

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

EIGHTEENTH 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 24, 2005

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

Morning Hour

ROLL CALL

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

PRESENT

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

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

ABSENT

Pitre	Quezaire
Total - 2	

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

Prayer

Prayer was offered by Rev. J. Roddy Taylor.

Pledge of Allegiance

Rep. Hebert 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. Odinet, the reading of the Journal was dispensed with.

On motion of Rep. Waddell, and under a suspension of the rules, the Journal of May 23, 2005, was corrected to reflect him as voting yea on final passage of House Bill No. 601.

On motion of Rep. Hunter, the Journal of May 23, 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 24, 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. 31
Returned without amendments

House Concurrent Resolution No. 56
Returned without amendments

House Concurrent Resolution No. 65
Returned without amendments

House Concurrent Resolution No. 115
Returned without amendments

House Concurrent Resolution No. 116
Returned without amendments

House Concurrent Resolution No. 117
Returned without amendments

House Concurrent Resolution No. 120
Returned without amendments

House Concurrent Resolution No. 123
Returned without amendments

House Concurrent Resolution No. 124
Returned without amendments

House Concurrent Resolution No. 126
Returned without amendments

House Concurrent Resolution No. 129
Returned without amendments

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Message from the Senate
ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS

May 24, 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. 66, 69, 72, and 73

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Suspension of the Rules

On motion of Rep. Erdey, the rules were suspended in order to take up and consider Senate Concurrent Resolutions at this time.

Senate Concurrent Resolutions

The following Senate Concurrent Resolutions contained in the message were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 72—
BY SENATOR FONTENOT

A CONCURRENT RESOLUTION

To commend Kelton Whitehead on his many years of service to the District #3 Parks and Recreation of Denham Springs Board of Directors.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 73—
BY SENATOR N. GAUTREAU AND REPRESENTATIVE HEBERT

A CONCURRENT RESOLUTION

To commend AGL Resources on its decision to invest in Louisiana and encourage future investments in the state.

Read by title.

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

Message from the Senate

SENATE BILLS

May 24, 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. 4, 35, 47, 63, 84, 157, 162, 173, 184, 188, 215, 231, 238, and 336

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Suspension of the Rules

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

Senate Bills and Joint Resolutions
on First Reading

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

SENATE BILL NO. 4—
BY SENATOR B. GAUTREAU
AN ACT

To enact R.S. 12:204.2, relative to nonprofit corporations; to provide with respect to the naming of certain nonprofit corporations; to authorize the use of "parish" in the name of a nonprofit corporation under certain circumstances; to provide limitations; to provide for an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 35—
BY SENATOR BARHAM
AN ACT

To enact R.S. 40:2405(H), relative to peace officer standards and training; to provide requirements for former peace officers to retain certain qualifications; to provide relative to the resumption of service as a peace officer; and to provide for related matters.

Read by title.

SENATE BILL NO. 47—
BY SENATOR BARHAM
AN ACT

To amend and reenact R.S. 38:3087.212, relative to public contracts, works and improvements; to provide for the power of the Morehouse Parish Lake Commission to levy taxes, issue bonds, and incur indebtedness; and to provide for related matters.

Read by title.

SENATE BILL NO. 63—
BY SENATOR DUPLESSIS
AN ACT

To amend and reenact R.S. 32:1254(N)(3)(k)(i)(bb), relative to motor vehicle dealer disclosure; to provide relative to dealer participation in finance charges; and to provide for related matters.

Read by title.

SENATE BILL NO. 84—
BY SENATORS SMITH AND ADLEY AND REPRESENTATIVE SALTER
AN ACT

To amend and reenact R.S. 17:1871(A)(2), relative to membership of the Board of Supervisors of Community and Technical Colleges; to provide relative to terms and qualifications of appointees to the board; to provide with regard to experience as a condition of appointment; and to provide for related matters.

Read by title.

SENATE BILL NO. 157—BY SENATORS CHAISSON AND MARIONNEAUX
AN ACT

To amend and reenact R.S. 14:98(D)(1)(a), the introductory paragraph of R.S. 14:98(D)(1)(b), (c), and (d) and (E)(1)(a), the introductory paragraph of R.S. 14:98(E)(1)(b), (c), and (d) and (I), relative to operating a vehicle while intoxicated; to provide with respect to the criminal penalties for third, fourth, and subsequent offenses of operating a vehicle while intoxicated; to provide for the court's discretion in suspending a portion of the criminal sentence for third, fourth, and subsequent offenses; to provide for the court's discretion in ordering an offender to substance abuse treatment and home incarceration; and to provide for related matters.

Read by title.

SENATE BILL NO. 162—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 29:732(A), relative to price gouging; to prohibit price gouging during a named tropical storm or hurricane; and to provide for related matters.

Read by title.

SENATE BILL NO. 173—

BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 47:306.1 and 337.20, relative to the payment of state and local sales and use taxes by interstate and foreign transportation dealers; to provide for the optional method by which such dealers calculate and pay such taxes; and to provide for related matters.

Read by title.

SENATE BILL NO. 184—

BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 40:1299.39.1(A)(1)(e), (2)(a), (3)(a), and the introductory paragraph of (4), and the introductory paragraph of (G) and R.S. 40:1299.47 (A)(1)(e), (2)(a), (3)(a) and (c) and the introductory paragraph of (4), the introductory paragraph of (G), (L) and (M), to enact R.S. 40:1299.39.1(A)(5) and 1299.47(A)(5) and to repeal R.S. 40:1299.47(K); relative to medical liability; and to provide for related matters.

Read by title.

SENATE BILL NO. 188—

BY SENATORS FONTENOT, BAJOEI, HINES AND MOUNT AND REPRESENTATIVES ALARIO, HAMMETT AND SALTER

AN ACT

To amend and reenact R.S. 30:2076.2(A)(3), (B)(3), (C)(1), and (D), relative to violations of the Louisiana Pollutant Discharge Elimination System; to authorize the costs of investigation and prosecution be included in the criminal penalties; to change such violations from a misdemeanor offense to a felony offense; and to provide for related matters.

Read by title.

SENATE BILL NO. 215—

BY SENATOR BARHAM

AN ACT

To enact Chapter 5-N of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:380.111 through 380.116, and R.S. 36:744(Y) and 801.18, to create the Aviation and Military Museum of Louisiana, Inc., in the Department of State; to provide relative to the governing authority of the museum including its composition, powers, duties, responsibilities, meetings, and officers; to provide for the adoption of rules and regulations and fees; to provide for receipt and use of funds and property; to provide relative to the authority of the secretary of

state with respect to the museum; to provide relative to personnel and budgets of the museum; and to provide for related matters.

Read by title.

SENATE BILL NO. 231—

BY SENATOR ADLEY

AN ACT

To amend and reenact R.S. 11:153(A), (C)(1)(a), (c) and (2), (D)(1) and (2)(a)(i) and (b) and (H), and to repeal R.S. 11:268(G), relative to consolidated public retirement systems; to provide with respect to provisions affecting more than one system; to authorize an employer of any member of a state or statewide public retirement system to purchase credit for regular or nonregular military service of a member; to delete the sunset provision requiring the governing authority of each state public retirement system or pension system to prepare a policy proposing how it intends to invest in small and emerging businesses, venture capital firms, and in-state money management firms; to provide for an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 238—

BY SENATORS ELLINGTON, AMEDEE, FONTENOT, HOLLIS AND MICHOT

AN ACT

To amend and reenact R.S. 47:318(B)(2), relative to the Department of Economic Development; to provide relative to the disposition of certain tax collections; to provide relative to the marketing fund; and to provide for related matters.

