

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

**TWENTY-FOURTH DAY'S PROCEEDINGS**

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

House of Representatives  
State Capitol  
Baton Rouge, Louisiana

Monday, June 6, 2005

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

**Morning Hour**

**ROLL CALL**

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

PRESENT

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

Durand	McDonald	White
Erdey	McVea	Winston
Fannin	Montgomery	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 Pastor Lester Love.

**Pledge of Allegiance**

Rep. Geymann 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. Kenney, the reading of the Journal was dispensed with.

On motion of Rep. Walsworth, and under a suspension of the rules, the Journal of June 2, 2005, was corrected to reflect him as voting nay on final passage of House Bill No. 36.

On motion of Rep. Walker, and under a suspension of the rules, the Journal of June 2, 2005, was corrected to reflect her as voting nay on final passage of House Bill No. 52.

On motion of Rep. Greene, the Journal of June 2, 2005, was adopted.

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

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

**HOUSE RESOLUTION NO. 78—**  
BY REPRESENTATIVES FRITH AND PINAC  
A RESOLUTION

To commend John William Humble, Sr. and Mildred Mae Humble upon the celebration of their fiftieth wedding anniversary and the example their lives have provided to their family and community.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 160—**  
BY REPRESENTATIVE WALKER AND SENATOR HINES  
A CONCURRENT RESOLUTION

To commend the Tunica-Biloxi Tribe of Louisiana for its many contributions to the state, its history and culture, and its people and to proclaim June 8, 2005, Tunica-Biloxi Day.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 161—**  
BY REPRESENTATIVE MARCHAND  
A CONCURRENT RESOLUTION

To recognize Tuesday, June 7, 2005, as Homer Adolphe Plessy Day.

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. 162—**

BY REPRESENTATIVE CRAVINS

**A CONCURRENT RESOLUTION**

To urge and request the Department of Public Safety and Corrections, office of youth services, together with the local courts exercising juvenile jurisdiction and local children and youth planning boards, to study jointly the needs of and resources available to youth requiring out-of-home placement in Region 5, consisting of the Fifteenth, Sixteenth, and Twenty-Seventh Judicial Districts and to make recommendations for changes in the laws, rules, programs, and procedures to achieve more effective and cost efficient delivery of juvenile justice services.

Read by title.

Lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 163—**

BY REPRESENTATIVE CRAVINS

**A CONCURRENT RESOLUTION**

To designate and proclaim the town of Opelousas as the Spice Capital of the State of Louisiana.

Read by title.

Lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 164—**

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 BAJOE, BROOME, CRAVINS, DUPLESSIS, FIELDS, JACKSON, JONES, AND MURRAY

**A CONCURRENT RESOLUTION**

To commend the "Getting African Americans Hooked on Heart Healthy Eating" marketing campaign in recognition of life threatening health issues facing Louisiana's African American community.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 165—**

BY REPRESENTATIVE BURNS AND SENATOR SCHEDLER

**A CONCURRENT RESOLUTION**

To commend Lindsay Brignac of Fontainebleau High School upon her selection as a representative of south Louisiana at the Hugh O'Brian World Leadership Congress in July in Washington, D.C.

Read by title.

On motion of Rep. Burns, 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. 155—**

BY REPRESENTATIVE CROWE

**A CONCURRENT RESOLUTION**

To urge and request the secretary of the Department of Public Safety and Corrections to study the feasibility of requiring sex offenders to comply with state-mandated registration and notification requirements immediately prior to release from incarceration.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 157—**

BY REPRESENTATIVE BRUCE

**A CONCURRENT RESOLUTION**

To urge and request state agencies to participate in the Early Childhood Comprehensive Systems initiative to coordinate services that support early childhood development.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 158—**

BY REPRESENTATIVE GALLOT

**A CONCURRENT RESOLUTION**

To urge and request the Louisiana State Law Institute to study and make recommendations to the legislature on the duties of notaries public with regard to registry and recordation of their acts and the means by which the identification of notaries and witnesses to their acts may be assured for the public benefit under the Louisiana public records doctrine.

Read by title.

On motion of Rep. Gallot, and under a suspension of the rules, the resolution was ordered engrossed and passed to its third reading.

**Senate Concurrent Resolutions**

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

**SENATE CONCURRENT RESOLUTION NO. 44—**

BY SENATOR AMEDEE

**A CONCURRENT RESOLUTION**

To urge and request the office of state parks, Department of Culture, Recreation, and Tourism, in coordination with the Department of Wildlife and Fisheries, to conduct a feasibility study to determine if the area in or around the Maurepas Swamp Wildlife Management Area (WMA) is suitable for a state park.

Read by title.

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

**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. 100—**

BY SENATOR CRAVINS

**AN ACT**

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

Called from the calendar.

Read by title.

On motion of Rep. Barrow, the bill was referred to the Committee on Education.

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

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

**HOUSE CONCURRENT RESOLUTION NO. 81—**

BY REPRESENTATIVE CROWE  
A CONCURRENT RESOLUTION

To urge and request the United States Congress to support no increases in payroll taxes, no cuts to Social Security benefits, and optional Social Security Personal Retirement Accounts.

Read by title.

Reported favorably by the Committee on Retirement.

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

**HOUSE CONCURRENT RESOLUTION NO. 138—**

BY REPRESENTATIVES GARY SMITH, FARRAR, MONTGOMERY, R. CARTER, FAUCHEUX, GALLOT, SHEPHERD, AND WHITE  
A CONCURRENT RESOLUTION

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

Read by title.

Reported favorably by the Committee on Judiciary.

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

**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.

Reported favorably by the Committee on Labor and Industrial Relations.

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

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

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

**HOUSE BILL NO. 69—**

BY REPRESENTATIVES TUCKER, SCALISE, AND WALSWORTH  
AN ACT

To amend and reenact R.S. 22:1425(A), (B), and (C)(3) and (5) and to repeal Section 2 of Act 770 of the 2004 Regular Session, relative to automobile liability insurance; to provide for military personnel; to provide for discounts; to provide for premium tax credits; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Insurance to Original House Bill No. 69 by Representative Tucker

**AMENDMENT NO. 1**

On page 1, line 5, at the beginning of the line change "reductions" to "credits"

**AMENDMENT NO. 2**

On page 2, line 2, at the end of the line delete "reduction of their" and insert in lieu thereof the following:

"credit that shall be applied toward the"

**AMENDMENT NO. 3**

On page 2, line 4, after "provided." and before "Such" insert the following:

"To the extent an insurer's credit, together with other credits allowed by law, exceeds the insurer's premium tax liability, the amount of credit not used to offset premium taxes due shall be considered overpaid taxes and shall be refundable to the insurer, without interest."

**AMENDMENT NO. 4**

On page 2, line 14, at the end of the line change "reductions" to "credits"

**AMENDMENT NO. 5**

On page 2, after line 25, insert the following:

"Section 4. Existing rules and regulations governing the discount of the automobile liability insurance premiums required by R.S. 22:1425 shall be superseded by any such rules and regulations adopted subsequent to the effective date of this Act."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 154—**

BY REPRESENTATIVE PITRE  
AN ACT

To amend and reenact R.S. 33:4833, 4834, and 4835, relative to municipal ordinances; to prohibit certain municipalities from enacting ordinances forbidding fishermen or their employees from peddling in public places; to provide for regulations; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Original House Bill No. 154 by Representative Pitre

**AMENDMENT NO. 1**

On page 2, line 6, after "4834" and before "shall" delete "(A)"

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 380—**

BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 11:266.1(B) and (D) and to repeal R.S. 11:266.1(E), relative to investments of state retirement systems; to provide for investments through Louisiana incorporated and domiciled broker-dealers; to specify that ten percent of all commissions of trades of domestic equity and fixed income investments shall be directed through broker-dealers incorporated, domiciled, or having their principal trading operations in Louisiana; to remove provisions that discontinue such requirements; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Retirement to Original House Bill No. 380 by Representative Arnold

AMENDMENT NO. 1

On page 1, line 2, after "R.S." and before "and to repeal" delete "11:266.1(D)" and insert in lieu thereof "11:266.1(B) and (D)"

AMENDMENT NO. 2

On page 1, line 4, after "broker-dealers;" and before "to remove" insert "to specify that ten percent of all commissions of trades of domestic equity and fixed income investments shall be directed through broker-dealers incorporated, domiciled, or having their principal trading operations in Louisiana;"

AMENDMENT NO. 3

On page 1, line 10, after "R.S." and before "hereby" delete "11:266.1(D) is" and insert in lieu thereof "11:266.1(B) and (D) are"

AMENDMENT NO. 4

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

\* \* \*

B. Each state public retirement or pension system, plan, or fund shall direct at least ten percent of the commissions on all trades of listed equity domestic equities in separately actively managed portfolios and shall direct at least ten percent of all trades of domestic investment grade fixed income investments in separately managed accounts through broker-dealers who maintain offices in Louisiana and ten percent of all trades of listed equity and fixed income separately managed accounts through broker-dealers selected on a best bid and offer basis who have been incorporated and domiciled in or who have had their principal trading operations in Louisiana for at least two years, who are registered and in good standing with the National Association of Securities Dealers, and who have demonstrated the ability to execute institutional domestic equity and fixed income transactions."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 478—**

BY REPRESENTATIVE HEATON

AN ACT

To amend and reenact R.S. 11:1386, relative to the judges' noncontributory plan; to provide a two percent cost-of-living adjustment for judges who did not opt to become members of the Louisiana State Employees' Retirement System and for surviving spouses of such judges; to provide an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Retirement to Original House Bill No. 478 by Representative Heaton

AMENDMENT NO. 1

On page 1, at the beginning of line 3, delete "with respect to cost-of-living adjustments" and insert in lieu thereof "a two percent cost-of-living adjustment"

AMENDMENT NO. 2

On page 1, line 5, after "judges;" delete the remainder of the line, and at the beginning of line 6, delete "such adjustments;"

AMENDMENT NO. 3

On page 1, at the beginning of line 13, delete "A."

AMENDMENT NO. 4

On page 1, delete lines 15 through 19 in their entirety and on page 2, delete lines 1 through 5 in their entirety, and insert in lieu thereof "two percent as a cost-of-living adjustment on July 1, ~~2002~~ 2005."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 481—**

BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 47:1925.1, 1925.2(A)(1), and 1925.3(A), to enact R.S. 47:1925.8, and to repeal R.S. 47:1925.2(A)(3), relative to the Board of Assessors for Orleans Parish; to provide for the financing of the Board of Assessors for Orleans Parish; to provide for an effective date; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Original House Bill No. 481 by Representative Arnold

AMENDMENT NO. 1

On page 1, at the beginning of line 3, change "47:1925.9" to "47:1925.8."

AMENDMENT NO. 2

On page 1, line 11, change "47:1925.9" to "47:1925.8"

AMENDMENT NO. 3

On page 3, at the beginning of line 15, change "§1925.9." to "§1925.8."

AMENDMENT NO. 4

On page 3, delete lines 16 and 17, and insert in lieu thereof the following:

"A. Notwithstanding any other provision of law to the contrary, this Section shall be the exclusive means of funding for the Board of Assessors for Orleans Parish. The board of assessors shall be funded annually no later than March first by the city of New Orleans with no less than two percent of the"

AMENDMENT NO. 5

On page 3, between lines 23 and 24, insert the following:

"B. The millage currently being levied pursuant to this Part by the Board of Assessors for Orleans Parish for the 2005 tax year shall be transferred to and levied by the city of New Orleans, without the necessity of voter approval, for the 2006 and subsequent tax years."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 519—**  
BY REPRESENTATIVE MCVEA

## AN ACT

To amend and reenact R.S. 11:82(A)(8), relative to ad valorem tax contributions for the Teachers' Retirement System of Louisiana; to provide for allocation of the ad valorem taxes remitted from the parish of East Baton Rouge and dedicated to the system; to provide for the division of the taxes among the school systems located completely within the parish; to require the school boards to file a formula for calculation of this division with the retirement system and the parish assessor; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Retirement to Original House Bill No. 519 by Representative McVea

AMENDMENT NO. 1

On page 1, line 5, after "system;" delete the remainder of the line and delete line 6 in its entirety and insert in lieu thereof the following:

"to provide for the division of the taxes among the school systems located completely within the parish; to require the school boards to file a formula for calculation of this division with the retirement system and the parish assessor; and to provide for related matters."

AMENDMENT NO. 2

On page 2, delete lines 1 through 4 and insert in lieu thereof the following:

"(b) Effective with the 2004 tax roll payment, the Teachers' Retirement System of Louisiana shall credit each city, parish, or other local public school system located completely within East Baton Rouge Parish with an amount equal to one percent of the aggregate taxes shown to be collectible by the tax rolls for any millage levied by that school system plus an amount equal to the percentage of the total aggregate taxes collected by that school system of all aggregate taxes collected by all school systems within the parish of one percent of the aggregate taxes shown to be collectible by the tax rolls for any millage levied by an entity other than a school board remitted to the system from East Baton Rouge Parish.

