

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

FOURTEENTH 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

Tuesday, May 17, 2005

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

Morning Hour

ROLL CALL

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

PRESENT

Mr. Speaker	Faucheux	Morrish
Alario	Frith	Odinot
Alexander	Gallot	Pierre
Ansardi	Geymann	Pinac
Arnold	Glover	Pitre
Badon	Gray	Powell, M.
Baldone	Greene	Powell, T.
Barrow	Guillory, E.	Quezaire
Baudoin	Guillory, M.	Richmond
Baylor	Hammett	Ritchie
Beard	Heaton	Robideaux
Bowler	Hebert	Romero
Bruce	Hill	Scalise
Bruneau	Honey	Schneider
Burns	Hopkins	Shepherd
Burrell	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
Crowe	Kennard	Strain
Curtis	Kenney	Thompson
Damico	Kleckley	Toomy
Daniel	LaBruzzo	Townsend
Dartez	LaFleur	Trahan
DeWitt	LaFonta	Triche
Doerge	Lambert	Tucker
Dorsey	Lancaster	Waddell
Dove	Marchand	Walker
Downs	Martiny	Walsworth

Durand	McDonald	White
Erdey	McVea	Winston
Fannin	Montgomery	Wright
Farrar	Morrell	
Total - 104		ABSENT

Wooton
Total - 1

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

Prayer

Prayer was offered by Rev. Bobby Franklin.

Pledge of Allegiance

Rep. Barrow 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. Hill, the reading of the Journal was dispensed with.

On motion of Rep. Hutter, the Journal of May 16, 2005, was adopted.

**Petitions, Memorials and
Communications**

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

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

May 17, 2005

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

I am directed to inform your honorable body that the Senate has concurred in the following House Concurrent Resolutions:

House Concurrent Resolution No. 104
Returned without amendments

House Concurrent Resolution No. 106
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

**ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

May 17, 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. 20, 35, and 62

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

SENATE BILLS

May 17, 2005

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

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

Senate Bill No. 53

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Suspension of the Rules

On motion of Rep. Dorsey, the rules were suspended in order to take up the bills contained in the message at this time.

Senate Bills and Joint Resolutions on First Reading

The following Senate Bills and Joint Resolutions on first reading were taken up, read, and placed upon the calendar for their second reading:

SENATE BILL NO. 53—

BY SENATORS FIELDS, JONES, AMEDEE, BROOME, CAIN, CHAISSON, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FONTENOT, N. GAUTREAUX, HINES, JACKSON, MALONE, MARIONNEAUX, MCPHERSON, MURRAY, SCHEDLER, SMITH AND THEUNISSEN
AN ACT

To amend and reenact R.S. 18: 481, 511(A) and (B), and 512(B), relative to the election of United States senators and representative in congress; to provide for congressional candidates to be elected only in a general election; to provide for election dates; and to provide for related matters.

Read by title.

Introduction of Resolutions, House and House Concurrent

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

HOUSE RESOLUTION NO. 30—

BY REPRESENTATIVE SMILEY
A RESOLUTION

To commend the St. Amant High School girl's softball team upon winning its fourth consecutive 5A state championship.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 110—

BY REPRESENTATIVE SMILEY AND SENATORS AMEDEE AND FONTENOT
A CONCURRENT RESOLUTION

To recognize May 25, 2005, as American Legion and American Legion Auxiliary Poppy Day.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 111—

BY REPRESENTATIVE GLOVER
A CONCURRENT RESOLUTION

To commend Evangel Christian Academy upon attaining accreditation from the Southern Association of Colleges and Schools.

Read by title.

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

Ordered to the Senate.

House and House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 98—

BY REPRESENTATIVE BADON
A CONCURRENT RESOLUTION

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.

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

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.

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

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.

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

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.

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

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.

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

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.

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

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.

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

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.

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

Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 5—

BY SENATOR AMEDEE

A CONCURRENT RESOLUTION

To urge and request the Louisiana State University Health Sciences Centers and Tulane University Medical Center to assist Aneurysm Outreach Inc., by furnishing screening locations, appointment scheduling operators, and advertising support to develop a system to provide free abdominal aortic aneurysm screenings for those most at risk.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 13—

BY SENATOR LENTINI

A CONCURRENT RESOLUTION

To urge and request the Senate committee on Senate and Governmental Affairs and the House committee on House and Governmental Affairs to meet and to function as a joint committee to study the feasibility and cost-effectiveness of videoconferencing of interim and standing legislative committee meetings.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 56—

BY SENATOR HINES

A CONCURRENT RESOLUTION

To proclaim May 16, 2005, as "Emergency Medical Services for Children Day."

Read by title.

Motion

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

SENATE CONCURRENT RESOLUTION NO. 57—

BY SENATOR HINES

A CONCURRENT RESOLUTION

To proclaim May 15-21, 2005 as "Emergency Medical Services Week."

Read by title.

Motion

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

SENATE CONCURRENT RESOLUTION NO. 60—

BY SENATOR HEITMEIER

A CONCURRENT RESOLUTION

To elect H. Gordon Monk as legislative fiscal officer.

Read by title.

Motion

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

SENATE CONCURRENT RESOLUTION NO. 61—

BY SENATORS B. GAUTREAU AND DUPRE

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to enact the Coastal Restoration Tax Credit Act of 2005.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 60—

BY SENATOR HEITMEIER

A CONCURRENT RESOLUTION

To elect H. Gordon Monk as legislative fiscal officer.

Called from the calendar.

Read by title.

On motion of Rep. Alario, the rules were suspended in order to consider the concurrence of the resolution.

Rep. Alario moved the concurrence of the resolution.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 94

NAYS

Total - 0

ABSENT

Ansardi	Jackson	Odinot
Erdey	LaBruzzo	Romero
Guillory, M.	Lancaster	Wooton
Heaton	Martiny	

Total - 11

The resolution was concurred in.

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. DeWitt, the Committee on Ways and Means was discharged from further consideration of House Bill No. 847.

HOUSE BILL NO. 847—

BY REPRESENTATIVE DEWITT

AN ACT

To enact Part V of Chapter 6 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:701 through 704, relative to the levy and collection of state taxes; to provide for the levy, collection, and administration of a tax on the refining of crude oil; to provide for definitions; to provide for certain exemptions and limitations; to provide for the effectiveness of the tax; to provide for an effective date; and to provide for related matters.

Read by title.

Motion

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

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. 95—

BY REPRESENTATIVES ST. GERMAIN, JACK SMITH, LAMBERT, AND WOOTON AND SENATORS B. GAUTREUX AND MARIONNEAUX

A CONCURRENT RESOLUTION

To direct the Louisiana Wildlife and Fisheries Commission to return the regulations for hunting deer with dogs in Area 6 to the same provisions as implemented in the 2004-2005 deer hunting season.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Original House Concurrent Resolution No. 95 by Representative St. Germain

AMENDMENT NO. 1

On page 1, at the end of line 2, delete "deer hunting"

AMENDMENT NO. 2

On page 1, line 3, after "for" insert "hunting deer with dogs in" and change "2003-2004" to "2004-2005"

AMENDMENT NO. 3

On page 2, line 6, delete "deer hunting"

AMENDMENT NO. 4

On page 2, line 7, after "for" insert "hunting deer with dogs in" and change "2003-2004" to "2004-2005"

AMENDMENT NO. 5

On page 2, line 8, change "including authorizing" to "specifically to allow"

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

On motion of Rep. Pierre, the resolution, as amended, 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. 121—
BY REPRESENTATIVE ODINET
AN ACT

To amend and reenact R.S. 40:2010.7 and to enact R.S. 40:2010.11, relative to nursing home and long-term care facility residents and patients; to provide for mandatory criminal background checks on those seeking admittance to a nursing home or long-term care residential facility; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 121 by Representative Odinet

AMENDMENT NO. 1

On page 2, delete lines 10 through 15 in their entirety

AMENDMENT NO. 2

On page 2, line 16, change "(3)" to "(2)", on line 19, change "(4)" to "(3)", and on line 24, change "(5)" to "(4)"

AMENDMENT NO. 3

On page 2, delete lines 25 and 26 in their entirety

AMENDMENT NO. 4

On page 2, line 27, change "(7)" to "(5)" and on page 3, line 1, change "(8)" to "(6)"

AMENDMENT NO. 5

On page 3, line 9, after "applicant," delete the remainder of the line and delete line 10 in its entirety, and insert in lieu thereof the following:

"execute a name-based criminal background check by means of an Internet provider such as CriminalWatchDog.com or PublicData.com or other similar Internet company that provides a public record search for any existing criminal background."

AMENDMENT NO. 6

On page 3, line 12, after "shall" delete the remainder of the line, and delete lines 13 through 15 in their entirety and insert in lieu thereof:

"provide to the applicant for admission to the facility thorough information on CriminalWatchDog.com, PublicData.com, and any other similar Internet companies that provide a search of public records and that the facility deems appropriate. The nursing home or long-term care residential facility shall allow the applicant to choose from a list of several Internet companies which company he or she would like to have perform the public records search."

AMENDMENT NO. 7

On page 3, delete lines 16 through 25 in their entirety, and insert the following:

"B.(1) The nursing home or long-term care facility shall conduct a name-based public records search for any existing criminal background on any individual seeking admittance to the facility by means of an Internet provider such as CriminalWatchDog.com or PublicData.com or other similar Internet company that provides a public record search.

(2) The fees for the Internet public records search, if any, shall be paid by the person applying for admission to the facility and such cost shall not be reimbursable by Medicare, Medicaid, or through state funds."

AMENDMENT NO. 8

On page 3, delete lines 26 through 28, and insert the following:

"C.(1) A nursing home or long-term care residential facility shall not consider the criminal history records of an applicant for admission to the facility unless the records relate to:"

AMENDMENT NO. 9

On page 4, delete lines 14 through 22 and insert the following:

"(2) Upon receiving a request for admission to a nursing home or long-term care facility, the facility shall inform the applicant of his or her obligation to submit his or her name and any other identifying information that is required to carry out the search to an Internet public records search which shall be conducted by an Internet public records search provider such as PublicData.com, CriminalWatchDog.com, or other similar Internet search company. After the applicant has informed the facility of the Internet company that he or she would prefer to perform the search, the applicant's name and any other necessary identifying information shall be entered into that Internet site's search engine. There shall be a thirty-day period to allow criminal clearance to be obtained by the requesting facility."

AMENDMENT NO. 10

On page 4, delete lines 23 through 28, and insert the following:

"D. No person shall be denied admittance to a nursing home or long-term care residential facility based upon the results of a search of public records."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 224—
BY REPRESENTATIVE DARTEZ
AN ACT

To amend and reenact R.S. 49:259(B) and (C), relative to state funds; to increase the balance in the Department of Justice Legal Support Fund dedicated to support certain expenses of the Department of Justice; to provide for an effective date; and to provide for related matters.

Read by title.