Read by title.

SENATE BILL NO. 336—

BY SENATORS MALONE AND CHEEK

AN ACT

To enact R.S. 47:337.10(J), relative to exemptions from sales and use tax levied by certain political subdivisions of the state; to provide an exemption from such tax for certain transactions related to certain inhibitors and certain complex biologics; 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. 46—

BY REPRESENTATIVE WHITE

A RESOLUTION

To amend and readopt House Rules 6.5(A), 6.13(B), and 7.2(B) and (E) of the Rules of Order of the House of Representatives to provide that a motion to otherwise refer a legislative instrument or a motion to discharge a committee from further consideration of a legislative instrument and to recommit such instrument to another committee is not in order unless the author of the instrument is present in the chamber.

Read by title.

Lies over under the rules.

HOUSE RESOLUTION NO. 47—

BY REPRESENTATIVE THOMPSON

A RESOLUTION

To express the condolences of the House of Representatives upon the death of Mr. Ricky B. McCall of Delhi, Louisiana.

Read by title.

Page 4 HOUSE

18th Day's Proceedings - May 24, 2005

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

HOUSE RESOLUTION NO. 48— BY REPRESENTATIVE THOMPSON A RESOLUTION

To urge and request the Department of Health and Hospitals to amend the facility need review bed abeyance policy to provide for the partial abeyance of beds under certain circumstances.

Read by title.

Lies over under the rules.

HOUSE RESOLUTION NO. 49— BY REPRESENTATIVE SMILEY A RESOLUTION

To commend Tasha Michelle Daigle on winning the 2005 Woodmen of the World Sausage Festival Miss Queen II title at the 2005 Woodmen of the World Sausage Festival Pageant.

Read by title.

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

HOUSE RESOLUTION NO. 50— BY REPRESENTATIVE WALSWORTH A RESOLUTION

To commend West Ouachita High School baseball team for its hard work and determination to become the 2005 Class 4A state champions.

Read by title.

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

HOUSE RESOLUTION NO. 51— BY REPRESENTATIVE WALSWORTH A RESOLUTION

To commend the Ouachita Christian School baseball team for its perseverance, teamwork, and dedication, which lead it to the 2005 Class 2A championship title in baseball.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 132— BY REPRESENTATIVE FANNIN A CONCURRENT RESOLUTION

To urge and request the office of conservation, Department of Natural Resources, in cooperation with the Ground Water Resources Commission and the Ground Water Management Advisory Task Force, to develop a model by which to best educate the public in water conservation.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 133— BY REPRESENTATIVE DURAND A CONCURRENT RESOLUTION

To direct the Louisiana Emergency Response Network to establish up to nine regional commissions and begin working on the regional patient care protocols and data collection.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 134— BY REPRESENTATIVE LAFONTA 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.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 135— BY REPRESENTATIVES JOHNS, K. CARTER, AND PINAC A CONCURRENT RESOLUTION

To create and provide with respect to a Uniform Building Code Task Force, under the commissioner of insurance, to study current laws and regulations related to the construction of buildings and structures throughout the state and to make recommendations regarding legislation.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 136— BY REPRESENTATIVES ARNOLD AND TUCKER AND SENATOR HEITMEIER A CONCURRENT RESOLUTION

To memorialize the Base Closure and Realignment Act Commission to favorably consider the "federal city concept" for expanding the Naval Support Activity military installation on the west bank of the Mississippi River in New Orleans by consolidating the Navy, Marine, and Army flag/general commands in the New Orleans area, moving in the 8th Coast Guard District headquarters, and possibly housing a new regional Homeland Security headquarters at the renovated military installation.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 137— BY REPRESENTATIVE BRUNEAU A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Dr. Charles C. Foti, Sr.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 138— BY REPRESENTATIVES GARY SMITH, FARRAR, AND MONTGOMERY A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to make permanent the increases in Servicemembers' Group Life Insurance coverage and the Death Gratuity benefits to provide financial security of survivors of members of the Louisiana National Guard and other servicemembers who make the ultimate sacrifice with their lives while serving our country and the state of Louisiana.

Read by title.

Lies over under the rules.

House and House Concurrent Resolutions

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

HOUSE RESOLUTION NO. 45—

BY REPRESENTATIVE HEBERT

A RESOLUTION

To adopt House Rule 8.29 of the Rules of Order of the House of Representatives to provide that the motion for final passage of the Capital Outlay Bill or to adopt any conference committee report on such bill is not in order under certain circumstances.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 131—

BY REPRESENTATIVE BEARD

A CONCURRENT RESOLUTION

To recognize the inalienable right of parents to provide for the education of their children.

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. 15—

BY SENATOR JONES

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to assist in developing a plan to establish the Louisiana Cancer Patient's Residential Facility and support for all families of adult cancer patients receiving medical treatment at LSU Medical Center at E.A. Conway in Monroe, Louisiana and the Cancer Treatment Center in Monroe, Louisiana.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 25—

BY SENATOR MCPHERSON

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to propose a constitutional amendment to abolish the electoral college and provide for the election of the president by popular vote.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 48—

BY SENATOR JONES

A CONCURRENT RESOLUTION

To urge and request that the Department of Health and Hospitals study the process of assigning persons with developmental disabilities statewide.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 64—

BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To create and provide with respect to a task force to study and make recommendations with respect to the feasibility of Louisiana joining the Nurse Licensure Compact.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 65—

BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To re-authorize 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 House and Governmental Affairs.

**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. 127—

BY REPRESENTATIVE TRICHE

A CONCURRENT RESOLUTION

To direct the office of motor vehicles to implement a pilot program for one year to test a four ten-hour day work week and hours of operation for its offices that provide services to the public and that such pilot program be implemented in half of its offices by July 1, 2005.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Concurrent Resolution No. 127 by Representative Triche

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "the" delete "urge and request" and insert "direct"

AMENDMENT NO. 2

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

"to implement a pilot program for one year to test a four ten-hour day work"

AMENDMENT NO. 3

On page 1, line 4, after "such" change "policy" to "pilot program"

AMENDMENT NO. 4

On page 2, delete line 5, in its entirety and insert the following:

"direct the office of motor vehicles to implement a pilot program for one year to test a four ten-hour day work week"

AMENDMENT NO. 5

On page 2, line 7, change "requested" to "directed"

AMENDMENT NO. 6

On page 2, line 8, after "implemented this" delete "four ten-hour day policy" and insert "pilot program"

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

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

**Senate Concurrent Resolutions
Reported by Committee**

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

SENATE CONCURRENT RESOLUTION NO. 2—
BY SENATOR HINES

A CONCURRENT RESOLUTION

To create and provide for the Bayou Boeuf Advisory Committee to study and make proposals to the Senate and House Committees on Transportation, Highways and Public Works relative to uses of Bayou Boeuf, and the feasibility of the creation of a freshwater district along Bayou Boeuf from Alexandria to Washington in the parishes of Rapides, Avoyelles, and St. Landry.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

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

SENATE CONCURRENT RESOLUTION NO. 4—
BY SENATOR AMEDEE

A CONCURRENT RESOLUTION

To create a task force to study possible solutions to problems of flooding in the area of Bayou Manchac and Bayou Fountain.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original Senate Concurrent Resolution No. 4 by Senator Amedee

AMENDMENT NO. 1

On page 2, between lines 15 and 16, insert the following:

"(16) A representative from the Amite River Basin Drainage and Water Conservation District."

