session of the Legislature, and Act No. 1378 of the 1999 Regular Session of the Legislature, relative to the Bohemia Spillway; to provide a procedure for persons claiming an ownership interest in property or minerals located in the Bohemia Spillway; to provide for certification of property and mineral ownership interest and for the return of such property and mineral interest to the certified owner or his successor by the Board of Levee Commissioners of the Orleans Levee District; to provide for payment by the board to the certified owner or his successor for mineral revenues received by the board from such property after June 29, 1984; to provide an exemption to the board of commissioners from certain

judgements rendered involving title to properties and claims involving mineral revenues derived from land located in the spillway; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 212—

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 13:3049(B)(2)(a), relative to judicial procedure; to provide relative to civil jury trials; to require certain filing fees for such trials; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 219—

BY SENATOR FONTENOT

AN ACT

To repeal R.S. 45:1206, relative to the Energy Efficiency Fund; to repeal the authority of the Public Service Commission to adopt rules and regulations to establish the Energy Efficiency Fund; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 222—

BY SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 9:3529, relative to certain credit transactions; to provide for the collection of certain fees and charges due to insufficient funds when payment is made by electronic means; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 230—

BY SENATORS SCHEDLER, N. GAUTREAUX, CAIN, LENTINI AND NEVERS

AN ACT

To amend and reenact R.S. 37:612, 776(A)(6), 1285(A)(6), and 1526(A)(introductory paragraph) and to enact R.S. 37:1526(A)(16) and Part III of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2122 through 2122.4, relative to pain management clinics; to provide for penalties; to provide for definitions; to provide for ownership; to provide for prohibitions; and to provide for related matters.

Read by title.

Motion

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

SENATE BILL NO. 235—

BY SENATOR ULLO AND REPRESENTATIVES TOOMY AND WOOTON

AN ACT

To enact R.S. 34:851.27(B)(9), relative to regulation of vessels and motorboats; to authorize the regulation of air boats by the governing authority of Jefferson Parish and its municipalities;

to provide for terms and conditions; to provide for the enforcement of such regulation; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 237—

BY SENATOR ULLO

AN ACT

To enact R.S. 46:333(E), relative to blind vendors; to authorize the Department of Social Services to enter into certain contracts; to provide for the assignment of income from vending machines; to provide for compliance with the Randolph-Sheppard Act; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 245—

BY SENATORS SCHEDLER AND CAIN

AN ACT

To enact Part II-D of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2119.1 through 2119.5, relative to pain management clinics; to provide for licensure of such facilities by the Department of Health and Hospitals; to provide for a moratorium of the licensing of these clinics; to provide for clinics to which the moratorium does not apply; to provide for violations and exemptions from the moratorium; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 258—

BY SENATORS KOSTELKA, BAJOE, MOUNT AND SCHEDLER AND REPRESENTATIVES JOHNS, ALARIO, DORSEY, HAMMETT AND SALTER

AN ACT

To amend and reenact R.S. 13:5106(B)(1) and (2), relative to the Louisiana Governmental Claims Act; to provide relative to limitations of liability for the state and political subdivisions; to provide for liability for damages for personal injury and wrongful death; to provide for legislative intent; and to provide for related matters.

Read by title.

Motion

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

SENATE BILL NO. 268—

BY SENATORS SMITH AND ELLINGTON

AN ACT

To amend and reenact R.S. 48:274.1(A)(2)(a), relative to outdoor logo signing program on interstate highways; to provide relative to contracts with third parties; to provide for payment to the Department of Transportation and Development for use of rights-of-way; to provide for selection of the third party or parties to be a competitive process in accordance with the procurement code; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 271—

BY SENATORS MCPHERSON, BAJIOIE, HINES AND MOUNT AND REPRESENTATIVES DORSEY, HAMMETT AND SALTER

AN ACT

To amend and reenact R.S. 14:403.2(E)(9)(a), and to enact R.S. 40:1300.51(2)(l) and (m), and Part VI-D of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2179 through 2179.1, and to repeal R.S. 37:2504(D) and (E), relative to direct service workers; to provide relative to the adult protection agency; to provide with respect to the confidentiality of case records; to provide for criminal history checks of direct service workers; to define direct service workers; to authorize the Department of Health and Hospitals to promulgate rules to maintain a registry of direct service workers; to provide for an effective date; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 278—

BY SENATOR NEVERS

AN ACT

To amend and reenact R.S. 38:3087.191, the introductory paragraph of R.S. 38:3087.192(B) and (C), 3087.193(B), 3087.194(B), 3087.196, 3087.197(A)(2) and (8), 3087.198(A)(6), 3087.199(A)(1), (B)(1) and (2), (C)(1), (D)(1), 3087.204, and 3087.205(A) and (B), relative to the Washington Parish Reservoir District; to provide for the creation, maintenance, and operation of a single reservoir in the district; to provide for reimbursement of the amount actually paid for property returned to a prior landowner; to limit the authority of the district to expropriate property; to provide for payment to owners whose property is subject to expropriation; to provide for terms for members of the board of commissioners of the district; to authorize agreements with landowners regarding building restrictions on non-submerged property; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 289—

BY SENATOR MURRAY

AN ACT

To enact R.S. 33:4079.1, relative to the Sewerage and Water Board of New Orleans; to provide for the authorization to lease conduit to house fiber optic cable by the Sewerage and Water Board of New Orleans; to provide for an effective date; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 307—

BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 39:1351(A) and (B), 1352, 1353, and 1354, and to enact R.S. 17:10.1(C), relative to fiscal administrators for political subdivisions; to provide relative to the authority to seek the judicial appointment of a fiscal administrator for political subdivisions; to provide for the authority of the State Board of Elementary and Secondary Education to define certain circumstances applicable to city, parish, and other local public school systems; to provide relative to the appointment of a fiscal administrator; to provide relative

to the duties, authority, and termination of the authority of such fiscal administrator; and to provide for related matters.

Read by title.

Motion

Rep. Richmond moved that Senate Bill No. 307 be designated as a duplicate of House Bill No. 776.

Which motion was agreed to.

Rep. Richmond moved that Senate Bill No. 307 be amended to conform with House Bill No. 776 and sent up the following floor amendments:

HOUSE FLOOR AMENDMENTS

Conforming amendments proposed by Representative Richmond to Engrossed Senate Bill No. 307 by Senator Murray (Duplicate of House Bill No. 776)

AMENDMENT NO. 1

On page 4, line 13, delete "R.S. 39:1308," and insert "R.S. 39:1309,"

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

Motion

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

SENATE BILL NO. 313—

BY SENATOR MARIONNEAUX AND REPRESENTATIVE MCVEA

AN ACT

To enact R.S. 33:2740.62, relative to special districts; to create the East Feliciana Parish Economic Development District; to provide for the purpose and governance of the district; to provide for its rights and powers, including the authority for tax financing by the district; to provide for an effective date; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 327—

BY SENATOR JONES

AN ACT

To enact R.S. 46:1053(C)(2)(e), relative to hospital service districts; to authorize an increase in per diem for the members of the board of commissioners of the Madison Parish Hospital Service District; to increase the number of meeting days payable by a per diem; and to provide for related matters.

Read by title.

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

Motion

On motion of Rep. Jackson, the Committee on Appropriations was discharged from further consideration of Senate Bill No. 51.

SENATE BILL NO. 51—BY SENATORS CHEEK AND BAJOIE
AN ACT

To amend and reenact R.S. 33:1981(C)(1) and 2201(C)(1), relative to certain payments made to survivors of certain first responders; to increase the amount of payments provided as financial security to the surviving spouse or parents of firemen and law enforcement officers in certain cases; and to provide for related matters.

Read by title.

Motion

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

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

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

HOUSE CONCURRENT RESOLUTION NO. 7—BY REPRESENTATIVE BRUCE
A CONCURRENT RESOLUTION

To urge and request the Judicial Council of the Supreme Court of Louisiana to study the feasibility of dividing the Eleventh Judicial District Court into two separate districts to be comprised of DeSoto Parish and Sabine Parish and to submit to the appropriate standing committee of the House of Representatives and the Senate its recommendations on or before October 1, 2006.

Read by title.

Reported favorably by the Committee on Judiciary.

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

**House Bills and Joint Resolutions on
Second Reading Reported by Committee**

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

HOUSE BILL NO. 8—BY REPRESENTATIVE RITCHIE
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(H), relative to the civil jurisdiction of the City Court of Bogalusa; to increase the jurisdictional amount in dispute in the City Court of Bogalusa; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 30—BY REPRESENTATIVES JACK SMITH, BARROW, BAUDOIN, BAYLOR,
DOVE, GLOVER, JEFFERSON, LAMBERT, MCDONALD, AND RITCHIE
AN ACT

To amend and reenact R.S. 33:1981(C)(1) and 2201(C)(1), relative to financial security of survivors of firemen and law enforcement officers; to provide for payments to surviving spouses; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 32—BY REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact Children's Code Article 423(A)(2), relative to hearing officers; to provide for the acceptance of agreements reached in court-ordered mediation; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 44—BY REPRESENTATIVE MORRELL
AN ACT

To amend and reenact R.S. 13:3886(B)(1), relative to fees charged by the sheriff for issuance of notice of seizure on specific immovable property or fixtures located thereon; to increase the fees for notice given by mail; to increase the fees for service of the notice; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 51—BY REPRESENTATIVE DORSEY
AN ACT

To amend and reenact R.S. 14:40.2(A) and to enact R.S. 14:40.2(F), (G), and (H), relative to the crime of stalking; to require that the acts constituting the crime of stalking be intentional; to provide for exceptions; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 51 by Representative Dorsey

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 14:40.2(A)" delete the comma "," and insert "and to enact R.S. 14:40.2(F), (G), and (H),"

AMENDMENT NO. 2

On page 1, line 3, after "intentional;" and before "and" insert "to provide for exceptions;"

Page 10 HOUSE

13th Day's Proceedings - May 16, 2005

AMENDMENT NO. 3

On page 1, line 6, after "reenacted" and before "to" insert "and R.S. 14:40.2(F), (G), and (H) are hereby enacted"

AMENDMENT NO. 4

On page 1, after line 17, insert the following:

"F. The provisions of this Section shall not apply to a private investigator licensed pursuant to the provisions of Chapter 56 of Title 37 of the Louisiana Revised Statutes of 1950, acting during the course and scope of his employment and performing his duties relative to the conducting of an investigation.

G. The provisions of this Section shall not apply to an investigator employed by an authorized insurer regulated pursuant to the provisions of Title 22 of the Louisiana Revised Statutes of 1950, acting during the course and scope of his employment and performing his duties relative to the conducting of an insurance investigation.

H. The provisions of this Section shall not apply to an investigator employed by an authorized self-insurance group or entity regulated pursuant to the provisions of Chapter 10 of Title 23 of the Louisiana Revised Statutes of 1950, acting during the course and scope of his employment and performing his duties relative to the conducting of an insurance investigation."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 75—

BY REPRESENTATIVE ALEXANDER
AN ACT

To enact R.S. 33:423.15, relative to the city of Broussard; to provide for the chief of police of that city to take certain personnel actions; to provide for appeal of those actions by police department employees; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 151—

BY REPRESENTATIVE DOVE
AN ACT

To amend and reenact R.S. 13:976(C), relative to court reporters in the Thirty-Second Judicial District Court; to increase the fees court reporters may charge per page for civil and criminal transcripts; to decrease the fees court reporters may charge per page copy for civil and criminal transcripts; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Original House Bill No. 151 by Representative Dove

AMENDMENT NO. 1

On page 1, at the end of line 3, delete "and"

AMENDMENT NO. 2

On page 1, at the beginning of line 4, delete "per copy"

AMENDMENT NO. 3

On page 1, line 4, after "transcripts;" and before "and" insert "to decrease the fees court reporters may charge per page copy for civil and criminal transcripts;"

AMENDMENT NO. 4

On page 1, line 11, change "fifty" to "seventy-five"

AMENDMENT NO. 5

On page 1, line 12 change "one dollar" to "twenty-five cents"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 161—

BY REPRESENTATIVE BRUCE
AN ACT

To enact R.S. 13:961(F)(1)(o), relative to court reporter fees in the Eleventh Judicial District Court; to authorize the judges en banc to set the fees for each page and copy of transcribed testimony; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Original House Bill No. 161 by Representative Bruce

AMENDMENT NO. 1

On page 1, line 13, after "cases" and before the period "." insert "in an amount not to exceed two dollars and seventy-five cents per page and in an amount not to exceed twenty-five cents per copy"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 172—

BY REPRESENTATIVES ROMERO AND FAUCHEUX
AN ACT

To amend and reenact Code of Civil Procedure Articles 4911(A) and 4912(A)(1) and (B), relative to jurisdiction of justice of the peace courts; to increase the jurisdictional amount in dispute in civil matters; to increase the jurisdictional amount in dispute in possession or ownership of movable property; to increase the jurisdictional amount in dispute in eviction proceedings of occupants or tenants of leased commercial premises and leased farmlands; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 194—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact R.S. 33:1423.1, relative to the collection and disposition of bonds, fines, fees, licenses, and taxes; to provide that the sheriff may retain private attorney and assess attorney fees and expenses to affected tax recipient bodies; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Original House Bill No. 194 by Representative Fauchoux

AMENDMENT NO. 1

On page 1, line 14, after "bonds," and before "and any" delete "hunting and fishing licenses,"

AMENDMENT NO. 2

On page 2, line 4, after "fees," and before "ad valorem" insert "delinquent"

AMENDMENT NO. 3

On page 2, at the beginning of line 5, delete "hunting and fishing licenses."