(c) Within thirty days after the effective date of Subparagraph (b) of this Paragraph, the East Baton Rouge Parish School Board, the Baker City School Board, and the Zachary Community School Board shall file with the Teachers' Retirement System of Louisiana and the assessor for East Baton Rouge Parish a formula to be used to calculate the amount to be credited to each school board."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 682—**  
BY REPRESENTATIVE GEYMAN  
AN ACT

To amend and reenact R.S. 11:103(A), (B)(1), and (C), and to enact R.S. 11:103(E) and 108, relative to statewide retirement systems; to provide for contributions; to provide for actuarial soundness and funding of the systems; to provide for a funding review panel; to provide relative to actuarial assumptions; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Retirement to Original House Bill No. 682 by Representative Geymann

AMENDMENT NO. 1

On page 1, line 2, after "R.S." and before "(B)(1)," delete "11:62, 103(A)," and insert in lieu thereof "11:103(A),"

AMENDMENT NO. 2

On page 1, line 2, after "(C)," delete the remainder of the line and delete line 3 in its entirety, and at the beginning of line 4 delete "and (4)"

AMENDMENT NO. 3

On page 1, line 4, after "11:103(E)" and before the comma "," insert "and 108"

AMENDMENT NO. 4

On page 1, line 5, after "contributions;" delete the remainder of the line and at the beginning of line 6 delete "average compensation;" and insert in lieu thereof "to provide for actuarial soundness and funding of the systems; to provide for a funding review panel; to provide relative to actuarial assumptions;"

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## AMENDMENT NO. 5

On page 1, line 12, after "R.S." and before "(B)(1)," delete "11:62, 103(A)," and insert in lieu thereof "11:103(A),"

## AMENDMENT NO. 6

On page 1, line 12, after "(C)" delete the comma "," and delete the remainder of the line and delete line 13 in its entirety and insert in lieu thereof "are"

## AMENDMENT NO. 7

On page 1, line 14, after "11:103(E)" and before "hereby" delete "is" and insert in lieu thereof "and 108 are"

## AMENDMENT NO. 8

On page 1, delete lines 15 through 21 in their entirety and delete page 2 in its entirety and on page 3, delete lines 1 through 6 in their entirety

## AMENDMENT NO. 9

On page 4, at the end of line 6, change "10%" to "9%"

## AMENDMENT NO. 10

On page 4, at the end of line 7, change "10%" to "9%"

## AMENDMENT NO. 11

On page 4, delete lines 12 through 15 in their entirety

## AMENDMENT NO. 12

On page 4, at the beginning of line 16, change "(d)" to "(c)"

## AMENDMENT NO. 13

On page 4, delete lines 22 through 29 in their entirety and delete page 5 in its entirety and on page 6, delete lines 1 through 13 in their entirety and insert in lieu thereof the following:

"E. (1) The boards of trustees of the Municipal Police Employees' Retirement System and the Firefighters' Retirement System shall consider increasing the actuarially assumed rates of return for their respective systems. Each board shall meet on or before July 31, 2005, to consider this issue. Each board shall report in writing to the House and Senate Committees on Retirement and to the Public Retirement Systems' Actuarial Committee the results of its consideration and the recommendations of the board, if any.

(2) If either or both boards make recommendations, the Public Retirement Systems' Actuarial Committee shall meet on or before August 31, 2005, to discuss and take action on such recommendations.

\* \* \*

## §108. Funding Review Panel

A. The Funding Review Panel is hereby created to study the funding and benefit provisions of the Firefighters' Retirement System, the Municipal Employees' Retirement System, and the Municipal Police Employees' Retirement System.

B. The panel shall be composed of two committees, the advisory committee of seven members and the recommendations committee of seven members.

(1) The recommendations committee shall have the following voting members:

(a) One member of the Firefighters' Retirement System selected by the system's board of trustees.

(b) One member of the Municipal Employees' Retirement System who is not a mayor selected by the system's board of trustees.

(c) One representative of the Municipal Police Employees' Retirement System selected by the system's board of trustees.

(d) One mayor selected by the Louisiana Municipal Association.

(e) One mayor selected by the Louisiana Conference of Mayors.

(f) The state treasurer or his designee.

(g) One member appointed by the governor.

(2) The advisory committee shall have the following members, who shall have no voting rights except as provided in Paragraph (3) of this Subsection:

(a) The chairman of the House Committee on Retirement or his designee.

(b) The chairman of the Senate Committee on Retirement or his designee.

(c) One member of the House Committee on Retirement appointed by the speaker of the House or the designee of such appointee.

(d) One member of the Senate Committee on Retirement appointed by the president of the Senate or the designee of such appointee.

(e) One representative selected by the Professional Fire Fighters' Association.

(f) One representative selected by the Louisiana Union of Police Associations.

(g) One member appointed by the governor.

(3) The panel shall elect from the members of the recommendations committee a chairman and vice chairman of the panel. If the state treasurer is elected chairman or vice chairman, his designee shall serve in such office at any meeting of the panel at which he represents the treasurer.

(4) A majority of the members of the panel shall be necessary for conducting business. An affirmative vote of a majority of the members of the recommendations committee shall be necessary for the panel to take any action.

(5) For each member of the recommendations committee who is absent from a meeting, the chairman of the panel shall appoint a member of the advisory committee to sit on the recommendations committee for the meeting and to vote in the stead of the absent member. Should the absent member arrive after such appointment, it is within the discretion of the chairman to allow the tardy member to resume his place on the recommendations committee.

C. The panel shall meet not less than monthly. The treasurer shall call the first meeting of the panel on or before August 31, 2005, and shall preside until the panel elects a chairman and vice chairman.

D. The panel shall undertake a comprehensive review of the actuarial funding and benefit structure of the Firefighters' Retirement System, the Municipal Employees' Retirement System, and the

Municipal Police Employees' Retirement System, including but not limited to the following:

- (1) Eligibility for retirement.
- (2) Benefit calculation, including final average compensation.
- (3) Contributions.
- (4) Actuarial assumptions.
- (5) Cost-of-living adjustment criteria.

E. The systems, the House of Representatives, the Senate, the legislative actuary, the legislative auditor, and the legislative fiscal office shall provide such staff and facilities to the panel as are necessary to carry out its duties and responsibilities.

F. On or before February 15, 2006, the panel shall submit to the House and Senate Committees on Retirement and to the legislative actuary a report containing its recommendations for increasing the actuarial soundness of each system and providing a generous, affordable benefit for members of each system."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 754—**  
BY REPRESENTATIVE HEBERT

AN ACT

To amend and reenact R.S. 26:2(12), to enact R.S. 26:80(H) and 280(H), and to repeal R.S. 26:90(10) and 286(A)(10), relative to the Alcoholic Beverage Control Law; to redefine the term "package house", to require the submission of fingerprints for a criminal history record check by either the office of state police or the Federal Bureau of Investigation to determine suitability for an alcoholic beverage permit; and to repeal provisions prohibiting a person under eighteen years of age from playing pool or billiards or frequenting a pool or billiards hall unless that area is separate and distinct from the area dispensing alcohol; and to provide for related matters.

Read by title.

### Motion

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

**HOUSE BILL NO. 826—**  
BY REPRESENTATIVE ERDEY

AN ACT

To enact R.S. 33:2740.62, relative to Livingston Parish; to authorize the governing authority of the parish to levy and collect a documentary transaction tax; to provide for the maximum amount that may be levied; to provide for penalties; to provide for an effective date; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Original House Bill No. 826 by Representative Erdey

### AMENDMENT NO. 1

On page 2, line 2, after "remitted to" and before "the governing authority" delete "the person or entity designated by"

### AMENDMENT NO. 2

On page 2, at the beginning of line 8, delete "which shall not be subject to voter approval, and" and insert in lieu thereof the following:

"but only if the imposition of the tax has been approved by a majority of the electors of the parish voting on the proposition at an election held for that purpose. The governing authority of the parish"

### AMENDMENT NO. 3

On page 3, line 8, after "Section 2." delete the remainder of the line and insert in lieu thereof the following:

"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. Baylor, the amendments were adopted.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 887 (Substitute for House Bill No. 802 by Representative Durand)—**  
BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 17:1519.6(C) and to enact Subtitle X of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:8051 through 8062, relative to state fees; to enact the Healthcare Affordability Act; to impose a fee on certain hospitals; to provide for collection and administration of the fee; to provide for disposition of the avails of the fee; to provide for penalties and sanctions; to provide for an effective date; and to provide for related matters.

Read by title.

On motion of Rep. Hammett, 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. 4—**  
BY SENATOR B. GAUTREAUX

AN ACT

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

Read by title.

Reported favorably by the Committee on Commerce.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 48—**

BY SENATOR THEUNISSEN

AN ACT

To enact R.S. 38:1871, relative to gravity drainage and sub-drainage districts; to provide relative to civil immunity from liability for certain matters; to provide terms and conditions; to provide an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 63—**

BY SENATOR DUPLESSIS

AN ACT

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

Read by title.

Reported favorably by the Committee on Commerce.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 70—**

BY SENATORS KOSTELKA AND ELLINGTON

AN ACT

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

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Engrossed Senate Bill No. 70 by Senator Kostelka

AMENDMENT NO. 1

On page 1, line 17, after "(5)" delete the remainder of the line and delete line 1 from page 2 and insert the following:

"The authority of the secretary to issue this special"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 101—**

BY SENATOR BOASSO

AN ACT

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

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Reengrossed Senate Bill No. 101 by Senator Boasso

AMENDMENT NO. 1

On page 1, line 4, after "District;" delete "to increase membership;"

AMENDMENT NO. 2

On page 1, line 13, after "consisting of" delete "seven" and insert "five"

AMENDMENT NO. 3

On page 1, line 14, after "United States" insert a comma "," and "residents of St. Bernard Parish for no less than two years."

AMENDMENT NO. 4

On page 1, line 15, after "office." delete the remainder of the line and delete lines 16 and 17 in their entirety and delete lines 1 through 5 on page 2 in their entirety and insert the following:

"The commissioners shall each serve for a term of five years and shall be appointed as follows:

(a) One commissioner shall be appointed by the state senator representing Senate District No. 1

(b) One commissioner shall be appointed by the member of the state House of Representatives who represents House District No. 103.

(c) One commissioner shall be appointed by the member of the state House of Representatives who represents House District No. 104.

(d) One commissioner shall be appointed by the president of St. Bernard Parish with the concurrence of two-thirds of the members of the parish council from a list of three nominees submitted by the St. Bernard nominating council.



(e) One commissioner shall be appointed by the St. Bernard nominating council."

AMENDMENT NO. 5

On page 2, delete lines 25 through 29 in their entirety and on page 3, delete lines 1 through 13 in their entirety and insert the following:

"(6) The American Association of Retired Persons.

(7) National Association of Retired Federal Employees - St. Bernard Chapter No. 1398."

AMENDMENT NO. 6

On page 3, delete line 14 in its entirety and insert the following:

"C.(1) Each commissioner shall serve"

AMENDMENT NO. 7

On page 3, at the beginning of line 17, change "(b)(i)" to "(2)(a)"

AMENDMENT NO. 8

On page 3, at the beginning of line 20, change "(ii)" to "(b)"

AMENDMENT NO. 9

On page 3, delete lines 28 and 29 in their entirety and on page 4, delete lines 1 through 4 in their entirety

AMENDMENT NO. 10

On page 4, at the beginning of line 5, change "(5)" to "(3)"

AMENDMENT NO. 11

On page 4, at the end of line 9, after "mail to the" delete the remainder of the line and insert "appointing authority of the vacated commissioner position."

AMENDMENT NO. 12

On page 4, delete lines 10 through 13 in their entirety and insert the following:

"(2)(a) If a vacancy occurs in one of the commissioner positions which is appointed by a state legislator, the state legislator shall appoint a commissioner to fill the vacated position within thirty days of receiving notice of the vacancy from the board.

(b) If a vacancy occurs in the commissioner position which is appointed by the president of St. Bernard Parish, the St. Bernard nominating council shall submit a list of three nominees to the parish president within thirty days of receiving notice of the vacancy from the board. The president of St. Bernard Parish shall appoint a commissioner from the list of three nominees submitted by the St. Bernard nominating council subject to concurrence of two-thirds of the parish council.

(c) If a vacancy occurs in the commissioner position which is appointed by the St. Bernard nominating council, the council shall appoint a commissioner to fill the vacant position within thirty days of receiving notice of the vacancy from the board."

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 101 by Senator Boasso

AMENDMENT NO. 1

In House Committee Amendment No. 4 proposed by the House Committee on Transportation, Highways, and Public Works, on page 1, line 15, following "Senate District No. 1" add ":

AMENDMENT NO. 2

In House Committee Amendment No. 5 proposed by the House Committee on Transportation, Highways, and Public Works, on page 1, line 28, following "(6)" change "The American Association of Retired Persons" to "AARP"

AMENDMENT NO. 3

On page 3, line 22, following "consecutively" and before "no more" delete "to"

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

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 102—**

BY SENATOR ELLINGTON AND REPRESENTATIVE QUEZAIRE  
AN ACT

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

Read by title.