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

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

SENATE CONCURRENT RESOLUTION NO. 11—
BY SENATOR HEITMEIER

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Transportation and Development to install traffic controls or reduce the speed limit on Louisiana Highway 406 (Woodland Highway) in Belle Chasse, Louisiana.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

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

SENATE CONCURRENT RESOLUTION NO. 12—
BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to provide the necessary funding to restore Calcasieu Ship Channel in southwest Louisiana to its authorized dimensions in order that the economic, safety, and security concerns may be adequately addressed.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Daniel, the resolution was ordered 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. 3—

BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, AND DORSEY
AND SENATORS HINES, BAJOEI, HEITMEIER, AND MOUNT
AN ACT

To enact the Omnibus Bond Authorization Act of 2005, relative to the implementation of a five-year capital improvement program; to provide for the repeal of certain prior bond authorizations; to provide for new bond authorizations; to provide for authorization and sale of such bonds by the State Bond Commission; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 317—

BY REPRESENTATIVE LAFONTA
AN ACT

To enact R.S. 23:335, relative to employment; to prohibit discrimination and harassment in state government; and to provide for related matters.

Read by title.

Reported without action by the Committee on Appropriations with recommendation that the bill be recommitted to the Committee on Labor and Industrial Relations.

As a substitute motion, Rep. LaFonta moved the bill be recommitted to the Committee on House and Governmental Affairs.

The House agreed to recommit the bill to the Committee on House and Governmental Affairs.

HOUSE BILL NO. 370—

BY REPRESENTATIVE FAUCHEUX
A JOINT RESOLUTION

Proposing to amend Article VII, Section 18(G)(1)(a)(i) of the Constitution of Louisiana, relative to ad valorem taxation; to create a special assessment level for persons designated as

disabled by the United States Social Security Administration; to provide for submission of the proposed amendment to the electors; to provide a ballot proposition; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 370 by Representative Faucheux

AMENDMENT NO. 1

On page 1, at the end of line 17, insert "totally and permanently"

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

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

HOUSE BILL NO. 573—

BY REPRESENTATIVE KENNARD

A JOINT RESOLUTION

Proposing to amend Article VII, Section 21(B)(2) and (3) and to add Article VII, Section 21(B)(4) of the Constitution of Louisiana, to exempt certain property owned by disabled military veterans from ad valorem taxation; to provide for submission of the proposed amendment to the electors; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

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

HOUSE BILL NO. 715—

BY REPRESENTATIVES HOPKINS AND SALTER

AN ACT

To authorize the state of Louisiana to forgive certain debt due to the state from the Sabine River Authority; 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. 715 by Representative Hopkins

AMENDMENT NO. 1

On page 1, line 3, after "Authority" and the semicolon ";" and before "and" insert "to provide for an effective date;"

AMENDMENT NO. 2

On page 1, delete lines 14 through 18 in their entirety, and insert the following:

"Section 2. This Act shall become effective on July 1, 2008."

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. 838—

BY REPRESENTATIVE DORSEY

AN ACT

To amend and reenact R.S. 47:462(B)(3)(a), 463(A)(1) and (3), and 475, to enact R.S. 47:463(D), and to repeal R.S. 47:462(B)(6) and 465, relative to motor vehicle registration taxes; to provide for the registration license schedule for certain types of vehicles; to provide for the issuance of uniform license plates for certain types of vehicles; to provide for the minimum annual motor vehicle license tax; to repeal provisions relative to a staggered registration system for certain types of vehicles; to repeal provisions relative to the annual registration license tax for motorcycles; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 838 by Representative Dorsey

AMENDMENT NO. 1

On page 4, between lines 3 and 4, insert the following:

"(d) For the purposes of the annual registration license tax for vehicular rental on a daily basis, the tax shall be ten dollars and shall be collected annually. The license plate shall be issued a one-year staggered sticker."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 859—

BY REPRESENTATIVE ROBIDEAUX

AN ACT

To amend and reenact R.S. 47:306.1 and 337.20, relative to the payment of state and local sales and use taxes by interstate and foreign transportation dealers; to provide for the optional method by which such dealers calculate and pay such taxes; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 859 by Representative Robideaux

Page 8 HOUSE

18th Day's Proceedings - May 24, 2005

AMENDMENT NO. 1

On page 2, at the beginning of line 15, after "Section" change the comma "," to a colon ":", delete the remainder of the line, and insert the following:

"(1) A unit of transportation measurement other than mileage may be used if"

AMENDMENT NO. 2

On page 2, line 16, after "transportation" change the comma "," to a period ".", delete the remainder of the line, and insert the following:

"(2) "Includable"

AMENDMENT NO. 3

On page 3, at the beginning of line 21, after "Section" change the comma "," to a colon ":", delete the remainder of the line, and insert the following:

"(1) A unit of transportation measurement other than mileage may be used if"

AMENDMENT NO. 4

On page 3, line 22, after "transportation" change the comma "," to a period ".", delete the remainder of the line, and insert the following:

"(2) "Taxing"

AMENDMENT NO. 5

On page 4, between lines 2 and 3, insert the following:

"Section 2. The provisions of this Act shall be applicable to transactions occurring on and after its effective date."

AMENDMENT NO. 6

On page 4, at the beginning of line 3, change "Section 2" to "Section 3"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 878 (Substitute for House Bill No. 198 by Representative Thompson)—

BY REPRESENTATIVE THOMPSON
AN ACT

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

Read by title.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 879 (Substitute for House Bill No. 309 by Representative Frith)—

BY REPRESENTATIVE FRITH
AN ACT

To enact R.S. 33:4574.1.1(O), relative to hotel occupancy taxes; to require the parish tourist commission in certain parishes to

increase the hotel occupancy tax; to provide with respect to the authority and responsibility of the commission; to provide for the dedication of the proceeds from the increase; and to provide for related matters.

Read by title.

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

Under the rules, placed on the regular calendar.

Senate Instruments on Second Reading Returned from the Legislative Bureau

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

SENATE BILL NO. 115— BY SENATOR MARIONNEAUX AN ACT

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

Read by title.

Reported favorably by the Committee on Judiciary.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 232— BY SENATOR MURRAY AN ACT

To enact R.S. 26:85.2, relative to alcohol beverage control; to establish and authorize the issuance of a museum permit to authorize the limited sale of certain commemorative bottles of alcohol and to authorize the limited service of product samples in a historically-based museum facility that is operated in a historic preservation district; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Engrossed Senate Bill No. 232 by Senator Murray

AMENDMENT NO. 1

On page 2, after line 12, add the following:

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

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 343—
BY SENATOR FONTENOT

AN ACT

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

Read by title.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

Reconsideration

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

HOUSE BILL NO. 80—
BY REPRESENTATIVES BRUNEAU, FAUCHEUX, ARNOLD, FANNIN, GALLOT, JEFFERSON, LAFONTA, LANCASTER, AND PITRE
A JOINT RESOLUTION

Proposing to amend Article IV, Section 3(A) and to add Article IV, Section 3(E) of the Constitution of Louisiana, to change the date of the election of the governor and the other officials elected at the same time as the governor; to provide for the terms of office of such officials; to provide relative to statewide elections in odd-numbered years; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

On motion of Rep. Bruneau, 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.

Suspension of the Rules

On motion of Rep. Badon, the rules were suspended in order to take up and consider Introduction of Resolutions, House and House Concurrent at this time.

**Introduction of Resolutions,
House and House Concurrent**

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

HOUSE RESOLUTION NO. 52—
BY REPRESENTATIVE BADON

A RESOLUTION

To commend Brenda M. Badon upon her retirement after forty years of teaching in Orleans Parish.