Page 6 HOUSE

14th Day's Proceedings - May 17, 2005

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Original House Bill No. 224 by Representative Dartez

AMENDMENT NO. 1

On page 1, line 4, after "Justice" and the semi-colon ";" and before "and" insert "to provide for an effective date;"

AMENDMENT NO. 2

On page 1, line 13, after "which is" and before "bring" change "sufficiiento" to "sufficient to"

AMENDMENT NO. 3

On page 2, line 7, after "effective" delete the remainder of the line and delete lines 8 through 11 in their entirety and insert "on July 1, 2006."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 393—

BY REPRESENTATIVE BRUNEAU AND SENATOR MURRAY
AN ACT

To amend and reenact R.S. 27:392(B)(3)(d), relative to the Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to increase the amount of monies in the Pari-mutuel Live Racing Facility Gaming Control Fund dedicated for deposit into the Beautification and Improvement of the New Orleans City Park Fund; to establish the Greater New Orleans Sports Foundation Fund as a special fund in the state treasury and to provide for the deposit and use of monies in the fund; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Original House Bill No. 393 by Representative Bruneau

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 27:392(B)(7)" to "R.S. 27:392(B)(3)(d)"

AMENDMENT NO. 2

On page 1, at the end of line 5, after the semicolon ";" insert the following:

"to establish the Greater New Orleans Sports Foundation Fund as a special fund in the state treasury and to provide for the deposit and use of monies in the fund;"

AMENDMENT NO. 3

On page 1, line 8, change "R.S. 27:392(B)(7)" to "R.S. 27:392(B)(3)(d)"

AMENDMENT NO. 4

On page 1, delete lines 13 through 19 in their entirety, on page 2, delete lines 1 through 4 in their entirety, and insert the following:

"(3) After complying with the provisions of Paragraphs (1) and (2) of this Subsection, the state treasurer shall, each fiscal year, credit five percent of the state portion of taxable net slot machine proceeds collected from each licensed eligible facility to the following special funds:

* * *

(d)(i) The Orleans Parish Excellence Fund which is hereby created in the state treasury from the proceeds derived from the licensed eligible facility in Orleans Parish. Monies in the Orleans Parish Excellence Fund, for purposes of this Subparagraph referred to as the "fund", shall be withdrawn only pursuant to appropriation by the legislature and shall be used solely and exclusively by the Louisiana Community and Technical College System as provided in this Subparagraph. Monies in the fund shall be used solely and exclusively for the construction and operation of an Allied Health and Nursing Program and campus to be located in Orleans Parish. The Allied Health and Nursing Program and campus shall serve secondary and postsecondary students and shall provide occupational and workforce training. All courses of instruction provided at the Allied Health and Nursing Program shall be approved by the Board of Supervisors of Community and Technical Colleges. Monies in the fund shall be invested by the state treasurer in the same manner as monies in the state general fund. Interest earnings on investment of monies in the fund shall be credited to the fund. Unexpended and unencumbered monies in the fund at the end of each fiscal year shall remain in the fund.

(ii) Of the proceeds derived from the licensed eligible facility in Orleans Parish, an amount equal to thirty-five percent shall be deposited and credited to the Beautification and Improvement of the New Orleans City Park Fund. Monies in the fund shall be used solely and exclusively for the purposes provided for in R.S. 27:392(B)(7).

(iii) Of the proceeds derived from the licensed eligible facility in Orleans Parish, an amount equal to twenty percent shall be deposited and credited to the Greater New Orleans Sports Foundation Fund, hereinafter referred to as the "fund", which is hereby established in the state treasury. Monies in the fund shall be withdrawn only pursuant to appropriation by the legislature and shall be used solely and exclusively by the Greater New Orleans Sports Foundation. Monies in the fund shall be invested in the same manner as monies in the state general fund. Interest earned on the investment of monies in the fund shall be credited to the fund. Unexpended and unencumbered monies in the fund at the end of the fiscal year shall remain in the fund.

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 472—

BY REPRESENTATIVE BARROW
AN ACT

To amend and reenact R.S. 46:2403(B), relative to death certificates; to provide for an additional fee on the subsequent issuance of a death certificate; and to provide for related matters.

Read by title.

Reported without action by the Committee on Health and Welfare with recommendation that the bill be recommitted to the Committee on Appropriations.

On motion of Rep. Durand, the bill was recommitted to the Committee on Appropriations.

HOUSE BILL NO. 654—

BY REPRESENTATIVES MONTGOMERY, ALARIO, GLOVER, HOPKINS, HUNTER, SCALISE, JANE SMITH, AND THOMPSON
AN ACT

To amend and reenact R.S. 48:2072(B), 2073(7) through (19), 2077(17), (18), and (23), and 2082(B) through (O) and to enact R.S. 9:165(C) and R.S. 48:2073(20), 2077(24), and 2082(P), relative to authorizing the Louisiana Transportation Authority to issue revenue bonds secured by unclaimed property receipts; to create the Unclaimed Property Fund; to provide for the deposit of monies into the Unclaimed Property Fund and the use of those monies; to create the Unclaimed Property Leverage Fund; to provide for the deposit of monies into the Unclaimed Property Leverage Fund and the use of those monies; to authorize the state treasurer to transfer the monies into the Unclaimed Property Leverage Fund to the Louisiana Transportation Authority; to provide relative to unclaimed property bonds; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Original House Bill No. 654 by Representative Montgomery

AMENDMENT NO. 1

On page 1, line 2, delete "R.S. 9:165," and insert "R.S."

AMENDMENT NO. 2

On page 1, line 3, after "enact" insert "R.S. 9:165(C) and"

AMENDMENT NO. 3

On page 1, delete lines 14 through 20, and delete page 2 in its entirety and insert:

"§165. Deposit of funds

* * *

AMENDMENT NO. 4

On page 3, at the beginning of line 1, change "D." to "C."

AMENDMENT NO. 5

On page 3, line 3, after "Chapter" delete the remainder of the line and delete line 4 and insert ". The state treasurer shall"

AMENDMENT NO. 6

On page 3, line 6, after "year" and before "in accordance" insert "an amount not to exceed fifteen million dollars"

AMENDMENT NO. 7

On page 3, line 7, after "legislature" and before "to pay" delete "an amount fully sufficient"

AMENDMENT NO. 8

On page 3, line 12, after "bonds," change "exclusively for" to "fifty percent exclusively to match federal funds to be used for"

AMENDMENT NO. 9

On page 3, line 14, after "border and" and before "Interstate" insert "fifty percent for"

AMENDMENT NO. 10

On page 10, line 21, after "issued" delete the remainder of the line and insert "pursuant to Subsection A of this Section, neither the"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 670—

BY REPRESENTATIVE R. CARTER
AN ACT

To enact R.S. 22:682, relative to motor vehicle liability insurance; to provide for liability of owners of motor vehicles for certain operators excluded from coverage; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Original House Bill No. 670 by Representative R. Carter

AMENDMENT NO. 1

On page 1, line 8, at the beginning of the line before "The" insert "A."

AMENDMENT NO. 2

On page 1, line 9, at the beginning of the line change "occasioned" to "caused"

AMENDMENT NO. 3

On page 1, line 9 after "who" and before "has" insert the following:

"is eighteen years of age or older and who"

AMENDMENT NO. 4

On page 1, line 11, after "32:900(L)" and before "If" delete the period "." insert the following:

"and the owner knew or should have known the excluded person was operating the vehicle at the time the damages were caused. However, the liability of the owner shall not exceed the limits stated in the policy covering the vehicle."

B."

AMENDMENT NO. 5

On page 1, line 13, after the period "." delete the remainder of the line and delete lines 14, 15, and 16 in their entirety.

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

Page 8 HOUSE

14th Day's Proceedings - May 17, 2005

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. 675—

BY REPRESENTATIVE BEARD

AN ACT

To amend and reenact R.S. 40:1299.58.2(9) and to enact R.S. 40:1299.58.11 and 1299.58.12, relative to living wills; to affirm the dignity of human life; to clarify the definition of life-sustaining procedures; to provide relative to a legal presumption regarding the withdrawal of nutrition or hydration; to provide for injunctive relief; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 675 by Representative Beard

AMENDMENT NO. 1

On page 1, line 2, delete "R.S. 40:1299.58.2(10)," and change "1299.58.11" to "R.S. 40:1299.58.11"

AMENDMENT NO. 2

On page 1, line 4, delete "to provide for the definition of imminent;"

AMENDMENT NO. 3

On page 1, line 5, change "starvation and dehydration" to "a legal presumption regarding the withdrawal of nutrition or hydration"

AMENDMENT NO. 4

On page 1, line 9, delete "40:1299.58.2(10)," and change "1299.58.11" to "40:1299.58.11"

AMENDMENT NO. 5

On page 1, line 16, at the end of the line change the comma "," to a period "."

AMENDMENT NO. 6

On page 1, delete line 17 in its entirety

AMENDMENT NO. 7

On page 1, line 18, delete "~~and the~~ administration of cardiopulmonary resuscitation."

AMENDMENT NO. 8

On page 1, delete line 20 in its entirety

AMENDMENT NO. 9

On page 2, delete lines 1 through 6 in their entirety

AMENDMENT NO. 10

On page 2 delete lines 8 through 13 and insert the following:

"§1299.58.11. Withholding or withdrawal of nutrition or hydration

A. It shall be legally presumed that every qualified patient who is physically or mentally incapable of making health care decisions desires to be provided with nutrition or hydration to a degree that is sufficient, within reasonable medical judgment, to sustain life or provide comfort care."

AMENDMENT NO. 11

On page 2, line 14, delete "with the express, written, and" and insert in lieu thereof "by means of a declaration."

AMENDMENT NO. 12

On page 2, delete line 15 through 23 in their entirety

AMENDMENT NO. 13

On page 2, line 24, change "D" to "C" and change "and" to "or"

AMENDMENT NO. 14

On page 2, line 25, after "exhausted." insert the following:

"A clear and convincing evidentiary standard applies to any adjudication of a qualified person's wishes regarding the withholding or withdrawal of nutrition or hydration."

AMENDMENT NO. 15

On page 2, line 28, after "Part" delete the remainder of the line

AMENDMENT NO. 16

On page 3, delete line 1 and on line 2, change "should" to "shall"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 749—

BY REPRESENTATIVES HUTTER, BARROW, BAUDOIN, BOWLER, AND KATZ AND SENATOR DUPLESSIS

AN ACT

To enact Part XIII-A of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2198.11 through 2198.13, relative to pain management clinics; to provide for definitions; to provide for licensure; to provide for rules and regulations; to provide for fees; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 749 by Representative Hutter

AMENDMENT NO. 1

On page 1, line 16, after "which" and before "engages" insert "primarily"

AMENDMENT NO. 2

On page 1, line 18, delete "All" and insert in lieu thereof "Except as provided in Subsection D of this Section, all"

AMENDMENT NO. 3

On page 2, line 5, after "care" and before the period "." insert "including the requirement that prescriptions may be written for the medication to last a period of no longer than thirty days without any refills. A refill may be authorized only if the individual is personally examined by the pain specialist"

AMENDMENT NO. 4

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

"D. The following shall apply to pain management clinics operating on or before July 1, 2005:

(1) The pain management clinic may be owned and operated by an individual who is not a board-certified pain specialist licensed in Louisiana.

