

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

TWENTY-FIRST 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 31, 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	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	Wooton
Farrar	Morrell	Wright
Total - 105		
	ABSENT	

Total - 0

The Speaker announced that there were 105 members present and a quorum.

Prayer

Prayer was offered by Father Alan Trouille!

Pledge of Allegiance

Rep. St. Germain 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. Triche, the reading of the Journal was dispensed with.

On motion of Rep. Karen Carter, the Journal of May 26, 2005, was adopted.

On motion of Rep. Quezaire, the reading of the Committee of the Whole House Journal was dispensed with.

On motion of Rep. Baldone, the Committee of the Whole House Journal of May 26, 2005, was adopted.

**Petitions, Memorials and
Communications**

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

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

May 31, 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 appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 272: Senators Dupre, Chaisson, and Fields.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

**ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

May 31, 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. 79 and 80

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Suspension of the Rules

On motion of Rep. Baldone, 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. 79—

BY SENATOR DUPRE

A CONCURRENT RESOLUTION

To urge and request the United States Department of Veterans Affairs to reopen enrollment at the new Veterans Affairs Community Based Outpatient Clinic.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 80—

BY SENATORS THEUNISSEN AND ULLO AND REPRESENTATIVE RITCHIE

A CONCURRENT RESOLUTION

To designate September as "Civic Literacy and Engagement Month" in Louisiana.

Read by title.

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

Message from the Senate

HOUSE BILLS

May 31, 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. 506
Returned with amendments

House Bill No. 768
Returned without amendments

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

May 31, 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. 143
Returned without amendments

House Concurrent Resolution No. 144
Returned without amendments

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

SENATE BILLS

May 31, 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. 3, 26, 96, 104, 108, 136, 164, 185, 193, 322, 331, 337, 341, and 351

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. 3—

BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 51:1787(I) and to enact R.S. 47:1561.2(A)(4) and R.S. 51:2457(D), relative to tax credit and rebate incentives; to require audits of certain credits and incentives; and to provide for related matters.

Read by title.

SENATE BILL NO. 26—

BY SENATORS MCPHERSON AND HINES

AN ACT

To enact R.S. 47:297(N), relative to individual income tax; to provide a credit for certain amounts related to living organ donation; and to provide for related matters.

Read by title.

SENATE BILL NO. 96—

BY SENATORS SCHEDLER AND NEVERS

AN ACT

To amend and reenact R.S. 47:1705(B), 1987, and 1992(A)(1), relative to notices related to ad valorem property taxes; to provide for the notice to be given to taxpayers concerning certain property tax assessments and increases in millage rates without voter approval; and to provide for related matters.

Read by title.

SENATE BILL NO. 104—

BY SENATOR ADLEY

AN ACT

To amend and reenact the introductory paragraph of R.S. 51:2452(A) and 2453(2)(f)(i), relative to the Louisiana Quality Jobs Program Act; to provide an additional category for inclusion in the Louisiana Quality Jobs Program Act; to allow physician-based industries to participate in the Louisiana Quality Jobs Program Act; and to provide for related matters.

Read by title.

SENATE BILL NO. 108—
BY SENATOR ADLEY

AN ACT

To amend and reenact R.S. 47:1705(B), relative to information provided regarding millage rates; to require certain notice to the public in any year in which a tax recipient body intends to consider the levy of additional or increased millage rates without voter approval; and to provide for related matters.

Read by title.

SENATE BILL NO. 136—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 47:1125.1(A) and (D), relative to tax credits; to provide for an extension of certain employment tax credits and make them transferable; and to provide for related matters.

Read by title.

SENATE BILL NO. 164—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 47:1703(A)(2) and (B), relative to the homestead exemption; to provide for the date upon which the homestead may be claimed; and to provide for related matters.

Read by title.

SENATE BILL NO. 185—
BY SENATOR CRAVINS

AN ACT

To enact R.S. 42:851(O), relative to health and accident insurance programs for the office of group benefits; to provide with regard to the applicability of certain requirements to certain employees; and to provide for related matters.

Read by title.

SENATE BILL NO. 193—
BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 47:115(A)(3) and (C) and 1624 (A), relative to individual income tax; to provide for the payment of interest on credited overpayments; and to provide for related matters.

Read by title.

SENATE BILL NO. 322—
BY SENATOR FONTENOT

AN ACT

To enact R.S. 47:6020, relative to income tax credits; to provide relative to environmental economic development incentives; to provide for income tax credits for brownfields investors; to provide for definitions; to provide for certification of such brownfields projects; to provide for the administration, amount, eligibility, use, and other transactions of such credits; and to provide for related matters.

Read by title.

SENATE BILL NO. 331—
BY SENATOR N. GAUTREAUX

AN ACT

To enact R.S. 47:301(10)(y) and (18)(k) and to repeal R.S. 47:305(A)(5), relative to exemptions from sales and use tax levied by the state; to provide an exclusion from such tax for certain transactions related to crawfish harvesting and production; and to provide for related matters.

Read by title.

SENATE BILL NO. 337—
BY SENATORS ELLINGTON AND NEVERS

AN ACT

To enact R.S. 47:301(7)(j), (10)(y) and (z), and (18)(k) and (l), and to repeal R.S. 47:305.31, relative to exclusions from the sales and use tax of the state and political subdivisions of the state; to provide for an exclusion from state sales tax for certain property used in the manufacture, production, or extraction of unblended biodiesel; to provide for an exclusion from the sales and use tax of the state for certain fuels; and to provide for related matters.

Read by title.

SENATE BILL NO. 341—BY SENATORS DUPLESSIS, BAJOIE, BROOME, DARDENNE, JACKSON, MICHOT, MURRAY AND NEVERS AND REPRESENTATIVE SCALISE
AN ACT

To enact R.S. 47:6020, relative to the Louisiana digital interactive media producer tax credit; to provide for a sunset date; to limit the credit so that it will not exceed Louisiana expenditures of the production; to authorize a carry forward of tax credits; to provide for administrative procedures for the credit; and to provide for related matters.

Read by title.

SENATE BILL NO. 351—
BY SENATOR NEVERS

AN ACT

To enact R.S. 47:287.759, relative to tax credits; to provide certain tax credits to certain contractors and subcontractors who provide certain insurance; 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. 66—
BY REPRESENTATIVE M. POWELL

A RESOLUTION

To express the condolences of the House of Representatives upon the death of Sergeant Robin V. Fell of Shreveport.

Read by title.

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

HOUSE RESOLUTION NO. 67—
BY REPRESENTATIVE HONEY

A RESOLUTION

To commend Everett Arnold "Buddy" Mason upon his induction into the Southern University Sports Hall of Fame.

Read by title.

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

HOUSE RESOLUTION NO. 68—
BY REPRESENTATIVE HUNTER

A RESOLUTION

To commend Shirley Wilson Pine for her long-time commitment to the field of education on the occasion of her retirement and to recognize the dedication she exhibited in her tenure with the Monroe City School System.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 148—
BY REPRESENTATIVES QUEZAIRE, LAMBERT, AND SMILEY
A CONCURRENT RESOLUTION

To urge and request the governor and the Department of Economic Development to embrace and publicly support the Louisiana Transportation Center as proposed by the Louisiana Airport Authority.

Read by title.

On motion of Rep. Quezaire, and under a suspension of the rules, the above resolution was referred to the Committee on Transportation, Highways and Public Works, under the rules.

HOUSE CONCURRENT RESOLUTION NO. 149—
BY REPRESENTATIVE QUEZAIRE
A CONCURRENT RESOLUTION

To commend Ms. Elinor Craven upon the occasion of her retirement after twenty-nine years of service to the people of Louisiana in the Office of State Parks, Department of Culture, Recreation and Tourism.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 150—
BY REPRESENTATIVE BURRELL
A CONCURRENT RESOLUTION

To commend Albert Jojuan "Joey" Belle, a native Louisianian and outstanding baseball player, on being inducted into the Louisiana Sports Hall of Fame.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 151—
BY REPRESENTATIVE MORRELL
A CONCURRENT RESOLUTION

To urge and request the New Orleans City Council to establish and enforce a moratorium on the construction or establishment of new hotels and motels and on the expansion of existing hotels and motels in the Downtown Development District and in the French Quarter of New Orleans.

Read by title.

On motion of Rep. Morrell, 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. 145—
BY REPRESENTATIVE CAZAYOUX
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to erect stop signs along Louisiana Highway 983, also known as Bueche Road, at its intersection with Louisiana Highway 620, also known as Section Road, in West Baton Rouge Parish to create a four-way stop at this intersection.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 146—
BY REPRESENTATIVE M. GUILLORY AND SENATOR THEUNISSEN
A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections, office of motor vehicles and office of state police to petition the Federal Motor Carrier Safety Administration for an exemption from the federal regulations regarding the issuance of restricted commercial drivers' licenses for aerial applicators.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 147—
BY REPRESENTATIVE BURNS
A CONCURRENT RESOLUTION

To urge and request the Department of Labor to allow for the creation and development of e-learning programs for activities allowed under the Incumbent Worker Training Program.