Read by title.

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

**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. 18—
BY REPRESENTATIVES FAUCHEUX AND QUEZAIRE AND SENATOR AMEDEE

A CONCURRENT RESOLUTION

To urge and request the office of state parks of the Louisiana Department of Culture, Recreation and Tourism in coordination with the Louisiana Department of Wildlife and Fisheries to study the suitability of establishing a state park in the Maurepas Swamp Wildlife Management Area (WMA) and to report findings to the House Committee on Municipal, Parochial and Cultural Affairs and the Senate Committee on Natural Resources prior to the beginning of the 2006 Regular Session of the Legislature.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 28—
BY REPRESENTATIVE TUCKER

A CONCURRENT RESOLUTION

To authorize and request a divided vote Medicare referendum option for state employees who are members of any state or statewide retirement system and who were hired before April 1, 1986.

Read by title.

Motion

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

HOUSE CONCURRENT RESOLUTION NO. 29—
BY REPRESENTATIVE BADON

A CONCURRENT RESOLUTION

To urge and request the office of alcohol and tobacco control within the Department of Revenue to aggressively enforce Louisiana's laws prohibiting the sale of tobacco products in quantities of less than twenty or in packaging which does not comply with state law.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Badon to Engrossed House Concurrent Resolution No. 29 by Representative Badon

AMENDMENT NO. 1

On page 1, line 3, after "sale of" delete "tobacco" and on line 4 delete "products" and insert "cigarettes"

AMENDMENT NO. 2

On page 1, at the beginning of line 8 delete "tobacco which is" and insert "cigarettes which are"

AMENDMENT NO. 3

On page 2, line 3, after "sale of" delete "tobacco products" and insert "cigarettes"

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

On motion of Rep. Badon, the resolution, as amended, was adopted.

Ordered to the Senate.

House Bills and Joint Resolutions on Third Reading and Final Passage

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

Regular Calendar

HOUSE BILL NO. 10— BY REPRESENTATIVE FRITH AN ACT

To enact R.S. 33:7574.1, relative to beachfront development districts in Cameron Parish; to provide for the membership of the board of commissioners of Beachfront Development District No. Two of Cameron Parish; 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. 10 by Representative Frith

AMENDMENT NO. 1

On page 1, line 16, following "provided" and before "by" insert "for"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Farrar Montgomery Alario Fauchaux Morrell

Alexander Frith Morrish Ansardi Gallot Odinet Arnold Geymann Pierre Badon Glover Pinac Baldone Gray Powell, M. Barrow Greene Powell, T. Baudoin Guillory, E. Richmond Baylor Guillory, M. Ritchie Beard Hammett Robideaux Bowler Heaton Romero Bruce Hebert Scalise Bruneau Hill Schneider Burns Honey Shepherd Burrell Hopkins Smiley Carter, K. Hunter Smith, G. Carter, R. Hutter Smith, J.D.—50th Cazayoux 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 LaBruzzo Trahan DeWitt LaFleur Triche Doerge LaFonta Tucker Dorsey Lambert Waddell Dove Lancaster Walker Downs Marchand Walsworth Durand Martiny Winston Erdey McDonald Wooton Fannin McVea Wright

Total - 102

NAYS

Total - 0

ABSENT

Pitre Quezair White Total - 3

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 18— BY REPRESENTATIVE JOHN SMITH AN ACT

To enact R.S. 13:961(F)(1)(o), relative to court reporter fees in the Thirty-Sixth Judicial District Court; to provide for determination of fees in all cases by the court; and to provide for related matters.

Read by title.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Farrar Morrell Alario Fauchaux Morrish Alexander Frith Odinet Ansardi Gallot Pierre

Arnold	Geymann	Pinac
Badon	Glover	Powell, M.
Baldone	Gray	Powell, T.
Barrow	Greene	Richmond
Baudoin	Guillory, E.	Ritchie
Baylor	Guillory, M.	Robideaux
Beard	Hammett	Scalise
Bowler	Hebert	Schneider
Bruce	Hill	Shepherd
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.	Jackson	St. Germain
Cazayoux	Jefferson	Strain
Crane	Johns	Thompson
Cravins	Katz	Toomy
Crowe	Kennard	Townsend
Curtis	Kenney	Trahan
Damico	Kleckley	Triche
Daniel	LaBruzzo	Tucker
Dartez	LaFleur	Waddell
DeWitt	LaFonta	Walker
Doerge	Lambert	Walsworth
Dorsey	Lancaster	White
Dove	Marchand	Winston
Downs	Martiny	Wooton
Durand	McDonald	Wright
Erdey	McVea	
Fannin	Montgomery	

Total - 100

NAYS

Total - 0

ABSENT

Heaton	Quezaire	Smiley
Pitre	Romero	

Total - 5

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. John 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. 95—

BY REPRESENTATIVES GARY SMITH, MONTGOMERY, FARRAR, BURRELL, DARTEZ, FAUCHEUX, RICHMOND, AND WHITE AND SENATOR ROMERO

AN ACT

To enact R.S. 29:36.1(E), relative to members of the Louisiana National Guard; to provide for financial support of the members and their survivors; to provide that the Military Department, State of Louisiana, shall study the feasibility of reimbursing group life insurance premiums paid by members; to provide for exemption from tuition charges for the surviving spouse and minor children of any member killed while serving in certain military service; and to provide for related matters.

Read by title.

Rep. Montgomery moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 102

NAYS

Total - 0

ABSENT

Pitre	Quezaire	Richmond
-------	----------	----------

Total - 3

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 116—

BY REPRESENTATIVE FARRAR

AN ACT

To amend and reenact R.S. 13:2095.2(A) and R.S. 33:1704(B), relative to the marshal of the Pineville City Court; to prohibit the marshal from collecting a fee for attempted service of process; to prohibit the marshal from collecting a mileage allowance for attempted service of process; and to provide for related matters.

Read by title.

Rep. Farrar moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

Page 12 HOUSE

18th Day's Proceedings - May 24, 2005

YEAS		
Mr. Speaker	Farrar	Montgomery
Alario	Faucheux	Morrell
Alexander	Frith	Morrish
Ansardi	Gallot	Odinot
Arnold	Geymann	Pierre
Badon	Glover	Pinac
Baldone	Gray	Powell, M.
Barrow	Greene	Powell, T.
Baudoin	Guillory, E.	Richmond
Baylor	Guillory, M.	Ritchie
Beard	Hammett	Robideaux
Bowler	Heaton	Romero
Bruce	Hebert	Scalise
Bruneau	Hill	Schneider
Burns	Honey	Shepherd
Burrell	Hopkins	Smiley
Carter, K.	Hunter	Smith, G.
Carter, R.	Hutter	Smith, J.D.—50th
Cazayoux	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	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	LaFonta	Tucker
Dorsey	Lambert	Walker
Dove	Lancaster	Walsworth
Downs	Marchand	White
Durand	Martiny	Winston
Erdey	McDonald	Wooton
Fannin	McVea	Wright
Total - 102		
NAYS		
Total - 0		
ABSENT		
Pitre	Quezaire	Waddell
Total - 3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 166—
BY REPRESENTATIVES MCDONALD AND THOMPSON AND SENATOR BARHAM

AN ACT

To amend and reenact R.S. 13:2606, relative to justice of the peace courts in West Carroll Parish; to provide for the territorial jurisdiction of the justice of the peace districts; to provide for election of justices of the peace from the new districts; to provide for the territorial jurisdiction of the justice of the peace courts if the police jury district lines are changed; and to provide for related matters.