(2) The pain management clinic shall not be owned in whole or in part by a person who has been convicted of or who has pled guilty or nolo contendere to an offense that constitutes a felony.

(3) The pain management clinic shall not be owned in whole or in part by a person who has been convicted of or who has pled guilty or nolo contendere to an offense that constitutes a misdemeanor, the facts of which relate to the distribution or illegal prescription of any narcotic.

(4) The pain management clinic shall operate as an urgent care facility, offering primary or acute health services in addition to caring for those with chronic pain.

(5) The pain management clinic shall implement policies and procedures that are consistent with all pain management regulations issued by the State Board of Medical Examiners.

(6) A pain management clinic which is exempted from the requirement of being owned and operated by a board-certified pain specialist licensed in Louisiana may relocate and continue to be exempted from the requirement of being owned and operated by a board-certified pain specialist if the new location is in the same parish in which the original clinic was located."

AMENDMENT NO. 5

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

"Section 2. This Act shall become effective on July 1, 2005. However, the provisions of this Act which require the promulgation of rules and regulations by the Department of Health and Hospitals shall not be applied, enforced, or required, as applicable, until such rules and regulations are effective pursuant to the provisions of R.S. 49:954(B). The Department of Health and Hospitals shall immediately commence the process of promulgating such rules and regulations."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 761—

BY REPRESENTATIVE WHITE

AN ACT

To enact R.S. 22:676, relative to motor vehicle insurance provisions; to provide for total loss; to provide for airbags; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Original House Bill No. 761 by Representative White

AMENDMENT NO. 1

On page 1, at the beginning of line 7, delete "No insurers shall" and insert "An insurer may"

AMENDMENT NO. 2

On page 1, line 9, after "policy" delete the period "." and insert "if the policyholder agrees."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 824—

BY REPRESENTATIVES ALARIO AND TRICHE

AN ACT

To provide for the establishment and reestablishment of agency ancillary funds, to be specifically known as internal service funds, auxiliary accounts, or enterprise funds for certain state institutions, officials, and agencies; to provide for appropriation of funds; and to regulate the administration of said funds.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Original House Bill No. 824 by Representative Alario

AMENDMENT NO. 1

On page 6, line 22, change "46" to "57"

AMENDMENT NO. 2

On page 6, line 22, change "6,074,958" to "9,009,900"

AMENDMENT NO. 3

On page 6, between lines 31 and 32, insert the following:

"Objective: To maintain barcode reject rate at 8.5% in presorted first class mail processing through June 30, 2010.

Page 10 HOUSE

14th Day's Proceedings - May 17, 2005

Performance Indicator:

Percent presorted first class
mail reject 9.5%"

AMENDMENT NO. 4

On page 6, line 32, change "6,074,958" to "9,009,900"

AMENDMENT NO. 5

On page 6, line 35, change "6,006,217" to "8,938,476"

AMENDMENT NO. 6

On page 6, line 6, change "68,741" to "71,424"

AMENDMENT NO. 7

On page 6, line 37, change "6,074,958" to "9,009,900"

AMENDMENT NO. 8

On page 7, line 3, change "1,880,840" to "780,840"

AMENDMENT NO. 9

On page 7, line 4, change "2,458,925" to "3,558,925"

AMENDMENT NO. 10

On page 8, delete lines 1 through 15 in their entirety

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 840—

BY REPRESENTATIVE ALARIO
AN ACT

To amend and reenact R.S. 51:1286(C), relative to the tax levied by the Louisiana Tourism Promotion District; to provide for the pledge and dedication for certain tourism purposes; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Original House Bill No. 840 by Representative Alario

AMENDMENT NO. 1

On page 2, line 11, after "purchase of" and before "media" delete "out of state"

AMENDMENT NO. 2

On page 2, line 13, after "advertisement" delete the remainder of the line and insert a period "."

AMENDMENT NO. 3

On page 2, line 16, after "tourism" delete the remainder of the line and delete line 17 in its entirety, insert a period "." and insert the following:

"Provided that any funds used by the department for the purchase of in-state media advertisement shall not exceed ten percent of all funds used for the purchase of media advertisement, and that such expenditures are consistent with the office of tourism's strategic plan for marketing."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 841—

BY REPRESENTATIVES ALARIO AND TRICHE
AN ACT

To provide with respect to the Revenue Sharing Fund and the allocation and distribution thereof for Fiscal Year 2005-2006; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 858—

BY REPRESENTATIVE SALTER
AN ACT

To appropriate funds for Fiscal Year 2005-2006 to defray the expenses of the Louisiana Legislature, including the expenses of the House of Representatives and the Senate, of legislative service agencies, and of the Louisiana State Law Institute; and otherwise to provide with respect to the appropriations and allocations herein made.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Original House Bill No. 858 by Representative Salter

AMENDMENT NO. 1

On page 1, line 16, after "office" delete the remainder of the line and delete lines 17 through 19 and insert a comma ","

AMENDMENT NO. 2

On page 2, line 22, after "legislature." and before "These amounts" insert the following:

"In addition to the amounts and limitations provided in R.S. 24:31.5, these funds shall also be used to provide an additional one hundred fifty dollars per month to the total amount available to each legislator for the salary of his legislative assistants, provided that the additional one hundred fifty dollars provided herein shall not be used pursuant to R.S. 24:31.5(C) to determine the full-time status or eligibility for benefits for a legislative assistant."

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

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

Under the rules, placed on the regular calendar.

Suspension of the Rules

On motion of Rep. LaFleur, the rules were suspended in order to take up and consider Senate Bills on Second Reading to be Referred to Committee at this time.

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. 24—

BY SENATORS CAIN, CHEEK, DUPRE, HOLLIS, KOSTELKA, MCPHERSON, MICHOT, MOUNT AND SCHEDLER AND REPRESENTATIVES BADON, BALDONE, BAUDOIN, BRUCE, CRAVINS, DARTEZ, DOWNS, FRITH, GEYMANN, HILL, HUTTER, KATZ, KENNEY, McDONALD, MONTGOMERY, T. POWELL, JACK SMITH, WALKER, WALSWORTH AND WRIGHT

AN ACT

To amend and reenact R.S. 3:1355(A) and to enact R.S. 3:1355(B), R.S. 14:67.19.1 and R.S. 40:962.1.2, relative to certain controlled dangerous substances; to prohibit the unauthorized possession of anhydrous ammonia for use in the sale of certain controlled dangerous substances; to restrict the sale of ephedrine, pseudoephedrine, or phenylpropanolamine or their salts, optical isomers and salts of optical isomers used in the manufacture of methamphetamines; to require that pharmacies maintain records on purchases of certain restricted substances used to manufacture methamphetamine; to provide exceptions for substances formulated so as to prevent conversion of certain active ingredients; and to provide for related matters.

Called from the calendar.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

SENATE BILL NO. 258—

BY SENATORS KOSTELKA, BAJOIE, 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.

Called from the calendar.

Read by title.

Motion

Rep. Johns moved that Senate Bill No. 258 be designated as a duplicate of House Bill No. 247.

Which motion was agreed to.

Rep. Johns moved that Senate Bill No. 258 be amended to conform with House Bill No. 247 and sent up the following floor amendments:

HOUSE FLOOR AMENDMENTS

Conforming amendments proposed by Representative Johns to Reengrossed Senate Bill No. 258 by Senator Kostelka (Duplicate of House Bill No. 247)

AMENDMENT NO. 1

On page 2, line 8, after "this Act" delete the remainder of the line and at the beginning of line 9, delete "and"

AMENDMENT NO. 2

On page 2, line 9, after "explain" change "its" to "the" and after "intent" and before the comma "," insert "of the legislature" and after "interpretation" insert "by the Louisiana Supreme Court"

AMENDMENT NO. 3

On page 2, line 10, after "*Transportation*" delete "No. 03-C-1767" and insert "*and Development, 2003-1767*" and delete line 11 in its entirety and insert "869 So.2d 87."

AMENDMENT NO. 4

On page 2, line 12, after "applicable" delete "to all" and insert "only to"

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

Motion

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

Suspension of the Rules

On motion of Rep. Robideaux, 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 lying over were taken up and acted upon as follows:

Suspension of the Rules

On motion of Rep. Robideaux, the rules were suspended in order to take up and consider Senate Concurrent Resolution No. 62 at at this time.

SENATE CONCURRENT RESOLUTION NO. 62—

BY SENATOR ADLEY

A CONCURRENT RESOLUTION

To direct the secretary of the Department of Revenue to accept amended income tax returns for certain taxpayers and make refunds to reflect the appropriate amount of exemption for retirement income for certain persons sixty-five years or older.

Read by title.

On motion of Rep. Robideaux, the rules were suspended in order to consider the concurrence of the resolution.

Rep. Robideaux moved the concurrence of the resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fauchoux	Pierre
Alario	Frith	Pinac
Alexander	Gallot	Pitre
Ansardi	Geymann	Powell, M.
Arnold	Glover	Powell, T.
Badon	Gray	Quezaire
Baldone	Greene	Richmond
Barrow	Guillory, E.	Ritchie
Baudoin	Guillory, M.	Robideaux
Baylor	Hammett	Romero
Bruce	Heaton	Scalise
Bruneau	Hebert	Schneider
Burns	Hill	Shepherd
Burrell	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	LaFleur	Trahan
DeWitt	LaFonta	Triche
Doerge	Lambert	Tucker
Dorsey	Marchand	Waddell
Dove	McDonald	Walker
Downs	McVea	Walsworth
Durand	Montgomery	White
Erdey	Morrill	Winston
Fannin	Morrish	Wright
Farrar	Odinot	

Total - 98

NAYS

Total - 0

ABSENT

Beard	LaBruzzo	Wooton
Bowler	Lancaster	
Kleckley	Martiny	

Total - 7

The resolution was concurred in.

Reconsideration

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

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.

On motion of Rep. Tank Powell, 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. 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.