Read by title.

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

**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. 266—
BY SENATOR JONES
AN ACT

To amend and reenact R.S. 51:1037 and to enact R.S. 51:1032(A)(8) and Part IV of Chapter 4-B of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1045.1 through 1045.3, relative to poverty; to provide legislative findings; to provide for annual reports on the Strategic Plan to Combat Poverty; to provide for the coordination and implementation of the recommendations of the Governor's Summit on Solutions to Poverty; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 334—
BY SENATOR SCHEDLER
AN ACT

To amend and reenact R.S. 33:1236(30)(b)(i), (iii), (iv) and (vi) and 4876, relative to the powers of local governing authorities; to provide with respect to authorization of the St. Tammany Parish governing authority to require and compel property owners to remove trash, debris, junk, wrecked or used automobiles or motor vehicles, or other discarded items being stored or kept on property; to provide for an effective date; and to provide for related matters.

Read by title.

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

Motion

On motion of Rep. Durand, the Committee on Health and Welfare was discharged from further consideration of Senate Bill No. 270.

SENATE BILL NO. 270—
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 46:978 and 979(A), relative to health care for the uninsured; to provide for authorization for a Section 1115 of the Social Security Act waiver demonstration initiative; to provide for a Section 1115 demonstration program; to provide for expansion of coverage for families below two hundred percent of the federal poverty level; and to provide for related matters.

Read by title.

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

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. 884 (Substitute for House Bill No. 605 by Representative Richmond)—
BY REPRESENTATIVE RICHMOND

AN ACT

To amend and reenact R.S. 25:746(A), (B)(5) and (6), (C), (D)(1), (2), (3), and (5), (E)(1), (2), and (4), (G), and (H) and to enact R.S. 25:746(B)(8) through (11), (I), (J), and (K), relative to historic preservation districts and historic preservation commissions; to provide relative to the balancing of historic preservation with economic development, renovation, rehabilitation, and adaptive reuse of historic properties; to provide for appeals of a decision, recommendation, act, or proceeding of a commission, governing body, or other agency with authority in the district; to provide for stays, stop orders, restraining orders, and injunctions and security therefor; 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. 75—
BY SENATOR ADLEY

AN ACT

To amend and reenact Code of Civil Procedure Article 4843(H) and (I), relative to the jurisdiction of city courts; to provide relative to the City Court of Springhill; to increase the jurisdictional amount in dispute; 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. 95—
BY SENATOR KOSTELKA

AN ACT

To enact R.S. 23:1601(11), relative to unemployment compensation; to provide with respect to the exclusion of inmates in custodial or penal institutions from the receipt of unemployment benefits during periods of incarceration; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Labor and Industrial Relations.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 139—
BY SENATOR JONES

AN ACT

To enact R.S. 40:2405.5, relative to Peace Officer Standards and Training; to provide a training course for law enforcement interaction with mentally ill and developmentally disabled persons; to provide for course requirements; to provide for implementation and reporting requirements; 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. 153—
BY SENATOR MICHOT

AN ACT

To enact Code of Civil Procedure Art. 258 and to repeal Act No. 543 of the 1980 Regular Session of the Legislature as amended by Act No. 927 of the 1985 Regular Session of the Legislature and as amended by Act No. 706 of the 1993 Regular Session of the Legislature, relative to clerks of court and official recorders; to provide relative to the filing of any recordable written instrument submitted by certain entities of the state or federal government or by certain financial institutions; to authorize the electronic filing and recording of such instruments; to require certification of conformity of such instruments to form and content required by law; to require certain endorsement of such filed instruments; to provide for procedures relative to receipt of such filed instruments; to provide relative to the effectiveness of such filed instruments; to repeal the authority of the Lafayette Parish Clerk of Court to employ an attorney at law; 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 Reengrossed Senate Bill No. 153 by Senator Michot

Page 6 HOUSE

21st Day's Proceedings - May 31, 2005

AMENDMENT NO. 1

On page 2, at the beginning of line 3, delete "at such recorder's option and discretion may accept" and insert "may adopt and implement a published plan which provides for the acceptance of"

AMENDMENT NO. 2

On page 2, line 10, after "Corporation" and before the period "." insert "or the National Credit Union Administration"

AMENDMENT NO. 3

On page 2, at the end of line 23, change the period "." to a comma "," and insert "provided the written instrument from which the electronic record is taken, except for instruments releasing mortgages and privileges and those instruments filed after July 1, 2006, is filed within ten days of the electronic filing."

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.

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. 1— BY REPRESENTATIVE FARRAR A CONCURRENT RESOLUTION

To amend the Department of Health and Hospitals, office of public health, rules on installer/maintenance provider qualifications and to direct the Louisiana Register to print the amendments in the Louisiana Administrative Code.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Farrar to Engrossed House Concurrent Resolution No. 1 by Representative Farrar

AMENDMENT NO. 1

On page 2, delete lines 5 through 10 in their entirety and insert in lieu thereof:

"B. For a combination license, the applicant shall submit, along with the license application and evidence of successful completion of an examination, an endorsement from the licensed manufacturer for the brand of plant he wishes to install and/or maintain, specifying that the applicant is qualified to install and/or maintain said plants, in compliance with the requirements of this Code. Applications will not be processed unless accompanied by the required endorsement."

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

Rep. Farrar moved the adoption of the resolution, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of members voting YEAS, including Mr. Speaker, Alario, Ansardi, Badon, Baldone, Barrow, Baudoin, Baylor, Beard, Bowler, Bruce, Bruneau, Burrell, Carter, K., Carter, R., Cazayoux, Crane, Cravins, Crowe, Curtis, Damico, Daniel, Dartez, DeWitt, Doerge, Dorsey, Dove, Durand, Erdey, Fannin, Farrar, Frith, Gallot, Geymann, Glover, Gray, Greene, Guillory, E., Guillory, M., Hammett, Heaton, Hebert, Hill, Honey, Hopkins, Hunter, Hutter, Jackson, Jefferson, Johns, Kennard, Kenney, Kleckley, LaFleur, LaFonta, Lambert, Lancaster, Marchand, Martiny, McDonald, McVea, Montgomery, Morrell, Morrish, Odinet, Pierre, Pinac, Pitre, Powell, M., Powell, T., 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, Townsend, Trahan, Triche, Tucker, Waddell, Walker, White, Winston, Wooton, Wright.

Total - 95

NAYS

Total - 0

ABSENT

Table listing names of members voting ABSENT: Alexander, Arnold, Burns, Downs, Faucheux, Katz, LaBruzzo, Quezaire, Toomy, Walsworth.

Total - 10

The resolution, as amended, was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 79— BY REPRESENTATIVE BRUCE A CONCURRENT RESOLUTION

To request the Louisiana Commission on Law Enforcement and Administration of Criminal Justice to study whether juvenile correctional officers should be included in the definition of a peace officer for purposes of the Peace Officers Standards and Training Law 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 Juvenile Correctional Officers Task Force to assist in this study.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 82— BY REPRESENTATIVE GRAY A CONCURRENT RESOLUTION

To request the House Committee on Health and Welfare and the Senate Committee on Health and Welfare to meet and function as a joint committee to study the current laws and regulations governing children in foster care in the state, to study the laws,

regulations, and procedures which govern social workers charged with monitoring children in foster care, and to make recommendations for changes in the laws, rules, and procedures governing children in foster care in Louisiana.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 83—

BY REPRESENTATIVE STRAIN

A CONCURRENT RESOLUTION

To direct the Louisiana State Board of Dentistry to formulate proposed legislation providing for a volunteer license, which would allow retired dentists to practice at nonprofit health care facilities for no remuneration.

Read by title.

Rep. Strain moved the adoption of the resolution.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Burns	Hopkins	LaBruzzo
Doerge	Johns	
Total - 5		

The resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 85—

BY REPRESENTATIVES JACK SMITH AND ST. GERMAIN

A CONCURRENT RESOLUTION

To establish, in the Department of Wildlife and Fisheries, the Wild-Caught Crawfish Task Force and to provide for its membership and responsibilities.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 96—

BY REPRESENTATIVES DOERGE AND WALKER

A CONCURRENT RESOLUTION

To direct the Louisiana Department of Social Services, bureau of licensing, to promulgate rules and regulations to provide for the licensing of after-school enrichment programs, pursuant to Chapter 14 of Title 46 of the Louisiana Revised Statutes of 1950.

Read by title.