Read by title.

Rep. McDonald moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS		
Mr. Speaker	Faucheux	Morrell
Alario	Frith	Morrish
Alexander	Gallot	Odinot
Ansardi	Geymann	Pierre
Arnold	Glover	Pinac
Badon	Gray	Powell, M.
Baldone	Greene	Richmond
Barrow	Guillory, E.	Ritchie
Baudoin	Guillory, M.	Robideaux
Baylor	Hammett	Romero
Beard	Heaton	Scalise
Bowler	Hebert	Schneider
Bruce	Hill	Shepherd
Bruneau	Honey	Smiley
Burns	Hopkins	Smith, G.
Burrell	Hunter	Smith, J.D.—50th
Carter, K.	Hutter	Smith, J.H.—8th
Carter, R.	Jackson	Smith, J.R.—30th
Cazayoux	Jefferson	St. Germain
Crane	Johns	Strain
Cravins	Katz	Thompson
Crowe	Kennard	Toomy
Curtis	Kenney	Townsend
Damico	Kleckley	Trahan
Daniel	LaBruzzo	Triche
Dartez	LaFleur	Tucker
DeWitt	LaFonta	Waddell
Doerge	Lambert	Walker
Dorsey	Lancaster	Walsworth
Dove	Marchand	White
Downs	Martiny	Winston
Durand	McDonald	Wooton
Erdey	McVea	Wright
Fannin	Montgomery	
Farrar		
Total - 101		
NAYS		
Total - 0		
ABSENT		
Dorsey	Powell, T.	
Pitre	Quezaire	
Total - 4		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. McDonald 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. 168—
BY REPRESENTATIVES ANSARDI AND FAUCHEUX

AN ACT

To amend and reenact R.S. 13:3050(A) and to enact R.S. 13:3050(B)(5) and (H), relative to jury service; to provide for the assessment of fees in criminal cases for the operation of the Lengthy Trial Fund; to provide for the deposit of monies received in a separate account; to provide for reimbursement and forms for reimbursement; to provide for an effective date of R.S. 13:3050 as enacted by Act No. 678 of the 2003 Regular Session; 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	Fannin	Marchand
Alario	Farrar	Martiny
Alexander	Faucheux	McDonald
Ansardi	Frith	McVea
Arnold	Gallot	Montgomery
Badon	Geymann	Morrell
Baldone	Glover	Morrish
Barrow	Gray	Odinet
Baudoin	Guillory, E.	Pierre
Baylor	Guillory, M.	Powell, T.
Bowler	Hammett	Richmond
Bruce	Heaton	Ritchie
Burrell	Hill	Romero
Carter, K.	Honey	Shepherd
Carter, R.	Hopkins	Smiley
Cazayoux	Hunter	Smith, G.
Crane	Hutter	Smith, J.D.—50th
Cravins	Jackson	Smith, J.R.—30th
Curtis	Jefferson	St. Germain
Damico	Johns	Thompson
Daniel	Kennard	Toomy
Dartez	Kenney	Townsend
DeWitt	Kleckley	Trahan
Doerge	LaBruzzo	Triche
Dorsey	LaFleur	Walker
Dove	LaFonta	Wooton
Durand	Lancaster	Wright
Total - 81		

NAYS

Bruneau	Katz	Strain
Burns	Lambert	Tucker
Crowe	Powell, M.	Waddell
Erdey	Robideaux	Walsworth
Greene	Schneider	White
Hebert	Smith, J.H.—8th	
Total - 17		

ABSENT

Beard	Pitre	Winston
Downs	Quezaire	
Pinac	Scalise	
Total - 7		

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. 249—
BY REPRESENTATIVE FRITH

AN ACT

To enact R.S. 33:1236.27, relative to solid and liquid waste in Cameron Parish; to authorize the parish governing authority to provide for zoning and land use regarding facilities for disposal, incineration, or storage of solid or liquid waste in the parish; to provide that the types and quantities of waste to be disposed of, incinerated, or stored at such a facility be in accordance with a permit granted by the Department of Environmental Quality; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Frith to Engrossed House Bill No. 249 by Representative Frith

AMENDMENT NO. 1

On page 1, line 6, after "with" and before "permit" change "a" to "any"

AMENDMENT NO. 2

On page 1, line 7, after "Quality" and before "and to" delete the semi-colon ";"; and insert in lieu thereof "or the office of conservation of the Department of Natural Resources;"

AMENDMENT NO. 3

On page 1, at the end of line 19, delete the period "." and insert in lieu thereof "and with any permit issued by the office of conservation of the Department of Natural Resources."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Morrell
Alario	Faucheux	Morrish
Alexander	Frith	Odinet
Ansardi	Gallot	Pierre
Arnold	Geymann	Powell, M.
Badon	Glover	Powell, T.
Baldone	Gray	Richmond
Barrow	Greene	Ritchie
Baudoin	Guillory, E.	Robideaux
Baylor	Guillory, M.	Romero
Beard	Hammett	Scalise
Bowler	Heaton	Schneider
Bruce	Hill	Shepherd
Bruneau	Honey	Smiley
Burns	Hopkins	Smith, G.
Carter, K.	Hunter	Smith, J.D.—50th
Carter, R.	Hutter	Smith, J.H.—8th
Cazayoux	Jackson	Smith, J.R.—30th
Crane	Jefferson	Strain
Cravins	Johns	Thompson
Crowe	Katz	Toomy
Curtis	Kennard	Townsend
Damico	Kenney	Trahan
Daniel	Kleckley	Triche
Dartez	LaBruzzo	Tucker
DeWitt	LaFonta	Waddell
Doerge	Lambert	Walker
Dorsey	Lancaster	Walsworth
Dove	Marchand	White
Downs	Martiny	Winston
Durand	McDonald	Wooton
Erdey	McVea	Wright
Fannin	Montgomery	
Total - 98		

NAYS

Total - 0

ABSENT

Burrell	Pinac	St. Germain
Hebert	Pitre	
LaFleur	Quezaire	
Total - 7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 371—
BY REPRESENTATIVE WOOTON

AN ACT

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

Suspension of the Rules

On motion of Rep. Wooton, 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. Wooton sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Wooton to Engrossed House Bill No. 371 by Representative Wooton

AMENDMENT NO. 1

On page 1, at the end of line 5, delete the semi colon ";" and insert "for the purposes of meeting fuel facility criteria for a qualified truck stop licensed to operate video draw poker devices;"

AMENDMENT NO. 2

On page 2, line 3, after "system" delete the remainder of the line and delete lines 4 and 5 in their entirety and insert "fails as a result of a malfunction or catastrophic event, the device may remain in operation until the central computer system is restored."

AMENDMENT NO. 3

On page 2, at the end of line 25, insert the following:

"To be considered a fuel facility at a qualified truck stop facility for the purpose of licensing that qualified truck stop to operate video draw poker devices, the fuel facility shall not be subject to the fuel sales requirements provided for in Subpart E of Part VIII of Chapter I of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:421 through 427, and the requirements of Chapter 13 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:1401 through 1419. The provisions of this Item provide for the fuel sales requirements for the purpose of licensing criteria for the operation of video draw poker devices at a qualified truck stop facility. The provisions of this Item shall not be construed to repeal,

limit, or supersede any requirements for the sale of fuel by fuel facilities as otherwise provided for by law. The provisions of this Item shall not be construed to repeal, limit or supersede the authority of the office of the attorney general to enforce the Unfair Trade Practices or Consumer Protection Law, or the authority of any district attorney to prosecute violations of Subpart E of Part VIII of Chapter I of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:421 through 427."