On motion of Rep. Bruce, 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

Suspension of the Rules

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

HOUSE BILL NO. 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.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Gallot to Engrossed House Bill No. 11 by Representative Katz

AMENDMENT NO. 1

On page 1, line 2, after "reenact" and before "relative to" delete "R.S. 18:541 and 542," and insert "R.S. 18:1303(A) and (B), 1307(A), (D), and (E), 1312(C), 1313(G), 1331, and 1332(A), and to repeal R.S. 18:1304, and 1306(E)(1)(h), (G)(1)(g), and (H),"

AMENDMENT NO. 2

On page 1, line 2, after "relative to" delete the remainder of the line and delete line 3 and insert the following:

"voting absentee in person and by mail; to provide for any qualified voter to vote absentee in person or by mail; to provide relative to procedures for voting absentee by mail; to provide relative to the counting and tabulation of absentee by mail ballots; and"

AMENDMENT NO. 3

On page 1, line 6, after "Section 1." and before "are hereby amended and reenacted" delete "R.S. 18:541 and 542" and insert "R.S. 18:1303(A) and (B), 1307(A), (D), and (E), 1312(C), 1313(G), 1331, and 1332(A)"

AMENDMENT NO. 4

On page 1, delete lines 8 through 15 and insert the following:

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

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

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

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

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

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

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

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

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

(8) ~~Repealed by Acts 1993, No. 418, §2, eff. Jan. 1, 1994.~~

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

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

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

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

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

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

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

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

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

~~(1) A member of the United States Service, as defined in R.S. 18:1302, and his spouse and dependents.~~

~~(2) A student, instructor, or professor in an institution of higher learning located outside the parish in which he is qualified to vote and who lives outside of said parish by reason thereof, and his spouse and any dependent accompanying and residing with him.~~

~~(3) A minister, priest, rabbi, or other member of the clergy assigned to a religious post outside the parish in which he is registered and his spouse and any dependents accompanying and residing with him.~~

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

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

~~(6) A person involuntarily confined in an institution for mental treatment outside the parish in which he is qualified to vote, who is not interdicted and not judicially declared incompetent.~~

~~(7) Repealed by Acts 1993, No. 418, §2, eff. Jan. 1, 1994.~~

~~(8) A person residing outside the United States.~~

* * *

§1307. Application by mail

A. A person qualified to vote absentee by mail under this Chapter may make application therefor to the registrar by letter; over his signature or mark if the voter is unable to sign his name, signed by two witnesses who witnessed the applicant's mark; setting forth:

(1) The election or elections for which he requests an absentee ballot.

(2) ~~The reason for his request to vote absentee and attaching any documents in support thereof that are required by law. Any person who is or expects to be temporarily outside the territorial limits of the state or absent from the parish in which he is qualified to vote during the in-person absentee voting period and on election day and who requests an absentee ballot be mailed to an address within the parish shall indicate in his application the dates he will be outside the territorial limits of the state or absent from the parish.~~

~~(3)~~(2) The address to which the absentee ballot or ballots shall be sent. If the address is within the parish or an adjacent parish, such address shall only be the address at which the applicant is registered to vote, his mailing address on file with the registrar of voters, or an address at which he regularly receives mail.

~~(4)~~(3) The ward and precinct in which the person is qualified to vote, if known.

~~(5)~~(4) The date of birth of the voter.

~~(6)~~(5) The maiden name of the voter's mother or other identifying information provided in the voter's application for registration pursuant to R.S. 18:104(A)(12).

~~(7)~~(6) The street address in the parish where the voter resides. A post office box is insufficient.

~~(8)~~(7) If the person requests that a ballot for a general election be sent in addition to a ballot for the primary, he shall declare in writing to the registrar that he will be eligible to vote absentee by mail in the general election.

* * *

~~D. A person entitled to vote absentee by mail may request in his application for an absentee ballot for a primary election that an absentee ballot for the succeeding general election be sent to him when such ballots become available for distribution. However, in such case, the applicant shall declare in writing to the registrar that he will be eligible to vote absentee by mail in the general election.~~

~~E.(D)~~ The registrar shall not send an absentee ballot to an applicant whose application for an absentee ballot does not meet the requirements of Subsection A or B of this Section. If the registrar rejects an application for an absentee ballot, the registrar shall provide the applicant with written reasons for the rejection.

~~F. Repealed by Acts 2002, 1st Ex. Sess., No. 130, §3, eff. April 23, 2002.~~

* * *

§1312. Retention of ballots at registrar's office

* * *

C. After the tabulation of the absentee ballots ~~on election night as provided for in R.S. 18:1313~~, the board shall replace the absentee ballots in the special absentee ballot envelope and return the envelope to the registrar of voters. The registrar shall retain these absentee ballots inviolate in the special absentee ballot envelope until the delay for filing an election contest has lapsed, or, if an action contesting the election has been filed, until the judgment in the action becomes definitive.

* * *

§1313. Tabulation and counting of absentee ballots

* * *

G. The final absentee vote report prepared by the parish board of election supervisors shall be transmitted to the clerk of court immediately upon completion of the tabulation of the absentee ballots ~~on election night~~, and a copy of the record shall be transmitted immediately to the secretary of state.

* * *

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

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

* * *

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

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

* * *

Section 2. R.S. 18:1304 and 1306(E)(1)(h), (G)(1)(g), and (H) are hereby repealed in their entirety."

AMENDMENT NO. 5

On page 1, line 16, change "Section 2." to "Section 3."

Point of Order

Rep. Bowler asked for a ruling from the Chair as to whether the above amendments were germane to the subject matter contained in the bill as introduced.

Ruling of the Chair

The Chair ruled that the above amendments were not germane to the subject matter contained in the bill as introduced.

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

Rep. Katz moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	Robideaux
Alexander	Frith	Scalise
Ansardi	Hutter	Schneider
Baldone	Johns	Smiley
Beard	Katz	Smith, G.
Bowler	Kennard	Smith, J.H.-8th
Bruce	Kenney	Smith, J.R.-30th
Bruneau	Lancaster	Strain
Burns	McDonald	Toomy
Crane	Montgomery	Triche
Crowe	Odinot	Tucker
DeWitt	Pinac	Waddell
Doerge	Pitre	Walker
Dove	Powell, M.	Walsworth
Downs	Powell, T.	Winston
Durand	Ritchie	
Total - 47		

NAYS

Alario	Gallot	Marchand
Arnold	Geymann	McVea
Badon	Glover	Morrell
Barrow	Gray	Morrish
Baudoin	Greene	Pierre
Baylor	Guillory, E.	Quezaire
Burrell	Guillory, M.	Richmond
Carter, K.	Hammett	Romero
Carter, R.	Heaton	Shepherd
Cazayoux	Hebert	Smith, J.D.-50th
Cravins	Honey	St. Germain

Curtis	Hopkins	Thompson
Damico	Hunter	Townsend
Daniel	Jackson	Trahan
Dartez	Jefferson	White
Dorsey	Kleckley	Wright
Erdey	LaFonta	
Faucheux	Lambert	
Total - 52		

ABSENT

Farrar	LaBruzzo	Martiny
Hill	LaFleur	Wooton
Total - 6		

The Chair declared the above bill failed to pass.

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

Suspension of the Rules

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

HOUSE BILL NO. 381—
BY REPRESENTATIVES JOHNS, ANSARDI, DEWITT, PINAC, AND WALKER AND SENATORS KOSTELKA AND THEUNISSEN
AN ACT

To amend and reenact R.S. 51:142, relative to monopolies; to exempt electric or gas utility companies subject to the jurisdiction of certain regulatory commissions from provisions applicable to monopolies; and to provide for related matters.

Suspension of the Rules

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

Called from the calendar.

Read by title.

Rep. Johns moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	Pitre
Alario	Farrar	Powell, T.
Alexander	Frith	Quezaire
Ansardi	Geymann	Ritchie
Arnold	Glover	Robideaux
Badon	Guillory, E.	Scalise
Barrow	Hill	Schneider
Beard	Hopkins	Smiley
Bowler	Hunter	Smith, J.D.—50th
Bruce	Hutter	Smith, J.H.—8th
Bruneau	Johns	Smith, J.R.—30th
Burns	Katz	St. Germain
Burrell	Kennard	Strain
Crane	Kenney	Thompson
Crowe	Kleckley	Toomy
Damico	Lambert	Trahan
Daniel	Lancaster	Triche
Dartez	McDonald	Tucker
DeWitt	McVea	Waddell
Doerge	Montgomery	Walker

Dove	Morrish	Walsworth
Downs	Odinot	White
Durand	Pierre	Winsto
Erdey	Pinac	Wright
Total - 72		

NAYS

Baldone	Gallot	LaFonta
Baudoin	Gray	Morrell
Baylor	Guillory, M.	Powell, M.
Carter, K.	Hammett	Richmond
Carter, R.	Heaton	Romero
Cazayoux	Hebert	Smith, G.
Cravins	Jackson	Townsend
Curtis	Jefferson	
Dorsey	LaFleur	
Total - 25		

ABSENT

Faucheux	LaBruzzo	Shepherd
Greene	Marchand	Wooton
Honey	Martiny	
Total - 8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 526—
BY REPRESENTATIVE WINSTON
AN ACT

To enact Part V-A of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2164.1 through 2165.2, relative to brain injury facilities; to provide for licensing requirements; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Winston to Engrossed House Bill No. 526 by Representative Winston

AMENDMENT NO. 1

On page 3, line 26, after "facility" and before the period "." insert the following:

"and shall include only individuals who are medically stable and do not require an IV, feeding tube, or other artificial or mechanical supports for life sustaining processes"

AMENDMENT NO. 2

On page 4, line 23, change "nurse educator" to "nursing director"

AMENDMENT NO. 3

On page 5, line 1, change "Nurse educator" to "Nursing director"

AMENDMENT NO. 4

On page 5, line 2, change "nurse educator" to "nursing director"

AMENDMENT NO. 5

On page 9, line 3, after "or" delete the remainder of the line and insert "nursing director in accordance with the client's needs"

Page 16 HOUSE

14th Day's Proceedings - May 17, 2005

AMENDMENT NO. 6

On page 9, line 4, delete "thirty days of admission"

AMENDMENT NO. 7

On page 9, at the end of line 5 after "needs." insert the following:

"Assistance with oral medication, inhalant medication, topical applications, suppository medication, eye and ear drops, prescription and non-prescription medication in accordance with the client's medical needs and orders of an authorized prescriber, shall be limited to the following:

(i) Reminding the client to take his medication.

(ii) Informing the client of the medication regimen, as indicated on the container, which may be read to the client and the dosage of the medication, according to the container label, may be checked by staff.

(iii) Physically assisting the client in pouring or otherwise taking or receiving medications, including having a staff member open the medicine container."

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

Point of Order

Rep. Jack Smith asked for a ruling from the Chair as to whether House Bill No. 526 levies a new fee or increases an existing fee, and therefore would require the favorable vote of two-thirds of the elected members to finally pass the House.

Ruling of the Chair

The Chair ruled the bill did levy a new fee or increase an existing fee, and therefore would require the favorable vote of two-thirds of the elected members to finally pass the House.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Powell, T.
Ansardi	Glover	Quezairé
Barrow	Gray	Ritchie
Baudoin	Guillory, E.	Robideaux
Beard	Hutter	Scalise
Bowler	Katz	Schneider
Bruce	Kennard	Smiley
Bruneau	Kenney	St. Germain
Burns	Kleckley	Strain
Crane	LaFleur	Thompson
Curtis	Lambert	Toomy
Dartez	Lancaster	Trahan
Dove	McVea	Triche
Downs	Montgomery	Walker
Durand	Odinet	Walsworth
Erdey	Pierre	White
Fannin	Pitre	Winston
Total - 51		

NAYS

Alario	Greene	Morrell
Badon	Guillory, M.	Morrish
Baldone	Hammett	Pinac

Carter, K.	Hebert	Powell, M.
Cazayoux	Hill	Richmond
Daniel	Honey	Smith, G.
DeWitt	Hopkins	Smith, J.D.—50th
Doerge	Hunter	Smith, J.H.—8th
Dorsey	Jackson	Smith, J.R.—30th
Farrar	LaFonta	Waddell
Frith	Marchand	Wright

Total - 33

ABSENT

Alexander	Damico	Martiny
Arnold	Gallot	McDonald
Baylor	Geymann	Romero
Burrell	Heaton	Shepherd
Carter, R.	Jefferson	Townsend
Cravins	Johns	Tucker
Crowe	LaBruzzo	Wooton

Total - 21

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

Motion to reconsider pending.