Rep. Doerge moved the adoption of the resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Pitre
Alario	Frith	Powell, M.
Alexander	Gallot	Powell, T.
Ansardi	Glover	Quezaire
Arnold	Gray	Richmond
Badon	Greene	Ritchie
Baldone	Guillory, E.	Robideaux
Barrow	Guillory, M.	Romero
Baudoin	Hammett	Scalise
Baylor	Heaton	Schneider
Beard	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.	Jackson	St. Germain
Cazayoux	Jefferson	Strain
Crane	Katz	Thompson
Cravins	Kennard	Toomy
Crowe	Kenney	Townsend
Curtis	LaFleur	Trahan
Damico	LaFonta	Triche
Daniel	Lambert	Tucker
Dartez	Marchand	Waddell
DeWitt	McDonald	Walker
Doerge	McVea	Walsworth
Dorsey	Montgomery	White
Dove	Morrell	Winston
Durand	Morrish	Wooton
Erdey	Odinet	Wright
Fannin	Pierre	
Farrar	Pinac	
Total - 97		

NAYS

Bowler
Total - 1

ABSENT

Downs	Kleckley	Martiny
Geymann	LaBruzzo	
Johns	Lancaster	
Total - 7		

The resolution was adopted.

Ordered to the Senate.

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.

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. 98 by Representative Badon

AMENDMENT NO. 1

On page 2, line 7, after "Board of" and before "Psychologists" insert "Examiners of"

AMENDMENT NO. 2

On page 2, between lines 23 and 24 insert the following:

"(18) The president of the Louisiana Dental Association or his designee.

(19) The president of the Louisiana District Attorneys Association or his designee.

(20) The president of the Louisiana Sheriffs' Association or his designee.

(21) The president of the Louisiana State Board of Veterinary Medicine or his designee.

(22) The president of the Louisiana Veterinarian Medical Association or his designee.

(23) The president of the Louisiana State Board of Optometry Examiners or his designee.

(24) The president of the Optometry Association of Louisiana or his designee.

(25) A representative of the National Association of Chain Drug Stores."

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 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.

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

Ordered to the Senate.

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.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 105—

BY REPRESENTATIVE WINSTON

A CONCURRENT RESOLUTION

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

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 22—

BY REPRESENTATIVES JEFFERSON AND BURRELL

A CONCURRENT RESOLUTION

To authorize and direct the Louisiana Department of Public Safety and Corrections to create a system to notify individuals convicted of a felony who have completed their terms of confinement or parole relative to the reinstatement of voter registration.

Read by title.

Motion

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

HOUSE CONCURRENT RESOLUTION NO. 118—

BY REPRESENTATIVE CROWE

A CONCURRENT RESOLUTION

To urge and request the clerks of court and recorders of mortgages to employ computer software to redact the first five digits of social security numbers appearing on any recorded document which is to be made available to the public over the Internet.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 121—

BY REPRESENTATIVE FRITH

A CONCURRENT RESOLUTION

To create and provide for the Cameron Parish Economic Development Task Force for the purpose of studying and making recommendations relative to economic development in Cameron Parish.

Read by title.

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

Ordered to the Senate.

Suspension of the Rules

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

House Bills and Joint Resolutions on Third Reading and Final Passage

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

Regular Calendar

HOUSE BILL NO. 88—

BY REPRESENTATIVES JANE SMITH, BRUCE, BURRELL, CAZAYOUX, CRAVINS, HEATON, LAFLEUR, MORRELL, WHITE, WOOTON, AND SCALISE

AN ACT

To enact Chapter 6-B of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:641 through 646, relative to offenses against peace officers; to require registration of certain offenders who commit violent crimes against peace officers; to provide for definitions; to provide for the creation of a central registry; to provide for the transmission of registry information to the Louisiana Bureau of Criminal Identification and Information; to provide with respect to the failure to register; to provide for criminal penalties; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Jane Smith to Engrossed House Bill No. 88 by Representative Jane Smith

AMENDMENT NO. 1

On page 3, line 8, after "thousand" and before the comma insert "according to the latest federal decennial census"

AMENDMENT NO. 2

On page 4, line 19, after "thousand" and before the comma insert "according to the latest federal decennial census"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Martiny to Engrossed House Bill No. 88 by Representative Jane Smith

AMENDMENT NO. 1

On page 1, line 3, after "through" and before the comma change "646" to "647"

AMENDMENT NO. 2

On page 1, line 7, after "Information;" and before "to provide" insert "to provide with respect to limitations of liability;"

AMENDMENT NO. 3

On page 1, line 11, after "through" and before the comma change "646" to "647"

AMENDMENT NO. 4

On page 4, between lines 24 and 25, insert the following:

"§647. Limitation of liability

No person shall have a cause of action against a law enforcement agency or an employee thereof for any loss or damage caused by any act or omission resulting from the implementation of the provisions of this Chapter. This limitation shall not apply to any loss or damage caused by the willful and wanton act or gross negligence of the agency or employee."

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

Rep. Jane Smith 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
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

Page 10 HOUSE

21st Day's Proceedings - May 31, 2005

Erdey Montgomery Wooton
Fannin Morrell Wright
Farrar Morrish
Total - 104

NAYS

Total - 0

ABSENT

LaBruzzo
Total - 1

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Jane Smith 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. 114—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 14:90(B) and 90.3(F) and R.S. 27:3(14), (16), and (18), 27.1(C)(introductory paragraph), 29.2(B) and (D), 29.3(A) and (D), and 29.4(D) and to enact R.S. 14:90(F), Chapter 9 of Title 27 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 27:501 through 536, and Chapter 42 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9601, relative to domestic cruiseship gaming; to enact the Domestic Cruiseship Gaming Control Act; to provide for applicability; to provide for definitions; to declare public policy; to provide for procedures for licensing of gaming on a domestic cruiseship; to provide suitability criteria and conditions for licensing; to provide criteria for domestic cruiseships; to provide conditions with respect to licensing; to provide for the powers and duties of the Louisiana Gaming Control Board; to provide for the powers and duties of the gaming division, office of state police; to provide limitations on the designated gaming area; to prohibit certain relationships; to provide for certain crimes; to provide for penalties; to provide for appeals; to provide for assistance for compulsive or problem gambling; to provide that the provisions of law regarding the uniform and compulsive problem gambling program and permits for nongaming suppliers, key and non-key gaming employees apply to licensees for domestic cruiseship gaming; to create a special taxing district and to provide for its purpose, governance powers, duties, and functions; and to provide for related matters.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Martiny gave notice of his intention to call House Bill No. 114 from the calendar for future action.

HOUSE BILL NO. 115—
BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact Code of Civil Procedure Article 251(A) and R.S. 44:32(C)(1)(c), relative to public records; to prohibit the use of privately owned copying, reproducing, scanning, or other such imaging equipment in the copying of public records within the offices of the clerk of court; and to provide for related matters.

Read by title.

Rep. Gallot 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.
Arnold Gray Powell, T.
Badon Greene Quezaire
Baldone Guillory, E. Richmond
Barrow Guillory, M. Ritchie
Baudoin Hammett Robideaux
Baylor Heaton Romero
Beard 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 Marchand Waddell
Dorsey Martiny Walker
Dove McDonald Walsworth
Downs McVea White
Durand Montgomery Wooton
Fannin Morrell Wright
Farrar Morrish
Faucheux Odinet

Total - 100

NAYS

Total - 0

ABSENT

Bowler LaBruzzo Winston
Erdey Lancaster
Total - 5

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Gallot 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. 158—
BY REPRESENTATIVE MARCHAND
AN ACT

To amend and reenact R.S. 17:226, relative to exemptions from compulsory school attendance; to authorize nurse practitioners licensed to practice in Louisiana to substantiate certain illnesses permitting a child to be excused temporarily from attending school; to remove exemptions based on the location of a child's residence and certain other transportation factors; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Marchand moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Pinac
Alario	Gallot	Pitre
Alexander	Geymann	Powell, M.
Arnold	Glover	Powell, T.
Badon	Greene	Quezaire
Baldone	Guillory, E.	Richmond
Barrow	Guillory, M.	Ritchie
Baudoin	Hammett	Robideaux
Baylor	Heaton	Romero
Beard	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	Marchand	Waddell
Dorsey	McDonald	Walker
Dove	McVea	Walsworth
Downs	Montgomery	White
Durand	Morrell	Wooton
Fannin	Morrish	Wright
Farrar	Odinet	
Faucheux	Pierre	
Total - 97		

NAYS

Total - 0

ABSENT

Ansardi	Gray	Martiny
Bowler	LaBruzzo	Winston
Erdey	Lancaster	
Total - 8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 178—