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

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

YEAS

Mr. Speaker	Dove	Martiny
Alario	Durand	McDonald
Alexander	Fannin	McVea
Ansardi	Farrar	Montgomery
Arnold	Faucheux	Morrish
Badon	Frith	Odinot
Baldone	Gallot	Pierre
Baylor	Glover	Richmond
Bowler	Gray	Ritchie
Bruce	Guillory, E.	Romero
Bruneau	Hammett	Shepherd
Burrell	Heaton	Smith, J.D.—50th
Carter, K.	Hill	Smith, J.H.—8th
Carter, R.	Honey	Smith, J.R.—30th
Crane	Hopkins	St. Germain
Cravins	Hunter	Thompson
Curtis	Hutter	Toomy
Damico	Jefferson	Townsend
Daniel	Johns	Trahan
Dartez	LaFleur	Triche
DeWitt	LaFonta	Wright
Doerge	Lancaster	
Dorsey	Marchand	
Total - 67		

NAYS

Beard	Kenney	Smiley
Burns	Kleckley	Strain
Crowe	LaBruzzo	Tucker
Downs	Lambert	Waddell
Erdey	Powell, M.	Walsworth
Greene	Powell, T.	White
Hebert	Robideaux	Winston
Jackson	Scalise	
Katz	Schneider	
Total - 25		

ABSENT

Barrow	Kennard	Smith, G.
Baudoin	Morrell	Walker
Cazayoux	Pinac	Wooton
Geymann	Pitre	
Guillory, M.	Quezaire	
Total - 13		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Wooton 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. 255—
BY REPRESENTATIVE ANSARDI
AN ACT

To repeal Part VIII of Chapter 2 of Subtitle IV of Title 11 of the Louisiana Revised Statutes of 1950, comprised of R.S. 11:3251 through 3267, to repeal provisions relative to the Firemen's Pension and Relief Fund for the city of Kenner; to provide for

disposition of monies remaining to the credit of the fund; to provide for an effective date; 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	Farrar	Montgomery
Alario	Faucheux	Morrell
Alexander	Frith	Morrish
Ansardi	Gallot	Odinot
Arnold	Geymann	Pierre
Badon	Glover	Powell, M.
Baldone	Gray	Powell, T.
Barrow	Greene	Richmond
Baudoin	Guillory, E.	Ritchie
Baylor	Guillory, M.	Robideaux
Beard	Hammett	Romero
Bowler	Heaton	Scalise
Bruce	Hebert	Schneider
Bruneau	Hill	Shepherd
Burns	Honey	Smiley
Burrell	Hopkins	Smith, G.
Carter, K.	Hunter	Smith, J.D.-50th
Carter, R.	Hutter	Smith, J.H.-8th
Cazayoux	Jackson	Smith, J.R.-30th
Crane	Jefferson	St. Germain
Cravins	Johns	Strain
Crowe	Katz	Thompson
Curtis	Kennard	Toomy
Damico	Kenney	Townsend
Daniel	Kleckley	Trahan
Dartez	LaBruzzo	Triche
DeWitt	LaFleur	Tucker
Doerge	LaFonta	Waddell
Dorsey	Lambert	Walker
Dove	Lancaster	Walsworth
Downs	Marchand	White
Durand	Martiny	Winston
Erdey	McDonald	Wooton
Fannin	McVea	Wright
Total - 102		

NAYS

Total - 0

ABSENT

Pinac	Pitre	Quezaire
Total - 3		

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. 295—
BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 13:961(F)(1)(o), relative to court reporter fees in the Thirty-Ninth Judicial District Court; to authorize the judges to establish fees per page and copy for reported and transcribed testimony not to exceed a specified amount; and to provide for related matters.

Read by title.

Rep. Townsend moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Pinac	Quezaire	Wooton
Pitre	Ritchie	
Total - 5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 310—
BY REPRESENTATIVE LAFLEUR
AN ACT

To amend and reenact R.S. 33:4562.3(C), relative to the Evangeline-Ville Platte Recreation District; to provide with respect to the composition and method of appointment of members of the board of commissioners of the district; 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. 310 by Representative LaFleur

AMENDMENT NO. 1

On page 2, line 1, following "board of" and before "of" change "alderman" to "aldermen"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 99

NAYS

Total - 0

ABSENT

Alario	Jackson	Pitre
DeWitt	Pinac	Quezaire

Total - 6

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. LaFleur 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. Cravins, 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. 338—

BY REPRESENTATIVE M. POWELL

AN ACT

To amend and reenact R.S. 26:81(C) and 281(C)(1), relative to prohibitions on the location of premises licensed to deal in alcoholic beverages; to authorize a municipality to adopt an ordinance to provide for the measurement of distances from a public playground, church or synagogue, public library, school, or full-time day care center that a licensed premises in certain areas cannot be situated; and to provide for related matters.

Read by title.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Montgomery
Alexander	Geymann	Morrell
Barrow	Glover	Odinet
Baudoin	Greene	Powell, M.
Beard	Guillory, E.	Powell, T.
Bruce	Hill	Richmond
Burns	Hunter	Ritchie
Burrell	Hutter	Robideaux
Cazayoux	Johns	Schneider
Crane	Katz	Smiley
Crowe	Kennard	Smith, J.H.—8th
Curtis	Kleckley	Thompson
Doerge	LaBruzzo	Triche
Dove	LaFleur	Tucker
Downs	LaFonta	Waddell
Erdey	Lambert	Walker
Fannin	Marchand	Walsworth
Farrar	McDonald	White
Frith	McVea	Winston

Total - 57

NAYS

Alario	Durand	Romero
Ansardi	Faucheux	Shepherd
Arnold	Hammett	Smith, G.
Badon	Heaton	Smith, J.D.—50th
Baldone	Hebert	Smith, J.R.—30th
Bowler	Hopkins	St. Germain
Bruneau	Jackson	Strain
Carter, R.	Kenney	Toomy
Cravins	Lancaster	Townsend
Damico	Martiny	Trahan
Daniel	Morrish	Wooton
Dartez	Pierre	Wright
DeWitt	Pinac	

Total - 38

ABSENT

Baylor	Guillory, M.	Quezaire
Carter, K.	Honey	Scalise
Dorsey	Jefferson	
Gray	Pitre	

Total - 10

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 351—
BY REPRESENTATIVE TRICHE
AN ACT

To amend and reenact R.S. 26:90(A)(1)(b) and 286(A)(1)(b), relative to identification to be accepted to sell alcoholic beverages upon a licensed premise; to delete provisions requiring that if a duplicate driver's license is submitted, additional information must be provided; to provide that a duplicate driver's license shall be considered as lawful identification; and to provide for related matters.

Read by title.

Rep. Triche moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 98

NAYS

Total - 0

ABSENT

Burns	Kleckley	Smith, J.H.—8th
Hill	Pitre	
Hutter	Quezaire	

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. 379—
BY REPRESENTATIVE HUTTER
AN ACT

To enact Chapter 17-D of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:850.1, relative to St. Bernard Parish; to create the St. Bernard Parish Arts, Culture, and Entertainment District; to provide relative to the purpose, governance, powers, and duties of the district; to provide relative to district plans; and to provide for related matters.

Read by title.