AMENDMENT NO. 4

On page 2, line 9, after "provide the" delete the remainder of the line and line 10 in its entirety and insert in lieu thereof "hourly rate of payment for services. The hourly rate shall not exceed the attorney general's fee schedule."

AMENDMENT NO. 5

On page 2, at the beginning of line 11, delete "attorney is retained on a basis other than a contingency fee, the" and insert in lieu thereof "The"

AMENDMENT NO. 6

On page 2, line 12, after "approval of" and before "the tax" insert "the hourly rate to be paid the private attorney by"

AMENDMENT NO. 7

On page 2, at the end of line 12 and at the beginning of line 13, change "fifty-one" to "seventy-five"

AMENDMENT NO. 8

On page 2, line 17, after "attorney," delete the remainder of the line and line 18 in its entirety

AMENDMENT NO. 9

On page 2, at the beginning of line 19, delete "affected tax recipient body."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 251—
BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 11:447(C), relative to the Deferred Retirement Option Plan of the Louisiana State Employees' Retirement System; to provide for judges' participation in the plan; to allow certain judges to participate for a period not to exceed five years; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Original House Bill No. 251 by Representative Bruneau

AMENDMENT NO. 1

On page 2, line 4, after "judge" delete the remainder of the line and delete line 5 in its entirety and insert in lieu thereof the following:

"who began participating in the plan on or after July 1, 2003, and on or before June 30, 2004, who is serving his last term of office on the effective date of this Paragraph, and who would otherwise be under the age of fifty-five at the time he completes the participation period he specified at the time he first began participating in the plan, the specified participation period may extend"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 254—
BY REPRESENTATIVE RITCHIE
AN ACT

To amend and reenact R.S. 46:1053(D)(2), relative to hospital service districts; to authorize the governing authority of Washington Parish to increase the per diem permitted to the board of commissioners of the Washington Parish Hospital Service District Number One; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 258—
BY REPRESENTATIVE BRUNEAU
AN ACT

To enact R.S. 13:1336(D) and 1338, relative to the jurisdiction of the Criminal District Court for the Parish of Orleans; to provide for commitment jurisdiction of the court when the criminal court

determines a mentally defective defendant is incapable of standing trial, is a danger to himself or others, and is unlikely in the foreseeable future to be capable of standing trial; to provide for the transfer of all pending cases filed in the Civil District Court for the Parish of Orleans; to provide for an order of transfer; to provide for delivery of the records; to grant the criminal sheriff for the Criminal District Court for the Parish of Orleans the authority to make service and return of court processes; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 398—

BY REPRESENTATIVE HILL

AN ACT

To amend and reenact R.S. 33:175, relative to extension of the corporate limits of a municipality by means of an ordinance; to provide with respect to the period of time after which an ordinance enlarging the boundaries of a municipality is operative and cannot be contested; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Original House Bill No. 398 by Representative Hill

AMENDMENT NO. 1

On page 1, at the end of line 3, after "with respect to the" delete "prescriptive"

AMENDMENT NO. 2

On page 1, line 8, after "\$175." and before "of right" delete "Prescription" and insert "Peremption"

AMENDMENT NO. 3

On page 1, between lines 17 and 18, insert:

"C. The periods established by this Section are preemptive and apply to any and all purported rights and causes of action to contest or attack an ordinance enlarging the boundaries of a municipality for any reason or cause whatsoever."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 401—

BY REPRESENTATIVE TUCKER

AN ACT

To amend and reenact R.S. 33:2711.3 and 2711.7(C), relative to certain taxes in the city of New Orleans and in certain parishes; to delete the exemption of certain rooms from the hotel occupancy tax in New Orleans and in certain parishes; to define certain terms; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 422—

BY REPRESENTATIVE GREENE

AN ACT

To amend and reenact R.S. 14:35.1 and to enact R.S. 14:38.3, relative to crimes committed against child welfare workers; to change the crime of simple battery of a child welfare worker to battery of a child welfare worker; to provide for increased penalties for battery of a child welfare worker; to provide for definitions; to enact the crime of assault on a child welfare worker; to provide for penalties; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 426—

BY REPRESENTATIVE WALKER AND SENATOR HINES

AN ACT

To amend and reenact R.S. 33:130.581(A), 130.582(A)(introductory paragraph), 130.583(introductory paragraph), (4), and (5), and 130.584(A) and (B)(introductory paragraph) and to enact R.S. 33:130.582(A)(9), (B)(3), and (D) and 130.585, relative to economic development in Avoyelles Parish; to create and provide for the Avoyelles Parish Economic Development District; to provide relative to the powers, duties, governing authority, and advisory board of the district; to provide relative to the Economic Development Board for the Parish of Avoyelles and its advisory board; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 443—

BY REPRESENTATIVES CURTIS AND HUNTER

AN ACT

To enact R.S. 23:1539.1, relative to unemployment insurance; to provide for authority to prohibit employing units from avoiding the payment of state unemployment taxes, commonly referred to as "SUTA Dumping"; to provide meaningful penalties for

avoiding the payment of state unemployment taxes; to provide for rules; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Labor and Industrial Relations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Labor and Industrial Relations to Original House Bill No. 443 by Representative Curtis

AMENDMENT NO. 1

On page 1, line 5, after "taxes;" and before "and" insert "to provide for rules;"

AMENDMENT NO. 2

On page 3, line 13, after "violation." and before "Any" insert "The fine shall be assessed by the secretary of the Department of Labor or his designee."

AMENDMENT NO. 3

On page 4, after line 3, insert the following:

"H. The secretary shall adopt rules necessary to administer and enforce this Section in accordance with the Administrative Procedure Act."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 482—
BY REPRESENTATIVES CURTIS AND HUNTER
AN ACT**

To amend and reenact R.S. 23:1474(B), (C), (D), (F)(1), (G)(3), and (I), 1535, 1536(D)(3), and 1553(B)(6), (7)(b), (8), (9)(b), (10), and (11)(b), relative to unemployment compensation; to provide for fluctuation of the benefit amount based upon the applied balance of the state unemployment trust fund; to provide for fluctuation of wages upon which contributions are paid based upon the applied balance of the state unemployment trust fund; to provide for the tax rate table; to provide for an appropriation for customized training and administrative costs in the social charge recoupment account based in the applied balance of the state unemployment trust fund; to delete the provision relative to the new employer tax rate table; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Labor and Industrial Relations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Labor and Industrial Relations to Original House Bill No. 482 by Representative Curtis

AMENDMENT NO. 1

On page 8, line 13, after "B." insert the following:

"An employer's rate for his first three experience-rating years established under the provisions of R.S. 23:1535(A) Subsection A of this Section shall not be less than one percent."

AMENDMENT NO. 2

On page 8, at the beginning of line 19, insert "C."

AMENDMENT NO. 3

On page 8, line 26, delete the asterisks "* * *"

AMENDMENT NO. 4

On page 12, after line 13, insert the following:

"Employer's Reserve Ratio

NEGATIVE RESERVE RATIO	RATE
999.99 or more	6.00
500 but less than 999.99	4.05
300 but less than 500	4.02
200 but less than 300	3.98
100 but less than 200	3.94
30 but less than 100	3.90
28.0 but less than 30.0	3.86
26.0 but less than 28.0	3.82
24.0 but less than 26.0	3.79
22.0 but less than 24.0	3.76
20.0 but less than 22.0	3.73
15.0 but less than 20.0	3.70
14.0 but less than 15.0	3.11
13.0 but less than 14.0	3.09
12.0 but less than 13.0	3.08
11.0 but less than 12.0	3.06
10.0 but less than 11.0	3.04
9.0 but less than 10.0	2.78
8.0 but less than 9.0	2.77
7.0 but less than 8.0	2.75
6.0 but less than 7.0	2.72
5.0 but less than 6.0	2.71
4.0 but less than 5.0	2.66
3.0 but less than 4.0	2.60
2.0 but less than 3.0	2.52
1.0 but less than 2.0	2.48
0.0 but less than 1.0	2.46
POSITIVE RESERVE RATIO	
less than 0.4	2.41
0.4 but less than 0.8	2.40
0.8 but less than 1.2	2.39
1.2 but less than 1.6	2.39
1.6 but less than 2.0	2.37
2.0 but less than 2.4	2.36
2.4 but less than 2.8	2.34
2.8 but less than 3.2	2.33
3.2 but less than 3.6	2.31
3.6 but less than 4.0	2.29
4.0 but less than 4.4	2.28
4.4 but less than 4.8	2.26
4.8 but less than 5.0	2.25
5.0 but less than 5.2	2.23
5.2 but less than 5.4	2.22
5.4 but less than 5.6	2.14
5.6 but less than 5.8	2.03
5.8 but less than 6.0	1.80
6.0 but less than 6.2	1.64
6.2 but less than 6.4	1.57

6.4 but less than 6.6	1.42
6.6 but less than 6.8	1.34
6.8 but less than 7.0	1.30
7.0 but less than 7.2	1.15
7.2 but less than 7.4	1.03
7.4 but less than 7.6	0.96
7.6 but less than 7.8	0.92
7.8 but less than 8.0	0.76
8.0 but less than 8.2	0.65
8.2 but less than 8.4	0.57
8.4 but less than 8.6	0.46
8.6 but less than 8.8	0.38
8.8 but less than 9.0	0.31
9.0 but less than 9.2	0.27
9.2 but less than 9.5	0.19
9.5 or more	0.11

(d) ~~In any calendar year in which Procedure 8 is applied, according to the provisions of R.S. 23:1474:~~

Employer's Reserve Ratio	RATE
NEGATIVE RESERVE RATIO	
999.99 or more	6.00
500 but less than 999.99	3.11
300 but less than 500	3.08
200 but less than 300	3.05
100 but less than 200	3.02
30 but less than 100	2.99
28.0 but less than 30.0	2.96
26.0 but less than 28.0	2.93
24.0 but less than 26.0	2.91
22.0 but less than 24.0	2.89
20.0 but less than 22.0	2.86
15.0 but less than 20.0	2.84
14.0 but less than 15.0	2.38
13.0 but less than 14.0	2.37
12.0 but less than 13.0	2.36
11.0 but less than 12.0	2.35
10.0 but less than 11.0	2.34
9.0 but less than 10.0	2.14
8.0 but less than 9.0	2.12
7.0 but less than 8.0	2.11
6.0 but less than 7.0	2.09
5.0 but less than 6.0	2.08
4.0 but less than 5.0	2.04
3.0 but less than 4.0	2.00
2.0 but less than 3.0	1.94
1.0 but less than 2.0	1.90
0.0 but less than 1.0	1.89
POSITIVE RESERVE RATIO	
less than 0.4	1.85
0.4 but less than 0.8	1.84
0.8 but less than 1.2	1.84
1.2 but less than 1.6	1.83
1.6 but less than 2.0	1.82
2.0 but less than 2.4	1.81
2.4 but less than 2.8	1.80
2.8 but less than 3.2	1.78
3.2 but less than 3.6	1.77
3.6 but less than 4.0	1.76
4.0 but less than 4.4	1.75
4.4 but less than 4.8	1.74
4.8 but less than 5.0	1.73
5.0 but less than 5.2	1.71
5.2 but less than 5.4	1.70
5.4 but less than 5.6	1.64
5.6 but less than 5.8	1.56
5.8 but less than 6.0	1.38
6.0 but less than 6.2	1.26
6.2 but less than 6.4	1.20
6.4 but less than 6.6	1.09

6.6 but less than 6.8	1.03
6.8 but less than 7.0	1.00
7.0 but less than 7.2	0.88
7.2 but less than 7.4	0.79
7.4 but less than 7.6	0.73
7.6 but less than 7.8	0.70
7.8 but less than 8.0	0.59
8.0 but less than 8.2	0.50
8.2 but less than 8.4	0.44
8.4 but less than 8.6	0.35
8.6 but less than 8.8	0.29
8.8 but less than 9.0	0.23
9.0 but less than 9.2	0.21
9.2 but less than 9.5	0.15
9.5 or more	0.09"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 492—

BY REPRESENTATIVES MORRISH AND BEARD AND SENATORS BROOME AND MICHOT AND REPRESENTATIVES ALEXANDER, BARROW, BAUDOIN, CROWE, GEYMAN, GREENE, JOHNS, LABRUZZO, MCVEA, PIERRE, M. POWELL, SCALISE, SHEPHERD, JANE SMITH, STRAIN, TRAHAN, AND WALSWORTH AND SENATORS N. GAUTREUX, HAINKEL, AND SCHEDLER

AN ACT

To enact R.S. 14:101.3, relative to cloning; to prohibit human cloning; to provide for penalties; to provide for definitions; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 496—

BY REPRESENTATIVES MCDONALD AND WALSWORTH

AN ACT

To enact Chapter 27-C of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9039.51 through 9039.56, relative to the creation of the Northeast Louisiana Film Commission; to create the Northeast Louisiana Film Commission; to provide for the purposes, powers, duties, functions, and responsibilities of the commission; to provide for an executive director; to provide relative to employees, funding, and cooperation with state agencies; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 525—

BY REPRESENTATIVES HEATON, MARTINY, AND LAFLEUR

AN ACT

To amend and reenact R.S. 15:574.22(G)(2)(d), relative to eligibility for evaluation by the Louisiana Risk Review Panel; to provide with respect to the number of years a person convicted of a Schedule I narcotic violation must serve in actual custody to be

eligible for review by the Louisiana Risk Review Panel; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 542—

BY REPRESENTATIVES JOHNS, GEYMAN, E. GULLORY, KLECKLEY, AND MORRISH AND SENATORS MOUNT AND THEUNISSEN

AN ACT

To amend and reenact R.S. 33:4574.1.1(A)(25) and 4574.11(B)(1), (C)(1) and (2), and (E)(2) and to enact R.S. 33:4574.1.1(O), relative to the Southwest Louisiana Convention and Visitors Bureau; to authorize the governing authority of the bureau to increase the hotel occupancy tax; to provide relative to the use of certain proceeds resulting from the increase in the rate of the tax; to provide with respect to the tax on complimentary hotel rooms; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Original House Bill No. 542 by Representative Johns

AMENDMENT NO. 1

On page 1, line 2, after "(C)(1)" and before "and (E)(2)" delete the comma "," and insert "and (2)."