BY REPRESENTATIVES HUTTER, BARROW, AND BAUDOIN AND SENATOR DUPLESSIS

AN ACT

To amend and reenact R.S. 17:15(A)(1) and (2)(a)(introductory paragraph), (i), and (ii) and (b), (B), and (D), relative to criminal history review; to prohibit public school boards and nonpublic schools and school systems from hiring specified persons who have been convicted of or pled nolo contendere to certain crimes, except under certain circumstances; to provide relative to procedures established by city, parish, and other local public school boards to determine whether such persons have been convicted of certain crimes; 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	Frith	Pierre
Alario	Gallot	Pinac
Alexander	Geymann	Pitre
Ansardi	Glover	Powell, M.
Arnold	Gray	Powell, T.
Badon	Greene	Quezaire
Baldone	Guillory, E.	Richmond
Barrow	Guillory, M.	Ritchie
Baudoin	Hammett	Robideaux
Baylor	Heaton	Romero
Beard	Hebert	Scalise
Bowler	Hill	Schneider
Bruce	Honey	Shepherd
Bruneau	Hopkins	Smiley
Burns	Hunter	Smith, G.
Burrell	Hutter	Smith, J.D.-50th
Carter, K.	Jackson	Smith, J.H.-8th
Carter, R.	Jefferson	Smith, J.R.-30th
Cazayoux	Johns	St. Germain
Crane	Katz	Strain
Cravins	Kennard	Thompson
Crowe	Kenney	Toomy
Curtis	Kleckley	Townsend
Damico	LaFleur	Trahan
Daniel	LaFonta	Triche
Dartez	Lambert	Tucker
DeWitt	Lancaster	Waddell
Doerge	Marchand	Walker
Dorsey	Martiny	Walsworth
Dove	McDonald	White
Downs	McVea	Winston
Durand	Montgomery	Wooton
Fannin	Morrell	Wright
Farrar	Morrish	
Faucheux	Odinet	
Total - 103		

NAYS

Total - 0

ABSENT

Erdey	LaBruzzo
Total - 2	

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. 184—

BY REPRESENTATIVE FRITH

AN ACT

To enact R.S. 41:727, relative to the transfer of certain sixteenth section land by the Vermilion Parish School Board; to specify the property to be transferred and the persons to whom it shall be transferred; and to provide for related matters.

Read by title.

Rep. Frith moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

Page 12 HOUSE

21st Day's Proceedings - May 31, 2005

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, 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	Wooton
Faucheux	Morrish	Wright
Total - 102		
NAYS		
Total - 0		
ABSENT		
Carter, K.	Erdey	LaBruzzo
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. 197—
BY REPRESENTATIVE DOVE
AN ACT

To enact R.S. 49:214.9 and 214.10, relative to coastal preservation and restoration; to establish a program for stabilization and restoration of coastal passes; to create the Coastal Passes Stabilization and Restoration Fund as a special fund in the state treasury; to provide for the deposit, use, and investment of monies in the fund; 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	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.	Ritchie
Baylor	Hammett	Robideaux
Beard	Heaton	Romero
Bowler	Hebert	Scalise
Bruce	Hill	Schneider
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	LaFleur	Triche
Dartez	LaFonta	Tucker
DeWitt	Lambert	Waddell
Doerge	Lancaster	Walker
Dorsey	Marchand	Walsworth
Dove	Martiny	White
Downs	McDonald	Winston
Durand	McVea	Wooton
Fannin	Montgomery	Wright
Farrar	Morrell	
Total - 101		
NAYS		
Total - 0		
ABSENT		
Erdey	Richmond	
LaBruzzo	Shepherd	
Total - 4		

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. 204—
BY REPRESENTATIVE CAZAYOUX
AN ACT

To amend and reenact R.S. 56:2011(C), relative to payment of royalties for dredging state water bottoms; to exempt from the payment of such royalties the dredging of False River for certain purposes; 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	Frith	Pierre
Alario	Gallot	Pinac
Alexander	Geymann	Pitre
Ansardi	Glover	Powell, M.
Arnold	Gray	Powell, T.
Badon	Greene	Quezaire
Baldone	Guillory, E.	Richmond
Barrow	Guillory, M.	Ritchie
Baudoin	Hammett	Robideaux
Baylor	Heaton	Romero
Beard	Hebert	Scalise
Bowler	Hill	Schneider
Bruneau	Honey	Shepherd
Burns	Hopkins	Smiley
Burrell	Hunter	Smith, G.
Carter, K.	Jackson	Smith, J.D.—50th
Carter, R.	Jefferson	Smith, J.H.—8th
Cazayoux	Johns	St. Germain
Crane	Katz	Strain
Cravins	Kennard	Thompson
Crowe	Kenney	Toomy
Curtis	Kleckley	Townsend
Damico	LaFleur	Trahan
Daniel	LaFonta	Triche
Dartez	Lambert	Tucker
DeWitt	Lancaster	Waddell
Doerge	Marchand	Walker
Dorsey	Martiny	Walsworth
Dove	McDonald	White
Downs	McVea	Winston
Durand	Montgomery	Wooton
Fannin	Morrell	Wright
Farrar	Morrish	
Faucheux	Odinet	
Total - 100		

NAYS

Total - 0

ABSENT

Bruce	Hutter	Smith, J.R.—30th
Erdey	LaBruzzo	
Total - 5		

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. 274—
BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 47:1705(B), relative to ad valorem taxes; to limit the ability of taxing authorities to increase ad valorem tax millages; to provide for an effective date; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 290—
BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact R.S. 22:250.54(A), relative to health insurance; to provide with respect to prompt payment of electronic pharmacy claims; to provide for applicability to pharmacy contracts; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Townsend to Engrossed House Bill No. 290 by Representative Townsend

AMENDMENT NO. 1

On page 1, line 17, after "after" change "the effective date of this Act." to "July 1, 2005."

AMENDMENT NO. 2

On page 1, line 18, after "to" change "the effective date of this Act" to "July 1, 2005,"

AMENDMENT NO. 3

On page 1, at the end of line 19, delete "the effective" and at the beginning of line 20, delete "date of this Act." and insert "July 1, 2005."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Bowler to Engrossed House Bill No. 290 by Representative Townsend

AMENDMENT NO. 1

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

"Section 2. The provisions of this Act shall not apply to contracts between a health insurance issuer and its agent or any other party responsible for reimbursement for prescription drugs, other products and supplies, and pharmacist services, and a pharmacist or pharmacy entered into prior July 1, 2005. When more than one of such contracts relate to the reimbursement for the same prescription drugs, other products and supplies, and pharmacist services, the term of the longer contract shall control. After January 1, 2010, all such contracts shall provide for reimbursement as provided in this Act."

Rep. Bowler moved the adoption of the amendments.

Rep. Townsend objected.

By a vote of 10 yeas and 81 nays, the amendments were rejected.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Walsworth to Engrossed House Bill No. 290 by Representative Townsend

Page 14 HOUSE

21st Day's Proceedings - May 31, 2005

AMENDMENT NO. 1

On page 1, line 2, after "22:250.54(A)" delete the comma "," and insert "and R.S. 22:250.56(B)."

AMENDMENT NO. 2

On page 1, line 4, after "contracts;" and before "to" insert "to provide with respect to time periods for audits and claims regarding fraudulent insurance acts;"

AMENDMENT NO. 3

On page 1, line 6, after "R.S. 22:250.54(A)" and before "hereby" delete "is" and insert "and R.S. 22:250.56(B) are"

AMENDMENT NO. 4

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

"§250.56. Thirty-day payment standard; limitations on claim filing and audits

* * *

B. Health insurance issuers that limit by contract the period of time that a pharmacist or pharmacy under contract for delivery of covered benefits has to submit claims for payment under R.S. 22:250.53 or 250.54 shall have the same limited period of time following payment of such claims to perform any review or audit for purposes of reconsidering the validity of such claims. However, this limited period of time for audits or reviews following payment shall not apply to any investigation by a health insurance issuer of by an entity that conducts audits or reviews on the issuer's behalf based upon a reasonable belief that "a fraudulent insurance act," as defined in R.S. 22:1242, or material misrepresentation has occurred."

Rep. Walsworth moved the adoption of the amendments.

Rep. Townsend objected.

By a vote of 40 yeas and 63 nays, the amendments were rejected.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Townsend to Engrossed House Bill No. 290 by Representative Townsend

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete "R.S. 22:250.54" and insert "R.S. 22:250.52(5), 250.54(A), and 250.60(A)(2) and (B)(2)."

AMENDMENT NO. 2

On page 1, line 4, after "applicability to" insert "the Office of Group Benefits and"

AMENDMENT NO. 3

On page 1, line 6, after "1." delete "R.S. 22:250.54 is" and insert "R.S. 22:250.52(5), 250.54(A), and 250.60(A)(2) and (B)(2) are"

AMENDMENT NO. 4

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

"§250.52. Definitions

As used in this Part, the following terms shall be defined as follows:

* * *

(5) "Health insurance issuer" means an insurance company, including a health maintenance organization as defined and licensed pursuant to Part XII of Chapter 2 of this Title, unless preempted as an employee benefit plan under the Employee Retirement Income Security Act of 1974. For purposes of this Part, a "health insurance issuer" shall not include the Office of Group Benefits.