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

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 107—**

BY SENATOR DUPLESSIS  
AN ACT

To enact R.S. 6:319, relative to financial institutions; to authorize banks to use additional FDIC insurance coverage to insure excess public funds on deposit; to provide that such funds are considered fully collateralized; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Commerce to Reengrossed Senate Bill No. 107 by Senator Duplessis

AMENDMENT NO. 1

On page 1, delete line 7 in its entirety and insert the following:

"§319. Public funds deposits"

AMENDMENT NO. 2

On page 1, line 15, after "coverage" delete the period "." and insert the following:

"and state requirements that state funds be deposited in financial institutions domiciled or having a branch in Louisiana."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 110—**  
BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 9:3530(C)(4), relative to consumer loan transactions; to provide for a documentation fee for certain consumer loan transactions; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 151—**  
BY SENATORS N. GAUTREAUX, DUPRE, LENTINI, MURRAY AND ROMERO

AN ACT

To enact Part III-A of Chapter 1 of Title 29 of the Louisiana Revised Statutes of 1950, comprised of R.S. 29:311 through 319, relative to military, naval, and veterans' affairs; to provide certain exemptions from some terms and conditions of certain contracts entered into by active duty military personnel, and members of the Armed Forces Reserve and Louisiana National Guard who are activated pursuant to an executive order of the president of the United States, act of congress, or state law; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Engrossed Senate Bill No. 151 by Senator N. Gautreaux

AMENDMENT NO. 1

On page 1, line 12, change "SERVICE MEMBERS" to "SERVICEMEMBERS"

AMENDMENT NO. 2

On page 5, at the beginning of line 10, after the open quotation, change "Service members" to "Servicemembers"

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 151 by Senator N. Gautreaux

AMENDMENT NO. 1

On page 1, lines 2 and 10, following "Chapter" and before "of title" change "1" to "2"

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

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 184—**  
BY SENATOR LENTINI

AN ACT

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

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 188—**  
BY SENATORS FONTENOT, BAJOIE, HINES AND MOUNT AND REPRESENTATIVES ALARIO, HAMMETT AND SALTER

AN ACT

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

Read by title.

Reported with amendments by the Committee on Environment.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Environment to Reengrossed Senate Bill No. 188 by Senator Fontenot

AMENDMENT NO. 1

On page 2, line 1, change "and" to "or"

AMENDMENT NO. 2

On page 2, line 11, change "and" to "or"

AMENDMENT NO. 3

On page 3, line 1, change "and subsequent conviction" to "or subsequent violation"

AMENDMENT NO. 4

On page 3, line 15, change "and" to "or"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 196—**

BY SENATORS BARHAM, KOSTELKA, DUPRE, ROMERO, BOASSO AND SMITH

## AN ACT

To amend and reenact Civil Code Article 466, relative to immovables; to provide relative to the definition of component parts of immovables; to provide relative to which items are considered permanently attached parts; and to provide for related matters.

Read by title.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 205—**

BY SENATOR DUPLESSIS

## AN ACT

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

Read by title.

Reported favorably by the Committee on Commerce.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 208—**

BY SENATOR HEITMEIER

## AN ACT

To amend and reenact R.S. 32:304, relative to motor vehicles; to clarify certain requirements with respect to tail lamps on vehicles; and to provide for related matters.

Read by title.

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

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 212—**

BY SENATOR MARIONNEAUX

## AN ACT

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

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 212 by Senator Marionneaux

AMENDMENT NO. 1

On page 1, at the end of line 16, delete "sixty days"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 219—**

BY SENATOR FONTENOT

## AN ACT

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

Read by title.

Reported favorably by the Committee on Commerce.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 222—**

BY SENATOR HOLLIS

## AN ACT

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

Read by title.

Reported favorably by the Committee on Commerce.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 238—**  
BY SENATORS ELLINGTON, AMEDEE, FONTENOT, HOLLIS AND MICHOT

AN ACT

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

Read by title.

Reported favorably by the Committee on Commerce.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 247—**  
BY SENATOR MOUNT

AN ACT

To enact Civil Code Art. 2807.5 and R.S.12:1310.5, relative to partnerships and limited liability companies; to provide for the retroactive effect of a partnership's or a limited liability company's existence when immovable property is acquired by such entities which have not been duly constituted; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 268—**  
BY SENATORS SMITH AND ELLINGTON

AN ACT

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

Read by title.

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

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 278—**  
BY SENATOR NEVERS

AN ACT

To amend and reenact R.S. 38:3087.191, the introductory paragraph of R.S. 38:3087.192(B) and (C), 3087.193(B), 3087.194(B), 3087.196, 3087.197(A)(2) and (8), 3087.198(A)(6), 3087.199(A)(1), (B)(1) and (2), (C)(1), (D)(1), 3087.204, and

3087.205(A) and (B), relative to the Washington Parish Reservoir District; to provide for the creation, maintenance, and operation of a single reservoir in the district; to provide for reimbursement of the amount actually paid for property returned to a prior landowner; to limit the authority of the district to expropriate property; to provide for payment to owners whose property is subject to expropriation; to provide for terms for members of the board of commissioners of the district; to authorize agreements with landowners regarding building restrictions on non-submerged property; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 278 by Senator Nevers

AMENDMENT NO. 1

On page 1, line 3, change "3087.197(A)(2) and (8)," to "3087.197(A)(2), (5), and (8) and (C),"

AMENDMENT NO. 2

On page 1, line 12, after "property;" and before "and" insert the following:

"to provide relative to the district's relationship with the Louisiana Wildlife and Fisheries Commission;"

AMENDMENT NO. 3

On page 1, line 16, change "3087.197(A)(2) and (8)," to "3087.197(A)(2), (5), and (8) and (C),"

AMENDMENT NO. 4

On page 2, line 23, after "sell;" delete the remainder of the line and delete lines 24 through 26 in their entirety and at the beginning of line 27, delete "Election Code;"

AMENDMENT NO. 5

On page 3, line 9, after "upon" and before "payment" insert "a one-time"

AMENDMENT NO. 6

On page 4, line 3, after "residence" and before "by" delete "either"

AMENDMENT NO. 7

On page 4, delete line 4 in its entirety and insert the following:

"and by providing a parcel of land equal in value to the"

AMENDMENT NO. 8

On page 4, line 6, after "owner" insert a period "." and delete the remainder of the line and delete lines 7 and 8 in their entirety

AMENDMENT NO. 9

On page 5, between line 20 and 21 add the following:

"(5) ~~Levy taxes~~ Issue bonds within the district, issue bonds, and incur indebtedness within the limitations prescribed by the Constitution of Louisiana and in the manner prescribed thereby.

\* \* \*

AMENDMENT NO. 10

On page 5, between lines 26 and 27, add the following:

"C. The district may incur debt for any one or more of its lawful purposes, issue in its name negotiable bonds or certificates of indebtedness evidencing such debt, and provide for the security and payment thereof as follows:

(1) ~~To issue certificates of indebtedness maturing within one year from date of issuance to evidence money borrowed in anticipation of current revenues for the administration, operation, construction, and maintenance costs and expenses of the district, which certificates shall be payable in principal and interest from any available income, revenues, fees, or taxes pledged to their payment by the district.~~

(2) ~~To issue bonds substantially in the manner set forth in Article VI of the Constitution of Louisiana, and other authority supplemental thereto, particularly Part III of Chapter 4 of Title 39 of the Louisiana Revised Statutes of 1950. Such bonds shall be payable from an ad valorem tax on all taxable property in the district sufficient to pay such bonds in principal and interest, if approved by vote of a majority in number of the qualified electors voting on the proposition at an election held for that purpose. Such bonds shall be issued in the manner provided by the law pursuant to which they are being issued, and the maximum interest rate for the bonds shall be that prescribed by such law. The bonds shall be issued in such amount or amounts as the board of commissioners shall determine. However, the principal amount of all such bonds outstanding as of the date of the issuance of any new bonds shall never exceed ten percent of the assessed valuation of the taxable property within the district, to be ascertained by the last assessment roll of record in Washington Parish.~~

(3) ~~The district shall have additional authority to levy taxes within the district under the provisions of Article VI, Section 32 of the Constitution of Louisiana, for the purpose of improving, operating, and maintaining its facilities, providing any such tax shall first be approved at an election held for said purposes in accordance with the Louisiana Election Code.~~

(4) ~~The copy of any resolution levying a tax, certified by the secretary of the board of commissioners of said district, shall be transmitted to the tax assessor of Washington Parish on or before the first day of May of the first year in which the tax is to be assessed and collected, and it shall be the duty of the assessor to assess the tax and extend the same upon the tax rolls of the parish. The tax shall be collected by the sheriff and ex officio tax collector in the same manner as taxes levied by the parish. Taxes assessed shall constitute the same liens upon the property assessed, shall bear the same penalties, and collection shall be enforced in the same manner and at the same time as parish taxes."~~

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 292—**

BY SENATORS HINES, CRAVINS, CAIN AND MURRAY  
AN ACT

To amend and reenact Part IV of Title 4 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 4:251 and 252, and to enact R.S. 4:143(16), relative to racing; to provide for a horsemen's workers' compensation insurance program; to authorize the Horsemen's Benevolent and Protective Association

to secure and provide coverage for the benefit of trainers and others licensed by the Louisiana State Racing Commission; to authorize the use of association assets and revenues as security for a reserve fund; to require each licensed trainer to have a certificate of workers' compensation insurance coverage; to prohibit admittance of a licensed trainer into any racing facility without a certificate of workers' compensation insurance coverage; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Commerce to Reengrossed Senate Bill No. 292 by Senator Hines

AMENDMENT NO. 1

On page 3, delete lines 8 through 14 in their entirety and insert the following:

"No distribution shall be made until:

(a) Thirty days after the commissioner of insurance has received notice of the declaration thereof and has not within such period disapproved such distribution; and

(b) Thirty days after the owners of winning race horses are fully reimbursed the total net sum of monies that said owners would have received if purses and purse supplements had not been used for the establishment, operation, and administration of the insurance program authorized in this Part."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

**Reconsideration**

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

**HOUSE BILL NO. 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.

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

Returned to the calendar under the rules.

**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. 869—**  
BY REPRESENTATIVE FRITH

AN ACT

To amend and reenact R.S. 3:2804(B) and 3004(B), relative to fees paid to law enforcement officials for securing livestock; to provide for increases and additional fees for such service; and to provide for related matters.

Read by title.

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

Returned to the calendar under the rules.

**Notice of Intention to Call**

Pursuant to House Rule No. 8.26(A), Rep. Frith gave notice of his intention to call House Bill No. 869 from the calendar for future action.

**Speaker Pro Tempore Dorsey in the Chair**

**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. 87—**  
BY REPRESENTATIVE TUCKER

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to study cost control mechanisms for the New Opportunities Waiver to ensure cost-effective administration and service delivery.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 131—**  
BY REPRESENTATIVE BEARD

A CONCURRENT RESOLUTION

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

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 92—**  
BY REPRESENTATIVE GARY SMITH

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to require financial institutions to notify consumers prior to publication of negative credit information and to allow adequate time for correction.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 97—**

BY REPRESENTATIVE THOMPSON AND SENATOR ELLINGTON

A CONCURRENT RESOLUTION

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

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 103—**

BY REPRESENTATIVES M. GUILLORY AND FRITH AND SENATOR THEUNISSEN

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to advocate changes in the Federal Motor Carrier Safety Regulations, specifically 49 C.F.R. 383.3, relative to issuance of restricted commercial drivers' licenses, which currently prohibit aerial applicators from qualifying for issuance of such licenses.

Read by title.

On motion of Rep. Mickey Guillory, the resolution was adopted.

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 122—**

BY REPRESENTATIVE KLECKLEY

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to select the re-routing of West Prien Lake Road, also known as Louisiana Highway 1138-2, to intersect with the port road extension near or at the main entrance to the L'Auberge du Lac Hotel and Casino in Lake Charles, Louisiana, as a design-build demonstration project in order to expedite construction and alleviate extreme traffic congestion in the area.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 135—**

BY REPRESENTATIVES JOHNS, K. CARTER, AND PINAC

A CONCURRENT RESOLUTION

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

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 141—**  
BY REPRESENTATIVE QUEZAIRE

A CONCURRENT RESOLUTION

To urge and request the continued state funding of the Mississippi River Corridor Initiative (MRCI) on the campus of the University of New Orleans, which assists ports and related industries to succeed in the highly competitive development of international trade along the Mississippi River.

Read by title.

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

Ordered to the Senate.

**Speaker Salter in the Chair**

**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.

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

Ordered to the Senate.

**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.

**Motion**

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

**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, the resolution was adopted.

Ordered to the Senate.

**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.

Called from the calendar.

Read by title.

On motion of Rep. Mickey Guillory, 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.

Called from the calendar.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Martiny to Engrossed House Concurrent Resolution No. 22 by Representative Jefferson

AMENDMENT NO. 1

On page 2, delete lines 27 and 28 in their entirety and insert the following:

"system to provide individuals convicted of a felony information regarding the reinstatement of voter registration. The notification shall be provided upon completion of the term of confinement and upon completion of supervision of parole or probation.

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

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

Ordered to the Senate.

**Senate Concurrent Resolutions on  
Third Reading for Final Consideration**

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

**SENATE CONCURRENT RESOLUTION NO. 2—**  
BY SENATOR HINES

A CONCURRENT RESOLUTION

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

Read by title.

On motion of Rep. LaFleur, the resolution was concurred in.