Suspension of the Rules

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

HOUSE BILL NO. 535—
BY REPRESENTATIVE TRICHE
AN ACT

To amend and reenact R.S. 56:305.6, relative to the moratorium on the issuance of commercial crab trap gear licenses; to authorize issuance of such licenses to certain persons; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Triche to Engrossed House Bill No. 535 by Representative Triche

AMENDMENT NO. 1

On page 1, line 11, after "2004," delete the remainder of the line and delete line 12 in its entirety and insert in lieu thereof the following:

"or that person has reported, in compliance with R.S. 56:306.6, Louisiana trip ticket crab sales of ten thousand or more pounds in the state of Louisiana during any one of the years 2002, 2003, or 2004."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Morrish
Alario	Frith	Odinet
Alexander	Gallot	Pierre

Ansardi	Geymann	Pinac
Arnold	Glover	Pitre
Badon	Gray	Powell, M.
Baldone	Greene	Powell, T.
Barrow	Guillory, E.	Quezaire
Baudoin	Guillory, M.	Richmond
Baylor	Hammett	Ritchie
Bowler	Heaton	Robideaux
Bruce	Hebert	Romero
Bruneau	Hill	Scalise
Burns	Honey	Schneider
Burrell	Hopkins	Shepherd
Carter, K.	Hunter	Smiley
Carter, R.	Hutter	Smith, G.
Cazayoux	Jackson	Smith, J.D.-50th
Crane	Jefferson	Smith, J.H.-8th
Cravins	Katz	St. Germain
Crowe	Kennard	Strain
Curtis	Kenney	Thompson
Damico	Kleckley	Toomy
Daniel	LaFleur	Townsend
Dartez	LaFonta	Trahan
DeWitt	Lambert	Triche
Doerge	Lancaster	Tucker
Dorsey	Marchand	Waddell
Dove	Martiny	Walker
Downs	McDonald	White
Durand	McVea	Winston
Fannin	Montgomery	Wright
Farrar	Morrell	
Total - 98		

NAYS

Total - 0

ABSENT

Beard	LaBruzzo	Wooton
Erdey	Smith, J.R.-30th	
Johns	Walsworth	
Total - 7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 617—
BY REPRESENTATIVES KENNARD AND THOMPSON
AN ACT

To enact R.S. 56:410.10, relative to fishing; to prohibit the use of certain fishing gear on Poverty Point Reservoir; and to provide for related matters.

Read by title.

Rep. Thompson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Morrish
Alario	Frith	Odinet
Alexander	Gallot	Pierre
Ansardi	Geymann	Pinac
Arnold	Glover	Pitre
Badon	Gray	Powell, M.

Baldone	Greene	Powell, T.
Barrow	Guillory, E.	Quezaire
Baudoin	Guillory, M.	Richmond
Baylor	Hammett	Ritchie
Beard	Heaton	Robideaux
Bowler	Hebert	Romero
Bruce	Hill	Scalise
Bruneau	Honey	Schneider
Burns	Hopkins	Shepherd
Burrell	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
Crowe	Kennard	Strain
Curtis	Kenney	Thompson
Damico	Kleckley	Toomy
Daniel	LaFleur	Townsend
Dartez	LaFonta	Trahan
DeWitt	Lambert	Triche
Doerge	Lancaster	Tucker
Dorsey	Marchand	Waddell
Dove	Martiny	Walker
Downs	McDonald	Walsworth
Durand	McVea	White
Fannin	Montgomery	Winston
Farrar	Morrell	Wright
Total - 102		

NAYS

Total - 0

ABSENT

Erdey	LaBruzzo	Wooton
Total - 3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 644—
BY REPRESENTATIVE BARROW
AN ACT

To repeal Children's Code Article 616(E), relative to child abuse; to repeal certain provisions relative to the disposition of reports and investigations of child abuse.

Read by title.

Motion

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

HOUSE BILL NO. 700—
BY REPRESENTATIVE TUCKER
AN ACT

To amend and reenact R.S. 22:1800(5), relative to vehicle mechanical breakdown insurance; to provide for coverage; to provide for customer assistance and services; and to provide for related matters.

Read by title.

Rep. Tucker moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

Page 18 HOUSE

14th Day's Proceedings - May 17, 2005

YEAS

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

Total - 98

NAYS

Total - 0

ABSENT

Arnold	LaBruzzo	Wooton
Barrow	Marchand	
Hammett	Smith, J.D.—50th	

Total - 7

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 738—
BY REPRESENTATIVES M. GUILLORY AND PINAC
AN ACT

To amend and reenact R.S. 9:3515(A)(1)(a), relative to the Louisiana Consumer Credit Law; to provide for home protection plans; and to provide for related matters.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Pinac gave notice of his intention to call House Bill No. 738 from the calendar for future action.

HOUSE BILL NO. 752—

BY REPRESENTATIVES DARTEZ AND ST. GERMAIN AND SENATOR DUPRE

AN ACT

To amend and reenact R.S. 56:34(A) and 495.1(E) and to enact R.S. 56:495.1(G) and 497.1, relative to shrimping; to provide for criminal penalties for class four violations; to provide for managing the shrimp fishery; to provide for issuance and restriction of certain gear licenses; to provide for operating vessel monitoring systems; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Dartez to Engrossed House Bill No. 752 by Representative Dartez

AMENDMENT NO. 1

On page 1, line 2, change "56:34(A)" to "56:34(A)(1) and (2)"

AMENDMENT NO. 2

On page 1, line 8, change "56:34(A)" to "56:34(A)(1) and (2)"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Odinot
Alario	Frith	Pierre
Alexander	Gallot	Pinac
Ansardi	Geymann	Pitre
Badon	Glover	Powell, M.
Baldone	Gray	Powell, T.
Barrow	Greene	Quezaire
Baudoin	Guillory, E.	Richmond
Baylor	Guillory, M.	Ritchie
Beard	Heaton	Robideaux
Bowler	Hebert	Romero
Bruce	Hill	Scalise
Bruneau	Honey	Schneider
Burns	Hopkins	Shepherd
Burrell	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
Crowe	Kennard	Strain
Curtis	Kenney	Thompson
Damico	Kleckley	Toomy
Daniel	LaFleur	Townsend
Dartez	LaFonta	Trahan
DeWitt	Lambert	Triche
Doerge	Lancaster	Tucker
Dorsey	Marchand	Waddell
Dove	Martiny	Walker
Downs	McDonald	Walsworth
Durand	McVea	White
Erdey	Montgomery	Winston
Fannin	Morrell	Wright
Farrar	Morrish	

Total - 101

NAYS

Total - 0

ABSENT

Arnold	LaBruzzo
Hammett	Wooton
Total - 4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 776—
BY REPRESENTATIVE RICHMOND
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

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

HOUSE BILL NO. 777—
BY REPRESENTATIVE CAZAYOUX
AN ACT

To enact R.S. 17:7(13), relative to the duties, functions, and responsibilities of the State Board of Elementary and Secondary Education; to provide relative to the development of certain curricular elements; to provide relative to inclusion of certain topics; to require the inclusion of the topic of adoption awareness in certain course material; to provide for definitions; and to provide for related matters.

Read by title.

Rep. Cazayoux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Bruce	Hill	Scalise
Bruneau	Honey	Schneider
Burns	Hopkins	Shepherd
Burrell	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
Crowe	Kennard	Strain
Curtis	Kenney	Thompson
Damico	Kleckley	Toomy
Daniel	LaFleur	Townsend
Dartez	LaFonta	Trahan
DeWitt	Lambert	Triche
Doerge	Lancaster	Tucker
Dorsey	Marchand	Waddell
Dove	Martiny	Walker
Downs	McDonald	Walsworth
Durand	McVea	White
Erdey	Montgomery	Winston
Fannin	Morrell	Wright

Total - 102

NAYS

Total - 0

ABSENT

Geymann	LaBruzzo	Wooton
Total - 3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 779—
BY REPRESENTATIVES MCVEA AND MCDONALD
AN ACT

To enact R.S. 32:867, relative to compulsory motor vehicle liability insurance; to provide for applicability; to provide for privately owned parking lots; and to provide for related matters.

Read by title.

Rep. McVea moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Odinot
Alario	Frith	Pierre
Alexander	Gallot	Pinac
Ansardi	Geymann	Pitre
Badon	Glover	Powell, M.
Baldone	Gray	Powell, T.
Barrow	Greene	Quezaire
Baudoin	Guillory, E.	Richmond
Baylor	Guillory, M.	Ritchie
Beard	Heaton	Robideaux
Bowler	Hebert	Romero
Bruce	Hill	Scalise
Bruneau	Honey	Schneider
Burns	Hopkins	Shepherd
Burrell	Hunter	Smiley
Carter, K.	Hutter	Smith, G.

Page 20 HOUSE

14th Day's Proceedings - May 17, 2005

Carter, R.	Jackson	Smith, J.D.—50th
Cazayoux	Jefferson	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Cravins	Katz	St. Germain
Crowe	Kennard	Strain
Damico	Kenney	Thompson
Daniel	Kleckley	Toomy
Dartez	LaFleur	Townsend
DeWitt	LaFonta	Trahan
Doerge	Lambert	Triche
Dorsey	Marchand	Tucker
Dove	Martiny	Waddell
Downs	McDonald	Walker
Durand	McVea	Walsworth
Erdey	Montgomery	White
Fannin	Morrill	Winston
Farrar	Morrish	Wright
Total - 99		

NAYS

Total - 0

ABSENT

Arnold	Hammett	Lancaster
Curtis	LaBruzzo	Wooton
Total - 6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 784—
BY REPRESENTATIVE SALTER
AN ACT

To amend and reenact Children's Code Article 811.1(G)(1) and R.S. 46:1844(W)(1)(a), relative to juvenile crime victims; to provide for an exception to the provisions requiring confidentiality of the identity of juvenile crimes victims; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Johns to Engrossed House Bill No. 784 by Representative Salter

AMENDMENT NO. 1

On page 1, line 2, after "Article 811.1(G)(1)" delete the remainder of the line and insert in lieu thereof "and R.S. 14:403.3(D) and R.S. 46:1844(W)(1)(a) and to enact R.S. 14:403.3(E),"

AMENDMENT NO. 2

On page 1, line 4, after "victims;" insert "to provide relative to reports of missing children; to provide relative to penalties;"

AMENDMENT NO. 3

On page 1, after line 21, insert the following:

"Section 2. R.S. 14:403.3(D) is hereby amended and reenacted and R.S. 14:403.3(E) is hereby enacted to read as follows:

§403.3. Reports of missing children; procedures; false reports or communications; penalties

* * *

D. No person shall intentionally communicate false information concerning a missing child causing an activation of the Amber Alert System in this state.