* * *

AMENDMENT NO. 5

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

"§250.60. Violations; cease and desist orders; penalties

A. Whenever the commissioner has reason to believe that any health insurance issuer is not in full compliance with the requirements of this Part, he shall notify such issuer and, after notice and opportunity for hearing pursuant to Part XXIX of this Chapter, subject to Chapter 13-B of Title 49 of the Louisiana Revised Statutes of 1950, the commissioner shall issue and cause to be served an order requiring the health insurance issuer to cease and desist from any violation and order any one or more of the following:

* * *

(2) Suspension or revocation of the certificate of authority of the health insurance issuer to operate in this state if it knew or reasonably should have known it was in violation of this Part. However, notice of any such violation by the Office of Group Benefits shall be submitted to the governor and the chairmen of the House Committee on Appropriations and the Senate Committee on Finance.

B. Any health insurance issuer who violates a cease and desist order issued by the commissioner pursuant to this Section while such order is in effect shall, after notice and opportunity for hearing, be subject at the discretion of the commissioner to any one or more of the following:

* * *

(2) Suspension or revocation of the certificate of authority of the health insurance issuer to operate in this state. However, notice of any such violation by the Office of Group Benefits shall be submitted to the governor and the chairmen of the House Committee on Appropriations and the Senate Committee on Finance."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. Speaker, Frith, Pierre; Alario, Gallot, Pinac; Alexander, Geymann, Pitre; Ansardi, Glover, Powell, M.; Arnold, Gray, Powell, T.; Badon, Greene, Quezaire; Baldone, Guillory, E., Richmond; Barrow, Guillory, M., Ritchie; Baudoin, Hammett, Robideaux; Baylor, Heaton, Romero; Beard, Hebert, Scalise; Bowler, Hill, Schneider; Bruce, Honey, Shepherd

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

Total - 103

NAYS

Total - 0

ABSENT

Erdey LaBruzzo

Total - 2

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. 293—
BY REPRESENTATIVES TUCKER AND WALKER
AN ACT

To enact Part VIII of Chapter 1 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:31.61 through 31.68, relative to the creation of the Parkinson's Disease Registry; to provide for a program of epidemiological assessments of the incidence of Parkinson's disease and establishment of a system for the collection of information determining the incidence of Parkinson's disease; to provide for the duties and responsibilities of the office of public health, a public health unit, or their agents; to provide for funding; and to provide for related matters.

Read by title.

Rep. Tucker moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	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	Marchand	Waddell
Dorsey	Martiny	Walker
Dove	McDonald	Walsworth
Downs	McVea	White
Durand	Montgomery	Winston
Fannin	Morrell	Wooton
Farrar	Morrish	Wright

Total - 102

NAYS

Total - 0

ABSENT

Erdey LaBruzzo Lancaster

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. 314—
BY REPRESENTATIVE WALSWORTH
AN ACT

To enact R.S. 17:85.11, relative to naming a Reserve Officers' Training Corps building; to authorize the Ouachita Parish School Board to name the Reserve Officers' Training Corps building at West Monroe High School in honor of James Donald Halsell, Jr.; and to provide for related matters.

Read by title.

Rep. Walsworth 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.
Arnold	Gray	Powell, T.
Badon	Greene	Quezaire
Baldone	Guillory, E.	Richmond
Barrow	Guillory, M.	Ritchie
Baudoin	Hammett	Robideaux

Page 16 HOUSE

21st Day's Proceedings - May 31, 2005

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

Total - 103

NAYS

Total - 0

ABSENT

Erdey LaBruzzo
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.

HOUSE BILL NO. 319—
BY REPRESENTATIVE MORRISH
AN ACT

To amend and reenact R.S. 22:1430.12(A) and to enact R.S. 22:1430.7(B)(3), relative to the calculation of rates by the Louisiana Citizens Property Insurance Corporation; to provide for the formulation of rates; to provide for amending the plan of operation; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Morrish and Farrar to Engrossed House Bill No. 319 by Representative Morrish

AMENDMENT NO. 1

On page 2, line 7, change "in state" to "each parish"

AMENDMENT NO. 2

On page 2, line 11, change "in state" to "each parish"

AMENDMENT NO. 3

On page 2, line 17, change "in state" to "each parish"

AMENDMENT NO. 4

On page 2, line 19, change "in state" to "each parish"

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

Rep. Morrish 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
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	Wooton
Faucheux	Morrish	Wright

Total - 102

NAYS

Total - 0

ABSENT

Alexander Erdey LaBruzzo
Total - 3

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Morrish 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. 330—
BY REPRESENTATIVE HUNTER
AN ACT

To amend and reenact R.S. 15:529.1(B), relative to habitual offenders; to provide that multiple convictions which become final on the same day are considered to be one conviction for

the purposes of the habitual offender law; 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. 330 by Representative Hunter

AMENDMENT NO. 1

On page 2, delete lines 1 through 3 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

Mr. Speaker	Farrar	McVea
Alario	Faucheux	Montgomery
Ansardi	Frith	Morrell
Arnold	Gallot	Odinet
Badon	Geymann	Pierre
Baldone	Glover	Pinac
Barrow	Gray	Pitre
Baudoin	Greene	Powell, T.
Baylor	Guillory, E.	Quezaire
Bowler	Guillory, M.	Richmond
Bruce	Hammett	Ritchie
Burrell	Heaton	Robideaux
Carter, K.	Hill	Romero
Carter, R.	Honey	Shepherd
Cazayoux	Hopkins	Smith, G.
Crane	Hunter	Smith, J.D.—50th
Cravins	Hutter	Smith, J.H.—8th
Crowe	Jackson	St. Germain
Curtis	Jefferson	Thompson
Damico	Johns	Toomy
Daniel	Kennard	Townsend
Dartez	Kenney	Trahan
DeWitt	LaFleur	Triche
Doerge	LaFonta	Walker
Dorsey	Lancaster	White
Dove	Marchand	Wooton
Durand	Martiny	Wright
Fannin	McDonald	
Total - 83		

NAYS

Alexander	Powell, M.	Tucker
Bruneau	Scalise	Waddell
Burns	Schneider	Walsworth
Kleckley	Smiley	Winston
Lambert	Smith, J.R.—30th	
Morrish	Strain	
Total - 16		

ABSENT

Beard	Erdey	Katz
Downs	Hebert	LaBruzzo
Total - 6		

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. 333—

BY REPRESENTATIVE SHEPHERD
AN ACT

To amend and reenact R.S. 37:3003(B)(1), relative to the Occupational Therapy Practice Act; to provide for the definition of occupational therapy; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 822—

BY REPRESENTATIVE SHEPHERD
AN ACT

To amend and reenact R.S. 27:93(A)(4), relative to the allocation of riverboat boarding fees; to provide for the allocation of riverboat boarding fees in Jefferson Parish; to provide for an effective date; and to provide for related matters.

Suspension of the Rules

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

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Alario and Arnold to Engrossed House Bill No. 822 by Representative Shepherd

AMENDMENT NO. 1

On page 2, line 8, after "purpose" and before the period "." insert a comma "," and the following:

"two hundred thousand dollars of these monies for and distribute the monies to Bayou Defamilies Park for operations of the park, and two hundred thousand dollars of these monies for and distribute the monies to Fore Kids Foundation, Inc. for operations of the foundation"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Durand	Montgomery
Alario	Farrar	Morrell
Arnold	Frith	Odinet
Badon	Gallot	Pierre
Baldone	Glover	Pinac

Page 18 HOUSE

21st Day's Proceedings - May 31, 2005

Barrow Gray Quezairé
Baylor Guillory, E. Richmond
Bruce Guillory, M. Ritchie
Burrell Hammett Romero
Carter, K. Heaton Shepherd
Carter, R. Hebert Smith, J.D.-50th
Cazayoux Honey St. Germain
Cravins Hopkins Thompson
Curtis Hunter Toomy
Damico Hutter Townsend
Daniel Jackson Trahan
Dartez Jefferson Walker
DeWitt LaFleur White
Doerge LaFonta
Dorsey Marchand
Total - 58

NAYS

Alexander Johns Schneider
Ansardi Katz Smiley
Baudoin Kennard Smith, G.
Bowler Kenney Smith, J.R.-30th
Bruneau Lambert Strain
Burns Lancaster Triche
Crane Martiny Tucker
Crowe McVea Waddell
Dove Morrish Walsworth
Downs Pitre Winston
Fauchoux Powell, M. Wooton
Geymann Powell, T. Wright
Greene Robideaux
Hill Scalise
Total - 40

ABSENT

Beard Kleckley Smith, J.H.-8th
Erdey LaBruzzo
Fannin McDonald
Total - 7

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Speaker Pro Tempore Dorsey in the Chair