**SENATE CONCURRENT RESOLUTION NO. 4—**  
BY SENATOR AMEDEE

A CONCURRENT RESOLUTION

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

Read by title.

On motion of Rep. Lancaster, the resolution was recommitted to the Committee on House and Governmental Affairs.

**SENATE CONCURRENT RESOLUTION NO. 11—**  
BY SENATOR HEITMEIER

A CONCURRENT RESOLUTION

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

Read by title.

On motion of Rep. Arnold, the resolution was concurred in.

**SENATE CONCURRENT RESOLUTION NO. 12—**  
BY SENATOR MOUNT

A CONCURRENT RESOLUTION

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

Read by title.

On motion of Rep. Johns, the resolution was concurred in.

**SENATE CONCURRENT RESOLUTION NO. 26—**  
BY SENATOR ADLEY

A CONCURRENT RESOLUTION

To direct the appropriate state agencies to take action to implement and enforce the law on delivery sales of cigarettes.

Read by title.

**Motion**

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

**SENATE CONCURRENT RESOLUTION NO. 19—**  
BY SENATOR BAJOIE

A CONCURRENT RESOLUTION

To urge and request the office of public health, Department of Health and Hospitals to study the possibility of including fresh fruits, vegetables, and cut herbs purchased from any authorized WIC provider, as approved items to be purchased with WIC coupons.

Read by title.

On motion of Rep. Karen Carter, the resolution was concurred in.

**SENATE CONCURRENT RESOLUTION NO. 20—**  
BY SENATOR BROOME

A CONCURRENT RESOLUTION

To urge and request the Department of Social Services to study the impact of the state's sliding fee scale on the availability, affordability, and the quality of child care services funded by the Child Care Development Fund.

Read by title.

On motion of Rep. Barrow, the resolution was concurred in.

**SENATE CONCURRENT RESOLUTION NO. 41—**  
BY SENATOR BAJOIE

A CONCURRENT RESOLUTION

To urge and request the secretary of the Department of Health and Hospitals to develop a plan for the consolidation of programs and services for elderly persons and persons with adult onset disabilities into a separate office within the Department of Health and Hospitals.

Read by title.

On motion of Rep. Karen Carter, the resolution was concurred in.

**SENATE CONCURRENT RESOLUTION NO. 6—**  
BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To urge and request the Senate Committee on Environmental Quality and the House Committee on the Environment to meet and function as a joint committee to study and make recommendations regarding recycling and disposal options relative to computers and other electronic equipment.

Read by title.

On motion of Rep. Scalise, the resolution was concurred in.

**SENATE CONCURRENT RESOLUTION NO. 39—**  
BY SENATOR ELLINGTON AND REPRESENTATIVE THOMPSON

A CONCURRENT RESOLUTION

To urge and request the Louisiana Broadband Advisory Council to conduct public hearings in various locations across the state to ascertain supply and demand issues relative to broadband deployment.

Read by title.

On motion of Rep. Thompson, the resolution was concurred in.

**SENATE CONCURRENT RESOLUTION NO. 46—**  
BY SENATOR ELLINGTON AND REPRESENTATIVE THOMPSON

A CONCURRENT RESOLUTION

To urge and request the Louisiana Broadband Advisory Council to convene a task force to develop a statewide E-Rate strategy to capture all possible E-Rate funds available to the state.

Read by title.

On motion of Rep. Thompson, the resolution was concurred in.

**SENATE CONCURRENT RESOLUTION NO. 52—**  
BY SENATOR HINES

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study the issue of improving the health and safety of student athletes in Louisiana's secondary schools.

Read by title.

**Motion**

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

**SENATE CONCURRENT RESOLUTION NO. 53—**  
BY SENATOR FONTENOT

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Environmental Quality to develop a strategy for the proper management of electronic discards, including making recommendations for the recovery of components from discarded electronics and for the reduction of landfilling or incinerating discarded electronics.

Read by title.

On motion of Rep. Scalise, the resolution was concurred in.

**SENATE CONCURRENT RESOLUTION NO. 66—**  
BY SENATOR NEVERS

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to permit public access to the West Pearl River Navigational Canal located in the parishes of St. Tammany and Washington and to extend the date scheduled for closure until such time that an alternate long-term solution can be determined.

Read by title.

On motion of Rep. Ritchie, the resolution was concurred in.



**SENATE CONCURRENT RESOLUTION NO. 69—**

BY SENATOR THEUNISSEN

**A CONCURRENT RESOLUTION**

To continue the Governor's Aviation Advisory Commission, as created by Senate Concurrent Resolution No. 78 of the 1997 Regular Session of the Legislature and continued by Senate Concurrent Resolution No. 3 of the 2004 Regular Session of the Legislature, and to provide for its membership.

Read by title.

On motion of Rep. Morrish, the resolution was concurred in.

**House Bills and Joint Resolutions  
Returned from the Senate with Amendments**

The following House Bills and Joint Resolutions returned from the Senate with amendments to be concurred in by the House were taken up and acted upon as follows:

**HOUSE BILL NO. 5—**

BY REPRESENTATIVE BAUDOIN

**AN ACT**

To amend and reenact R.S. 32:295.3(D), relative to leaving children unattended and unsupervised in motor vehicles; to provide for increased penalties; and to provide for related matters.

Read by title.

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

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary C to Engrossed House Bill No. 5 by Representative Baudoin

**AMENDMENT NO. 1**

On page 1, line 11, after the period "." add the following:

"For each second or subsequent offense, the defendant shall be subject to imprisonment, with or without hard labor, of not less than one year nor more than two years and a fine of not less than one thousand dollars nor more than two thousand dollars, or both."

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Farrar	Morrish
Alario	Faucheux	Pierre
Alexander	Frith	Pinac
Ansardi	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	Hill	Schneider
Bruneau	Honey	Shepherd
Burns	Hopkins	Smiley
Burrell	Hunter	Smith, G.
Carter, K.	Hutter	Smith, J.D.—50th
Carter, R.	Jackson	Smith, J.H.—8th
Cazayoux	Jefferson	Smith, J.R.—30th

Crane	Johns	St. Germain
Cravins	Katz	Strain
Crowe	Kennard	Thompson
Curtis	Kenney	Toomy
Damico	Kleckley	Townsend
Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Triche
DeWitt	LaFonta	Waddell
Doerge	Lambert	Walker
Dorsey	Lancaster	White
Dove	Martiny	Winston
Downs	McDonald	Wooton
Durand	McVea	Wright
Erdey	Montgomery	
Fannin	Morrell	

Total - 100

NAYS

Total - 0

ABSENT

Hebert	Odinet	Walsworth
Marchand	Tucker	

Total - 5

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

**Speaker Pro Tempore Dorsey in the Chair**

**HOUSE BILL NO. 106—**

BY REPRESENTATIVES JANE SMITH AND LAFLEUR

**AN ACT**

To amend and reenact Code of Criminal Procedure Articles 161(A)(introductory paragraph) and 163 and to enact Code of Criminal Procedure Article 163.1, relative to search warrants; to authorize the issuance of a search warrant to search a person for deoxyribonucleic acid (DNA) or other bodily samples; to provide for procedures for the execution of such warrants; and to provide for related matters.

Read by title.

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

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary C to Reengrossed House Bill No. 106 by Representative Jane Smith

**AMENDMENT NO.1**

On page 2, line 12, change "twenty" to "eighty"

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

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

Total - 103  
 NAYS  
 Total - 0  
 ABSENT  
 Hunter Tucker  
 Total - 2

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

**HOUSE BILL NO. 174—**  
 BY REPRESENTATIVE MONTGOMERY  
 AN ACT

To enact R.S. 38:2212(A)(1)(d)(iii), relative to public contracts; to provide relative to certain contracts advertised and let by the Bossier Parish Police Jury; to increase the contract limit for certain contracts; to provide relative to certain restrictions; to authorize the contract limit to be adjusted annually to reflect inflation; to require the Bossier Parish Police Jury to publish the contract limit under certain circumstances; and to provide for related matters.

Read by title.

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

**SENATE FLOOR AMENDMENTS**

Conforming Amendments proposed by Senator Adley to Reengrossed House Bill No. 174 by Representative Montgomery

AMENDMENT NO. 1

On page 2, line 8, delete "as it applies to the Bossier Parish Police Jury"

AMENDMENT NO. 2

On page 2, line 12, change "police jury" to "Bossier Parish Police Jury"

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Total - 101  
 NAYS  
 Total - 0  
 ABSENT  
 Burrell Shepherd  
 Odinet Tucker  
 Total - 4

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

**HOUSE BILL NO. 311—**  
 BY REPRESENTATIVE SCHNEIDER  
 AN ACT

To amend and reenact R.S. 11:231(C), 403(introductory paragraph) and (5), 429, 441(A), 444(A)(1)(a), and 461(B), relative to benefits of the Louisiana State Employees' Retirement System; to provide for definitions; to provide for calculation of average compensation; to provide for calculation of benefits; to provide for eligibility to receive benefits; to provide relative to purchase of service credit to be used for benefit calculation; to provide for an effective date; and to provide for related matters.

Read by title.

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

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Retirement to Reengrossed House Bill No. 311 by Representative Schneider

AMENDMENT NO. 1

On page 1, line 2, between "R.S. 11:" and "231(C)," insert the following:

"62(5)(e),"

AMENDMENT NO. 2

On page 1, line 13, between "R.S. 11:" and "231(C)," insert the following:

"62(5)(e),"

AMENDMENT NO. 3

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

"§62. Employee contribution rates established

Employee contributions to state and statewide public retirement systems shall be paid at the following rates:

\* \* \*

(5) Louisiana State Employees' Retirement System:

\* \* \*

(e) All others: - ~~7.5%~~

(i) Employed on or before June 30, 2006 - 7.5%

(ii) Employed on or after July 1, 2006 - 8%

\* \* \*

AMENDMENT NO. 4

On page 2, line 5, after "after" change "January" to "July"

AMENDMENT NO. 5

On page 2, line 14, after "before" delete "December 31," and insert "June 30, 2006,"

AMENDMENT NO. 6

On page 2, at the beginning of line 15, delete "2005,"

AMENDMENT NO. 7

On page 2, line 24, after "after" change "January" to "July"

AMENDMENT NO. 8

On page 3, line 4, after "exceed" change "one hundred twenty-five percent" to "one hundred fifteen percent"

AMENDMENT NO. 9

On page 3, line 6, after "exceed" change "one hundred and twenty-five percent" to "one hundred and fifteen percent"

AMENDMENT NO. 10

On page 3, line 9, change "twenty-five" to "fifteen"

AMENDMENT NO. 11

On page 3, line 11, change "twenty-five" to "fifteen"

AMENDMENT NO. 12

On page 3, line 14, after "more than" change "twenty-five" to "fifteen"

AMENDMENT NO. 13

On page 4, line 20, change "December 31, 2005," to "June 30, 2006,"

AMENDMENT NO. 14

On page 5, line 6, after "after" change "January" to "July"

AMENDMENT NO. 15

On page 5, delete lines 11 and 12 in their entirety

AMENDMENT NO. 16

On page 5, at the beginning of line 13, delete "benefit pursuant to R.S. 11:557 or R.S. 24:36,"

AMENDMENT NO. 17

On page 6, line 10, change "December 31, 2005," to "June 30, 2006,"

AMENDMENT NO. 18

On page 6, line 15, change "January" to "July"

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Theunissen to Reengrossed House Bill No. 311 by Representative Schneider

AMENDMENT NO. 1

On page 5, line 11, after "~~thereafter~~" delete the remainder of the line

AMENDMENT NO. 2

On page 5, delete line 12, in its entirety

AMENDMENT NO. 3

On page 5, line 13, delete "benefit pursuant to R.S. 11:557 or R.S. 24:36,"

AMENDMENT NO. 4

On page 5, delete lines 16 through 20 in their entirety

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Montgomery
Alario	Faucheux	Morrell
Alexander	Frith	Morrish
Ansardi	Gallot	Pierre
Arnold	Geymann	Pinac
Badon	Glover	Pitre

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

Total - 102

NAYS

Total - 0

ABSENT

Odinet Richmond Shepherd

Total - 3

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

**HOUSE BILL NO. 334—**  
BY REPRESENTATIVE T. POWELL  
AN ACT

To amend and reenact R.S. 35:407, relative to ex officio notaries public; to provide that municipal police departments are exempt from giving bond for certain ex officio notaries; and to provide for related matters.

Read by title.

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

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 334 by Representative T. Powell

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 35:407" and before the comma "," insert "and to repeal R.S. 35:399"

AMENDMENT NO. 2

On page 1, line 4, after the semicolon ";" and before "and" insert "to repeal provisions providing for ex officio notaries of police departments"

AMENDMENT NO. 3

On page 2, after line 9, add the following:

"Section 2. R.S. 35:399 is hereby repealed in its entirety."

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Total - 103

NAYS

Total - 0

ABSENT

Pinac Smith, J.H.—8th

Total - 2

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

**HOUSE BILL NO. 127—**  
BY REPRESENTATIVES FRITH AND BALDONE AND SENATOR ROMERO  
AN ACT

To enact R.S. 14:67.5, relative to theft; to create the crime of theft of crawfish; to define the offense; to provide for penalties; and to provide for related matters.

Read by title.