Rep. Hutter moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 98

NAYS

Total - 0

ABSENT

Carter, R.	Pitre	Schneider
Dartez	Quezaire	
Hebert	Richmond	

Total - 7

Page 18 HOUSE

18th Day's Proceedings - May 24, 2005

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 444— BY REPRESENTATIVE HUNTER AN ACT

To enact Part II of Chapter 6 of Title 23 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 23:661 through 665, relative to payment of wages; to provide for definitions; to provide for prohibited acts constituting unequal pay; to require certain records be kept by employers; to provide for relief; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hunter to Engrossed House Bill No. 444 by Representative Hunter

AMENDMENT NO. 1

On page 2, line 16, after "would" and before "constitute" insert "not" and delete "unlawful"

AMENDMENT NO. 2

On page 2, line 21, delete "It shall"

AMENDMENT NO. 3

On page 2, delete lines 22 through 25 in their entirety

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Ansardi	Dorsey	LaFonta
Arnold	Gallot	Marchand
Badon	Gray	Morrell
Baudoin	Guillory, E.	Odinot
Baylor	Hammett	Pierre
Burrell	Hill	Richmond
Carter, K.	Honey	Ritchie
Carter, R.	Hunter	Shepherd
Cravins	Hutter	Smith, J.D.—50th
Curtis	Jackson	Townsend
Dartez	Jefferson	Walker
Total - 33		

NAYS

Mr. Speaker	Glover	Powell, M.
Alario	Greene	Powell, T.
Alexander	Guillory, M.	Robideaux
Baldone	Heaton	Scalise
Bowler	Hebert	Schneider
Bruce	Hopkins	Smiley
Burns	Johns	Smith, G.
Crane	Katz	Smith, J.H.—8th
Crowe	Kennard	Smith, J.R.—30th
Damico	Kenny	St. Germain

Daniel	Kleckley	Strain
DeWitt	LaBruzzo	Thompson
Doerge	LaFleur	Toomy
Dove	Lambert	Trahan
Downs	Lancaster	Tucker
Durand	Martiny	Waddell
Erdey	McDonald	Walsworth
Fannin	McVea	White
Farrar	Montgomery	Wooton
Faucheux	Morrish	Wright
Frith	Pinac	

Total - 62

ABSENT

Barrow	Geymann	Triche
Beard	Pitre	Winston
Bruneau	Quezaire	
Cazayoux	Romero	

Total - 10

The Chair declared the above bill failed to pass.

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. LaFleur gave notice of his intention to call House Bill No. 188 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. 222 from the calendar for future action.

Petitions, Memorials and Communications

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

Message from the Senate

HOUSE BILLS

May 24, 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. 5
Returned with amendments

House Bill No. 9
Returned without amendments

House Bill No. 12
Returned without amendments

House Bill No. 13
Returned without amendments

House Bill No. 55
Returned without amendments

House Bill No. 64
Returned without amendments

House Bill No. 83
Returned without amendments

House Bill No. 106
Returned with amendments

House Bill No. 174
Returned with amendments

House Bill No. 189
Returned with amendments

House Bill No. 227
Returned without amendments

House Bill No. 311
Returned with amendments

House Bill No. 334
Returned with amendments

House Bill No. 364
Returned without amendments

House Bill No. 396
Returned without amendments

House Bill No. 541
Returned without amendments

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Message from the Senate
ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS

May 24, 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. 74

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 and consider Senate Concurrent Resolutions at this time.

Senate Concurrent Resolutions

The following Senate Concurrent Resolutions contained in the message were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 74—
BY SENATORS FIELDS AND SMITH
A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Ben DeLoache Johnson and to pay tribute to his significant contributions to his community.

Read by title.

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

Message from the Senate

SIGNED SENATE CONCURRENT RESOLUTIONS

May 24, 2005

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

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

Senate Concurrent Resolution Nos. 67 and 68

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

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

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

Introduction of Resolutions,
House and House Concurrent

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

HOUSE RESOLUTION NO. 53—
BY REPRESENTATIVE TOWNSEND
A RESOLUTION

To commend Mr. and Mrs. James Conde on the occasion of their fiftieth wedding anniversary.

Read by title.

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

HOUSE RESOLUTION NO. 54—
BY REPRESENTATIVE SCHNEIDER
A RESOLUTION

To commend May-Eliane de Lencquesaing upon the celebration of her eightieth birthday.

Read by title.

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

HOUSE RESOLUTION NO. 55—
BY REPRESENTATIVE SCHNEIDER
A RESOLUTION

To commend Monsieur and Madame Nerino Bernard upon the celebration of their fiftieth wedding anniversary on July 30, 2005.

Read by title.

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

HOUSE RESOLUTION NO. 56—
BY REPRESENTATIVE SCALISE
A RESOLUTION

To recognize Wednesday, May 25, 2005, as Pachyderm Day at the Louisiana House of Representatives.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 139—

BY REPRESENTATIVE BRUCE

A CONCURRENT RESOLUTION

To recognize Wednesday, June 1, 2005, as the fourth annual 4-H Day at the Louisiana State Capitol.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 140—

BY REPRESENTATIVE SCHNEIDER

A CONCURRENT RESOLUTION

To commend Laurion Hillary Morris, Miss Slidell Teen Princess 2005, upon her outstanding accomplishments.

Read by title.

On motion of Rep. Schneider, 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 24, 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. 1, by Alario
Reported with amendments. (19-0) (Regular)

House Bill No. 2, by Hammett
Reported with amendments. (18-0) (Regular)

House Bill No. 461, by Alario
Reported with amendments. (19-0) (Regular)

House Bill No. 836, by Alario
Reported with amendments. (16-0) (Regular)

House Bill No. 842, by Alario
Reported with amendments. (18-0) (Regular)

JOHN ALARIO
Chairman

Report of the Committee on Administration of Criminal Justice

May 24, 2005

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Administration of Criminal Justice to submit the following report:

House Concurrent Resolution No. 79, by Bruce
Reported with amendments. (9-0)

House Bill No. 88, by Jane Smith
Reported with amendments. (11-0) (Regular)

House Bill No. 114, by Martiny
Reported with amendments. (12-0) (Regular)

House Bill No. 330, by Hunter
Reported with amendments. (14-0) (Regular)

House Bill No. 451, by Geymann
Reported with amendments. (8-0) (Regular)

House Bill No. 564, by Martiny
Reported with amendments. (8-0) (Regular)

House Bill No. 692, by Wooton
Reported favorably. (11-2-1) (Regular)

House Bill No. 762, by Strain
Reported with amendments. (9-0) (Regular)

House Bill No. 799, by Richmond
Reported with amendments. (7-3-1) (Regular)

DANIEL MARTINY
Chairman

Report of the Committee on Civil Law and Procedure

May 24, 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:

Senate Bill No. 130, by Romero
Reported with amendments. (6-0) (Regular)

GLENN ANSARDI
Chairman

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

Report of the Committee on Education

May 24, 2005

To the Speaker and Members of the House of Representatives:

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

House Bill No. 158, by Marchand
Reported favorably. (9-0) (Regular)

House Bill No. 178, by Hutter
Reported with amendments. (10-0) (Regular)

House Bill No. 184, by Frith
Reported favorably. (10-0) (Regular)

House Bill No. 314, by Walsworth
Reported favorably. (12-0) (Regular)

House Bill No. 377, by Downs
Reported favorably. (11-0) (Regular)

House Bill No. 429, by Honey
Reported with amendments. (12-0) (Regular)

House Bill No. 514, by Badon
Reported favorably. (9-3) (Regular)

House Bill No. 619, by Salter
Reported favorably. (14-0) (Regular)