AMENDMENT NO. 2

On page 1, line 12, after "(C)(1)" and before "and (E)(2)" delete the comma "," and insert "and (2)."

AMENDMENT NO. 3

On page 2, between lines 19 and 20, insert the following:

"(2) Except as provided in Paragraph (3) of this Subsection, the amount of tax owed by the hotel on each complimentary hotel room shall be determined by multiplying the rate of the tax by the maximum amount which state government employees may be reimbursed for hotel expenses in the particular municipality or in the unincorporated area of the parish where the hotel is located as such maximum amount for lodging is established by the commissioner of administration pursuant to R.S. 39:231."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 547—

BY REPRESENTATIVE GREENE

AN ACT

To enact R.S. 14:81.3, relative to sexual offenses affecting minors; to create the crime of computer-aided solicitation of a minor; to define the crime of computer-aided solicitation of a minor; to provide for criminal penalties; to provide for definitions; to provide with respect to defenses; to provide for an exception; to provide for the disposition of material seized in connection to this crime; to provide with respect to sex offender registration and notification requirements; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 547 by Representative Greene

AMENDMENT NO. 1

On page 1, line 3, after "solicitation" and before the semicolon change "for sexual purposes" to "of a minor"

AMENDMENT NO. 2

On page 1, line 4, after "solicitation" and before the semicolon change "for sexual purposes" to "of a minor"

AMENDMENT NO. 3

On page 1, line 5, after "definitions;" and before "to provide for an exception;" insert "to provide with respect to defenses;"

AMENDMENT NO. 4

On page 1, delete lines 11 through 19 in their entirety and on page 2, delete lines 1 through 8 in their entirety and insert in lieu thereof the following:

"A. Computer-aided solicitation of a minor is committed when a person eighteen years of age or older knowingly contacts or communicates, through the use of electronic textual communication, with a person who has not yet attained the age of eighteen or a person reasonably believed to have not yet attained the age of eighteen, for the purpose of or with the intent to persuade, induce, entice, or coerce the person to engage or participate in sexual conduct or a crime of violence as defined in R.S. 14:2(13), or with the intent to engage or participate in sexual conduct in the presence of the person who has not yet attained the age of eighteen, or person reasonably believed to have not yet attained the age of eighteen."

AMENDMENT NO. 5

On page 2, at the beginning of line 9, change "B." to "B.(1)"

AMENDMENT NO. 6

On page 2, line 10, after "than" and before "years" change "five" to "ten"

AMENDMENT NO. 7

On page 2, between lines 11 and 12, insert the following:

Page 16 HOUSE

13th Day's Proceedings - May 16, 2005

"(2) Whoever violates the provisions of this Section with a minor who has not yet attained the age of thirteen years shall be fined not more than ten thousand dollars and shall be imprisoned at hard labor for not less than two years nor more than ten years, without benefit of parole, probation, or suspension of sentence.

(3) On a subsequent conviction, the offender shall be imprisoned for not less than ten years nor more than twenty years at hard labor without benefit of parole, probation, or suspension of sentence.

C.(1) Consent is a defense to a prosecution brought pursuant to this Section if the person under the age of eighteen, or the person reasonably believed to be under the age of eighteen, is at least sixteen years old.

(2) Consent is not a defense to a prosecution brought pursuant to this Section if the person under the age of eighteen, or the person reasonably believed to be under the age of eighteen, is actually under the age of sixteen.

(3) It is not a defense to a prosecution brought pursuant to this Section, on the basis of consent or otherwise, that the person reasonably believed to be under the age of eighteen is actually a law enforcement officer or peace officer acting in his official capacity."

AMENDMENT NO. 8

On page 2, at the beginning of line 12, change "C." to "D."

AMENDMENT NO. 9

On page 2, delete lines 14 through 22 in their entirety and insert in lieu thereof the following:

"(1) "Electronic textual communication" means a textual communication made through the use of a computer on-line service, Internet service, or any other means of electronic communication, including but not limited to a local bulletin board service, Internet chat room, electronic mail, or on-line messaging service."

AMENDMENT NO. 10

On page 2, line 24, after "abuse." and before "lewd" delete "or" and on line 25, after "genitals" and before the period insert a comma and "or any lewd or lascivious act"

AMENDMENT NO. 11

On page 2, at the beginning of line 26, change "D." to "E."

AMENDMENT NO. 12

On page 3, at the beginning of line 3, change "E." to "F."

AMENDMENT NO. 13

On page 3, line 4, after "the" and before "was" change "electronic mail or electronic communication" to "electronic textual communication"

AMENDMENT NO. 14

On page 3, at the beginning of line 6, change "F." to "G."

AMENDMENT NO. 15

On page 3, at the beginning of line 8, change "G." to "H."

AMENDMENT NO. 16

On page 3, line 9, after "solicitation" and before "shall" change "for sexual purposes" to "of a minor"

AMENDMENT NO. 17

On page 3, at the beginning of line 10, change "H." to "I."

AMENDMENT NO. 18

On page 3, line 12, after "solicitation" and before "shall" change "for sexual purposes" to "of a minor"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 572—

BY REPRESENTATIVE TRICHE

AN ACT

To amend and reenact R.S. 3:2364(B)(1) and (E), relative to the Louisiana Animal Welfare Fund; to provide relative to state funding; to provide relative to transfer and distribution of funds; to provide for maintenance of financial records; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Agriculture, Forestry, Aquaculture, and Rural Development to Original House Bill No. 572 by Representative Triche

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 3:2364(E)" to "R.S. 3:2364(B)(1) and (E)"

AMENDMENT NO. 2

On page 1, line 2, after "Fund;" and before "to" insert "to provide relative to state funding;"

AMENDMENT NO. 3

On page 1, line 6, change "R.S. 3:2364(E) is" to "R.S. 3:2364(B)(1) and (E) are"

AMENDMENT NO. 4

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

"B. Creation and membership. (1) The Louisiana Animal Welfare Commission is hereby created within the office of the governor for the purpose of assisting the governor's office of community programs to ensure and promote the proper treatment and well-being of animals. ~~The commission shall receive no direct funding from the state, but may receive incidental services from state agencies in order to carry out its purpose.~~

* * *

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 581—
BY REPRESENTATIVE TRAHAN
AN ACT

To enact R.S. 15:477.2 and R.S. 44:4.1(B)(36), relative to privileged communications; to provide for privileged communications for state governmental agencies by persons reporting alleged fraud, abuse, or wrongdoing; to provide for an exception regarding public records disclosure; to provide for definitions; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 581 by Representative Trahan

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 15:477.2" and before the comma insert "and R.S. 44:4.1(B)(36)"

AMENDMENT NO. 2

On page 1, line 3, after "agencies" delete the remainder of the line and delete line 4 in its entirety and insert in lieu thereof:

"by persons reporting alleged fraud, abuse, or wrongdoing; to provide for an exception regarding public records disclosure; to provide for definitions; and to provide for related matters."

AMENDMENT NO. 3

On page 1, line 7, after "communications" delete the remainder of the line and delete line 8 in its entirety and insert in lieu thereof:

"public records exception for state governmental agencies; citizens hotline for alleged fraud, abuse, or wrongdoing"

AMENDMENT NO. 4

On page 1, delete lines 11 through 14 in their entirety and insert in lieu thereof:

"(1) "Hotline" or "Call center" means a method or system created or established to accept any form of communication, whether telephonic, electronic, oral, or written, which is sent to the Louisiana Department of Justice or to the Louisiana Department of Health and Hospitals, for the purposes of providing the citizens of Louisiana a means to report or provide information relating to alleged fraud, abuse, or wrongdoing."

AMENDMENT NO. 5

On page 1, line 15, after "statement," delete the remainder of the line and delete lines 16 through 19 in their entirety and insert in lieu thereof:

"oral or written, initiated by a person and submitted to an agency listed in Paragraph (A)(1) for the purposes of reporting any allegation or wrongdoing, public fraud, abuse, Medicare or Medicaid complaints, involving any person, firm, corporation, governmental agency, employee, elected official, or appointed official of the state of Louisiana."

AMENDMENT NO. 6

On page 2, delete lines 1 through 2 in their entirety

AMENDMENT NO. 7

On page 2, line 3, after "person" delete the remainder of the line and delete lines 4 through 9 in their entirety and insert in lieu thereof:

"or agency which is listed in Paragraph (A)(1) of this Section, shall be required to disclose, by way of testimony or public records request, any written or oral complaint, whether telephonic or electronic, provided to a hotline or call center of the agencies listed in Paragraph (A)(1) of this Section for the purposes of reporting or providing information regarding alleged fraud, abuse, or wrongdoing. The reported information and the identity of the persons reporting the information shall be considered privileged communications and shall be exempt from the Public Records Act as provided in R.S. 44:4.1(B)(36).

C. The privilege shall cease only:

(1) When the person is compelled to testify on behalf of the state on the matter; or

(2) Upon motion of any person arrested for or charged with a criminal offense petitions the court for an in camera inspection of the records of a privileged communication described in Subsection B of this Section alleging facts showing that such records would provide evidence favorable to the defendant and relevant to the issue of guilt or punishment, and the court determines that the person is entitled to all or any part of such records based upon a finding that it contains exculpatory evidence.

Section 2. R.S. 44:4.1(B)(36) is hereby enacted to read as follows:

§4.1. Exceptions

* * *

B. The legislature further recognizes that there exist exceptions, exemptions, and limitations to the laws pertaining to public records throughout the revised statutes and codes of this state. Therefore, the following exceptions, exemptions, and limitations are hereby continued in effect by incorporation into this Chapter by citation:

* * *

(36) R.S. 15:477.2.

* * *

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

Under the rules, the above bill, as amended, was ordered engrossed and recommitted to the Committee on House and Governmental Affairs.

HOUSE BILL NO. 625—
BY REPRESENTATIVE DEWITT
AN ACT

To amend and reenact R.S. 13:2591(A) and R.S. 15:254.1(A), 254.2, 254.3, 254.4, 254.5(D), 254.6(A), 254.7, 254.8(A), and 255(A)(1) and (4), (E)(1), (4), and (5), and (G), and to enact R.S. 15:255(K), relative to witness fees paid to off-duty law enforcement officers and relative to extra compensation for certain law enforcement officers and firemen; to require local governing authorities to transmit witness fees to the employer of certain law enforcement officers; to require the Department of Public Safety and Corrections to remit the extra

compensation paid by the state to the local governing authorities for payment to individual eligible employees; to require local governing authorities to be responsible for calculating and withholding certain deductions for taxes on behalf of the employee; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Original House Bill No. 625 by Representative DeWitt

AMENDMENT NO. 1

On page 1, delete line 4, and insert "to enact R.S. 15:255(K), relative"

AMENDMENT NO. 2

On page 12, delete lines 25 and 26 in their entirety, and on page 13, delete lines 1 through 27 in their entirety, and on page 14, delete lines 1 through 26 in their entirety

AMENDMENT NO. 3

On page 14, line 27, change "Section 3." to "Section 2." and after "on" delete the remainder of the line and insert "January 1, 2006."

AMENDMENT NO. 4

On page 14, delete lines 28 and 29 in their entirety

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 668—
BY REPRESENTATIVE KLECKLEY
AN ACT

To enact Subpart C-1 of Part II of Chapter 9 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4050.1, relative to Calcasieu Parish; to provide relative to the demolition, removal, replacement, repair, and maintenance of any community or individual sewerage system, or parts thereof, located within the parish which by reason of its nature or condition endangers the public welfare or safety; to provide relative to the levying of fines by the governing authority; to authorize the governing authority to file liens against property owners for failure to pay costs owed to such governing authority; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Original House Bill No. 668 by Representative Kleckley

AMENDMENT NO. 1

On page 2, line 17, after "D." and before "Ordinances enacted" insert "(1)"

AMENDMENT NO. 2

On page 2, between lines 19 and 20, insert the following:

"(2) Ordinances enacted pursuant to the provisions of this Section shall authorize the governing authority of the parish and any person acting on behalf of the governing authority to enter, examine, and inspect all grounds, structures, buildings, and places while acting pursuant to the powers granted by the provisions of this Section."