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

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary C to Engrossed House Bill No. 127 by Representative Frith

AMENDMENT NO. 1

On page 2, line 6, after "than" and before "years" change "two" to "ten" and after "than" and before "thousand" change "two" to "three"

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Chaisson to Engrossed House Bill No. 127 by Representative Frith

AMENDMENT NO. 1

On page 1, line 16, change "three" to "one"

AMENDMENT NO. 2

On page 2, line 2, change "three" to "one"

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Morrish
Alario	Frith	Pierre
Alexander	Gallot	Pinac
Ansardi	Geymann	Pitre
Arnold	Glover	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	Smiley
Burns	Hunter	Smith, G.
Burrell	Hutter	Smith, J.D.—50th
Carter, R.	Jackson	Smith, J.H.—8th
Cazayoux	Jefferson	Smith, J.R.—30th
Crane	Johns	St. Germain
Cravins	Katz	Strain
Crowe	Kennard	Thompson
Curtis	Kenney	Toomy
Damico	Kleckley	Townsend
Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Triche
DeWitt	LaFonta	Tucker
Doerge	Lambert	Waddell
Dorsey	Lancaster	Walker
Dove	Marchand	Walsworth
Downs	Martiny	White
Durand	McDonald	Winston
Erdey	McVea	Wooton
Fannin	Montgomery	Wright
Farrar	Morrell	

Total - 101

NAYS

Total - 0

ABSENT

Carter, K.	Odinet
Gray	Shepherd
Total - 4	

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

**HOUSE BILL NO. 570—**

BY REPRESENTATIVES LAFONTA AND JEFFERSON  
AN ACT

To enact R.S. 29:41, relative to exposure to depleted uranium; to provide for definitions; to provide for screening of certain members of the armed forces of the United States; to provide for reports on training; and to provide for related matters.

Read by title.

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

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Murray to Reengrossed House Bill No. 570 by Representative LaFonta

AMENDMENT NO. 1

On page 2, line 11, after "general" insert "of the Louisiana National Guard"

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	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	Smiley
Carter, K.	Hunter	Smith, G.
Carter, R.	Hutter	Smith, J.D.—50th
Cazayoux	Jackson	Smith, J.H.—8th
Crane	Jefferson	Smith, J.R.—30th
Cravins	Johns	St. Germain
Crowe	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 - 102

NAYS

Total - 0

ABSENT

Burrell	Katz	Shepherd
Total - 3		

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

**HOUSE BILL NO. 618—**  
BY REPRESENTATIVE FANNIN  
AN ACT

To enact 40:1846(H), relative to liquified petroleum gas; to provide for limitations on liability for certain activities related to liquified petroleum gas; to provide for the liability of retailers, suppliers, handlers, transports, and consumers; and to provide for related matters.

Read by title.

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

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 618 by Representative Fannin

AMENDMENT NO. 1

On page 1, line 2, after "to provide " delete the remainder of the line and lines 3 and 4 and insert

"an affirmative defense relative to liability for certain activities related to liquefied petroleum gas; to provide certain terms and conditions; and to provide"

AMENDMENT NO. 2

On page 1, delete lines 11 through 18 and insert in lieu thereof:

"H. It shall be an affirmative defense to an action against any person engaged in this state in the business of selling at retail, supplying, handling, or transporting liquefied petroleum gas that an alleged injury, damage, or loss was caused by either of the following:

(1) The alteration, modification, or repair of liquefied petroleum gas equipment or a liquefied petroleum gas appliance if the alteration, modification, or repair was done without the knowledge of the liquefied petroleum gas seller, supplier, handler, or transporter."

AMENDMENT NO. 3

On page 2, delete lines 4 through 10

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

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

Total - 103

NAYS

Total - 0

ABSENT

Kennard  
Total - 2

McVea

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

**HOUSE BILL NO. 506—**  
BY REPRESENTATIVE JOHN SMITH  
AN ACT

To amend and reenact R.S. 35:392.1(B), relative to ex officio notaries public; to provide for the authority of a clerk of court and deputy clerk of court as ex officio notaries public; to remove provisions relative to the validity of documents notarized within the course and scope of employment; and to provide for related matters.

Read by title.

**Motion**

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

**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. 74—**  
BY REPRESENTATIVES SALTER, BRUCE, CAZAYOUX, DARTEZ, DOERGE, ST. GERMAIN, JACK SMITH, TOOMY, AND WALKER AND SENATORS CAIN AND HOLLIS  
AN ACT

To amend and reenact R.S. 22:1077(D) and 1080(C), relative to the fire insurance premium tax; to provide funding for the Louisiana State University Fire and Emergency Training Institute; to provide for an effective date; and to provide for related matters.

Read by title.

**Motion**

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

**HOUSE BILL NO. 86—**

BY REPRESENTATIVE WALKER

**AN ACT**

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2005-2006 to be used to pay the judgment in the suit entitled "Bryan Joseph Mayeux, et ux v. Lambert's Contractors, Inc., et al."; to provide for interest; to provide for court costs and expert fees; and to provide for related matters.

Read by title.

**Motion**

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

**HOUSE BILL NO. 120—**

BY REPRESENTATIVES HILL AND BEARD

**AN ACT**

To enact R.S. 17:3048.1(Q)(5) and (V)(3), to provide relative to minimum scores on specified tests that are required of certain home study students to be eligible for Tuition Opportunity Program for Students awards; to provide for effectiveness; to provide for an effective date; and to provide for related matters.

Read by title.

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

Erdey	Montgomery	Wooton
Fannin	Morrell	Wright
Total - 102		

NAYS

Total - 0

ABSENT

Kennard	McVea	Robideaux
Total - 3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 86—**

BY REPRESENTATIVE WALKER

**AN ACT**

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2005-2006 to be used to pay the judgment in the suit entitled "Bryan Joseph Mayeux, et ux v. Lambert's Contractors, Inc., et al."; to provide for interest; to provide for court costs and expert fees; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Walker moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

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Downs McDonald White
Durand McVea Winston
Erdey Montgomery Wooton
Fannin Morrell Wright
Total - 102

NAYS

Total - 0

ABSENT

Geymann Glover Smiley
Total - 3

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 273—

BY REPRESENTATIVE ARNOLD

A JOINT RESOLUTION

Proposing to amend Article VII, Section 23(C) of the Constitution of Louisiana, to limit certain increases in millage rates; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Arnold gave notice of his intention to call House Bill No. 273 from the calendar for future action.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Arnold gave notice of his intention to call House Bill No. 274 from the calendar for future action.

HOUSE BILL NO. 301—

BY REPRESENTATIVE HAMMETT

AN ACT

To enact R.S. 47:301(7)(j), relative to state and local sales and use taxes; to define lease or rental to include the lease or rental in an arms length transaction of a crane and related equipment with or without an operator; and to provide for related matters.

Read by title.

Rep. Hammett moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

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

Total - 96

NAYS

Bowler Scalise
Total - 2

ABSENT

Barrow Morrell Smith, J.H.—8th
Dove Morrish
Greene Smith, G.
Total - 7

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Hammett 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. 370—

BY REPRESENTATIVES FAUCHEUX AND GARY SMITH

A JOINT RESOLUTION

Proposing to amend Article VII, Section 18(G)(1)(a)(i) of the Constitution of Louisiana, relative to ad valorem taxation; to create a special assessment level for persons designated as disabled by the United States Social Security Administration; to provide for submission of the proposed amendment to the electors; to provide a ballot proposition; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Faucheux to Engrossed House Bill No. 370 by Representative Faucheux

AMENDMENT NO. 1

On page 1, line 2, after "Section 18(G)(1)(a)(i)" and before "of" insert "and (2)(a) and to add Article VII, Section 18(G)(1)(a)(iv)"



AMENDMENT NO. 2

On page 1, line 10, after "Section 18(G)(1)(a)(i)" and before "of" insert "and (2)(a) and to add Article VII, Section 18(G)(1)(a)(iv)"

AMENDMENT NO. 3

On page 2, line 3, after "level" and before the period "." insert "provided such person or persons remain qualified for and receive the special assessment level"

AMENDMENT NO. 4

On page 2, between lines 4 and 5, insert the following:

"(iv) An owner who is below the age of sixty-five and who has applied for and received the special assessment level may qualify for and receive the special assessment level in the subsequent year by certifying to the assessor of the parish, or in the parish of Orleans, the assessor of the district where the property is located, that such person or persons' adjusted gross income in the prior tax year satisfied the income requirement of this Section.

\* \* \*

(2) The special assessment level shall remain on the property as long as:

(a) That owner, or that owner's surviving spouse who is fifty-five years of age or older or who has minor children, remains the owner of the property and is qualified for and receives the special assessment level.

\* \* \*"

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Frith	Pierre
Alario	Gallot	Pinac
Alexander	Geymann	Pitre
Ansardi	Glover	Powell, M.
Arnold	Greene	Powell, T.
Badon	Guillory, E.	Quezaire
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, R.	Jefferson	Smith, J.H.—8th
Cazayoux	Johns	Smith, J.R.—30th
Crane	Katz	St. Germain
Cravins	Kennard	Strain
Crowe	Kenney	Thompson
Curtis	Kleckley	Toomy
Damico	LaBruzzo	Townsend
Daniel	LaFleur	Trahan
Dartez	LaFonta	Triche
DeWitt	Lambert	Tucker

Doerge	Lancaster	Waddell
Dorsey	Marchand	Walker
Dove	Martiny	Walsworth
Downs	McDonald	White
Durand	McVea	Winston
Erdey	Montgomery	Wooton
Fannin	Morrell	Wright
Farrar	Morrish	
Faucheux	Odinot	
Total - 103		

NAYS

Carter, K.	Gray
Total - 2	

ABSENT

Total - 0

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

**Suspension of the Rules**

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

**HOUSE BILL NO. 472—**

BY REPRESENTATIVE BARROW

AN ACT

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

Read by title.

**Point of Order**

Rep. Bruneau asked for a ruling from the Chair as to whether the bill provides for a tax or a fee.

**Ruling of the Chair**

The Chair ruled it is the chair's prerogative not to rule on such a matter. The chair ruled the bill would require the favorable vote of two-thirds of the elected members to finally pass the House.

Rep. Barrow moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	DeWitt	LaFleur
Alario	Dorsey	Marchand
Badon	Frith	Morrell
Barrow	Gallot	Pierre
Baudoin	Glover	Pinac
Baylor	Gray	Quezaire
Bruce	Guillory, E.	Richmond
Burrell	Heaton	Smith, J.D.—50th
Carter, K.	Honey	St. Germain

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Curtis  
Damico  
Dartez  
Total - 35

Hunter  
Jackson  
Jefferson

Townsend  
Triche

NAYS

Alexander  
Ansardi  
Arnold  
Baldone  
Beard  
Bowler  
Bruneau  
Burns  
Carter, R.  
Cazayoux  
Crane  
Cravins  
Daniel  
Dove  
Durand  
Erdey  
Fannin  
Total - 51

Farrar  
Fauchaux  
Geymann  
Greene  
Hammett  
Hebert  
Hill  
Hopkins  
Hutter  
Johns  
Kenney  
Kleckley  
LaBruzzo  
LaFonta  
Lambert  
McDonald  
McVea

Montgomery  
Pitre  
Powell, M.  
Powell, T.  
Ritchie  
Robideaux  
Scalise  
Schneider  
Smiley  
Smith, G.  
Smith, J.H.-8th  
Strain  
Trahan  
Tucker  
Walker  
White  
Wright

ABSENT

Crowe  
Doerge  
Downs  
Guillory, M.  
Katz  
Kennard  
Lancaster  
Total - 19

Martiny  
Morrish  
Odiinet  
Romero  
Shepherd  
Smith, J.R.-30th  
Thompson

Toomy  
Waddell  
Walsworth  
Winston  
Wooton

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

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

HOUSE BILL NO. 573—

BY REPRESENTATIVE KENNARD

A JOINT RESOLUTION

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

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Kennard to Engrossed House Bill No. 573 by Representative Kennard

AMENDMENT NO. 1

On page 1, line 2, change "Section 21(B)(2) and (3)" to "Section 18(G)(1)(a)(i) and (2)(a)"

AMENDMENT NO. 2

On page 1, delete lines 3 and 4, and insert the following:

"18(G)(1)(a)(iv) of the Constitution of Louisiana; to provide for a special assessment level for homestead exempt property owned by honorably discharged disabled military veterans for ad valorem tax purposes based upon the extent of the disability; to provide for submission of the"

AMENDMENT NO. 3

On page 1, line 10, change "Section 21(B)(2) and (3)" to "Section 18(G)(1)(a)(i) and (2)(a)" and change "Section 21(B)(4)" to "Section 18(G)(1)(a)(iv)"

AMENDMENT NO. 4

On page 1, delete lines 12 through 18 in their entirety and insert the following:

"§18. Ad Valorem Taxes

Section 18.

\* \* \*

(G)(1) Special Assessment Level.

(a)(i) The assessment of residential property receiving the homestead exemption which is owned and occupied by any person or persons sixty-five years of age or older, or by an honorably discharged veteran with a service-connected total and permanent disability by the United States Department of Veterans Affairs, and who meet all of the other requirements of this Section shall not be increased above the total assessment of that property for the first year that the owner qualifies for and receives the special assessment level, provided such person or persons remain qualified for the special assessment level.