HOUSE BILL NO. 336—

BY REPRESENTATIVE WADDELL
AN ACT

To amend and reenact R.S. 18:18(A)(8)(a), 531.1(A)(2) and (C), 551(A), 553(E)(1), 1302(4), (5), (6), and (7), 1303(A), (B)(4) and (5), (D), and (E), 1305, 1306(A)(1), (B), (C)(1), (D), (E)(1)(introductory paragraph) and (2), (F), and (G)(1)(introductory paragraph), (a), and (f), and (2), 1307(A)(2), 1309(A)(2), (D)(1), and (G), 1311(A), (B), (C)(1), (D)(1), and (4)(a), 1312(B), 1313(F)(introductory paragraph), (1), (2), (4), (5), (6), (7), (9), and (10), (H), and (I)(3), 1315(A)(1) and (3), (B), and (C), 1317, 1331, 1332(A), 1333(B), (G)(6)(b), and (H), and 1353(C)(2) and (3)(b), to enact R.S. 18:1302(8), and to repeal R.S. 18:1304 and 1306(E)(1)(h), (G)(1)(g), and (H), relative to voting prior to election day; to remove certain requirements for absentee in person voting; to provide with regard to conducting absentee in person voting; to extend the hours for voting absentee in person; to repeal special provisions for disabled voters to vote absentee in person; to redesignate and direct the Louisiana State Law Institute to further redesignate the terms "absentee in person" and "absentee" as they relate to absentee in person voting as "early voting"; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Waddell to Engrossed House Bill No. 336 by Representative Waddell

AMENDMENT NO. 1

On page 1, delete line 12 and insert "repeal special provisions for"

AMENDMENT NO. 2

On page 10, line 23, after "A." insert the following:

"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:"

AMENDMENT NO. 3

On page 11, delete line 10 and on line 11, delete "on Thursday" and insert "Monday through Friday,"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 101

NAYS

Total - 0

ABSENT

Damico Erdey
Doerge LaBruzzo
Total - 4

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Waddell 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. 374—
BY REPRESENTATIVE BRUCE
AN ACT

To enact R.S. 42:1121(H), relative to Code of Governmental Ethics; to provide an exception to the post-service restrictions to allow certain employment by the board of commissioners of DeSoto Parish Waterworks District No. 1; 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	Farrar	Morrish
Alario	Faucheux	Odinet
Alexander	Frith	Pierre
Ansardi	Gallot	Pinac
Arnold	Geymann	Pitre
Badon	Glover	Powell, M.
Baldone	Gray	Powell, T.
Barrow	Greene	Quezaire
Baudoin	Guillory, E.	Richmond
Baylor	Guillory, M.	Ritchie
Beard	Hammett	Robideaux
Bowler	Heaton	Romero
Bruce	Hebert	Scalise
Bruneau	Hill	Shepherd
Burns	Honey	Smiley
Burrell	Hunter	Smith, G.
Carter, K.	Hutter	Smith, J.H.—8th
Carter, R.	Jefferson	Smith, J.R.—30th
Cazayoux	Johns	St. Germain
Crane	Katz	Strain
Cravins	Kennard	Thompson
Crowe	Kenney	Toomy
Curtis	Kleckley	Townsend
Damico	LaFleur	Trahan
Daniel	LaFonta	Triche
Dartez	Lambert	Tucker
DeWitt	Lancaster	Waddell
Doerge	Marchand	Walker
Dorsey	Martiny	Walsworth
Dove	McDonald	White
Downs	McVea	Winston
Durand	Montgomery	Wooton
Fannin	Morrell	Wright

Total - 99

NAYS

Total - 0

ABSENT

Erdey Jackson Schneider
Hopkins LaBruzzo Smith, J.D.—50th
Total - 6

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. 377—
BY REPRESENTATIVE DOWNS
AN ACT

To enact R.S. 33:2737.78, to authorize the Union Parish School Board to levy and collect an additional sales and use tax; to provide for the use of tax proceeds; to provide for voter approval; and to provide for related matters.

Read by title.

Rep. Gallot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 87

NAYS

Robideaux	Smiley
Scalise	Walsworth

Total - 4

ABSENT

Alexander	Jackson	Tucker
Arnold	Katz	Winston
Erdey	LaBruzzo	Wooton

Page 20 HOUSE

21st Day's Proceedings - May 31, 2005

Hammett Lambert Wright
Hopkins Smith, J.H.-8th
Total - 14

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Gallot 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. 385—
BY REPRESENTATIVE WOOTON
AN ACT

To enact R.S. 56:304(F), relative to licensing of commercial fishing vessels; to provide for certain eligibility restrictions for vessel licensing; and to provide for related matters.

Read by title.

Rep. Wooton moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Pierre
Alario	Frith	Pinac
Alexander	Gallot	Pitre
Arnold	Geymann	Powell, M.
Badon	Glover	Powell, T.
Baldone	Gray	Quezaire
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	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	LaFleur	Triche
Dartez	LaFonta	Tucker
DeWitt	Lambert	Waddell
Doerge	Lancaster	Walker
Dorsey	McDonald	Walsworth
Dove	McVea	White
Downs	Montgomery	Winston
Durand	Morrell	Wooton
Fannin	Morrish	
Farrar	Odinet	
Total - 97		

NAYS

Total - 0

ABSENT

Ansardi	LaBruzzo	Smiley
Erdey	Marchand	Wright
Hopkins	Martiny	
Total - 8		

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. 397—
BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact R.S. 56:322(C)(7), relative to unattended fishing nets; to remove the requirement for destruction of unattended nets; and to provide for related matters.

Read by title.

Rep. Baldone moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Odinet
Alario	Geymann	Pierre
Alexander	Glover	Pinac
Ansardi	Gray	Pitre
Badon	Greene	Powell, T.
Baldone	Guillory, E.	Quezaire
Barrow	Guillory, M.	Richmond
Baudoin	Heaton	Ritchie
Baylor	Hebert	Robideaux
Bruce	Hill	Romero
Bruneau	Honey	Scalise
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
Downs	Martiny	Walker
Durand	McDonald	Walsworth
Fannin	McVea	White
Farrar	Montgomery	Winston
Faucheux	Morrell	Wooton
Frith	Morrish	Wright
Total - 96		

NAYS

Beard	Powell, M.
Bowler	Schneider
Total - 4	

ABSENT

Arnold	Erdey	LaBruzzo
Dove	Hammett	
Total - 5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 415—

BY REPRESENTATIVES M. POWELL, BRUNEAU, LANCASTER, AND WADDELL

AN ACT

To amend and reenact R.S. 18:402(F)(5), relative to election dates; to eliminate the January election date for bond, tax, and other proposition elections; and to provide for related matters.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Michael Powell gave notice of his intention to call House Bill No. 415 from the calendar for future action.

HOUSE BILL NO. 428—

BY REPRESENTATIVE PIERRE

AN ACT

To enact Chapter 14-A of Title 41 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 41:1731 through 1734, relative to the development of renewable energy sources; to authorize the Department of Natural Resources to lease state lands for the exploration, development, and production of energy from wind; to provide a process for leasing state lands for the exploration, development, and production of energy from wind; to provide for the powers and duties of the secretary of the Department of Natural Resources; to provide for the powers and duties of the State Mineral Board; to authorize the implementation of fees; to provide for the promulgation of rules and regulations; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Pierre to Engrossed House Bill No. 428 by Representative Pierre

AMENDMENT NO. 1

On page 2, line 8, delete "road beds,"

AMENDMENT NO. 2

On page 2, line 9, after "sale" change the period "." to a comma "," and insert " to "except lands that form any portion of state highway rights-of-way."

AMENDMENT NO. 3

On page 2, line 12, after "granted" insert "under the provisions of this Subsection"

AMENDMENT NO. 4

On page 2, line 29, after "granted" insert "under the provisions of this Subsection"

AMENDMENT NO. 5

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

"C. The leases awarded pursuant and subject to the provisions of this Chapter shall not be subject to any local government approval, permitting, zoning, or other process."

AMENDMENT NO. 6

On page 3, line 6, after "office" delete the comma "," and the remainder of the line and on line 7, delete "Transportation and Development,"

AMENDMENT NO. 7

On page 3, line 9, after "office" delete the comma "," and "the Department of Transportation and Development,"

AMENDMENT NO. 8

On page 3, line 14, after "office" delete the comma "," and "the Department of Transportation and Development,"

AMENDMENT NO. 9

On page 4, line 14, change "will" to "shall"

AMENDMENT NO. 10

On page 4, after line 27, 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."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	Morrell
Alario	Farrar	Morrish
Alexander	Faucheux	Odinet
Ansardi	Frith	Pierre
Arnold	Gallot	Pinac
Badon	Geymann	Pitre
Baldone	Gray	Powell, M.
Barrow	Guillory, E.	Powell, T.
Baudoin	Guillory, M.	Quezaire
Baylor	Heaton	Richmond
Beard	Hebert	Ritchie
Bowler	Hill	Robideaux
Bruce	Honey	Scalise
Bruneau	Hopkins	Schneider
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	Kennedy	Thompson
Curtis	Kleckley	Toomy
Damico	LaFleur	Townsend
Daniel	LaFonta	Trahan
Dartez	Lambert	Triche
DeWitt	Lancaster	Waddell
Doerge	Marchand	Walker

Page 22 HOUSE

21st Day's Proceedings - May 31, 2005

Dorsey	Martiny	White
Dove	McDonald	Winston
Downs	McVea	Wooton
Durand	Montgomery	Wright
Total - 96		

NAYS

Total - 0

ABSENT

Erdey	Hammett	Shepherd
Glover	LaBruzzo	Tucker
Greene	Romero	Walsworth
Total - 9		

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. Pierre 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. 429—

BY REPRESENTATIVE HONEY

AN ACT

To amend and reenact R.S. 17:54(B)(1) and (C), relative to local public school superintendents; to provide relative to qualifications; to provide for the initial employment of a superintendent of schools by a city, parish, or other local public school board and for the employment of the superintendent for a subsequent term; to provide relative to written employment contracts for such purposes, including guidelines for the content of such contracts; to provide relative to superintendents who choose not to enter into subsequent contracts; to provide relative to termination of employment, including specifying grounds for such removal during the term of a contract, time lines, and guidelines for the giving of notice of termination, and the use of certain due process procedures; to provide for the negotiation and offering by a school board of a new contract at the expiration of an existing contract; to provide for exceptions; to provide for applicability; to provide for an effective date; and to provide for related matters.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Honey gave notice of his intention to call House Bill No. 429 from the calendar for future action.