AMENDMENT NO. 3

On page 2, line 20, after "E." and before "No ordinance" insert "(1)"

AMENDMENT NO. 4

On page 2, between lines 22 and 23, insert the following:

"(2) In addition to the authority of the parish of Calcasieu granted by, and any action taken by the parish pursuant to, the provisions of this Section, the right of the Louisiana Department of Health and Hospitals, office of public health, through the state health officer, to enforce the provisions of the Louisiana Administrative Code, Title 51, the Public Health-Sanitary Code, through R.S. 40:6, and any other related public health law, is reserved."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 680—
BY REPRESENTATIVE HUNTER
AN ACT

To amend and reenact R.S. 23:1101(B), 1102(A)(2), 1208(D) and (G), 1226(A) and (B)(3)(a), 1272(D), 1291(C)(3), (4), and (5), 1310.3(E), 1310.7(B) and (C), 1377(B)(1), and 1378(A)(5) and (8) and to enact R.S. 23:1032.1 and 1034.2(C)(4), and to repeal R.S. 23:1101(D) and 1168(A)(2)(b), relative to workers' compensation; to provide for definitions; to provide for penalties for failure to secure workers' compensation insurance; to provide for reimbursement of dental services; to provide relative to third-party suits; to provide for nurse case managers; to eliminate methods of securing workers' compensation insurance; to provide for the payment of penalties imposed for misrepresentations; to provide for reporting of earnings; to provide for vocational rehabilitation counseling; to provide relative to lump sum settlements; to provide relative to the records management, fraud, and workplace safety sections of the office workers' compensation administration; to provide for the jurisdiction of the workers' compensation judges; to provide for penalties and requirements for findings of contempt of court; to provide for the necessary allegations in a workers' compensation petition; to provide relative to the Second Injury Fund budget, assessments, and liabilities; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Labor and Industrial Relations.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 724—

BY REPRESENTATIVE ERDEY

AN ACT

To amend and reenact R.S. 11:701(33)(a)(ii) and (b)(ii) and to enact R.S. 11:411(6), relative to membership in the Louisiana State Employees' Retirement System and the Teachers' Retirement System of Louisiana; to provide for membership eligibility; to provide for definitions; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Retirement.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 733—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 13:992.1(C)(1) and to enact R.S. 13:992.1(C)(6), relative to the dedication of judicial building funds of certain district courts; to provide relative to financing the construction of a new courthouse in the Nineteenth Judicial District; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Original House Bill No. 733 by Representative Daniel

AMENDMENT NO. 1

On page 1, at the beginning of line 2, delete "To" and insert in lieu thereof "To amend and reenact R.S. 13:992.1(C)(1) and to"

AMENDMENT NO. 2

On page 1 line 6, immediately after "Section 1." insert "R.S. 13:992.1(C)(1) is hereby amended and reenacted and"

AMENDMENT NO. 3

On page 1, line 9, after "C." add the following:

"(1) Solely for the purposes of this Section, there is hereby created the Nineteenth Judicial District Court Building Commission for purposes of the construction and funding of the courthouse, which shall be deemed to be a public commission solely for purposes of Chapter 17-D of Title 39 of the Louisiana Revised Statutes of 1950, as amended (Office Facilities Corporation). The judges, *en banc*, of the Nineteenth Judicial District Court shall serve as the board of commissioners thereof. The commission shall be a public corporation with power to contract, administer the proceeds of the costs and charges authorized in this Section, lease, sublease, and otherwise provide for the construction, equipping, maintenance, and operation of a new courthouse for the Nineteenth Judicial District Court and to pledge and dedicate the receipts of the courthouse construction fund created hereby for the payment of any lease or sublease obligation, loan agreement, or other financing agreement relative thereto."

AMENDMENT NO. 4

On page 1, line 13, after "any" delete the remainder of the line and on line 14 delete "Facilities Corporation," and insert in lieu thereof "obligation, loan agreement, or other financing agreement in

connection with the issuance of bonds or other evidence of indebtedness for the commission by"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 736—

BY REPRESENTATIVE LAFLEUR AND SENATOR HINES

AN ACT

To enact R.S. 36:259(MM), 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 1299.36.8, all relative to cloning; to prohibit the expenditure of state funds for the purpose of cloning of human beings; to provide definitions; to create the Louisiana Medical Research Bio Ethics Commission; to prohibit certain activity; to provide for the review and approval of certain research; to provide penalties; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 736 by Representative LaFleur

AMENDMENT NO. 1

On page 2, line 24, after "removed" delete the remainder of the line and at the beginning of line 25, delete "implant," and insert "and implanting"

AMENDMENT NO. 2

On page 3, line 6, after "blastocyst" and before "means" insert a comma "," and add "nuclear transfer unit", or "NT unit"

AMENDMENT NO. 3

On page 3, line 7, after "transplantation," delete the remainder of the line and delete lines 8 and 9 in their entirety

AMENDMENT NO. 4

On page 3, line 15, after "an" and before "produced" delete "unfertilized blastocyst" and insert "NT unit"

AMENDMENT NO. 5

On page 3, line 23, after "E." and before "This" insert "(1)"

AMENDMENT NO. 6

On page 3, between lines 24 and 25 insert the following:

"(2) This Section does not prohibit stem cells or other cell structures derived from NT units from being maintained indefinitely."

AMENDMENT NO. 7

On page 5, line 7, after "(4)" and before "Meetings" delete "Meet at least quarterly."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 746—
BY REPRESENTATIVE CURTIS AND SENATOR MCPHERSON
AN ACT

To amend and reenact R.S. 33:9038.1(3) and to enact R.S. 33:9038.11; to provide with respect to tax increment financing in parishes having a population of not more than one hundred thirty thousand persons and not less than one hundred twenty thousand persons according to the most recent decennial federal census; to limit the purposes for which such tax increment financing may be used; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 750—
BY REPRESENTATIVE HUTTER
AN ACT

To enact Code of Civil Procedure Article 4921.1, relative to justice of the peace courts, to provide for the prosecution or defense of actions; to provide for scheduling matters for trial; to provide for abandonment; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Original House Bill No. 750 by Representative Hutter

AMENDMENT NO. 1

On page 1, line 11, change "thirty" to "forty-five"

AMENDMENT NO. 2

On page 1, line 12, change "thirty" to "forty-five"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 769—
BY REPRESENTATIVE CRAVINS
AN ACT

To enact R.S. 15:574.11(C) and (D), relative to judicial review of parole revocation decisions; to provide for appellate jurisdiction and procedure in district court for pleadings alleging a denial of a revocation hearing; to provide for a preemptive period; to provide for service of process; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 769 by Representative Cravins

AMENDMENT NO. 1

On page 1, line 17, after "review." and before "The" insert "The discovery provisions under the Code of Civil Procedure applicable to ordinary suits shall not apply in a suit for judicial review under this Subsection."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 837—
BY REPRESENTATIVE KENNARD
AN ACT

To enact Part IX of Chapter 6 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:3071 through 3075, relative to government within East Baton Rouge Parish; to provide for the continued collection of tax revenue to fund essential public services within Central City; to authorize the parish to continue collection of a previously approved two percent sales and use tax and to continue providing essential public services within the corporate limits of Central City pursuant to intergovernmental agreement; to create a Central City Transition District as a taxing district to provide monies for essential public services within the municipality; to provide for the board of directors of the district; to provide for the duties, powers, and responsibilities of the district; to authorize the district to levy and collect a sales and use tax not to exceed two percent; to provide time limits for the continuation of such taxes; to authorize contracts, intergovernmental agreements, and cooperative endeavors; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Original House Bill No. 837 by Representative Kennard

AMENDMENT NO. 1

On page 3, at the end of line 1, delete "approved by the" and at the beginning of line 2, delete "electorate and"

AMENDMENT NO. 2

On page 3, at the end of line 2, delete "effective January 1," and at the beginning of line 3, delete "1995." and insert in lieu thereof a period "."

AMENDMENT NO. 3

On page 6, line 6, after "imposed by" and before "the district" delete "ordinance adopted by"

AMENDMENT NO. 4

On page 6, line 14, after "provided" delete the remainder of the line and on line 15, delete "tax." and insert in lieu thereof "by the district."

AMENDMENT NO. 5

On page 6, line 21, after "The district" delete the remainder of the line and at the beginning of line 22, delete "municipality or parish," and insert in lieu thereof "shall contract with the parish"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 538—

BY REPRESENTATIVES MCVEA, BOWLER, ANSARDI, LABRUZZO, SCALISE, AND WINSTON

AN ACT

To enact R.S. 28:382.2 and to repeal R.S. 28:382.1, relative to the local governance of human services delivery; to provide a statewide human services and accountability framework for the system delivery of mental health, developmental disabilities, and addictive disorders services; to establish the Human Services Interagency Council; to provide for the planning, monitoring, and coordination of the statewide framework; to ensure accountability, policy setting, coordination, and monitoring of human services delivery at the state and local level; and to provide for related matters.

Called from the calendar.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 538 by Representative McVea

AMENDMENT NO. 1

On page 1, at the beginning of line 2, after "To" and before "enact" insert "amend and reenact R.S. 28:852(B), to"

AMENDMENT NO. 2

On page 1, line 8, after "level;" and before "and to" insert "to provide for the domicile of the Florida Parishes Human Services Authority;"

AMENDMENT NO. 3

On page 2, line 6, after "authorities." delete the remainder of the line

AMENDMENT NO. 4

On page 2, delete line 7 in its entirety and insert in lieu thereof the following:

"The council shall establish a consumer advisory group to provide advice and input to the council in the development and implementation of the statewide human services and accountability framework."

AMENDMENT NO. 5

On page 3, line 12, delete "annual appropriation" and insert in lieu thereof "use"

AMENDMENT NO. 6

On page 3, at the beginning of line 13, after "funds" and before "to" insert "appropriated annually by the legislature"

AMENDMENT NO. 7

On page 3, line 25, after "plan" delete the remainder of the line and insert in lieu thereof "for submission of"

AMENDMENT NO. 8

On page 3, at the beginning of line 26, delete "budgeting" and insert in lieu thereof "annual budgets that are consistent with Chapter 1 of Subchapter I of Title 39 of the Louisiana Revised Statutes"

AMENDMENT NO. 9

On page 4, between lines 9 and 10, insert the following:

"Section 2. R.S. 28:852(B) is hereby amended and reenacted to read as follows:

§852. Florida Parishes Human Services Authority; creation; jurisdiction; domicile

* * *

B. The domicile of the authority shall be ~~Covington, Louisiana~~ at a location within the five-parish area served by the authority that is most conducive to the cost-effective delivery of services."

AMENDMENT NO. 10

On page 4, line 10, change "Section 2" to "Section 3"

AMENDMENT NO. 11

On page 4, line 11, change "Section 3" to "Section (4)(A)"

AMENDMENT NO. 12

On page 4, after line 15, insert the following:

"(B) However, the provisions of Section 1 of this Act shall be implemented upon the final adoption of all necessary rules and regulations promulgated by the Department of Health and Hospitals"

Motion

Rep. McVea moved that Amendment Nos. 1, 2, 9, 10, and 11 be rejected, to which there was no objection.

On motion of Rep. Durand, Amendment Nos. 3, 4, 5, 6, 7, 8, and 12 were adopted.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative McVea to Original House Bill No. 538 by Representative McVea

AMENDMENT NO. 1

On page 4, line 11, after "3." insert: "(A)"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 561—
BY REPRESENTATIVE LANCASTER
AN ACT

To amend and reenact R.S. 22:1193(E) and 2092.3, relative to title insurance agents; to require continuing education for renewal of licensure; to provide for domicile of agents; and to provide for related matters.

Called from the calendar.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Original House Bill No. 561 by Representative Lancaster

AMENDMENT NO. 1

On page 1, line 2, after "1193(E)," and before "relative" insert "2092.2(17)(b)(vi), and 2092.3,"

AMENDMENT NO. 2

On page 1, line 3, after "renewal of" and before "and" delete "licensure;" and insert in lieu thereof the following:

"license; to provide for title abstracts; to provide for title examinations and opinions; to provide for domicile of agents;"

AMENDMENT NO. 3

On page 1, line 5, after "1193(E)" and before "hereby" delete "is" and insert in lieu thereof a comma "," and insert "2092.2(17)(b)(vi), and 2092.3 are"

AMENDMENT NO. 4

On page 1, after line 17 add the following:

"§2092.2. Definitions

As used only in this Part, the following words are defined as:

* * *

(17) "Title insurance business" or "business of title insurance" shall mean:

* * *

(b) Transacting or proposing to transact by a title insurer or a title insurance agent any of the following activities when conducted or performed in contemplation of or in conjunction with the issuance of a title insurance report or policy:

* * *

(vi) Examining titles; however, any title insurance report or title insurance policy relating to immovable property shall be based upon

an examination of an abstract of title, which shall be conducted only by attorneys duly licensed and authorized to practice law in Louisiana. The examination, and resulting opinion, if it furnishes the basis of a title insurance report, or title insurance policy relating to immovable property, which is utilized by an individual for the basis of issuing a title insurance report or title insurance policy relating to immovable property, shall be reduced to writing by said attorney, and the report shall contain the following minimal requirements:

(aa) Complete names of individuals with an ownership or other interest in the property.