E. Whoever violates the provisions of Subsections B, or C or D herein shall be fined not more than five hundred dollars or be imprisoned for not more than six months, or both. In addition to any criminal penalty imposed, a person convicted of a violation of the provisions of Subsection D may be ordered to reimburse all costs incurred by any person or agency as a result of responding to the false communication."

AMENDMENT NO. 4

On page 2, line 1, change "Section 2." to "Section 3."

Point of Order

Rep. Durand asked for a ruling from the Chair as to whether the above amendments were germane to the subject matter contained in the bill as introduced.

Ruling of the Chair

The Chair ruled that the above amendments were not germane to the subject matter contained in the bill as introduced.

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

Rep. Durand moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Odinet
Alario	Frith	Pierre
Alexander	Gallot	Pinac
Ansardi	Geymann	Pitre
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	LaFleur	Trahan
Dartez	LaFonta	Triche
DeWitt	Lambert	Tucker
Doerge	Lancaster	Waddell
Dorsey	Marchand	Walker

Dove	Martiny	Walsworth
Downs	McDonald	White
Durand	McVea	Winston
Erdey	Montgomery	Wright
Fannin	Morrell	
Farrar	Morrish	
Total - 103		

NAYS

Total - 0

ABSENT

LaBruzzo	Wooton
Total - 2	

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. 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.

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

Fannin	Montgomery	Winston
Farrar	Morrell	Wright
Total - 99		

NAYS

Total - 0

ABSENT

Alexander	Hammett	Smith, J.D.—50th
Arnold	LaBruzzo	Wooton
Total - 6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

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.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Jack Smith to Engrossed House Bill No. 30 by Representative Jack Smith

AMENDMENT NO. 1

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

AMENDMENT NO. 2

On page 1, line 16, delete "fifty" and insert "fifty two hundred"

AMENDMENT NO. 3

On page 2, line 5, after "spouses" and before "and" insert a comma and "parents."

AMENDMENT NO. 4

On page 2, at the end of line 11, change "one" to "two"

AMENDMENT NO. 5

On page 2, line 13, delete "fifty" and insert "fifty two hundred"

AMENDMENT NO. 6

On page 2, line 15, delete "dependent" and insert "a dependent child or"

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

Rep. Jack Smith moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

Page 22 HOUSE

14th Day's Proceedings - May 17, 2005

	YEAS		
Mr. Speaker	Frith	Pierre	
Alexander	Gallot	Pinac	
Badon	Geymann	Pitre	
Baldone	Glover	Powell, M.	
Barrow	Gray	Powell, T.	
Baudoin	Greene	Quezaire	
Baylor	Guillory, E.	Richmond	
Beard	Guillory, M.	Ritchie	
Bowler	Heaton	Robideaux	
Bruce	Hebert	Romero	
Bruneau	Hill	Scalise	
Burns	Honey	Schneider	
Burrell	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	
Crowe	Katz	St. Germain	
Curtis	Kennard	Strain	
Damico	Kenney	Thompson	
Daniel	Kleckley	Toomy	
Dartez	LaFleur	Townsend	
Doerge	LaFonta	Trahan	
Dorsey	Lambert	Triche	
Dove	Marchand	Tucker	
Downs	McDonald	Waddell	
Durand	McVea	Walker	
Erdey	Montgomery	Walsworth	
Fannin	Morrell	White	
Farrar	Morrish	Winston	
Faucheux	Odinet	Wright	
Total - 96			

NAYS

Total - 0

ABSENT

Alario	DeWitt	Lancaster
Ansardi	Hammett	Martiny
Arnold	LaBruzzo	Wooton
Total - 9		

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. 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.

Rep. Ansardi 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

Arnold	Geymann	Pinac
Badon	Glover	Pitre
Baldone	Gray	Powell, M.
Barrow	Greene	Powell, T.
Baudoin	Guillory, E.	Quezaire
Baylor	Guillory, M.	Richmond
Beard	Hammett	Ritchie
Bowler	Hebert	Robideaux
Bruce	Hill	Romero
Bruneau	Honey	Scalise
Burns	Hopkins	Schneider
Burrell	Hunter	Shepherd
Carter, K.	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	Strain
Damico	Kenney	Thompson
Daniel	Kleckley	Toomy
Dartez	LaFleur	Townsend
DeWitt	LaFonta	Trahan
Doerge	Lambert	Triche
Dorsey	Lancaster	Tucker
Dove	Marchand	Waddell
Downs	Martiny	Walker
Durand	McDonald	Walsworth
Erdey	McVea	White
Fannin	Montgomery	Winston
Farrar	Morrell	Wright
Total - 99		

NAYS

Total - 0

ABSENT

Ansardi	Heaton	St. Germain
Carter, R.	LaBruzzo	Wooton
Total - 6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Ansardi 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. 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.

Rep. Morrell 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
Ansardi	Gallot	Pierre
Badon	Glover	Pinac
Baldone	Gray	Pitre
Barrow	Guillory, E.	Powell, M.

Baudoin	Hammett	Powell, T.
Baylor	Heaton	Quezaire
Beard	Hebert	Richmond
Bowler	Hill	Ritchie
Bruce	Honey	Romero
Bruneau	Hopkins	Schneider
Burrell	Hunter	Shepherd
Carter, K.	Hutter	Smiley
Carter, R.	Jackson	Smith, J.D.-50th
Cazayoux	Johns	Smith, J.H.-8th
Cravins	Kennard	Smith, J.R.-30th
Curtis	Kenney	St. Germain
Damico	Kleckley	Strain
Daniel	LaFleur	Toomy
Dartez	LaFonta	Townsend
DeWitt	Lancaster	Trahan
Doerge	Marchand	Triche
Dorsey	Martiny	Waddell
Dove	McDonald	White
Downs	McVea	Winston
Durand	Montgomery	Wright
Fannin	Morrell	

Total - 83

NAYS

Crowe	Katz	Tucker
Farrar	Robideaux	Walker
Geymann	Smith, G.	Walsworth
Greene	Thompson	

Total - 11

ABSENT

Alexander	Erdey	Lambert
Arnold	Guillory, M.	Scalise
Burns	Jefferson	Wooton
Crane	LaBruzzo	

Total - 11

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Morrell 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. 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.

Rep. Dorsey moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Pierre
Alario	Gallot	Pinac
Alexander	Geymann	Pitre
Ansardi	Glover	Powell, M.
Badon	Gray	Powell, T.
Baldone	Greene	Quezaire
Barrow	Guillory, E.	Richmond
Baudoin	Hammett	Ritchie

Baylor	Heaton	Robideaux
Beard	Hebert	Romero
Bowler	Hill	Scalise
Bruce	Honey	Schneider
Bruneau	Hopkins	Shepherd
Burns	Hunter	Smiley
Burrell	Hutter	Smith, G.
Carter, K.	Jackson	Smith, J.D.-50th
Carter, R.	Johns	Smith, J.H.-8th
Cazayoux	Katz	Smith, J.R.-30th
Crane	Kennard	St. Germain
Cravins	Kenney	Strain
Crowe	Kleckley	Thompson
Curtis	LaFleur	Toomy
Damico	LaFonta	Townsend
Daniel	Lambert	Trahan
Dartez	Lancaster	Triche
DeWitt	Marchand	Tucker
Dorsey	Martiny	Waddell
Dove	McDonald	Walker
Downs	McVea	Walsworth
Durand	Montgomery	White
Fannin	Morrell	Winston
Farrar	Morrish	Wright
Faucheux	Odinot	

Total - 98

NAYS

Total - 0

ABSENT

Arnold	Guillory, M.	Wooton
Doerge	Jefferson	
Erdey	LaBruzzo	

Total - 7

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 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.

Rep. Alexander moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Pierre
Alario	Gallot	Pinac
Alexander	Geymann	Pitre
Ansardi	Glover	Powell, M.
Badon	Gray	Powell, T.
Baldone	Greene	Quezaire
Barrow	Guillory, E.	Richmond
Baudoin	Guillory, M.	Ritchie
Baylor	Hammett	Robideaux
Beard	Heaton	Romero

Page 24 HOUSE

14th Day's Proceedings - May 17, 2005

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	Johns	Smith, J.R.—30th
Crane	Katz	St. Germain
Cravins	Kennard	Strain
Crowe	Kenney	Thompson
Damico	Kleckley	Toomy
Daniel	LaFonta	Townsend
Dartez	Lambert	Trahan
DeWitt	Lancaster	Triche
Doerge	Marchand	Tucker
Dorsey	Martiny	Waddell
Dove	McDonald	Walker
Downs	McVea	Walsworth
Durand	Montgomery	White
Fannin	Morrell	Winston
Farrar	Morrish	Wright
Faucheux	Odinet	

Total - 98

NAYS

Total - 0

ABSENT

Arnold	Jefferson	Wooton
Curtis	LaBruzzo	
Erdey	LaFleur	

Total - 7

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.

Speaker Pro Tempore Dorsey in the Chair

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.

Rep. Dove 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
Ansardi	Frith	Pierre
Arnold	Gallot	Pinac
Badon	Geymann	Pitre
Baldone	Gray	Powell, M.
Barrow	Greene	Powell, T.

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

Total - 98

NAYS

Total - 0

ABSENT

Alexander	LaBruzzo	Wooton
Glover	Tucker	
Jefferson	Walsworth	

Total - 7

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Dove 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. 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.

Rep. Bruce moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	McVea
Alario	Farrar	Montgomery
Ansardi	Faucheux	Morrell
Arnold	Frith	Morrish
Badon	Gallot	Odinet
Baldone	Geymann	Pierre
Barrow	Glover	Pinac
Baudoin	Gray	Pitre
Baylor	Greene	Powell, M.

Beard	Guillory, E.	Powell, T.
Bowler	Guillory, M.	Quezaire
Bruce	Hammett	Richmond
Bruneau	Heaton	Ritchie
Burns	Hebert	Robideaux
Burrell	Hill	Romero
Carter, K.	Honey	Schneider
Carter, R.	Hopkins	Shepherd
Cazayoux	Hunter	Smith, G.
Crane	Hutter	Smith, J.H.—8th
Cravins	Johns	Smith, J.R.—30th
Crowe	Katz	St. Germain
Curtis	Kennard	Strain
Damico	Kenney	Thompson
Daniel	Kleckley	Toomy
Dartez	LaFleur	Trahan
DeWitt	LaFonta	Triche
Doerge	Lambert	Waddell
Dove	Lancaster	Walker
Downs	Marchand	White
Durand	Martiny	Winston
Erdey	McDonald	Wright

Total - 93

NAYS

Total - 0

ABSENT

Alexander	LaBruzzo	Townsend
Dorsey	Scalise	Tucker
Jackson	Smiley	Walsworth
Jefferson	Smith, J.D.—50th	Wooton

Total - 12

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Bruce 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. 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.