\* \* \*

(iv) An owner who is below the age of sixty-five and who has applied for and received the special assessment level may remain qualified for the special assessment level in the subsequent year by certifying to the assessor of the parish, or in the parish of Orleans, the assessor of the district where the property is located, that such person or persons' adjusted gross income in the prior tax year satisfied the income requirement of this Section.

\* \* \*

(2) The special assessment level shall remain on the property as long as:

(a) That owner, or that owner's surviving spouse who is fifty-five years of age or older or who has minor children, remains the owner of the property and is qualified for the special assessment level.

\* \* \*"

AMENDMENT NO. 5

On page 2, delete lines 1 through 15 in their entirety.

AMENDMENT NO. 6

On page 2, line 25, change "exempt certain property of" to "provide for a special assessment level for homestead exempt property owned by"

AMENDMENT NO. 7

On page 2, line 26, change "from" to "for" and change "taxation" to "tax purposes"

AMENDMENT NO. 8

On page 2, line 27, change "Section 21(B)(2) and (3)" to "Section 18(G)(1)(a)(i) and (2)(a)"

**AMENDMENT NO. 9**

On page 2, line 28, change "Section 21(B)(4)" to "Section 18(G)(1)(a)(iv)"

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

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

**NAYS**

Carter, K.	Durand
Total - 2	

**ABSENT**

Downs	Gray	Waddell
Faucheux	Katz	
Total - 5		

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

**HOUSE BILL NO. 643—**

BY REPRESENTATIVE ERDEY  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2005-2006 to the First Circuit Court of Appeal for the state of Louisiana to provide for

reimbursement of legal expenses of Jeffrey Hughes; and to provide for related matters.

Read by title.

Rep. Erdey 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
Arnold	Gallot	Pitre
Badon	Glover	Powell, M.
Baldone	Gray	Quezaire
Barrow	Guillory, E.	Richmond
Baudoin	Guillory, M.	Ritchie
Baylor	Heaton	Romero
Beard	Hebert	Schneider
Bowler	Hill	Shepherd
Bruce	Honey	Smiley
Bruneau	Hopkins	Smith, G.
Burns	Hunter	Smith, J.D.—50th
Burrell	Hutter	Smith, J.H.—8th
Carter, K.	Jackson	Smith, J.R.—30th
Carter, R.	Jefferson	St. Germain
Cazayoux	Katz	Strain
Crane	Kennard	Thompson
Cravins	Kenney	Toomy
Crowe	Kleckley	Townsend
Curtis	LaBruzzo	Trahan
Damico	LaFleur	Triche
Daniel	LaFonta	Tucker
Dartez	Lancaster	Waddell
DeWitt	Marchand	Walker
Doerge	Martiny	Walsworth
Dorsey	McDonald	White
Dove	McVea	Wooton
Durand	Montgomery	Wright
Erdey	Morrell	
Fannin	Morrish	
Total - 94		

**NAYS**

Powell, T.
Total - 1

**ABSENT**

Ansardi	Hammett	Scalise
Downs	Johns	Winston
Geymann	Lambert	
Greene	Robideaux	
Total - 10		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Erdey 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. 659—**

BY REPRESENTATIVE BEARD  
AN ACT

To enact R.S. 39:1405(D), relative to the negotiated sales of bonds, notes, or certificates of the state and its boards, departments, commissions, authorities, and agencies; to provide for a priority

order period for Louisiana retail purchasers of state bonds sold through negotiated sale; and to provide for related matters.

Read by title.

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

Total - 101

**NAYS**

Total - 0

**ABSENT**

Ansardi	Martiny
Katz	Pitre

Total - 4

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 761—**

BY REPRESENTATIVE WHITE

**AN ACT**

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

**Suspension of the Rules**

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

Called from the calendar.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative White to Engrossed House Bill No. 761 by Representative White

AMENDMENT NO. 1

On page 1, line 9, after "agrees" and before the period "." insert "in writing"

AMENDMENT NO. 2

On page 1, at the end of line 12 add the following:

"Nothing in this Section shall require an insurer to pay more than the actual cash value of the vehicle, including the value of the air bags."

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Fannin  
Farrar  
Total - 101

Morrish  
Odinet  
Wright

NAYS

Total - 0

ABSENT

Curtis  
Johns  
Total - 4

Katz  
LaFonta

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. White 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. 663—**

BY REPRESENTATIVES GLOVER, BAYLOR, BOWLER, BRUCE, BURRELL, AND JACK SMITH

AN ACT

To enact R.S. 15:572.8, relative to the wrongful conviction and imprisonment; to create an application process for compensation for wrongful conviction and imprisonment; to provide for compensation; to create the Innocence Compensation Fund as a special fund in the state treasury; to provide for the deposit, use, and investment of monies in the fund; to provide for the funding of annuity contracts in certain circumstances; to provide procedures for filing an application; to provide for the period of time in which the application shall be filed; and to provide for related matters.

Read by title.

Rep. Glover moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Morrell
Alario	Frith	Odinet
Ansardi	Gallot	Pierre
Arnold	Geymann	Pinac
Badon	Glover	Pitre
Baldone	Gray	Powell, M.
Barrow	Guillory, E.	Quezaire
Baudoin	Guillory, M.	Richmond
Baylor	Hammett	Ritchie
Beard	Heaton	Robideaux
Bowler	Hebert	Romero
Bruce	Hill	Shepherd
Burns	Honey	Smith, G.
Burrell	Hopkins	Smith, J.D.—50th
Carter, K.	Hunter	Smith, J.H.—8th
Cazayoux	Hutter	Smith, J.R.—30th
Crane	Jackson	St. Germain
Cravins	Jefferson	Strain
Crowe	Kennard	Thompson
Curtis	Kenney	Toomy
Damico	Kleckley	Townsend
Daniel	LaFleur	Trahan
Dartez	LaFonta	Triche
DeWitt	Lambert	Waddell
Doerge	Lancaster	Walker
Dorsey	Marchand	Walsworth
Durand	Martiny	White
Erdey	McDonald	Wooton
Fannin	McVea	Wright
Farrar	Montgomery	
Total - 89		

NAYS

Alexander  
Bruneau  
Total - 5

Greene  
Powell, T.

Schneider

ABSENT

Carter, R.  
Dove  
Downs  
Johns  
Total - 11

Katz  
LaBruzzo  
Morrish  
Scalise

Smiley  
Tucker  
Winston

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**Suspension of the Rules**

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

**HOUSE BILL NO. 735—**

BY REPRESENTATIVE SMILEY

AN ACT

To amend and reenact R.S. 4:61(B) and (C), 63, 64, 65(A), (B)(1), (2), (3), (10), (11), and (12), and (C)(3), (4), and (5), 67(A) and (C)(1), 70, 72, 73, 75, 76, 79, 81, 82, 83, and 85 and to enact R.S. 4:61(F), 82.1, and 82.2, relative to the boxing commission; to provide for authority; to provide for domicile; to provide for exemption from civil liability; to provide for duties of secretary; to provide for bond requirements; to provide for license fees and taxes; to provide for physicians; to provide for seating for the commission; to provide for sham contests; to provide relative to events coordinators, referees, and judges; to provide for criminal penalties and injunctions; to provide for definitions; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Shepherd to Engrossed House Bill No. 735 by Representative Smiley

AMENDMENT NO. 1

On page 1, line 5, delete "to provide for domicile;"

AMENDMENT NO. 2

On page 2, line 10, change "may" to "shall"

AMENDMENT NO. 3

On page 2, line 11, change "parish of East Baton Rouge," to "city of New Orleans,"

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Rep. Shepherd moved the adoption of the amendments.

Rep. Smiley objected.

By a vote of 44 yeas and 48 nays, the amendments were rejected.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Bruneau to Engrossed House Bill No. 735 by Representative Smiley

AMENDMENT NO. 1

On page 2, line 11, after "in the" and before "where" delete "parish of East Baton Rouge" and insert in lieu thereof "city of New Orleans"

AMENDMENT NO. 2

On page 4, line 28, after "of the" and before "as a" delete "Louisiana State Boxing and Wrestling Commission" and insert in lieu thereof "state treasurer"

AMENDMENT NO. 3

On page 5, at the beginning of line 19, change "Baton Rouge" to "New Orleans"

AMENDMENT NO. 4

On page 10, line 19, after "necessary" insert a period "." and delete the remainder of the line in its entirety

AMENDMENT NO. 5

On page 10, delete lines 20 through 23 in their entirety

Rep. Bruneau moved the adoption of the amendments.

Rep. Smiley objected.

By a vote of 68 yeas and 24 nays, the amendments were adopted.

Point of Order

Rep. Heaton asked for a ruling from the Chair as to how many votes were required to pass the bill.

Ruling of the Chair

The Chair ruled the bill would require the favorable vote of two-thirds of the elected members to finally pass the House.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of members who voted 'YEAS': Alexander, Barrow, Beard, Carter, R., Curtis, Daniel, Dartez, Erdey, Glover, Greene, Hebert, Jackson, Johns, Kleckley, LaFonta, McDonald, Quezaire, Richmond, Ritchie, Smiley, St. Germain, Strain, Triche, Walsworth

Fannin
Frith
Gallot
Geymann
Total - 34

McVea
Morrish
Pinac
Powell, T.

White
Wright

NAYS

Mr. Speaker
Alario
Arnold
Badon
Baldone
Baudoin
Baylor
Bowler
Bruce
Bruneau
Burns
Burrell
Carter, K.
Cazayoux
Crane
Cravins
Damico
DeWitt
Doerge
Dorsey
Total - 58

Dove
Durand
Farrar
Faucheux
Gray
Guillory, E.
Hammett
Heaton
Hill
Honey
Hopkins
Hunter
Hutter
Jefferson
Katz
Kenney
LaBruzzo
Lambert
Lancaster
Marchand

Martiny
Montgomery
Morrell
Odinot
Pierre
Pitre
Powell, M.
Robideaux
Scalise
Schneider
Smith, J.H.-8th
Thompson
Townsend
Trahan
Tucker
Waddell
Walker
Winston

ABSENT

Ansardi
Crowe
Downs
Guillory, M.
Kennard
Total - 13

LaFleur
Romero
Shepherd
Smith, G.
Smith, J.D.-50th

Smith, J.R.-30th
Toomy
Wooton

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

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

HOUSE BILL NO. 786- BY REPRESENTATIVE SALTER AN ACT

To enact Chapter 51 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:3075 through 3088, relative to the Louisiana Community Development Financial Institution Act; to provide for a credit against income and franchise taxation; to provide for certification and decertification of a Louisiana Community Development Financial Institution; to provide for an effective date; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 790- BY REPRESENTATIVES BRUNEAU AND HEATON AN ACT

To amend and reenact R.S. 47:1832, 1833, and 1834, relative to the tax commission; to provide for the election of members; and to provide for related matters.

Read by title.

Rep. Bruneau moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Bowler	Kenney	Richmond
Bruneau	LaBruzzo	Scalise
Crowe	LaFonta	Triche
Curtis	Marchand	Winston
Doerge	McVea	Wright
Heaton	Morrell	
Hebert	Odinet	
Total - 19		

**NAYS**

Mr. Speaker	Fannin	Pierre
Alario	Farrar	Pinac
Alexander	Faucheux	Pitre
Badon	Frith	Powell, M.
Baldone	Gallot	Powell, T.
Barrow	Geymann	Quezaire
Baudoin	Glover	Ritchie
Baylor	Greene	Robideaux
Beard	Guillory, E.	Romero
Bruce	Guillory, M.	Schneider
Burns	Hill	Smiley
Burrell	Honey	Smith, G.
Carter, K.	Hopkins	Smith, J.D.—50th
Carter, R.	Hutter	Smith, J.H.—8th
Cazayoux	Jackson	Smith, J.R.—30th
Crane	Jefferson	St. Germain
Cravins	Johns	Strain
Damico	Katz	Thompson
Daniel	Kennard	Townsend
Dartez	Kleckley	Trahan
DeWitt	LaFleur	Waddell
Dorsey	Lambert	Walker
Dove	Lancaster	Walsworth
Downs	McDonald	White
Durand	Montgomery	Wooton
Erdey	Morrih	
Total - 77		

**ABSENT**

Ansardi	Hammett	Shepherd
Arnold	Hunter	Toomy
Gray	Martiny	Tucker
Total - 9		

The Chair declared the above bill failed to pass.

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

**Suspension of the Rules**

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

**HOUSE BILL NO. 852—**  
BY REPRESENTATIVE PINAC

**AN ACT**

To amend and reenact R.S. 45:1177(A)(2) and (3), relative to the Public Service Commission; to provide for inspection and supervision fees; and to provide for related matters.

Read by title.