(bb) Complete listing of all encumbrances, mortgages, judgments, liens and privileges including names of creditor, date filed, amounts and recordation data.

(cc) Complete listing of all servitudes, rights of way, restrictions and any other non-ownership matters bearing on the title, with date and recordation data.

(dd) Complete legal description of property examined.

(ee) Any curative matters, which are required in order to render title merchantable.

(ff) Length of search.

(gg) Name and state bar roll number of the examining attorney.

* * *

AMENDMENT NO. 5

On page 1, after line 17 add the following:

"§2092.3. Title insurers and agents; qualifications

Only those persons authorized as a title insurer or agent pursuant to this Title shall be qualified to issue a title insurance policy or report or otherwise transact the business of title insurance. Notwithstanding any other law to the contrary, all title insurance policies and reports covering any insurable interest in title to immovable property located in this state shall be signed by an agent licensed and domiciled in this state under this Part or by an employee of a title insurer issuing the title insurance policies and reports when such employee is an agent licensed and domiciled in this state under this Part."

Motion

Rep. Lancaster moved that Amendment Nos. 1, 2, 3, and 4 be rejected, to which there was no objection.

On motion of Rep. Karen Carter, Amendment No. 5 was adopted.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Jack Smith to Original House Bill No. 561 by Representative Lancaster

AMENDMENT NO. 1

On page 1, line 2, after "(E)" and before the "comma", add "and 2092.3"

AMENDMENT NO. 2

On page 1, line 3, insert "to provide for domicile of agents;"

AMENDMENT NO. 3

On page 1, line 5, after "1193(E)" and before "hereby" delete "is" and insert in lieu thereof "and 2092.3 are"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 653—

BY REPRESENTATIVE ERDEY

AN ACT

To enact R.S. 22:1193(L), relative to continuing education for licensed insurance producers; to provide for title insurance agents; and to provide for related matters.

Called from the calendar.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Original House Bill No. 653 by Representative Erdey

AMENDMENT NO. 1

On page 1, line 2, before "enact" insert "amend and reenact R.S. 22:2092.2(17)(b)(vi) and"

AMENDMENT NO. 2

On page 1, line 3, after "agents;" and before "and" insert "to provide for title abstracts; to provide for title examinations and opinions;"

AMENDMENT NO. 3

On page 1, line 5, after "Section 1." insert "R.S. 22:2092.2(17)(b)(vi) is hereby amended and reenacted and"

AMENDMENT NO. 4

On page 1, after line 10 add the following:

"§2092.2. Definitions

As used only in this Part, the following words are defined as:

* * *

(17) "Title insurance business" or "business of title insurance" shall mean:

* * *

(b) Transacting or proposing to transact by a title insurer or a title insurance agent any of the following activities when conducted or performed in contemplation of or in conjunction with the issuance of a title insurance report or policy:

* * *

(vi) Examining titles; however, any title insurance report or title insurance policy relating to immovable property shall be based upon

an examination of an abstract of title, which shall be conducted only by attorneys duly licensed and authorized to practice law in Louisiana. The examination, and resulting opinion, if it furnishes the basis of a title insurance report, or title insurance policy relating to immovable property, which is utilized by an individual for the basis of issuing a title insurance report or title insurance policy relating to immovable property, shall be reduced to writing by said attorney, and the report shall contain the following minimal requirements:

(aa) Complete names of individuals with an ownership or other interest in the property.

(bb) Complete listing of all encumbrances, mortgages, judgments, liens and privileges including names of creditor, date filed, amounts and recordation data.

(cc) Complete listing of all servitudes, rights of way, restrictions and any other non-ownership matters bearing on the title, with date and recordation data.

(dd) Complete legal description of property examined.

(ee) Any curative matters, which are required in order to render title merchantable.

(ff) Length of search.

(gg) Name and state bar roll number of the examining attorney.

* * *

Motion

Rep. Erdey moved that the amendments be rejected, to which there was no objection.

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

Under the rules, placed on the regular calendar.

Reconsideration

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

HOUSE BILL NO. 52—

BY REPRESENTATIVES ODINET, ALARIO, AND CROWE

A JOINT RESOLUTION

Proposing to amend Article VII, Section 18(G)(1)(a) of the Constitution of Louisiana, to remove the prohibition that persons aged sixty-five and older whose adjusted gross income exceeds fifty thousand dollars, as adjusted annually by the Consumer Price Index, cannot receive a special assessment of residential property; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

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

Returned to the calendar under the rules.

House and House Concurrent Resolutions on Third Reading for Final Consideration

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

HOUSE CONCURRENT RESOLUTION NO. 17—

BY REPRESENTATIVE SCHNEIDER

A CONCURRENT RESOLUTION

To urge and request the Governor's Office of Elderly Affairs to develop a comprehensive Internet site with information and resources focused on enhancing and improving the lives of Louisiana's elderly population.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 19—

BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States of America to take such actions as are necessary to enact legislation establishing English as the official language of the United States.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 54—

BY REPRESENTATIVE ALEXANDER

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study the future income-earning capacity of individuals who pass the General Education Development (GED) examination in comparison to the future income-earning capacity of individuals who obtain a standard high school diploma, to submit a written report of its findings and recommendations to the House Committee on Education and the Senate Committee on Education not later than two weeks prior to the beginning of the 2006 Regular Session, and if the study finds that individuals who obtain a GED have a lower income-earning capacity than those who obtain a standard high school diploma, to include in the report an explanation of reasons the GED is promoted as an equivalent to a standard high school diploma in Louisiana.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 62—

BY REPRESENTATIVE CRAVINS

A CONCURRENT RESOLUTION

To direct the clerk of the House of Representatives and the secretary of the Senate, upon the death of a legislator, to notify the office of facility planning and control within the division of administration of the death of the legislator; to direct the office of facility planning and control within the division of administration to expeditiously notify the clerk of the House of Representatives and the secretary of the Senate about any capital outlay requests the deceased legislator had submitted for inclusion in the capital outlay budget or Capital Outlay Bill for the current fiscal year and for the next fiscal year; and to direct the clerk of the House of Representatives and the secretary of the Senate, upon receipt of such information from the office of facility planning, to notify in a timely manner each legislator who represents in whole or in part the area formerly represented by the deceased legislator about any such capital outlay requests submitted by the deceased legislator.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 63—

BY REPRESENTATIVE DANIEL

A CONCURRENT RESOLUTION

To urge and request public bodies and any agents acting on behalf of public bodies to be open and honest with the public about applicants and candidates for public positions of authority and to discontinue the practice of oral only contacts and interviews, the sole purpose of which is to circumvent the laws relative to public records and the fundamental and constitutional right of the citizens of Louisiana to observe the deliberations of public bodies and examine public documents.

Read by title.

Rep. Daniel moved the adoption of the resolution.

Rep. Romero objected.

By a vote of 86 yeas and 1 nay, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 77—

BY REPRESENTATIVE M. POWELL AND SENATOR MALONE

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to develop, adopt, and submit to the legislature for its approval and funding a minimum foundation program formula for the 2006-2007 school year that requires at least seventy percent of local school system general fund monies to be expended at the school building level for instructional services and further requires at least sixty-five percent of the general fund monies to be spent at the classroom level for the instruction of students by teachers and instructional staff members; to provide for a report by the state board to the House and Senate education committees prior to the 2006 Regular Session relative to certain local school system expenditures; and to provide for related matters.

Read by title.

On motion of Rep. Michael Powell, the resolution was adopted.

Ordered to the Senate.

Motion

On motion of Rep. Cravins, the motion to reconsider the vote by which House Concurrent Resolution No. 62 finally passed was called from the table.

Suspension of the Rules

On motion of Rep. Cravins, the rules were suspended to reconsider the vote by which House Concurrent Resolution No. 62 finally passed on the same legislative day.

Reconsideration

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

HOUSE CONCURRENT RESOLUTION NO. 62—

BY REPRESENTATIVE CRAVINS

A CONCURRENT RESOLUTION

To direct the clerk of the House of Representatives and the secretary of the Senate, upon the death of a legislator, to notify the office of facility planning and control within the division of administration of the death of the legislator; to direct the office of facility planning and control within the division of administration to expeditiously notify the clerk of the House of

Representatives and the secretary of the Senate about any capital outlay requests the deceased legislator had submitted for inclusion in the capital outlay budget or Capital Outlay Bill for the current fiscal year and for the next fiscal year; and to direct the clerk of the House of Representatives and the secretary of the Senate, upon receipt of such information from the office of facility planning, to notify in a timely manner each legislator who represents in whole or in part the area formerly represented by the deceased legislator about any such capital outlay requests submitted by the deceased legislator.

Read by title.

On motion of Rep. Cravins, the vote by which the above House Concurrent Resolution finally passed was reconsidered.

Rep. Cravins moved the adoption of the resolution.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 97

NAYS

Total - 0

ABSENT

Baylor	LaFleur	Walker
Burrell	McVea	Wooton
LaBruzzo	Pitre	

Total - 8

The resolution was adopted.

Ordered to the Senate.

House Bills and Joint Resolutions on Third Reading and Final Passage

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

Regular Calendar

HOUSE BILL NO. 11—

BY REPRESENTATIVE KATZ
AN ACT

To amend and reenact R.S. 18:541 and 542, relative to the hours of voting; to provide for the time for opening and closing of the polls; to provide for termination of voting; and to provide for related matters.

Read by title.

Suspension of the Rules

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

HOUSE BILL NO. 16—

BY REPRESENTATIVE FARRAR AND SENATOR MCPHERSON
AN ACT

To amend and reenact R.S. 14:32.1(A)(4), relative to vehicular homicide; to delete the requirement that the operator of a vehicle flee the scene of the accident as an element of the crime of vehicular homicide; 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	Morrish
Alario	Frith	Odinet
Alexander	Gallot	Pierre
Ansardi	Geymann	Pinac
Arnold	Glover	Powell, M.
Badon	Gray	Powell, T.
Baldone	Greene	Quezaire
Barrow	Guillory, E.	Richmond
Baudoin	Guillory, M.	Ritchie
Beard	Hammett	Robideaux
Bowler	Heaton	Romero
Bruce	Hebert	Scalise
Bruneau	Hill	Schneider
Burns	Honey	Shepherd
Carter, K.	Hopkins	Smiley
Carter, R.	Hunter	Smith, G.
Cazayoux	Hutter	Smith, J.D.—50th
Crane	Jackson	Smith, J.H.—8th
Cravins	Jefferson	Smith, J.R.—30th
Crowe	Johns	St. Germain
Curtis	Katz	Strain
Damico	Kennard	Thompson
Daniel	Kenney	Toomy
Dartez	Kleckley	Townsend
DeWitt	LaFonta	Trahan
Doerge	Lambert	Triche
Dorsey	Lancaster	Tucker
Dove	Marchand	Waddell
Downs	Martiny	Walsworth

Page 26 HOUSE

13th Day's Proceedings - May 16, 2005

Durand	McDonald	White
Erdey	McVea	Winston
Fannin	Montgomery	Wright
Farrar	Morrell	
Total - 98		

NAYS

Total - 0

ABSENT

Baylor	LaFleur	Wooton
Burrell	Pitre	
LaBruzzo	Walker	
Total - 7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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.

HOUSE BILL NO. 17—

BY REPRESENTATIVES T. POWELL, BRUCE, BURRELL, CRAVINS, MARTINY, JANE SMITH, TRICHE, WHITE, AND WOOTON
AN ACT

To amend and reenact Code of Criminal Procedure Article 571.1, relative to time limitations for prosecuting certain sex offenses; to amend the time limitations for instituting prosecutions for certain sex offenses involving a victim under the age of seventeen years; and to provide for related matters.

Read by title.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	McVea
Alario	Faucheux	Montgomery
Alexander	Frith	Morrish
Ansardi	Gallot	Odinot
Arnold	Geymann	Pierre
Badon	Glover	Powell, M.
Baldone	Gray	Powell, T.
Barrow	Greene	Quezaire
Baudoin	Guillory, E.	Richmond
Beard	Guillory, M.	Ritchie
Bowler	Hammett	Robideaux
Bruce	Heaton	Romero
Bruneau	Hebert	Scalise
Burns	Hill	Schneider
Carter, K.	Honey	Shepherd
Carter, R.	Hopkins	Smiley
Cazayoux	Hunter	Smith, G.
Crane	Hutter	Smith, J.D.—50th
Cravins	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	Kleckley	Townsend
Doerge	LaFleur	Trahan
Dorsey	LaFonta	Triche
Dove	Lambert	Tucker

Downs	Lancaster	Waddell
Durand	Marchand	White
Erdey	Martiny	Winston
Fannin	McDonald	Wright
Total - 96		

NAYS

Morrell
Total - 1

ABSENT

Baylor	Pinac	Walsworth
Burrell	Pitre	Wooton
LaBruzzo	Walker	
Total - 8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Tank 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.