HOUSE BILL NO. 451—

BY REPRESENTATIVES GEYMANN AND DORSEY

AN ACT

To enact Code of Criminal Procedure Article 330.2, relative to bail; to provide for the contradictory hearings prior to granting bail for certain sex offenders; to provide for definitions; to provide for the forms of bail for certain sex offenses; to provide for exceptions; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Geymann to Engrossed House Bill No. 451 by Representative Geymann

AMENDMENT NO. 1

On page 1, line 14, after "Paragraph" and before "of" change "E" to "F"

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

Rep. Geymann 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
Baylor	Hammett	Robideaux
Beard	Heaton	Scalise
Bowler	Hebert	Schneider
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.	Jackson	St. Germain
Cazayoux	Jefferson	Strain
Crane	Johns	Thompson
Cravins	Katz	Toomy
Crowe	Kennard	Townsend
Curtis	Kenney	Trahan
Damico	Kleckley	Triche
Daniel	LaFleur	Tucker
Dartez	LaFonta	Waddell
DeWitt	Lambert	Walker
Doerge	Lancaster	Walsworth
Dorsey	Marchand	White
Dove	Martiny	Winston
Downs	McDonald	Wooton
Durand	McVea	Wright
Fannin	Montgomery	
Farrar	Morrell	
Total - 97		

NAYS

Total - 0

ABSENT

Baudoin	LaBruzzo	Romero
Erdey	Richmond	Shepherd
Guillory, M.	Ritchie	
Total - 8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 477—
BY REPRESENTATIVE DOVE

AN ACT

To amend and reenact R.S. 56:722, relative to game and fish commissions; to provide that such commissions shall not have authority over certain vessels; 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	Odinet
Alario	Faucheux	Pierre
Alexander	Frith	Pinac
Ansardi	Gallot	Pitre
Arnold	Geymann	Powell, M.
Badon	Glover	Powell, T.
Baldone	Gray	Quezaire
Barrow	Greene	Ritchie
Baudoin	Guillory, E.	Robideaux
Baylor	Guillory, M.	Romero
Beard	Hammett	Scalise
Bowler	Heaton	Schneider
Bruce	Hebert	Smiley
Bruneau	Hill	Smith, G.
Burns	Honey	Smith, J.D.—50th
Burrell	Hopkins	Smith, J.H.—8th
Carter, K.	Hunter	Smith, J.R.—30th
Carter, R.	Jackson	St. Germain
Cazayoux	Jefferson	Strain
Crane	Johns	Thompson
Cravins	Katz	Toomy
Crowe	Kenney	Townsend
Curtis	Kleckley	Trahan
Damico	LaFleur	Triche
Daniel	LaFonta	Tucker
Dartez	Lambert	Waddell
DeWitt	Lancaster	Walker
Doerge	Marchand	Walsworth
Dorsey	Martiny	White
Dove	McDonald	Winston
Downs	Montgomery	Wooton
Durand	Morrrell	Wright
Fannin	Morrish	
Total - 98		

NAYS

Total - 0

ABSENT

Erdey	LaBruzzo	Shepherd
Hutter	McVea	
Kennard	Richmond	
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. 514—
BY REPRESENTATIVE BADON

AN ACT

To amend and reenact R.S. 17:8(A), relative to the use of textbooks by public elementary and secondary school students; to provide for the adoption of rules and regulations by the State Board of Elementary and Secondary Education requiring city, parish, and

other local public school boards to establish policies and procedures relative to the use of certain textbooks by students after regular school hours; to provide relative to the content of such rules and regulations; to provide time lines for the adoption of such rules and regulations by the state board and for the adoption and implementation of required policies and procedures by local school boards; to provide an effective date; and to provide for related matters.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Badon gave notice of his intention to call House Bill No. 514 from the calendar for future action.

HOUSE BILL NO. 574—
BY REPRESENTATIVE BARROW

AN ACT

To amend and reenact R.S. 22:11.1(A)(3), (5), and (8) and (B)(1) and (2) and to enact R.S. 22:11.1(D) and (E), relative to health insurance; to provide for definitions; to provide relative to credentialing and recredentialing of health care providers by health insurance issuers; 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. 574 by Representative Barrow

AMENDMENT NO. 1

On page 1, lines 2 and 7, change "22:11.1(A)(3), (5)" to "22:11.1(A)(3), (6)"

AMENDMENT NO. 2

On page 1, line 18, at the beginning of the line change "(5)" to "(6)"

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

Motion

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

HOUSE BILL NO. 581—
BY REPRESENTATIVE TRAHAN

AN ACT

To amend and reenact R.S. 44:4.1(B)(7) and to enact R.S. 15:477.2, relative to privileged communications; to provide for privileged communications for state governmental agencies by persons reporting alleged fraud, abuse, or wrongdoing; to provide for an exception regarding public records disclosure; to provide for definitions; and to provide for related matters.

Read by title.

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 Reengrossed House Bill No. 581 by Representative Trahan

AMENDMENT NO. 1

On page 2, lines 3 and 6, change "Paragraph (1) of this Subsection" to "Paragraph (A)(1) of this Section"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Trahan to Reengrossed House Bill No. 581 by Representative Trahan

AMENDMENT NO. 1

On page 1, line 21, after "complaints" delete the comma "," and delete the remainder of the line and on page 2, delete lines 1 and 2 and insert the following:

"involving any person or legal entity or any governmental agency, public employee, or appointed or elected official."

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

Rep. Trahan 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', 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, Crowe, Curtis, Damico, Daniel, Dartez, DeWitt, Doerge, Dorsey, Dove, Downs, Faucheux, Frith, Gallot, Geymann, Glover, Gray, Greene, Guillory, E., Guillory, M., Hammett, Heaton, Hebert, Hill, Honey, Hopkins, Hunter, Hutter, Jackson, Jefferson, Johns, Katz, Kenney, Kleckley, LaFleur, LaFonta, Lambert, Lancaster, Marchand, Martiny, McDonald, Montgomery, 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, and Winston.

Table listing names of representatives who voted 'NAYS': Durand, Fannin, Farrar, Morrell, Morrish, Odinet, Wooton, Wright. Total - 101.

NAYS

Total - 0

ABSENT

Table listing names of representatives who were 'ABSENT': Erdey, Kennard, LaBruzzo, McVea. Total - 4.

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Trahan 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. Gary Smith, 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. 69— BY REPRESENTATIVE GARY SMITH A RESOLUTION

To express the condolences of the House of Representatives upon the death of Dr. Earl Alleman of Norco.

Read by title.

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

HOUSE RESOLUTION NO. 70— BY REPRESENTATIVE HEBERT A RESOLUTION

To amend and readopt House Rule 9.10(H) of the Rules of Order of the House of Representatives to provide that the motions for the previous question and for the previous question on the entire subject matter are out of order under certain circumstances.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 152— BY REPRESENTATIVE MARCHAND A CONCURRENT RESOLUTION

To commend and recognize Alpha Kappa Alpha Sorority, Incorporated as a gallant leader in anti-hazing efforts and to commend the organization for its vigorous position and concern for college and high school students affected by hazing.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 153—
 BY REPRESENTATIVE TOOMY AND SENATOR HEITMEIER
 A CONCURRENT RESOLUTION

To commend B.H. Miller, Jr. upon his retirement as Police Chief from the Gretna Police Department and to recognize the efforts he has made in consistently finding ways to improve and serve the community at large through his many achievements.

Read by title.