CARL CRANE
Chairman

Report of the Committee on Health and Welfare

May 24, 2005

To the Speaker and Members of the House of Representatives:

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

House Concurrent Resolution No. 1, by Farrar
Reported with amendments. (12-0)

House Concurrent Resolution No. 82, by Gray
Reported favorably. (14-0)

House Concurrent Resolution No. 83, by Strain
Reported favorably. (12-0)

House Concurrent Resolution No. 96, by Doerge
Reported with amendments. (10-0)

House Concurrent Resolution No. 98, by Badon
Reported with amendments. (14-0)

House Concurrent Resolution No. 105, by Winston
Reported favorably. (11-0)

House Bill No. 293, by Tucker
Reported with amendments. (10-0) (Regular)

House Bill No. 333, by Shepherd
Reported favorably. (13-0) (Regular)

House Bill No. 463, by Marchand
Reported by substitute. (11-2) (Regular)

House Bill No. 740, by Hebert
Reported by substitute. (16-0) (Regular)

House Bill No. 753, by Durand
Reported with amendments. (13-0) (Regular)

House Bill No. 759, by Burns
Reported with amendments. (11-0) (Regular)

House Bill No. 816, by Johns
Reported favorably. (12-0) (Regular)

SYDNIE MAE DURAND
Chairman

Report of the Committee on House and Governmental Affairs

May 24, 2005

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on House and Governmental Affairs to submit the following report:

House Bill No. 115, by Gallot
Reported with amendments. (7-0) (Regular)

House Bill No. 267, by Smiley
Reported favorably with recommendation to recommit the bill to the Committee on Appropriations. (7-0)

House Bill No. 336, by Waddell
Reported with amendments. (6-1) (Regular)

House Bill No. 374, by Bruce
Reported with amendments. (8-0) (Regular)

House Bill No. 415, by M. Powell
Reported favorably. (8-0) (Regular)

House Bill No. 431, by Lancaster
Reported by substitute. (7-0) (Regular)

House Bill No. 581, by Trahan
Reported with amendments. (5-0) (Regular)

House Bill No. 621, by St. Germain
Reported with amendments. (7-0) (Regular)

CHARLES D. LANCASTER, JR.
Chairman

Report of the Committee on Insurance

May 24, 2005

To the Speaker and Members of the House of Representatives:

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

House Bill No. 290, by Townsend
Reported with amendments. (14-1-1) (Regular)

House Bill No. 319, by Morrish
Reported with amendments. (15-0) (Regular)

House Bill No. 566, by R. Carter
Reported by substitute. (13-0) (Regular)

House Bill No. 574, by Barrow
Reported with amendments. (15-0) (Regular)

House Bill No. 687, by K. Carter
Reported with amendments. (12-0) (Regular)

House Bill No. 689, by Walsworth
Reported favorably. (14-0) (Regular)

KAREN CARTER
Chair

Report of the Committee on Natural Resources

May 24, 2005

To the Speaker and Members of the House of Representatives:

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

House Concurrent Resolution No. 85, by Jack Smith
Reported with Amendments. (8-0-1)

House Concurrent Resolution No. 100, by Baldone
Reported Favorably. (8-0-1)

House Concurrent Resolution No. 101, by Thompson
Reported Favorably. (8-0-1)

House Bill No. 197, by Dove
Reported with Amendments. (9-0-1) (Regular)

House Bill No. 204, by Cazayoux
Reported Favorably. (9-0-1) (Regular)

House Bill No. 385, by Wooton
Reported with Amendments. (8-0-1) (Regular)

House Bill No. 397, by Baldone
Reported with Amendments. (8-0-1) (Regular)

House Bill No. 428, by Pierre
Reported with Amendments. (8-0-1) (Regular)

House Bill No. 477, by Dove
Reported with Amendments. (8-0-1) (Regular)

House Bill No. 587, by Odinet
Reported with Amendments. (10-0-1) (Regular)

House Bill No. 683, by Dove
Reported with Amendments. (8-0-1) (Regular)

House Bill No. 701, by Baudoin
Reported with Amendments. (9-0-1) (Regular)

Senate Bill No. 21, by N. Gautreaux
Reported Favorably. (8-0-1) (Regular)

Senate Bill No. 210, by Heitmeier
Reported with Amendments. (8-0-1) (Regular)

Senate Bill No. 224, by Hollis
Reported Favorably. (8-0-1) (Regular)

Senate Bill No. 235, by Ullo
Reported Favorably. (9-0-1) (Regular)

Senate Bill No. 249, by Mount
Reported Favorably. (8-0-1) (Regular)

WILFRED PIERRE
Chairman

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

Report of the Committee on Ways and Means

May 24, 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. 273, by Arnold (Joint Resolution)
Reported with amendments. (15-0)

House Bill No. 274, by Arnold
Reported with amendments. (15-0) (Regular)

House Bill No. 627, by Hammett
Reported with amendments. (18-0) (Regular)

House Bill No. 639, by Martiny
Reported favorably. (16-0) (Regular)

House Bill No. 655, by Montgomery
Reported with amendments. (17-0) (Regular)

House Bill No. 679, by Hammett
Reported with amendments. (16-0) (Regular)

House Bill No. 684, by Hammett
Reported with amendments. (16-0) (Regular)

House Bill No. 688, by Richmond
Reported with amendments. (15-1-1) (Regular)

House Bill No. 731, by Hammett
Reported with amendments. (16-0) (Regular)

House Bill No. 795, by Hammett
Reported with amendments. (16-0) (Regular)

House Bill No. 877, by Townsend
Reported favorably. (17-0) (Regular)

BRYANT O. HAMMETT, JR.
Chairman

Privileged Report of the Legislative Bureau

May 24, 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. 6
Reported without amendments.

Senate Bill No. 143
Reported without amendments.

Respectfully submitted,
CHARLES MCDONALD
Chairman

Privileged Report of the Legislative Bureau

May 24, 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. 130
Reported without amendments.

Respectfully submitted,
CHARLES MCDONALD
Chairman

Senate Instruments on Second Reading Returned from the Legislative Bureau

Rep. Ansardi asked for and obtained a suspension of the rules to take up at this time the following Senate Bills and Joint Resolutions on second reading just returned from the Legislative Bureau, with a view of acting on the same:

SENATE BILL NO. 130—
BY SENATOR ROMERO
AN ACT

To enact R.S. 9:203(E)(4), relative to marriage officiants, judges, and justices of the peace; to extend the authority for certain federal judges to preside over a marriage ceremony between May 16, 2005 and June 4, 2005; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Engrossed Senate Bill No. 130 by Senator Romero

AMENDMENT NO. 1

On page 1, after line 14, add the following:

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

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

Privileged Report of the Committee on Enrollment

May 24, 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. 43—

BY REPRESENTATIVE SCHNEIDER

A RESOLUTION

To commend Laurion Hillary Morris, Miss Slidell Teen Princess 2005, upon her outstanding accomplishments.

HOUSE RESOLUTION NO. 44—

BY REPRESENTATIVE DARTEZ

A RESOLUTION

To commend the baseball team of Central Catholic High School of Morgan City upon winning the 2005 Class 1A State Championship.

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. Hunter, the rules were suspended to permit the Committee on Labor and Industrial Relations to consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill No. 571

Adjournment

On motion of Rep. Kenney, at 6:30 P.M., the House agreed to adjourn until Wednesday, May 25, 2005, at 2:00 P.M.

The Speaker of the House declared the House adjourned until 2:00 P.M., Wednesday, May 25, 2005.

ALFRED W. SPEER
Clerk of the House