HOUSE BILL NO. 20—

BY REPRESENTATIVES STRAIN AND SCHNEIDER
AN ACT

To enact R.S. 40:989.1, relative to controlled dangerous substances; to create the crime of the unlawful production, manufacture, distribution, or possession of a material, compound, mixture, or preparation intended for human consumption which contains a hallucinogenic plant; to provide for definitions; to provide for penalties; to provide for exceptions; and to provide for related matters.

Read by title.

Rep. Strain moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Dorsey	Lambert	Triche
Dove	Lancaster	Tucker
Downs	Marchand	Waddell
Durand	Martiny	White
Erdey	McDonald	Winston
Fannin	McVea	Wright
Farrar	Montgomery	
Total - 98		

NAYS

Total - 0

ABSENT

Baylor	Pitre	Wooton
Burrell	Walker	
LaBruzzo	Walsworth	
Total - 7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 56—
BY REPRESENTATIVES KATZ, DOERGE, ST. GERMAIN, AND WINSTON

AN ACT

To enact R.S. 14:46.2, relative to offenses against the person; to create the crime of human trafficking; to provide for criminal penalties; to provide for definitions; and to provide for related matters.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Katz gave notice of her intention to call House Bill No. 56 from the calendar for future action.

HOUSE BILL NO. 103—
BY REPRESENTATIVE FRITH

AN ACT

To enact R.S. 17:3048.1(A)(5), to permit use of Tuition Opportunity Program for Students Opportunity, Performance, and Honors Awards at certain out-of-state nonpublic colleges and universities; to provide conditions for and limitations on such use; to provide relative to award amounts; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Frith moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Morrell
Alario	Frith	Morrish
Alexander	Gallot	Odinot
Ansardi	Geymann	Pierre
Arnold	Glover	Pinac

Badon	Gray	Powell, M.
Baldone	Greene	Powell, T.
Barrow	Guillory, E.	Quezaire
Baudoin	Guillory, M.	Richmond
Beard	Hammett	Ritchie
Bowler	Heaton	Robideaux
Bruce	Hebert	Romero
Bruneau	Hill	Scalise
Burns	Honey	Schneider
Carter, R.	Hopkins	Shepherd
Cazayoux	Hunter	Smiley
Crane	Hutter	Smith, G.
Cravins	Jackson	Smith, J.D.—50th
Crowe	Jefferson	Smith, J.H.—8th
Curtis	Johns	Smith, J.R.—30th
Daniel	Kennard	St. Germain
Dartez	Kenney	Strain
DeWitt	Kleckley	Thompson
Doerge	LaFleur	Toomy
Dorsey	LaFonta	Townsend
Dove	Lambert	Trahan
Downs	Marchand	Tucker
Durand	Martiny	Waddell
Erdey	McDonald	White
Fannin	McVea	Winston
Farrar	Montgomery	Wright
Total - 93		

NAYS

Total - 0

ABSENT

Baylor	Katz	Triche
Burrell	LaBruzzo	Walker
Carter, K.	Lancaster	Walsworth
Damico	Pitre	Wooton
Total - 12		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 124—
BY REPRESENTATIVES WOOTON AND DARTEZ AND SENATORS DUPRE AND B. GAUTREAU

AN ACT

To amend and reenact R.S. 56:305(H) and to enact R.S. 56:302.3(B)(5)(c), relative to shrimp gear licenses; to provide for additional fees for such licenses; to provide relative to deposit and use of the revenues from such additional fees; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 125—
BY REPRESENTATIVE TOOMY

AN ACT

To amend and reenact R.S. 37:751(A)(5), 780(B)(1), (2), and (3), 788(B)(4), and 795(B)(2)(a) and (3)(a) and to enact R.S. 37:780(B)(4) and 795(B)(2)(q), (r), (s), and (t), relative to the Dental Practice Act; to provide for definitions; to provide for the application of a license or a permit; to provide costs and fees for violations; to alter existing fees; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 152—

BY REPRESENTATIVE E. GUILLORY
AN ACT

To amend and reenact R.S. 18:563(D) and (E) and to enact R.S. 18:563(F), relative to voting procedures; to prohibit the use of certain electronic communication devices while voting; to exempt from the prohibition certain electronic communication devices to be used for assisted voting; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 164—

BY REPRESENTATIVE JACKSON
AN ACT

To amend and reenact R.S. 22:1262.1(G) and to repeal R.S. 22:1262(F)(2), relative to surplus lines insurance; to provide for notice of removal from approved list; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Jackson to Engrossed House Bill No. 164 by Representative Jackson

AMENDMENT NO. 1

On page 1, between lines 13 and 14, insert the following:

"* * *

AMENDMENT NO. 2

On page 1, lines 2 and 14, change "1262" to "1262.1"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Morrell
Alario	Faucheux	Morrish
Alexander	Frith	Odinot
Ansardi	Gallot	Pierre
Arnold	Glover	Pinac
Badon	Gray	Powell, M.
Baldone	Greene	Powell, T.
Barrow	Guillory, E.	Quezaire
Baudoin	Guillory, M.	Richmond
Beard	Hammett	Ritchie
Bowler	Heaton	Robideaux
Bruce	Hebert	Romero

Bruneau	Hill	Scalise
Burns	Honey	Schneider
Carter, K.	Hopkins	Shepherd
Carter, R.	Hutter	Smiley
Cazayoux	Jackson	Smith, G.
Crane	Jefferson	Smith, J.D.—50th
Cravins	Johns	Smith, J.H.—8th
Crowe	Katz	Smith, J.R.—30th
Curtis	Kennard	St. Germain
Damico	Kenney	Strain
Daniel	Kleckley	Thompson
Dartez	LaFleur	Toomy
DeWitt	LaFonta	Townsend
Doerge	Lambert	Trahan
Dorsey	Lancaster	Triche
Dove	Marchand	Waddell
Downs	Martiny	White
Durand	McDonald	Winston
Erdey	McVea	Wright
Fannin	Montgomery	
Total - 95		

NAYS

Total - 0

ABSENT

Baylor	LaBruzzo	Walsworth
Burrell	Pitre	Wooton
Geymann	Tucker	
Hunter	Walker	
Total - 10		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 188—

BY REPRESENTATIVE LAFLEUR
AN ACT

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

Read by title.

Motion

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

HOUSE BILL NO. 200—

BY REPRESENTATIVE JACK SMITH
AN ACT

To enact R.S. 56:123, relative to hunting; to prohibit hunting on private property without the authorization of the property owner; to provide for penalties; and to provide for related matters.

Read by title.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Baylor	LaBruzzo	Walsworth
Burrell	Pitre	Wooton
Crowe	Walker	
Total - 8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 203—
BY REPRESENTATIVES FAUCHEUX AND WALSWORTH
AN ACT

To amend and reenact R.S. 22:250.2(E)(2)(b) and to enact R.S. 22:250.2(E)(2)(a)(iv) and (c)(iii), relative to health insurance; to provide with respect to group health insurance coverage of a dependent previously enrolled in the Louisiana Children's Health Insurance Program; and to provide for related matters.

Read by title.

Rep. Faucheux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Morrell
Alario	Frith	Morrish
Alexander	Gallot	Odinet
Ansardi	Geymann	Pierre
Arnold	Glover	Pinac
Badon	Gray	Powell, M.
Baldone	Greene	Powell, T.
Barrow	Guillory, E.	Quezaire
Baudoin	Guillory, M.	Richmond
Beard	Hammett	Ritchie
Bowler	Heaton	Robideaux
Bruce	Hebert	Romero
Bruneau	Hill	Scalise
Burns	Honey	Schneider
Carter, K.	Hopkins	Shepherd
Carter, R.	Hunter	Smiley
Cazayoux	Hutter	Smith, G.
Crane	Jackson	Smith, J.D.—50th
Cravins	Jefferson	Smith, J.H.—8th
Curtis	Katz	Smith, J.R.—30th
Damico	Kennard	St. Germain
Daniel	Kenney	Strain
Dartez	Kleckley	Thompson
DeWitt	LaFleur	Townsend
Doerge	LaFonta	Trahan
Dorsey	Lambert	Triche
Dove	Lancaster	Tucker
Downs	Marchand	Waddell
Durand	Martiny	Winston
Erdey	McDonald	Wright
Fannin	McVea	
Farrar	Montgomery	
Total - 94		

NAYS

Total - 0

ABSENT

Baylor	LaBruzzo	Walsworth
Burrell	Pitre	White
Crowe	Toomy	Wooton
Johns	Walker	
Total - 11		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 208—
BY REPRESENTATIVE BOWLER
AN ACT

To amend and reenact R.S. 49:992(B)(2), relative to adjudications by the division of administrative law; to require that any agency shall comply fully and in a timely manner with the final decision or order of an administrative law judge in an adjudication commenced by the division of administrative law; and to provide for related matters.

Read by title.

Rep. Bowler moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Morrell
Alario	Faucheux	Morrish
Alexander	Frith	Odinet
Ansardi	Gallot	Pierre
Arnold	Geymann	Pinac
Badon	Glover	Powell, M.
Baldone	Gray	Powell, T.
Barrow	Greene	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.
Carter, R.	Hutter	Smith, J.D.—50th
Cazayoux	Jefferson	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Cravins	Katz	St. Germain
Curtis	Kennard	Strain
Damico	Kenney	Thompson
Daniel	Kleckley	Toomy
Dartez	LaFleur	Townsend
DeWitt	LaFonta	Trahan
Doerge	Lambert	Triche
Dorsey	Lancaster	Waddell
Dove	Marchand	White
Downs	Martiny	Winston
Durand	McDonald	Wright
Erdey	McVea	
Fannin	Montgomery	
Total - 97		

NAYS

Total - 0

ABSENT

Crowe	Pitre	Walsworth
Jackson	Tucker	Wooton
LaBruzzo	Walker	
Total - 8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 228—
BY REPRESENTATIVE JEFFERSON
AN ACT

To amend and reenact Code of Criminal Procedure Articles 270(A) and 271(A) and (B), relative to bail in extradition cases; to provide with respect to bail in extradition cases; to provide with respect to eligibility; to provide for a contradictory hearing in certain cases; to prohibit bail once a warrant is issued; and to provide for related matters.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Jefferson gave notice of her intention to call House Bill No. 228 from the calendar for future action.

HOUSE BILL NO. 245—
BY REPRESENTATIVE T. POWELL
AN ACT

To amend and reenact R.S. 56:302.3(B)(1) and (C) and 305(B)(2) and (C)(1) and to enact R.S. 56:10(B)(1)(e) and (13), relative to providing additional funds for the enhancement of the crab fishery in Louisiana; to increase the fee for the purchase of crab gear licenses; to dedicate the revenues from such fee increase; to create the Crab Promotion and Marketing Account in the Seafood Promotion and Marketing Fund; to create the Derelict Crab Trap Removal Program Account in the Conservation Fund; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 252—
BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 42:5(D) and to repeal R.S. 42:5.1, relative to open meetings; to provide for public comment at meetings of school boards; to remove specific provisions applying to meetings of school boards; to apply general provisions regarding public comment at meetings of public bodies to school boards; and to provide for related matters.

Read by title.

Rep. Arnold moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Morrish
Alario	Gallot	Odinet
Alexander	Geymann	Pierre
Ansardi	Glover	Pinac
Arnold	Greene	Powell, M.
Badon	Guillory, E.	Powell, T.
Baldone	Hammett	Quezaire
Barrow	Heaton	Richmond
Baudoin	Hebert	Ritchie
Beard	Hill	Robideaux
Bowler	Honey	Romero
Bruce	Hopkins	Scalise
Burns	Hunter	Shepherd
Carter, R.	Hutter	Smiley
Cazayoux	Jefferson	Smith, G.
Crane	Johns	Smith, J.D.—50th
Curtis	Katz	Smith, J.H.—8th
Damico	Kennard	St. Germain
Daniel	Kenney	Strain
Dartez	Kleckley	Thompson
DeWitt	LaFleur	Toomy
Doerge	LaFonta	Townsend
Dorsey	Lambert	Trahan
Dove	Lancaster	Triche
Downs	Marchand	Tucker
Durand	Martiny	Waddell

Erdey	McDonald	Walsworth
Fannin	McVea	White
Farrar	Montgomery	Winston
Faucheux	Morrell	Wright
Total - 90		

NAYS

Cravins
Total - 1

ABSENT

Baylor	Gray	Schneider
Bruneau	Guillory, M.	Smith, J.R.-30th
Burrell	Jackson	Walker
Carter, K.	LaBruzzo	Wooton
Crowe	Pitre	
Total - 14		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 276—

BY REPRESENTATIVE BALDONE
AN ACT

To enact R.S. 14:72.4, relative to disposal of property with fraudulent intent; to create and define the crime of disposal of property with fraudulent intent; to provide for penalties; and to provide for related matters.

Read by title.