Rep. Fauchaux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Pierre
Alario	Gallot	Pinac
Ansardi	Geymann	Pitre
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
Crane	Johns	Smith, J.R.—30th
Cravins	Katz	St. Germain
Crowe	Kennard	Strain
Curtis	Kenney	Thompson
Damico	Kleckley	Toomy
Daniel	LaFleur	Townsend
Dartez	LaFonta	Trahan
DeWitt	Lambert	Triche
Doerge	Lancaster	Tucker
Dorsey	Marchand	Waddell
Dove	Martiny	Walker
Downs	McDonald	Walsworth
Durand	McVea	White
Erdey	Montgomery	Winston
Fannin	Morrell	Wright
Farrar	Morrish	
Fauchaux	Odinet	

Total - 100

NAYS

Total - 0

ABSENT

Alexander	Jefferson	Wooton
Cazayoux	LaBruzzo	

Total - 5

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Fauchaux 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. 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.

Rep. Fauchaux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Morrish
Alario	Fauchaux	Odinet
Ansardi	Frith	Pierre
Arnold	Gallot	Pinac
Badon	Geymann	Pitre
Baldone	Glover	Powell, M.
Barrow	Gray	Powell, T.
Baudoin	Greene	Quezaire
Baylor	Guillory, E.	Richmond

Page 26 HOUSE

14th Day's Proceedings - May 17, 2005

Beard	Guillory, M.	Ritchie
Bowler	Hammett	Robideaux
Bruce	Heaton	Romero
Bruneau	Hebert	Scalise
Burns	Hill	Schneider
Burrell	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
Crowe	Kennard	Strain
Curtis	Kenney	Thompson
Damico	Kleckley	Toomy
Daniel	LaFleur	Townsend
Dartez	LaFonta	Trahan
DeWitt	Lambert	Triche
Doerge	Lancaster	Tucker
Dorsey	Marchand	Waddell
Dove	Martiny	Walker
Downs	McDonald	White
Durand	McVea	Winston
Erdey	Montgomery	Wright
Fannin	Morrell	
Total - 98		

NAYS

Total - 0

ABSENT

Alexander	LaBruzzo	Wooton
Jefferson	St. Germain	
Katz	Walsworth	
Total - 7		

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. 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.

Rep. Bruneau moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	Pinac
Alario	Farrar	Pitre
Alexander	Faucheux	Powell, M.
Ansardi	Frith	Powell, T.
Arnold	Gallot	Quezaire
Badon	Glover	Richmond
Baldone	Guillory, E.	Ritchie
Barrow	Hammett	Romero
Baudoin	Heaton	Scalise
Baylor	Hebert	Schneider
Beard	Hill	Shepherd
Bowler	Honey	Smiley

Bruce	Hopkins	Smith, G.
Bruneau	Hunter	Smith, J.D.-50th
Burns	Hutter	Smith, J.H.-8th
Burrell	Jackson	Smith, J.R.-30th
Carter, R.	Johns	St. Germain
Cazayoux	Kennard	Strain
Crane	Kenney	Thompson
Cravins	LaFleur	Toomy
Crowe	LaFonta	Townsend
Curtis	Lambert	Trahan
Damico	Lancaster	Triche
Daniel	Marchand	Tucker
Dartez	Martiny	Waddell
DeWitt	McDonald	Walker
Doerge	McVea	Walsworth
Dorsey	Montgomery	White
Dove	Morrell	Winston
Downs	Morrish	Wright
Durand	Odinet	
Erdey	Pierre	
Total - 94		

NAYS

Geymann	Kleckley
Greene	Robideaux
Total - 4	

ABSENT

Carter, K.	Jefferson	Wooton
Gray	Katz	
Guillory, M.	LaBruzzo	
Total - 7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

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.

Motion

On motion of Rep. Ritchie, the bill was returned to the 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.

Rep. Bruneau moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Odinet
Alario	Frith	Pierre
Alexander	Gallot	Pinac
Ansardi	Geymann	Pitre
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
Curtis	Kennard	Thompson
Damico	Kenney	Toomy
Daniel	Kleckley	Townsend
Dartez	LaFleur	Trahan
DeWitt	LaFonta	Triche
Doerge	Lambert	Tucker
Dorsey	Lancaster	Waddell
Dove	Marchand	Walker
Downs	Martiny	White
Durand	McDonald	Winston
Erdey	McVea	Wright
Fannin	Montgomery	
Farrar	Morrell	
Total - 100		

NAYS

Crowe
Total - 1

ABSENT

LaBruzzo Walsworth
Morrish Wooton
Total - 4

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

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.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hill to Engrossed House Bill No. 398 by Representative Hill

AMENDMENT NO. 1

On page 1, line 14, after "municipality" and before "cannot be contested" delete "is operative and"

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

Rep. Hill 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	Pitre
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
Burrell	Hutter	Smith, G.
Carter, K.	Jackson	Smith, J.D.—50th
Carter, R.	Jefferson	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
Dorsey	Marchand	Waddell
Dove	Martiny	Walker
Downs	McDonald	Walsworth
Durand	McVea	White
Erdey	Montgomery	Winston
Fannin	Morrell	Wright
Farrar	Morrish	
Faucheux		
Total - 101		

NAYS

Crowe
Total - 1

ABSENT

Dorsey LaBruzzo Wooton
Total - 3

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Hill 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.

Page 28 HOUSE

14th Day's Proceedings - May 17, 2005

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.

Rep. Tucker moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of representatives who voted 'YEAS' for House Bill No. 401, including Mr. Speaker, Alario, Ansardi, Arnold, Badon, Baldone, Barrow, Baudoin, Baylor, Beard, Bowler, Bruce, Bruneau, Burns, Burrell, Carter, K., Carter, R., Cazayoux, Crane, Cravins, Curtis, Damico, Daniel, Dartez, DeWitt, Doerge, Dorsey, Dove, Downs, Durand, Erdey, Fannin, Farrar, Faucheux, Frith, Gallot, Geymann, Glover, Gray, Greene, Guillory, E., Guillory, M., Hammett, Heaton, Hebert, Hill, Honey, Hopkins, Hunter, Hutter, Jackson, Jefferson, Johns, Katz, Kennard, Kenney, Kleckley, LaFleur, LaFonta, Lambert, Lancaster, Marchand, Martiny, McDonald, McVea, Montgomery, Morrell, Morrish, Odinet, Pierre, Pinac, Pitre, Powell, M., Powell, T., Quezaire, Richmond, Ritchie, Robideaux, Romero, Scalise, Schneider, Shepherd, Smiley, Smith, G., Smith, J.D.-50th, Smith, J.H.-8th, Smith, J.R.-30th, St. Germain, Strain, Thompson, Toomy, Townsend, Trahan, Triche, Tucker, Waddell, Walker, Walsworth, White, Winston, and Wright.

Total - 101

NAYS

Crowe
Total - 1

ABSENT

Alexander LaBruzzo Wooton
Total - 3

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

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.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Greene to Engrossed House Bill No. 422 by Representative Greene

AMENDMENT NO. 1

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

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of representatives who voted 'YEAS' for House Bill No. 422, including Mr. Speaker, Alario, Alexander, Ansardi, Arnold, Badon, Baldone, Barrow, Baudoin, Baylor, Beard, Bowler, Bruce, Bruneau, Burns, Burrell, Carter, K., Carter, R., Cazayoux, Crane, Cravins, Damico, Daniel, Dartez, DeWitt, Doerge, Dorsey, Dove, Downs, Durand, Erdey, Fannin, Farrar, Faucheux, Frith, Gallot, Geymann, Glover, Gray, Greene, Guillory, E., Guillory, M., Hammett, Heaton, Hebert, Hill, Honey, Hopkins, Hunter, Hutter, Jackson, Jefferson, Johns, Katz, Kennard, Kenney, Kleckley, LaFleur, LaFonta, Lambert, Lancaster, Marchand, Martiny, McDonald, McVea, Montgomery, Morrell, Morrish, Odinet, Pierre, Pinac, Pitre, Powell, M., Powell, T., Quezaire, Richmond, Ritchie, Robideaux, Romero, Scalise, Schneider, Shepherd, Smiley, Smith, G., Smith, J.D.-50th, Smith, J.H.-8th, Smith, J.R.-30th, St. Germain, Strain, Thompson, Toomy, Townsend, Trahan, Triche, Tucker, Waddell, Walker, Walsworth, White, Winston, and Wright.

Total - 99

NAYS

Crowe
Total - 1

ABSENT

Curtis Tucker Wooton
LaBruzzo Walsworth

Total - 5

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Greene 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. 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.

Rep. Walker moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Pierre
Alexander	Gallot	Pinac
Ansardi	Glover	Pitre
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
Burrell	Hutter	Smith, G.
Carter, K.	Jackson	Smith, J.D.—50th
Carter, R.	Jefferson	Smith, J.H.—8th
Cazayoux	Johns	Smith, J.R.—30th
Crane	Katz	St. Germain
Cravins	Kennard	Strain
Crowe	Kenney	Thompson
Curtis	Kleckley	Toomy
Damico	LaFleur	Townsend
Daniel	LaFonta	Trahan
Dartez	Lambert	Triche
Doerge	Lancaster	Tucker
Dorsey	Marchand	Waddell
Dove	Martiny	Walker
Downs	McDonald	Walsworth

Durand	McVea	White
Erdey	Montgomery	Winston
Fannin	Morrell	Wright
Farrar	Morrish	
Faucheux	Odinet	
Total - 100		

NAYS

Total - 0

ABSENT

Alario	Geymann	Wooton
DeWitt	LaBruzzo	
Total - 5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Durand gave notice of her intention to call House Bill No. 369 from the calendar for future action.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Toomy gave notice of his intention to call House Bill No. 125 from the calendar for future action.

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.

Rep. Hunter moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Pinac
Alario	Gallot	Pitre
Alexander	Geymann	Powell, M.
Ansardi	Gray	Powell, T.
Arnold	Greene	Quezaire
Badon	Guillory, E.	Richmond
Baldone	Guillory, M.	Ritchie
Barrow	Hammett	Robideaux
Baudoin	Heaton	Romero
Baylor	Hill	Scalise
Beard	Honey	Schneider
Bowler	Hopkins	Shepherd
Bruneau	Hunter	Smiley
Burns	Hutter	Smith, G.
Burrell	Jackson	Smith, J.D.—50th
Carter, R.	Jefferson	Smith, J.H.—8th

Page 30 HOUSE

14th Day's Proceedings - May 17, 2005

Cazayoux	Johns	Smith, J.R.–30th
Crane	Katz	St. Germain
Cravins	Kennard	Strain
Crowe	Kenny	Thompson
Curtis	Kleckley	Toomy
Damico	LaFleur	Townsend
Daniel	LaFonta	Trahan
DeWitt	Lambert	Triche
Doerge	Lancaster	Tucker
Dorsey	Marchand	Waddell
Dove	Martiny	Walker
Downs	McDonald	Walsworth
Durand	McVea	White
Erdey	Morrell	Winston
Fannin	Morrish	Wright
Farrar	Odinet	
Fauchoux	Pierre	
Total - 97		

NAYS

Total - 0

ABSENT

Bruce	Glover	Montgomery
Carter, K.	Hebert	Wooton
Dartez	LaBruzzo	
Total - 8		

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

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 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.