Rep. Pinac moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Durand	Montgomery
Alario	Frith	Morrell
Arnold	Gallot	Morrih
Badon	Glover	Odinet
Baldone	Gray	Pierre
Barrow	Guillory, E.	Pinac
Baudoin	Hammett	Powell, T.
Baylor	Heaton	Quezaire
Bruce	Hill	Richmond
Burrell	Honey	Ritchie
Carter, K.	Hopkins	Robideaux
Carter, R.	Hunter	Smith, J.R.—30th
Cazayoux	Jefferson	St. Germain
Crane	Johns	Thompson
Cravins	Kenney	Townsend
Curtis	Kleckley	Trahan
Damico	LaFleur	Triche
Daniel	LaFonta	Walker
Dartez	Lancaster	Wooton
DeWitt	Marchand	
Dorsey	Martiny	
Total - 61		

**NAYS**

Alexander	Geymann	Scalise
Beard	Greene	Schneider
Bowler	Hebert	Smiley
Bruneau	Hutter	Smith, G.
Burns	Katz	Smith, J.D.—50th
Crowe	Kennard	Smith, J.H.—8th
Doerge	LaBruzzo	Strain
Dove	Lambert	Tucker
Downs	McDonald	Waddell
Erdey	McVea	Walsworth
Fannin	Pitre	Wright
Farrar	Powell, M.	
Faucheux	Romero	
Total - 37		

**ABSENT**

Ansardi	Shepherd	Winston
Guillory, M.	Toomy	
Jackson	White	
Total - 7		

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

Motion to reconsider pending.

**Suspension of the Rules**

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

**HOUSE BILL NO. 868—**  
BY REPRESENTATIVE TOWNSEND

**AN ACT**

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2005-2006 to the Department of Social Services to provide for reimbursement of legal expenses of Andrew Mata; and to provide for related matters.

Read by title.

Rep. Townsend moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: 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, Durand, Erdey, Total - 97.

NAYS

Total - 0

ABSENT

Table with 3 columns of names: Geymann, Jackson, Lambert, Total - 8.

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. 885 (Substitute for House Bill No. 584 by Representative K. Carter) —

BY REPRESENTATIVES K. CARTER AND BOWLER

AN ACT

To amend and reenact R.S. 22:250.31 through 250.35, relative to health insurance claims; to provide relative to prompt payment of health insurance claims; to provide for definitions; to provide for standards for receipt and processing of nonelectronic and electronic claims; to provide relative to limitations on claim filing and audit; to provide for the regulatory authority of the commissioner of insurance; to provide relative to applicability; and to provide for related matters.

Read by title.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: 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, Durand, Erdey, Farrar, Total - 104.

NAYS

Total - 0

ABSENT

Wooton Total - 1

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 886 (Substitute for House Bill No. 591 by Representative Jane Smith) —

BY REPRESENTATIVE JANE SMITH

AN ACT

To amend and reenact R.S. 17:100.1, relative to alternative educational programs for certain students; to require that certain adjudicated children and children in the custody of the office of youth development shall be counted by certain local public school boards for funding purposes under certain circumstances; to provide for an effective date; and to provide for related matters.

Read by title.



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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Total - 104

**NAYS**

Total - 0

**ABSENT**

Tucker  
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. 71—**  
BY REPRESENTATIVES BRUCE AND PINAC  
AN ACT

To enact R.S. 37:3393(H)(7), relative to real estate appraisers; to provide for an exemption from license requirements; and to provide for related matters.

**Suspension of the Rules**

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

Called from the calendar.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Pinac to Engrossed House Bill No. 71 by Representative Bruce

AMENDMENT NO.1

On page 1, delete lines 12 through 18 in their entirety and insert the following:

"(a) The valuation of real property must rely on an appraisal report performed by a licensed appraiser.

(b) Such public accountant is licensed pursuant to the Louisiana Accountancy Act."

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

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

Total - 98

**NAYS**

Total - 0

**ABSENT**

Baylor	Morrell	White
Burrell	Smith, J.R.—30th	
Hammett	Toomy	
Total - 7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Pinac 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. 228—**  
BY REPRESENTATIVE JEFFERSON  
AN ACT

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

**Suspension of the Rules**

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

Called from the calendar.

Read by title.

Rep. Jefferson moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Total - 101

**NAYS**

Total - 0

**ABSENT**

Baylor	Hill
Burrell	White
Total - 4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**Notice of Intention to Call**

Pursuant to House Rule No. 8.26(A), Rep. Morrell gave notice of his intention to call House Bill No. 711 from the calendar for future action.

**HOUSE BILL NO. 675—**  
BY REPRESENTATIVE BEARD  
AN ACT

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

**Suspension of the Rules**

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

Called from the calendar.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Beard to Engrossed House Bill No. 675 by Representative Beard

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 40:1299.58.2(9)" to "R.S. 40:1299.58.2(9), (14), and (15)" and change "R.S. 40:1299.58.11" to "R.S. 40:1299.58.2(16), 1299.58.11,"

AMENDMENT NO. 2

On page 1, line 4, change "definition" to "definitions" and delete "of life sustaining procedures" and delete "a legal presumption"

AMENDMENT NO. 3

On page 1, line 5, delete "regarding" and after "the" and before "withdrawing" add "withholding or"

AMENDMENT NO. 4

On page 1, line 8, change "R.S. 40:1299.58.2(9) is" to "R.S. 40:1299.58.2(9), (14), and (15) are"

AMENDMENT NO. 5

On page 1, line 9, change "40:1299.58.11 and 1299.58.12" to "40:1299.58.2(16), 1299.58.11, and 1299.58.12"

AMENDMENT NO. 6

On page 1, at the end of line 16, add a comma "," and delete the period "."

AMENDMENT NO. 7

On page 1, at the beginning of line 17, add "including such procedure as"

AMENDMENT NO. 8

On page 1, line 18, before "A" insert "the administration of cardiopulmonary resuscitation."

AMENDMENT NO. 9

On page 1, after line 20, insert the following:

"(14) "Spouse" means a person who is legally married to the qualified patient but does not include a spouse who is judicially separated from the patient, who is living in concubinage with another, who has been convicted of any crime of violence as defined in R.S. 14:213 against the other spouse, or who has violated any domestic abuse protective order affecting the other spouse.

(15) "Terminal and irreversible condition" means a continual profound comatose state with no reasonable chance of recovery or a condition caused by injury, disease, or illness which, within reasonable medical judgment, would produce death and for which the application of life-sustaining procedures would serve only to postpone the moment of death.

(16) "Witness" means a competent adult who is not related to the declarant or qualified patient, whichever is applicable, by blood or marriage and who would not be entitled to any portion of the estate of the person from whom life-sustaining procedures are to be withheld or withdrawn upon his decease."

AMENDMENT NO. 10

On page 2, at the end of line 1, insert "; presumption; authority; court proceedings "

AMENDMENT NO. 11

On page 2, line 2, change "It" to "Except as provided in Subsection B of this Section, it"

AMENDMENT NO. 12

On page 2, line 6, after "hydration" delete the remainder of the line in its entirety and insert in lieu thereof "can be withheld or withdrawn by means of a declaration made pursuant to R.S. 40:1299.58.3, 1299.58.5, or 1299.58.6."

AMENDMENT NO. 13

On page 2, line 7, after "instituted" and before the comma ";" insert "by any person specified in R.S. 40:1299.58.5(A)(2)"

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Burns to Engrossed House Bill No. 675 by Representative Beard

AMENDMENT NO. 1

Delete House floor amendments Nos. 1 through 8 and 10 through 13 proposed by Representative Beard and adopted by the House on June 6, 2005.

AMENDMENT NO. 2

On page 1, line 2, change "R.S. 40:1299.58.2(9) and to enact R.S. 40:1299.58.11 and" to "R.S. 40:1299.58.2 (14) and (15) and 1299.58.3(C)(1) and (3) and to enact R.S. 40:1299.58.2(16)"

AMENDMENT NO. 3

On page 1, line 3, delete "1299.58.12" and delete "to affirm the dignity of human life; to clarify the"

AMENDMENT NO. 4

On page 1, delete lines 4 and 5 in their entirety and insert in lieu thereof "to define spouse; to provide for the illustrative form;"

AMENDMENT NO. 5

On page 1, line 8, change "R.S. 40:1299.58.2(9) is" to "R.S. 40:1299.58.2 (14) and (15) and 1299.58.3(C)(1) and (3) are"

AMENDMENT NO. 6

On page 1, line 9, change "40:1299.58.11 and 1299.58.12 are" to "40:1299.58.2(16) is"

AMENDMENT NO. 7

On page 1, delete lines 14 through 20 in their entirety

AMENDMENT NO. 8

On page 2, delete lines 1 through 14 in their entirety and insert in lieu thereof the following:

"§1299.58.3. Making of declaration; notification; illustrative form; registry; issuance of do-not-resuscitate identification bracelets

\* \* \*

C.(1) The declaration may, but need not, be in the following illustrative form and may include other specific directions including but not limited to a designation of another person to make the treatment decision for the declarant should he be diagnosed as having a terminal and irreversible condition and be comatose, incompetent, or otherwise mentally or physically incapable of communications:

DECLARATION

Declaration made this \_\_\_\_\_ day of \_\_\_\_\_ (month, year).

I, \_\_\_\_\_, being of sound mind, willfully and voluntarily make known my desire that my dying shall not be artificially prolonged under the circumstances set forth below and do hereby declare:

If at any time I should have an incurable injury, disease or illness, or be in a continual profound comatose state with no reasonable chance of recovery, certified to be a terminal and irreversible condition by two physicians who have personally examined me, one of whom shall be my attending physician, and the physicians have determined that my death will occur whether or not life-sustaining procedures are utilized and where the application of life-sustaining procedure would serve only to prolong artificially the dying process, I direct ~~that such procedures be withheld or withdrawn and~~ (initial one only):

That all life-sustaining procedures, including nutrition and hydration, be withheld or withdrawn so that food and water will not be administered invasively.

That life-sustaining procedures, except nutrition and hydration, be withheld or withdrawn so that food and water can be administered invasively.

I further direct that I be permitted to die naturally with only the administration of medication or the performance of any medical procedure deemed necessary to provide me with comfort care.

In the absence of my ability to give directions regarding the use of such life-sustaining procedures, it is my intention that this declaration shall be honored by my family and physician(s) as the final expression of my legal right to refuse medical or surgical treatment and accept the consequences from such refusal.

I understand the full import of this declaration and I am emotionally and mentally competent to make this declaration.

Signed \_\_\_\_\_

City, Parish, and State of Residence \_\_\_\_\_

The declarant has been personally known to me and I believe him or her to be of sound mind.

Witness \_\_\_\_\_  
Witness \_\_\_\_\_

\* \* \*

(3) (a) Any declaration executed prior to January 1, 1992, which does not contain directions regarding life-sustaining procedures in the event that the declarant is in a continual profound comatose state shall not be invalid for that reason. Such declaration shall be applicable to any terminal and irreversible condition, as defined in this Part, unless it clearly provides to the contrary.

(b) Any declaration executed prior to August 15, 2005, which does not contain an option to specifically initial a choice regarding nutrition and hydration shall not be invalid for that reason nor presumed to mean that the declarant desires the invasive administration of nutrition or hydration.

\* \* \*

Rep. Burns moved the adoption of the amendments.

Rep. Beard objected.

By a vote of 69 yeas and 27 nays, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

- |            |              |                  |
|------------|--------------|------------------|
| Alario     | Erdey        | Pierre           |
| Alexander  | Fannin       | Pinac            |
| Ansardi    | Farrar       | Powell, M.       |
| Baldone    | Frith        | Powell, T.       |
| Barrow     | Geymann      | Quezaire         |
| Baudoin    | Greene       | Robideaux        |
| Beard      | Guillory, E. | Scalise          |
| Bowler     | Hill         | Schneider        |
| Bruce      | Hutter       | Shepherd         |
| Burns      | Katz         | Smiley           |
| Burrell    | Kleckley     | Smith, J.D.—50th |
| Carter, R. | LaBruzzo     | Smith, J.H.—8th  |

- |            |            |                  |
|------------|------------|------------------|
| Cazayoux   | LaFleur    | Smith, J.R.—30th |
| Crane      | Lambert    | Strain           |
| Cravins    | Lancaster  | Thompson         |
| Crowe      | Martiny    | Trahan           |
| Damico     | McDonald   | Waddell          |
| Dove       | Montgomery | Walsworth        |
| Downs      | Morrish    | White            |
| Durand     | Odinet     | Winston          |
| Total - 60 |            |                  |

**NAYS**

- |             |              |             |
|-------------|--------------|-------------|
| Mr. Speaker | Gray         | Morrell     |
| Arnold      | Guillory, M. | Pitre       |
| Badon       | Hammett      | Richmond    |
| Baylor      | Heaton       | Ritchie     |
| Bruneau     | Hebert       | Romero      |
| Carter, K.  | Hopkins      | Smith, G.   |
| Curtis      | Hunter       | St. Germain |
| Daniel      | Jackson      | Townsend    |
| Dartez      | Jefferson    | Triche      |
| DeWitt      | Johns        | Tucker      |
| Doerge      | Kennard      | Walker      |
| Dorsey      | Kenney       | Wooton      |
| Faucheux    | LaFonta      | Wright      |
| Gallot      | Marchand     |             |
| Glover      | McVea        |             |
| Total - 43  |              |             |

**ABSENT**

- |           |       |
|-----------|-------|
| Honey     | Toomy |
| Total - 2 |       |

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**Suspension of the Rules**

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

**HOUSE BILL NO. 440—**  
BY REPRESENTATIVE FAUCHEUX AND SENATOR MCPHERSON  
AN ACT

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

**Suspension of the Rules**

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

Called from the calendar.