Rep. Baldone moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Odinet
Alexander	Geymann	Pierre
Ansardi	Glover	Pinac
Arnold	Gray	Powell, M.
Badon	Greene	Powell, T.
Baldone	Guillory, E.	Quezaire
Barrow	Guillory, M.	Richmond
Baudoin	Hammett	Ritchie
Baylor	Heaton	Robideaux
Beard	Hebert	Romero
Bowler	Hill	Scalise
Bruce	Honey	Schneider
Bruneau	Hopkins	Shepherd
Burns	Hunter	Smiley
Carter, K.	Hutter	Smith, G.
Carter, R.	Jackson	Smith, J.D.-50th
Cazayoux	Jefferson	Smith, J.H.-8th
Crane	Johns	Smith, J.R.-30th
Cravins	Katz	St. Germain
Curtis	Kennard	Strain
Damico	Kenny	Thompson
Daniel	Kleckley	Toomy
Dartez	LaFleur	Townsend
Doerge	LaFonta	Trahan
Dorsey	Lambert	Triche
Dove	Lancaster	Tucker
Downs	Marchand	Waddell

Durand	Martiny	Walsworth
Erdey	McDonald	White
Fannin	McVea	Winston
Farrar	Montgomery	Wright
Faucheux	Morrell	
Frith	Morrish	
Total - 97		

NAYS

Total - 0

ABSENT

Alario	DeWitt	Walker
Burrell	LaBruzzo	Wooton
Crowe	Pitre	
Total - 8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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.

HOUSE BILL NO. 245—

BY REPRESENTATIVE T. POWELL
AN ACT

To amend and reenact R.S. 56:302.3(B)(1) and (C) and 305(B)(2) and (C)(1) and to enact R.S. 56:10(B)(1)(e) and (13), relative to providing additional funds for the enhancement of the crab fishery in Louisiana; to increase the fee for the purchase of crab gear licenses; to dedicate the revenues from such fee increase; to create the Crab Promotion and Marketing Account in the Seafood Promotion and Marketing Fund; to create the Derelict Crab Trap Removal Program Account in the Conservation Fund; and to provide for related matters.

Called from the calendar.

Read by title.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	McVea
Alario	Frith	Morrish
Ansardi	Gallot	Odinet
Arnold	Glover	Pierre
Badon	Hammett	Pinac
Baldone	Heaton	Powell, T.
Baudoin	Hebert	Quezaire
Bowler	Hill	Richmond
Bruce	Hopkins	Ritchie
Carter, R.	Hunter	Romero
Crane	Hutter	Shepherd
Curtis	Jefferson	Smith, J.D.-50th
Damico	Johns	Smith, J.R.-30th
Daniel	Kennard	St. Germain
Dartez	Kenny	Strain
Doerge	LaFleur	Thompson
Dorsey	LaFonta	Townsend
Dove	Lancaster	Triche
Durand	Marchand	Wright
Erdey	Martiny	
Fannin	McDonald	
Total - 61		

Page 32 HOUSE

13th Day's Proceedings - May 16, 2005

NAYS

Alexander	Gray	Robideaux
Bruneau	Greene	Schneider
Burns	Guillory, E.	Smiley
Carter, K.	Katz	Smith, G.
Cazayoux	Kleckley	Trahan
Cravins	Lambert	Waddell
Farrar	Morrell	
Geymann	Powell, M.	
Total - 22		

ABSENT

Barrow	Honey	Tucker
Baylor	Jackson	Walker
Beard	LaBruzzo	Walsworth
Burrell	Montgomery	White
Crowe	Pitre	Winston
DeWitt	Scalise	Wooton
Downs	Smith, J.H.-8th	
Guillory, M.	Toomy	
Total - 22		

The bill, not having received a two-thirds vote of the elected members, failed to pass.

Motion to reconsider pending.

HOUSE BILL NO. 282—
BY REPRESENTATIVE GEYMMANN
AN ACT

To enact R.S. 44:9(A)(3)(c), relative to the expungement of juvenile records; to provide for an exemption from payment of processing fees in certain juvenile cases; and to provide for related matters.

Read by title.

Rep. Geymann moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Morrish
Alario	Gallot	Odinot
Alexander	Geymann	Pierre
Ansardi	Glover	Pinac
Arnold	Gray	Powell, M.
Badon	Greene	Powell, T.
Baldone	Guillory, E.	Quezaire
Barrow	Guillory, M.	Richmond
Baudoin	Hammett	Ritchie
Beard	Heaton	Robideaux
Bowler	Hebert	Romero
Bruce	Hill	Scalise
Bruneau	Honey	Schneider
Burns	Hopkins	Shepherd
Carter, K.	Hunter	Smiley
Carter, R.	Hutter	Smith, G.
Cazayoux	Jackson	Smith, J.D.-50th
Crane	Jefferson	Smith, J.H.-8th
Cravins	Johns	Smith, J.R.-30th
Curtis	Katz	St. Germain
Damico	Kennard	Strain
Daniel	Kenney	Thompson
Dartez	Kleckley	Toomy
DeWitt	LaFleur	Townsend
Doerge	LaFonta	Trahan

Dorsey	Lambert	Triche
Dove	Lancaster	Tucker
Downs	Marchand	Waddell
Durand	Martiny	Walsworth
Erdey	McDonald	White
Fannin	McVea	Winston
Farrar	Montgomery	Wright
Faucheux	Morrell	
Total - 98		

NAYS

Total - 0

ABSENT

Baylor	LaBruzzo	Wooton
Burrell	Pitre	
Crowe	Walker	
Total - 7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 302—
BY REPRESENTATIVE WOOTON
AN ACT

To authorize and provide for the transfer of certain state property in Plaquemines Parish to the Plaquemines Parish governing authority; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 362—
BY REPRESENTATIVES QUEZAIRE AND ST. GERMAIN AND SENATOR AMEDEE
AN ACT

To amend and reenact R.S. 38:326.1(C) and to enact R.S. 38:326.1(E), relative to the Lafourche Basin Levee District; to provide with respect to training requirements of police officers; to authorize the district to contract for certain law enforcement services with sheriffs' offices within the boundaries of the levee district; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 369—
BY REPRESENTATIVES DURAND, SALTER, ALARIO, DORSEY, AND HAMMETT AND SENATORS HINES, BAJOIE, HEITMEIER, AND MOUNT
AN ACT

To amend and reenact R.S. 46:153.3(C), relative to the medical assistance program; to remove certain drugs from the exemptions to the preferred drug list with prior approval; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 371—

BY REPRESENTATIVE WOOTON

AN ACT

To amend and reenact R.S. 27:302(A)(5)(o), 306(A)(4)(c)(iv), and 311.1(B)(3) and to repeal R.S. 27:306(A)(4)(c)(ii)(dd), relative to the Video Draw Poker Devices Control Law; to remove requirements that qualified truck stop facility fuels sales comply with provisions providing for unfair sales and practices and the consumer protection law; to repeal the requirement that a restaurant at a qualified truck stop offer a varied menu; to provide for an exception to the requirement that video draw poker devices be connected to a central computer system if that system is not operational; to provide that designated representatives are only required for certain licensed establishments; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 405—

BY REPRESENTATIVE ALEXANDER

AN ACT

To enact R.S. 17:62, to provide relative to term limits for the Lafayette Parish School Board; to authorize the school board to adopt such limits subject to voter approval; and to provide for related matters.

Read by title.

Rep. Alexander moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Morrish
Alario	Faucheux	Odinet
Alexander	Frith	Pierre
Ansardi	Gallot	Powell, M.
Arnold	Geymann	Powell, T.
Badon	Glover	Quezaire
Baldone	Gray	Ritchie
Barrow	Greene	Robideaux
Baudoin	Guillory, E.	Scalise
Baylor	Hammett	Schneider
Beard	Hill	Smiley
Bruce	Honey	Smith, G.
Bruneau	Hunter	Smith, J.D.—50th
Burns	Hutter	Smith, J.H.—8th
Carter, K.	Jackson	Smith, J.R.—30th
Carter, R.	Jefferson	St. Germain
Crane	Johns	Strain
Cravins	Katz	Thompson
Curtis	Kennard	Toomy
Daniel	Kenney	Townsend
DeWitt	Kleckley	Trahan
Doerge	LaFonta	Triche
Dorsey	Lambert	Tucker
Dove	Marchand	Waddell
Downs	McDonald	Walsworth
Durand	McVea	White
Erdey	Montgomery	Winston
Fannin	Morrell	Wright
Total - 84		

NAYS

Bowler	Dartez	Pinac
Damico	Hebert	Romero
Total - 6		

ABSENT

Burrell	Hopkins	Pitre
Cazayoux	LaBruzzo	Richmond
Crowe	LaFleur	Shepherd
Guillory, M.	Lancaster	Walker
Heaton	Martiny	Wooton
Total - 15		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 440—

BY REPRESENTATIVE FAUCHEUX AND SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 37:3390.3(A)(introductory paragraph) and to enact R.S. 37:3390.6(F), relative to the Addictive Disorders Practice Act; to provide for the imposition and collection of fees; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 445—

BY REPRESENTATIVE WINSTON

AN ACT

To amend and reenact R.S. 46:52.1(C)(1)(introductory paragraph) and (2), relative to "No Wrong Door"; to provide for the implementation of an integrated case management model; 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	Gallot	Pierre
Alexander	Geymann	Pinac
Ansardi	Glover	Powell, M.
Arnold	Gray	Powell, T.
Badon	Greene	Quezaire
Baldone	Guillory, E.	Richmond
Baudoin	Guillory, M.	Ritchie
Beard	Hammett	Robideaux
Bowler	Heaton	Romero
Bruce	Hebert	Scalise
Bruneau	Hill	Schneider
Burns	Honey	Shepherd
Carter, K.	Hopkins	Smiley
Carter, R.	Hunter	Smith, G.
Cazayoux	Hutter	Smith, J.D.—50th
Crane	Jackson	Smith, J.H.—8th
Cravins	Johns	Smith, J.R.—30th
Curtis	Katz	St. Germain
Damico	Kenney	Strain
Daniel	Kleckley	Thompson

Page 34 HOUSE

13th Day's Proceedings - May 16, 2005

Dartez	LaFleur	Toomy
DeWitt	LaFonta	Townsend
Doerge	Lambert	Trahan
Dorsey	Lancaster	Triche
Downs	Marchand	Tucker
Durand	Martiny	Waddell
Erdey	McDonald	Walsworth
Fannin	McVea	White
Farrar	Montgomery	Winston
Fauchoux	Morrish	Wright

Total - 93

NAYS

Total - 0

ABSENT

Barrow	Dove	Morrell
Baylor	Jefferson	Pitre
Burrell	Kennard	Walker
Crowe	LaBruzzo	Wooton

Total - 12

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 448—
BY REPRESENTATIVES HOPKINS AND SALTER
AN ACT

To amend and reenact R.S. 40:1149, relative to certified operators of water systems; to exempt certain systems from operation and on-site premises requirements; and to provide for related matters.

Read by title.

Rep. Hopkins moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fauchoux	Morrish
Alario	Frith	Odinet
Alexander	Gallot	Pierre
Ansardi	Geymann	Pinac
Arnold	Glover	Powell, M.
Badon	Gray	Powell, T.
Baldone	Greene	Quezaire
Barrow	Guillory, E.	Ritchie
Baudoin	Guillory, M.	Robideaux
Beard	Hammett	Romero
Bowler	Heaton	Scalise
Bruce	Hebert	Schneider
Bruneau	Hill	Smiley
Burns	Honey	Smith, G.
Carter, K.	Hopkins	Smith, J.D.—50th
Carter, R.	Hunter	Smith, J.H.—8th
Cazayoux	Johns	Smith, J.R.—30th
Crane	Katz	St. Germain
Cravins	Kennard	Strain
Curtis	Kenney	Thompson
Damico	Kleckley	Toomy
Daniel	LaFleur	Townsend
Dartez	LaFonta	Trahan

DeWitt	Lambert	Triche
Doerge	Lancaster	Tucker
Dove	Marchand	Waddell
Downs	Martiny	Walsworth
Durand	McDonald	White
Erdey	McVea	Winston
Fannin	Montgomery	Wright
Farrar	Morrell	

Total - 92

NAYS

Total - 0

ABSENT

Baylor	Jackson	Shepherd
Burrell	Jefferson	Walker
Crowe	LaBruzzo	Wooton
Dorsey	Pitre	
Hutter	Richmond	

Total - 13

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 497—
BY REPRESENTATIVE JACK SMITH
AN ACT

To provide for the calling of a constitutional convention for the purpose of framing a new constitution; to fix the time and place for the convention; to provide for the delegates thereto; to provide for the organization and staff of the convention; to require that the constitution as adopted by such convention, including any alternative provisions, be submitted to the qualified electors for adoption; to provide the manner of such submission and to provide with respect thereto; to provide with respect to the disbursement of funds appropriated for the convention; to fix the effective date of the new constitution if approved by the electorate; and to provide for related matters.

Read by title.

Motion

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

Suspension of the Rules

On motion of Rep. St. Germain, the rules were suspended in order to take up and consider House Bill No. 552 at this time.