Rep. Hunter moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fauchoux	Morrish
Alario	Frith	Pierre
Alexander	Gallot	Pinac
Ansardi	Geymann	Pitre
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
Curtis	Kennard	Thompson
Damico	Kenny	Toomy
Daniel	Kleckley	Townsend
Dartez	LaFleur	Trahan
DeWitt	LaFonta	Triche
Doerge	Lambert	Tucker
Dorsey	Lancaster	Waddell
Dove	Marchand	Walker
Downs	Martiny	Walsworth
Durand	McDonald	White
Erdey	McVea	Winston
Fannin	Montgomery	Wright
Farrar	Morrell	
Total - 101		

NAYS

Crowe
Total - 1

ABSENT

LaBruzzo	Odinet	Wooton
Total - 3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 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.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Morrish gave notice of his intention to call House Bill No. 492 from the calendar for future action.

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.

Rep. McDonald, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative McDonald on behalf of the Legislative Bureau to Engrossed House Bill No. 496 by Representative McDonald

AMENDMENT NO. 1

On page 2, line 25, change "(B)" to "(A)"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Odinet
Alario	Frith	Pierre
Alexander	Gallot	Pinac
Ansardi	Geymann	Pitre
Arnold	Glover	Powell, M.
Badon	Gray	Powell, T.
Baldone	Greene	Quezairre
Barrow	Guillory, E.	Richmond
Baudoin	Guillory, M.	Ritchie
Baylor	Hammitt	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	LaFleur	Trahan
Dartez	LaFonta	Triche
DeWitt	Lambert	Tucker
Doerge	Lancaster	Waddell
Dorsey	Marchand	Walker
Dove	Martiny	Walsworth
Downs	McDonald	White
Durand	McVea	Winston
Erdey	Montgomery	Wright
Fannin	Morrell	
Farrar	Morrish	

Total - 103

NAYS

Total - 0

ABSENT

LaBruzzo Wooton
Total - 2

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Suspension of the Rules

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

Petitions, Memorials and Communications

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

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

May 17, 2005

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

I am directed to inform your honorable body that the Senate has concurred in the following House Concurrent Resolutions:

House Concurrent Resolution No. 99
Returned without amendments

House Concurrent Resolution No. 102
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

HOUSE BILLS

May 17, 2005

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

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

House Bill No. 28
Returned with amendments

House Bill No. 272
Returned with amendments

House Bill No. 658
Returned with amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

**ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

May 17, 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 No. 36

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

SENATE BILLS

May 17, 2005

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

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

Senate Bill Nos. 21, 180, 186, 187, 195, and 223

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Suspension of the Rules

On motion of Rep. Frith, the rules were suspended in order to take up the bills contained in the message at this time.

**Senate Bills and Joint Resolutions
on First Reading**

The following Senate Bills and Joint Resolutions on first reading were taken up, read, and placed upon the calendar for their second reading:

SENATE BILL NO. 21—
BY SENATOR N. GAUTREAUX

AN ACT

To enact R.S. 56:799.4(B)(8), relative to the White Lake Property Advisory Board; to provide relative to board composition and membership; to add a member at large to the board who shall be a resident of Ward 8 of Vermilion Parish and appointed by the governor; and to provide for related matters.

Read by title.

SENATE BILL NO. 180—
BY SENATOR MALONE

AN ACT

To amend and reenact R. S. 9:2343(E)(1), relative to public trusts; to provide relative to public trust contracts for construction, labor, equipment, or repairs; to provide relative to compliance with public bid requirements for such contracts; to remove exemption from such compliance for certain economic development facilities and activities; and to provide for related matters.

Read by title.

SENATE BILL NO. 186—
BY SENATOR BOASSO

AN ACT

To enact R.S. 18:1505.2(S), relative to campaign finance; to provide for prohibited campaign contributions; to prohibit candidates from soliciting or accepting certain campaign contributions; and to provide for related matters.

Read by title.

SENATE BILL NO. 187—
BY SENATORS DUPRE, N. GAUTREAUX, MALONE, MCPHERSON,
MICHOT AND ROMERO AND REPRESENTATIVES BALDONE, PITRE
AND ST. GERMAIN

A JOINT RESOLUTION

Proposing to add Article VII, Section 10.2(E) of the Constitution of Louisiana, relative to the Wetlands Conservation and Restoration Fund; to provide relative to certain federal revenues received by the state generated from Outer Continental Shelf oil and gas activity; to provide for the depositing and crediting of such monies into the Wetlands Conservation and Restoration Fund, and for the uses of such federal revenues; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

SENATE BILL NO. 195—
BY SENATORS DUPRE, BAJIOIE, N. GAUTREAUX, HINES, MALONE,
MCPHERSON, MICHOT, MOUNT AND ROMERO AND
REPRESENTATIVES ALARIO, BALDONE, DORSEY, HAMMETT, PITRE,
SALTER AND ST. GERMAIN

AN ACT

To amend and reenact R.S. 49:213.7(A)(2)(introductory paragraph), (C) and (D), and to enact R.S. 49:213.7(B)(3) and (E)(7), relative to the Wetlands Conservation and Restoration Fund; to provide relative to certain federal revenues to be credited and deposited to the fund; to provide relative to fund uses; and to provide for related matters.

Read by title.

SENATE BILL NO. 223—
BY SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 12:901(A), 902, 904, 911(B), and 914, relative to professional medical corporations; to provide for the inclusion of the practice of podiatry in a professional medical corporation; and to provide for related matters.

Read by title.

Message from the Senate

SIGNED SENATE BILLS AND JOINT RESOLUTIONS

May 17, 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 Bills:

Senate Bill No. 74

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

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

The Senate Bills and Joint 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. 31—

BY REPRESENTATIVE TUCKER

A RESOLUTION

To amend and readopt House Rule 8.27(A) and (C) of the Rules of Order of the House of Representatives and to adopt House Rule 8.27(D) of the Rules of Order of the House of Representatives to provide that the motion to suspend the requirement that the question of consideration of a conference committee report lie over until the next legislative day is a debatable motion and to provide certain procedures for certain limited conference committee reports and other specified reports received on the last day of a session.

Read by title.

Lies over under the rules.

HOUSE RESOLUTION NO. 32—

BY REPRESENTATIVE DORSEY

A RESOLUTION

To commend the Louisiana Senior Corps for its contributions to the state of Louisiana.

Read by title.

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

HOUSE RESOLUTION NO. 33—

BY REPRESENTATIVES CRANE, WALKER, QUEZAIRE, AND WALSWORTH

A RESOLUTION

To express the support of the Louisiana House of Representatives for and to encourage continued participation in the America's Legislators Back to School Program, sponsored by the National Conference of State Legislatures.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 112—

BY REPRESENTATIVE M. POWELL

A CONCURRENT RESOLUTION

To urge and request the Louisiana medical schools to consider requiring medical school students attending such institutions to participate in clinical rotations in rural areas of the state in order to encourage and promote expansion of the family physician workforce in these areas thereby affording better medical care to the citizens of areas of the state where there is a shortage of physicians and other health care professionals, and to urge and request the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to adopt appropriate policies providing for such rotations in the medical school programs under its jurisdiction and supervision.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 113—

BY REPRESENTATIVE PITRE

A CONCURRENT 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.

Read by title.

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

Ordered to the Senate.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Appropriations

May 17, 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. 238, by St. Germain
Reported with amendments. (10-0) (Regular)

House Bill No. 268, by Burrell
Reported favorably. (10-0) (Regular)

House Bill No. 505, by Jack Smith
Reported with amendments. (10-0) (Regular)

House Bill No. 565, by Durand
Reported with amendments. (10-0) (Regular)

JOHN ALARIO
Chairman

Report of the Committee on Civil Law and Procedure

May 17, 2005

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Civil Law and Procedure to submit the following report:

House Bill No. 80, by Bruneau (Joint Resolution)
Reported without amendments. (8-0) (Regular)

House Bill No. 84, by Cazayoux
Reported with amendments. (8-0) (Regular)

House Bill No. 222, by Toomy (Joint Resolution)
Reported without amendments. (6-0) (Regular)

House Bill No. 226, by Gallot
Reported with amendments. (8-0) (Regular)

House Bill No. 318, by Badon
Reported with amendments. (8-0) (Regular)

House Bill No. 363, by St. Germain
Reported favorably. (8-0) (Regular)

GLENN ANSARDI
Chairman

Report of the Committee on Environment

May 17, 2005

To the Speaker and Members of the House of Representatives:

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

House Bill No. 473, by McDonald
Reported favorably. (5-0) (Regular)

House Bill No. 848, by Honey
Reported with amendments. (5-0) (Regular)

N. J. DAMICO
Chairman

**Report of the Committee on
Transportation, Highways and Public Works**

May 17, 2005

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Transportation, Highways and Public Works to submit the following report:

House Concurrent Resolution No. 84, by Dove
Reported favorably. (12-0-1)

House Bill No. 372, by Quezaire
Reported with amendments. (11-0-1) (Regular)

House Bill No. 387, by Salter
Reported favorably. (13-0-1) (Regular)

House Bill No. 464, by Baldone
Reported with amendments. (11-0-1) (Regular)

House Bill No. 595, by Salter
Reported favorably. (14-0-1) (Regular)

ROY QUEZAIRE
Chairman

Report of the Committee on Ways and Means

May 17, 2005

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Ways and Means to submit the following report:

House Bill No. 78, by LaFleur
Reported with amendments. (15-0) (Regular)

House Bill No. 212, by Hammett
Reported favorably. (18-0) (Regular)

House Bill No. 239, by Hill
Reported favorably. (15-0) (Regular)

House Bill No. 356, by Richmond
Reported with amendments. (16-0) (Regular)

House Bill No. 742, by Karen Carter
Reported with amendments. (10-8) (Regular)

House Bill No. 805, by Montgomery
Reported with amendments. (16-0) (Regular)

BRYANT O. HAMMETT, JR.
Chairman

Privileged Report of the Legislative Bureau

October 10, 2005

To the Speaker and Members of the House of Representatives:

I am directed by your Legislative Bureau to submit the following report:

Senate Bill No. 54
Reported with amendments.

Senate Bill No. 167
Reported without amendments.

Senate Bill No. 307
Reported without amendments.

Respectfully submitted,
CHARLES MCDONALD
Chairman

Privileged Report of the Committee on Enrollment

May 17, 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. 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.

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.

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.

Suspension of the Rules

On motion of Rep. Pinac, the rules were suspended to permit the Committee on Commerce 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 No. 486

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. 2, 3, 691, and 817

Adjournment

On motion of Rep. Kenney, at 5:55 P.M., the House agreed to adjourn until Wednesday, May 18, 2005, at 2:00 P.M.

The Speaker Pro Tempore of the House declared the House adjourned until 2:00 P.M., Wednesday, May 18, 2005.

ALFRED W. SPEER
Clerk of the House