On motion of Rep. Toomy, 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 Education

May 31, 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 Concurrent Resolution No. 131, by Beard
 Reported favorably. (9-0)

House Bill No. 591, by Jane Smith
 Reported by substitute. (12-0) (Regular)

House Bill No. 651, by K. Carter
 Reported with amendments. (11-0) (Regular)

House Bill No. 797, by Beard
 Reported without action with recommendation to recommit the bill to the Committee on Appropriations. (9-0)

Senate Bill No. 19, by Theunissen
 Reported favorably. (9-0) (Regular)

Senate Bill No. 39, by Theunissen
 Reported favorably. (9-0) (Regular)

Senate Bill No. 62, by Duplessis
 Reported favorably. (10-0) (Regular)

Senate Bill No. 119, by Jackson
 Reported with amendments. (9-0) (Regular)

Senate Bill No. 144, by Nevers
 Reported favorably. (9-0) (Regular)

Senate Bill No. 236, by Ullo
 Reported favorably. (9-0) (Regular)

Senate Bill No. 239, by Ullo
 Reported with amendments. (9-0) (Regular)

CARL CRANE
 Chairman

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

Report of the Committee on Health and Welfare

May 31, 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. 87, by Tucker
 Reported with amendments. (12-0)

Senate Concurrent Resolution No. 19, by Bajoie
 Reported favorably. (12-0)

Senate Concurrent Resolution No. 20, by Broome
 Reported favorably. (11-0)

Senate Concurrent Resolution No. 41, by Bajoie
 Reported with amendments. (11-0)

Senate Bill No. 92, by Nevers
 Reported favorably. (10-0) (Regular)

Senate Bill No. 149, by Bajoie
 Reported with amendments. (13-0) (Regular)

Senate Bill No. 190, by Broome
 Reported with amendments. (11-0) (Regular)

Senate Bill No. 237, by Ullo
 Reported favorably. (12-0) (Regular)

Senate Bill No. 271, by McPherson
 Reported favorably. (12-0) (Regular)

SYDNE MAE DURAND
 Chairman

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

Report of the Committee on Insurance

May 31, 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. 36, by Farrar
 Reported with amendments. (9-8) (Regular)

House Bill No. 584, by K. Carter
 Reported by substitute. (13-0) (Regular)

KAREN CARTER
 Chairman

Privileged Report of the Legislative Bureau

May 31, 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. 173
 Reported without amendments.

Respectfully submitted,
 CHARLES MCDONALD
 Chairman

Privileged Report of the Committee on Enrollment

May 31, 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. 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.

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.

HOUSE RESOLUTION NO. 50—
BY REPRESENTATIVES WALSWORTH AND FANNIN

A RESOLUTION

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

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.

HOUSE RESOLUTION NO. 63—
BY REPRESENTATIVE GALLOT

A RESOLUTION

To commend the Thierry family upon the occasion of the family reunion.

HOUSE RESOLUTION NO. 64—
BY REPRESENTATIVE DORSEY

A RESOLUTION

To express the condolences of the House of Representatives upon the death of Eva Legard of Baton Rouge.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

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

Privileged Report of the Committee on Enrollment

May 31, 2005

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

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

The following House Concurrent Resolutions have been properly enrolled:

HOUSE CONCURRENT RESOLUTION NO. 64—
BY REPRESENTATIVE BADON

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Environmental Quality to cooperate with other state and local governmental agencies in a coordinated effort to aggressively enforce laws and rules and regulations concerning the storage and proper disposal of construction, demolition, and debris waste.

HOUSE CONCURRENT RESOLUTION NO. 124—

BY REPRESENTATIVES HUNTER, BADON, BARROW, BAYLOR, BURRELL, K. CARTER, CRAVINS, CURTIS, DORSEY, GALLOT, GLOVER, GRAY, E. GUILLORY, HONEY, JACKSON, JEFFERSON, LAFONTA, MARCHAND, MORRELL, PIERRE, QUEZAIRE, RICHMOND, AND SHEPHERD AND SENATORS BAJOEI, BROOME, CRAVINS, DUPLESSIS, FIELDS, JACKSON, JONES, AND MURRAY

A CONCURRENT RESOLUTION

To urge and request state and federal leaders to cooperate and collaborate with the Louisiana Municipal Black Caucus Association to promote economic development and to recognize that economic development is a key component of prosperity for African American citizens, businesses, and neighborhoods.

HOUSE CONCURRENT RESOLUTION NO. 126—

BY REPRESENTATIVE GLOVER

A CONCURRENT RESOLUTION

To commend Robert L. Williams, the last working member of the original faculty of Southern University at Shreveport, for his lifetime of contributions to his community and his commitment to education in the state of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 129—

BY REPRESENTATIVES FAUCHEUX AND GARY SMITH AND SENATOR AMEDEE

A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana upon the death of Felix "Pappy" Andrew LeBouef, a long-time member of the St. John the Baptist Parish School Board and a crucial instrument in developing the district's first magnet school, and to record posthumous tribute of the members of the Legislature of Louisiana for Pappy LeBouef's excellence as both an educator and a public servant.

HOUSE CONCURRENT RESOLUTION NO. 137—

BY REPRESENTATIVES BRUNEAU, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMAN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SHEPHERD, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, JOHN SMITH, WALSWORTH, WHITE, WINSTON, WOOTON, AND WRIGHT

A CONCURRENT RESOLUTION

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

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.

HOUSE CONCURRENT RESOLUTION NO. 140—

BY REPRESENTATIVE SCHNEIDER AND SENATOR SCHEDLER

A CONCURRENT RESOLUTION

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

Respectfully submitted,

DONALD RAY KENNARD
Chairman

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

Privileged Report of the Committee on Enrollment

May 31, 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 Bills have been properly enrolled:

HOUSE BILL NO. 332—

BY REPRESENTATIVES PINAC, BRUCE, CROWE, DOERGE, FRITH, GEYMAN, JACKSON, KLECKLEY, LAFONTA, T. POWELL, RITCHIE, GARY SMITH, STRAIN, TRAHAN, WADDELL, WALSWORTH, WHITE, AND WINSTON

AN ACT

To amend and reenact R.S. 51:1286(C)(1)(b) and (c), relative to tourism; to provide for restrictions on in-state advertising by the office of tourism; and to provide for related matters.

HOUSE BILL NO. 340—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:2011(C)(1)(b), (c), and (d) and 2019(D)(1)(b) and (4) and R.S. 36:236(B) and 238(C), (D), and (E), relative to the authority of the offices of environmental compliance, environmental services, and environmental assessment in the Department of Environmental Quality; to provide relative to licenses, registrations, exemptions, and certifications of radiation sources; to provide relative to laboratory services; to provide for the promulgation of rules and regulations; and to provide for related matters.

HOUSE BILL NO. 544—

BY REPRESENTATIVES SCHNEIDER, STRAIN, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BRUCE, BURNS, BURRELL, K. CARTER, CRAVINS, CROWE, CURTIS, DAMICO, DARTEZ, DOERGE, DOVE, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GLOVER, GREENE, E. GUILLORY, HAMMETT, HEBERT, HILL, HOPKINS, HUTTER, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LAFONTA, LANCASTER, MARCHAND, McDONALD, MORRELL, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, RITCHIE, SALTER, SCALISE, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, ST. GERMAIN, THOMPSON, TOWNSEND, TRAHAN, TUCKER, WALKER, WALSWORTH, WHITE, WINSTON, WOOTON, AND WRIGHT AND SENATORS AMEDEE, BAJOE, BARHAM, BOASSO, BROOME, CAIN, CHEEK, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FONTENOT, N. GAUTREAU, HINES, JACKSON, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN, AND ULLO

AN ACT

To enact R.S. 40:971.2, relative to the Uniform Controlled Dangerous Substances Law; to provide for the crime of unlawfully prescribing, distributing, dispensing, or assisting in illegally obtaining controlled dangerous substances; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 638—

BY REPRESENTATIVE KLECKLEY

AN ACT

To amend and reenact R.S. 22:6(1) and 71.1(C)(1), relative to life insurance; to provide for the classification of life insurance; to provide for domestic stock insurers; to provide for the authority to transact combinations of kinds of insurance; and to provide for related matters.

HOUSE BILL NO. 686—

BY REPRESENTATIVE R. CARTER

AN ACT

To amend and reenact Code of Civil Procedure Article 1734(A) and R.S. 13:3044(B)(5)(b)(ii), relative to the bond for costs related to a civil jury trial; to change the time for filing the bond; to provide for the date of mailing the jury summons; and to provide for related matters.

Respectfully submitted,
DONALD RAY KENNARD
Chairman

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

Petitions, Memorials and Communications

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

Message from the Senate**SIGNED SENATE CONCURRENT RESOLUTIONS**

May 31, 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. 74 and 77

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.

Suspension of the Rules

On motion of Rep. Quezairé, the rules were suspended to permit the Committee on Transportation, Highways and Public Works 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. 236, 661, and 698

House Concurrent Resolution Nos. 141, 145, 146, and 148

Senate Concurrent Resolution Nos. 66, 69, and 71

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. 802, 803, 804, 807, and 811

Adjournment

On motion of Rep. Kenney, at 6:10 P.M., the House agreed to adjourn until Wednesday, June 1, 2005, at 2:00 P.M.

The Speaker Pro Tempore of the House declared the House adjourned until 2:00 P.M., Wednesday, June 1, 2005.

ALFRED W. SPEER
Clerk of the House