HOUSE BILL NO. 552—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To enact Part IV-C of Chapter 8 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1730.41 through 1730.48, and to repeal Part IV-B of Chapter 8 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1730.21 through 1730.32, relative to the state fire marshal; to provide for the Commercial Building Energy Conservation Code; to provide for definitions; to provide for adoption of code; to provide for enforcement and rules; to provide for amendments and revisions to the code; to provide for fees; to provide for training and technical assistance; to repeal existing provisions; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. St. Germain moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Morrish
Alario	Frith	Odinet
Alexander	Gallot	Pierre
Ansardi	Geymann	Pinac
Arnold	Glover	Powell, M.
Badon	Gray	Powell, T.
Baldone	Guillory, E.	Quezaire
Barrow	Guillory, M.	Richmond
Baudoin	Hammett	Ritchie
Beard	Heaton	Robideaux
Bowler	Hebert	Romero
Bruce	Hill	Scalise
Bruneau	Honey	Shepherd
Burns	Hunter	Smiley
Carter, K.	Hutter	Smith, G.
Carter, R.	Jackson	Smith, J.D.-50th
Cazayoux	Katz	Smith, J.H.-8th
Crane	Kennard	Smith, J.R.-30th
Cravins	Kenney	Strain
Damico	Kleckley	Thompson
Daniel	LaFleur	Toomy
Dartez	LaFonta	Townsend
DeWitt	Lambert	Trahan
Doerge	Lancaster	Triche
Dove	Marchand	Tucker
Downs	Martiny	Waddell
Durand	McDonald	Walsworth
Erdey	McVea	White
Fannin	Montgomery	Winston
Farrar	Morrell	Wright
Total - 90		

NAYS

Schneider
Total - 1

ABSENT

Baylor	Greene	Pitre
Burrell	Hopkins	St. Germain
Crowe	Jefferson	Walker
Curtis	Johns	Wooton
Dorsey	LaBruzzo	
Total - 14		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. St. Germain 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.

Motion

On motion of Rep. Jackson, the motion to reconsider the vote by which House Bill No. 164 finally passed was called from the table.

Suspension of the Rules

On motion of Rep. Jackson, the rules were suspended to reconsider the vote by which House Bill No. 164 finally passed on the same legislative day.

Reconsideration

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

HOUSE BILL NO. 164—
BY REPRESENTATIVE JACKSON
AN ACT

To amend and reenact R.S. 22:1262.1(G) and to repeal R.S. 22:1262(F)(2), relative to surplus lines insurance; to provide for notice of removal from approved list; and to provide for related matters.

Read by title.

On motion of Rep. Jackson, the vote by which the above House Bill finally passed was reconsidered.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Jackson to Engrossed House Bill No. 164 by Representative Jackson

AMENDMENT NO. 1

On page 1, between lines 13 and 14, insert the following:

** * *

AMENDMENT NO. 2

On page 1, line 14, change "1262" to "1262.1"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Odinet
Alario	Gallot	Pierre
Alexander	Geymann	Pinac
Ansardi	Glover	Powell, M.
Arnold	Gray	Powell, T.
Badon	Greene	Quezaire
Baldone	Guillory, E.	Richmond
Barrow	Guillory, M.	Ritchie
Baudoin	Hammett	Robideaux
Beard	Heaton	Romero
Bowler	Hebert	Scalise
Bruce	Hill	Schneider
Bruneau	Honey	Shepherd
Burns	Hunter	Smiley
Carter, K.	Hutter	Smith, G.
Cazayoux	Jackson	Smith, J.D.-50th
Crane	Katz	Smith, J.H.-8th
Cravins	Kennard	Smith, J.R.-30th
Curtis	Kenney	St. Germain
Damico	Kleckley	Strain
Daniel	LaFleur	Thompson
Dartez	LaFonta	Toomy
DeWitt	Lambert	Townsend
Doerge	Lancaster	Trahan
Dove	Marchand	Triche

Downs
Durand
Erdey
Fannin
Farrar
Faucheux
Total - 93

Martiny
McDonald
McVea
Montgomery
Morrell
Morrish

Tucker
Waddell
Walsworth
White
Winston
Wright

NAYS

Total - 0

ABSENT

Baylor
Burrell
Carter, R.
Crowe
Total - 12

Dorsey
Hopkins
Jefferson
Johns

LaBruzzo
Pitre
Walker
Wooton

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Suspension of the Rules

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

Petitions, Memorials and Communications

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

Message from the Senate

Notice of Recommendation for Election of Legislative Fiscal Officer

May 16, 2005

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

I am directed to inform your honorable body that the Senate Committee on Finance has recommended that H. Gordon Monk be elected as Legislative Fiscal Officer.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS

May 16, 2005

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. 5, 13, 56, 57, 59, 60, and 61

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Suspension of the Rules

On motion of Rep. Townsend, 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. 59—

BY SENATOR SMITH

A CONCURRENT RESOLUTION

To commend Anna M. Westergard upon being named a recipient of the prestigious Barry M. Goldwater Scholarship.

Read by title.

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

Message from the Senate

SIGNED SENATE CONCURRENT RESOLUTIONS

May 16, 2005

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

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

Senate Concurrent Resolution Nos. 50, 51, and 54

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

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

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

Introduction of Resolutions, House and House Concurrent

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

HOUSE RESOLUTION NO. 29—

BY REPRESENTATIVE DURAND

A RESOLUTION

To recognize Wednesday, May 18, 2005, as Dental Day in the state of Louisiana and to commend the Louisiana Dental Association for its work for the citizens of Louisiana.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 103—

BY REPRESENTATIVES M. GUILLORY AND FRITH AND SENATOR THEUNISSEN

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to advocate changes in the Federal Motor Carrier

Safety Regulations, specifically 49 C.F.R. 383.3, relative to issuance of restricted commercial drivers' licenses, which currently prohibit aerial applicators from qualifying for issuance of such licenses.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 104—
BY REPRESENTATIVES ODINET, BALDONE, AND HUTTER AND
SENATOR ULLO

A CONCURRENT RESOLUTION

To express the support of the Louisiana Legislature for the shrimp industry and for the "Bonne Crevette" marketing campaign in support of Louisiana wild-caught shrimp.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 105—
BY REPRESENTATIVE WINSTON

A CONCURRENT RESOLUTION

To continue and provide with respect to the Task Force on Legal Representation in Child Protection Cases created in the 2003 Regular Session pursuant to House Concurrent Resolution No. 44 and continued in the 2004 Regular Session pursuant to House Concurrent Resolution No. 59.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 106—
BY REPRESENTATIVES HONEY, BADON, BARROW, BAYLOR,
BURRELL, K. CARTER, CRAVINS, CURTIS, DORSEY, GALLOT,
GLOVER, GRAY, E. GUILLORY, HUNTER, JACKSON, JEFFERSON,
LAFONTA, MARCHAND, MORRELL, PIERRE, QUEZAIRE, RICHMOND,
AND SHEPHERD AND SENATORS BAJOLE, BROOME, CRAVINS,
DUPLESSIS, FIELDS, JACKSON, JONES, AND MURRAY

A CONCURRENT RESOLUTION

To commend Southern University upon the celebration of its one hundred twenty-fifth anniversary.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 107—
BY REPRESENTATIVE DURAND

A CONCURRENT RESOLUTION

To continue and provide with respect to the Louisiana Public Mental Health Review Commission.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 108—
BY REPRESENTATIVE DURAND

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to develop and implement a bid process and, where applicable, a rebate process for generic drugs that the state uses for the Medicaid drug program and report its findings to the House and Senate Committees on Health and Welfare prior to April 1, 2006.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 109—

BY REPRESENTATIVE WADDELL

A CONCURRENT RESOLUTION

To urge and request the High School Redesign Commission to study the advantages of the State Board of Elementary and Secondary Education awarding a certificate of attendance to any public high school student who has successfully completed the required minimum units of credit for graduation and all other graduation requirements as mandated by the State Board of Elementary and Secondary Education but has failed to pass the high school graduation exit exam and to report its study findings and recommendations to the House Committee on Education and the Senate Committee on Education prior to the convening of the 2006 Regular Session.

Read by title.

Lies over under the rules.

Suspension of the Rules

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

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

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

Regular Calendar

HOUSE BILL NO. 511—

BY REPRESENTATIVE HUTTER

AN ACT

To amend and reenact R.S. 15:574.15(A)(1) and (2)(introductory paragraph), relative to violations of municipal ordinances in a municipality having a population of more than four hundred fifty thousand inhabitants; to provide that judges exercising criminal jurisdiction in district, municipal, or traffic court have the authority to fix bail for persons arrested for certain municipal violations; to prohibit elected officials from granting parole for certain violations; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hutter to Engrossed House Bill No. 511 by Representative Hutter

AMENDMENT NO. 1

On page 2, line 5, after "officer" insert ", except district court and municipal court judges exercising criminal jurisdiction but only after compliance with Louisiana Code of Criminal Procedure Articles 327.1 and 335.1"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Morrell
Alario	Frith	Morrish
Alexander	Gallot	Pierre
Arnold	Geymann	Pinac
Badon	Gray	Powell, M.
Baldone	Greene	Quezaire
Barrow	Guillory, E.	Richmond
Baudoin	Guillory, M.	Robideaux
Beard	Hammett	Romero
Bowler	Heaton	Scalise
Bruce	Hebert	Schneider
Bruneau	Hill	Shepherd
Burns	Honey	Smiley
Carter, K.	Hopkins	Smith, G.
Carter, R.	Hunter	Smith, J.D.—50th
Cazayoux	Hutter	Smith, J.H.—8th
Crane	Jackson	Smith, J.R.—30th
Cravins	Johns	St. Germain
Crowe	Katz	Strain
Curtis	Kennard	Thompson
Damico	Kenney	Toomy
Dartez	Kleckley	Townsend
DeWitt	LaFleur	Trahan
Doerge	LaFonta	Triche
Dove	Lambert	Tucker
Downs	Lancaster	Waddell
Durand	Marchand	White
Erdey	McDonald	Winston
Fannin	McVea	Wright
Farrar	Montgomery	
Total - 89		

NAYS

Total - 0

ABSENT

Ansardi	Jefferson	Ritchie
Baylor	LaBruzzo	Walker
Burrell	Martiny	Walsworth
Daniel	Odinet	Wooton
Dorsey	Pitre	
Glover	Powell, T.	
Total - 16		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Suspension of the Rules

On motion of Rep. Alario, the rules were suspended in order to take up and consider Reports of Committees at this time.

Reports of Committees

The following reports of committees were received and read: at this time.

Report of the Committee on Appropriations

May 16, 2005

To the Speaker and Members of the House of Representatives:

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

House Bill No. 224, by Dartez
Reported with amendments. (11-0) (Regular)

House Bill No. 393, by Bruneau
Reported with amendments. (11-0) (Regular)

House Bill No. 654, by Montgomery
Reported with amendments. (11-0) (Regular)

House Bill No. 824, by Alario
Reported with amendments. (11-0) (Regular)

House Bill No. 840, by Alario
Reported with amendments. (11-0) (Regular)

House Bill No. 841, by Alario
Reported favorably. (11-0) (Regular)

House Bill No. 858, by Salter
Reported with amendments. (12-0) (Regular)

JOHN ALARIO
Chairman

Report of the Committee on Health and Welfare

May 16, 2005

To the Speaker and Members of the House of Representatives:

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

House Bill No. 121, by Odinet
Reported with amendments. (11-0) (Regular)

House Bill No. 472, by Barrow
Reported without action with recommendation to recommit the bill to the Committee on Appropriations. (7-4)

House Bill No. 675, by Beard
Reported with amendments. (10-3) (Regular)

House Bill No. 749, by Hutter
Reported with amendments. (12-0) (Regular)

SYDNIE MAE DURAND
Chairman

Report of the Committee on Insurance

May 16, 2005

To the Speaker and Members of the House of Representatives:

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

House Bill No. 670, by R. Carter
Reported with amendments. (6-5-1) (Regular)

House Bill No. 761, by White
Reported with amendments. (11-0) (Regular)

KAREN CARTER
Chair

Report of the Committee on Natural Resources

May 16, 2005

To the Speaker and Members of the House of Representatives:

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

House Concurrent Resolution No. 95, by St. Germain
Reported with amendments. (6-2-1)

WILFRED PIERRE
Chairman

Privileged Report of the Committee on Enrollment

May 16, 2005

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. 13—
BY REPRESENTATIVE PITRE

A RESOLUTION

To urge and request the Department of Transportation and Development to grant permission to the Lafourche Parish governing authority to install and maintain, at the parish's expense, flashing red lights above stop signs at certain intersections along Louisiana Highway 3235 in Ward 10 of Lafourche Parish.

HOUSE RESOLUTION NO. 27—
BY REPRESENTATIVE JACKSON

A RESOLUTION

To commend Ella Green Vernell upon the occasion of her one hundredth birthday.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

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

Privileged Report of the Committee on Enrollment

May 16, 2005

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. 94—
BY REPRESENTATIVE SCALISE AND SENATOR CAIN

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States of America to take such actions as are necessary to work to abolish the federal estate tax permanently.

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.

Suspension of the Rules

On motion of Rep. Ansardi, the rules were suspended to permit the Committee on Civil Law and Procedure to consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill Nos. 80 and 222

Suspension of the Rules

On motion of Rep. Hammett, the rules were suspended to permit the Committee on Ways and Means to meet and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill Nos. 212, 356, 691, and 857

Leave of Absence

Rep. Pitre - 1 day

Rep. Wooton - 2 days

Adjournment

On motion of Rep. Kenney, at 6:05 P.M., the House agreed to adjourn until Tuesday, May 17, 2005, at 2:00 P.M.

The Speaker of the House declared the House adjourned until 2:00 P.M., Tuesday, May 17, 2005.

ALFRED W. SPEER
Clerk of the House