Read by title.

Rep. Faucheux moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

- |             |              |            |
|-------------|--------------|------------|
| Mr. Speaker | Downs        | McDonald   |
| Alario      | Durand       | McVea      |
| Ansardi     | Faucheux     | Montgomery |
| Badon       | Frith        | Morrell    |
| Baldone     | Glover       | Morrish    |
| Barrow      | Gray         | Odinet     |
| Baudoin     | Guillory, E. | Pierre     |

Baylor	Hammett	Pinac
Bruce	Heaton	Quezaire
Bruneau	Hebert	Richmond
Burrell	Honey	Ritchie
Carter, K.	Hunter	Romero
Carter, R.	Hutter	Shepherd
Cazayoux	Jackson	Smith, G.
Cravins	Jefferson	Smith, J.D.—50th
Curtis	Johns	Smith, J.R.—30th
Damico	Kennard	St. Germain
Daniel	Kenney	Townsend
Dartez	LaFleur	Walker
DeWitt	LaFonta	Wooton
Dorsey	Lancaster	
Dove	Marchand	

Total - 64

**NAYS**

Alexander	Hill	Smith, J.H.—8th
Beard	Hopkins	Strain
Bowler	Katz	Thompson
Burns	Kleckley	Trahan
Crane	Lambert	Tucker
Crowe	Martiny	Waddell
Doerge	Pitre	Walsworth
Erdey	Powell, M.	White
Fannin	Powell, T.	Winston
Farrar	Robideaux	Wright
Geymann	Schneider	
Greene	Smiley	

Total - 34

**ABSENT**

Arnold	LaBruzzo	Triche
Gallot	Scalise	
Guillory, M.	Toomy	

Total - 7

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

Motion to reconsider pending.

**Speaker Salter in the Chair**

**HOUSE BILL NO. 542—**

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

**AN ACT**

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

**Suspension of the Rules**

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

Called from the calendar.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Johns to Engrossed House Bill No. 542 by Representative Johns

AMENDMENT NO. 1

On page 1, line 2, after "4574.11(B)(1)," delete the remainder of the line and insert in lieu thereof "(C), and"

AMENDMENT NO. 2

On page 1, line 7, after "hotel rooms;" and before "and to provide" insert "to further provide with respect to the governing authority of the bureau and its membership;"

AMENDMENT NO. 3

On page 1, line 12, after "4574.11(B)(1)," delete the remainder of the line and insert in lieu thereof "(C), and (E)(2)"

AMENDMENT NO. 4

On page 2, between lines 26 and 27, insert the following:

"(3) Complimentary occupancy up to ~~twenty-five~~ thirty-five percent of the total monthly occupancy shall be exempt from the tax."

AMENDMENT NO. 5

On page 3, line 12, after "Section 2." and before "This Act" insert the following:

"A. Notwithstanding the provisions of Section 2(A)(1)(a)(v) of Act 1329 of the 1999 Regular Session of the Louisiana Legislature, the governing authority of Calcasieu Parish, after January 1, 2006, shall appoint one director to the governing body of the Southwest Louisiana Convention and Visitors Bureau from among three persons who are members of and nominated by a recognized organization or association whose membership is representative of the hotel, motel, and recreational vehicle park industry in Calcasieu Parish. The nominees shall have at least three years of experience in managing a casino, a slot machine facility, or a hotel associated with a casino or slot machine facility and shall be a general manager of a facility which has a license to conduct gaming activities on a riverboat pursuant to Chapter 4 of Title 27 of the Louisiana Revised Statutes of 1950, R.S. 27:41 et seq., or a license to conduct slot machine gaming activities pursuant to Chapter 7 of Title 27 of the Louisiana Revised Statutes of 1950, R.S. 27:351 et seq., or shall be a general manager of a hotel associated with a facility which has a license to conduct gaming activities on a riverboat pursuant to Chapter 4 of Title 27 of the Louisiana Revised Statutes of 1950, R.S. 27:41 et seq., or a license to conduct slot machine gaming activities pursuant to Chapter 7 of Title 27 of the Louisiana Revised Statutes of 1950, R.S. 27:351 et seq. The term "member" shall not include paid employees of the organization or association.

B. Notwithstanding the provisions of Section 2(B) and (C) of Act 1329 of the 1999 Regular Session of the Louisiana Legislature, the term of the director appointed pursuant to the provisions of Section 2(A)(1)(a)(v) of Act 1329 of the 1999 Regular Session of the Louisiana Legislature shall expire on December 31, 2005, and such director, if qualified, may be nominated and appointed to fill a vacancy on the bureau's board of directors for an additional term.

Section 3."

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Alexander	Greene	Walsworth
Bowler	Powell, M.	
Crowe	Schneider	
Total - 7		

ABSENT

Bruce	Hutter	Scalise
Doerge	LaBruzzo	St. Germain
Erdey	Lambert	
Total - 8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**Suspension of the Rules**

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

Called from the calendar.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Honey to Engrossed House Bill No. 429 by Representative Honey

AMENDMENT NO. 1

On page 2, at the end of line 13, delete "one" and at the beginning of line 14 delete "hundred twenty" and insert in lieu thereof "ninety"

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Honey to Engrossed House Bill No. 429 by Representative Honey

AMENDMENT NO. 1

On page 2, line 23, after "contract" and before "However," delete the period "." and add "or to comply with school board policy."

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative M. Powell to Engrossed House Bill No. 429 by Representative Honey

AMENDMENT NO. 1

On page 2, at the beginning of line 18, change "(ii)" to "(ii)(aa)"

AMENDMENT NO. 2

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

"(bb) The school board, in accordance with the provisions of this Subparagraph, may choose not to offer a subsequent contract to the superintendent."

AMENDMENT NO. 3

On page 2, line 29, after "votes" delete the remainder of the line and on page 3 delete lines 1 and 2 in their entirety and insert in lieu thereof "at least ninety days prior to the termination of the existing contract against offering a new contract."

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

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

**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	Richmond
Baudoin	Guillory, E.	Ritchie
Baylor	Hammett	Robideaux
Bruce	Heaton	Romero
Bruneau	Hebert	Scalise
Burns	Hill	Schneider
Burrell	Honey	Smiley
Carter, K.	Hopkins	Smith, G.
Carter, R.	Hunter	Smith, J.D.—50th
Cazayoux	Jackson	Smith, J.H.—8th
Crane	Jefferson	Smith, J.R.—30th
Cravins	Johns	Strain
Curtis	Katz	Thompson
Damico	Kennard	Toomy
Daniel	Kenney	Townsend
Dartez	LaFonta	Trahan
DeWitt	Marchand	Triche
Doerge	Martiny	Tucker
Dorsey	McDonald	Waddell
Dove	McVea	Walker
Downs	Montgomery	White
Durand	Morrill	Wooton
Erdey	Morrish	Wright
Total - 90		

NAYS

Bowler	Kleckley	St. Germain
Fannin	Lancaster	Walsworth
Hutter	Shepherd	
Total - 8		

ABSENT

Beard	LaBruzzo	Winston
Crowe	LaFleur	
Guillory, M.	Lambert	
Total - 7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**Suspension of the Rules**

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

**Suspension of the Rules**

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

**House Bills and Joint Resolutions Returned from the Senate with Amendments**

The following House Bills and Joint Resolutions returned from the Senate with amendments to be concurred in by the House were taken up and acted upon as follows:

**HOUSE BILL NO. 506—**  
BY REPRESENTATIVE JOHN SMITH  
AN ACT

To amend and reenact R.S. 35:392.1(B), relative to ex officio notaries public; to provide for the authority of a clerk of court and deputy clerk of court as ex officio notaries public; to remove provisions relative to the validity of documents notarized within the course and scope of employment; and to provide for related matters.

Read by title.

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

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 506 by Representative John Smith

AMENDMENT NO.1

On page 1, after line 14, insert:

"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."

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Barham to Engrossed House Bill No. 506 by Representative John Smith

AMENDMENT NO.1

On page 1, line 4, delete lines 4 and 5, and insert:

"public; to provide for the validity of documents notarized by such ex officio notaries; and to provide for related matters."

AMENDMENT NO. 2

On page 1, after "notarized" delete the remainder of the line, and delete lines 13 and 14, and insert:

"within the course and scope of their employment with the office of clerk of court. However, nothing in this Section shall prohibit such clerks and deputy clerks from notarizing vehicle titles or acknowledging the signatures on authentic acts even if such authentic acts are not within the course and scope of their employment."

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Pierre
Alario	Gallot	Pinac
Alexander	Glover	Pitre
Ansardi	Gray	Powell, M.

Arnold	Greene	Powell, T.
Badon	Guillory, E.	Quezaire
Baldone	Guillory, M.	Richmond
Barrow	Hammitt	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
Curtis	Kleckley	Toomy
Damico	LaBruzzo	Townsend
Daniel	LaFleur	Trahan
Dartez	LaFonta	Triche
DeWitt	Lambert	Tucker
Doerge	Lancaster	Waddell
Dorsey	Marchand	Walker
Dove	Martiny	Walsworth
Downs	McDonald	White
Durand	McVea	Winston
Erdey	Montgomery	Wooton
Fannin	Morrell	Wright
Farrar	Morrish	
Faucheux	Odinet	
Total - 103		

NAYS

Total - 0

ABSENT

Crowe	Geymann
Total - 2	

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

**Conference Committee Reports Received**

Conference Committee Reports were received for the following legislative instruments:

House Bill No. 272

The conference committee reports for the legislative instruments above lie over under the rules.

**Suspension of the Rules**

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

**Petitions, Memorials and Communications**

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

**Message from the Senate**

**ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS**

June 6, 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. 49, 63, 84, 88, 89, and 90

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Suspension of the Rules**

On motion of Rep. Ritchie, 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. 84—**  
BY SENATOR NEVERS

**A CONCURRENT RESOLUTION**

To honor the Foster Parents of the Year 2005 in each region of the state and to express the appreciation of the legislature for their valuable contribution to strengthening family life in Louisiana.

Read by title.

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

**SENATE CONCURRENT RESOLUTION NO. 89—**  
BY SENATOR HINES

**A CONCURRENT RESOLUTION**

To commend the Tunica-Biloxi Tribe of Louisiana for its people, culture, and history, acknowledge its many contributions to the state, and proclaim June 8, 2005, as "Tunica-Biloxi Day."

Read by title.

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

**Message from the Senate**

**HOUSE BILLS**

June 6, 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. 21  
Returned without amendments

House Bill No. 203  
Returned without amendments

House Bill No. 256  
Returned without amendments

House Bill No. 270  
Returned without amendments



House Bill No. 297  
Returned with amendments

House Bill No. 313  
Returned with amendments

House Bill No. 339  
Returned without amendments

House Bill No. 390  
Returned without amendments

House Bill No. 434  
Returned with amendments

House Bill No. 452  
Returned without amendments

House Bill No. 498  
Returned with amendments

House Bill No. 548  
Returned without amendments

House Bill No. 592  
Returned without amendments

House Bill No. 596  
Returned with amendments

House Bill No. 669  
Returned with amendments

House Bill No. 717  
Returned without amendments

House Bill No. 821  
Returned with amendments

Respectfully submitted,  
GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**  
**HOUSE CONCURRENT RESOLUTIONS**

June 6, 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. 17  
Returned without amendments

House Concurrent Resolution No. 21  
Returned without amendments

House Concurrent Resolution No. 28  
Returned without amendments

House Concurrent Resolution No. 62  
Returned with amendments

House Concurrent Resolution No. 76  
Returned without amendments

House Concurrent Resolution No. 84  
Returned without amendments

House Concurrent Resolution No. 113  
Returned without amendments

Respectfully submitted,  
GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**SENATE BILLS**

June 6, 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. 32, 126, 141, 165, and 355

Respectfully submitted,  
GLENN A. KOEPP  
Secretary of the Senate

**Suspension of the Rules**

On motion of Rep. Doerge, 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. 32—**  
BY SENATOR ADLEY

A JOINT RESOLUTION

Proposing to amend Article VII, Section 21(B)(1)(a) of the Constitution of Louisiana, relative to ad valorem property tax exemption; to provide for an exemption for certain leases of certain hospitals; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

**SENATE BILL NO. 126—**  
BY SENATOR BROOME

AN ACT

To amend and reenact R.S. 45:844.50(A) and to enact R.S. 45:844.56, relative to public utilities and carriers relationship with local government; to require a local referendum before a local governing authority can provide certain telecommunications services; to provide for the impact of a local governing authority providing covered services on certain existing obligations; and to provide for related matters.

Read by title.

**SENATE BILL NO. 141—**

BY SENATORS ROMERO, HINES, CAIN, CRAVINS, DUPRE, B. GAUTREAUX, N. GAUTREAUX, MICHOT, MOUNT AND THEUNISSEN

AN ACT

To amend and reenact R.S. 32:387.7(B), relative to special permits; to provide for trucks hauling sugarcane; to extend the issuance of special permits to owners or operators of vehicles hauling sugarcane who have not added an additional single axle to their sugarcane trailers to August 1, 2010; and to provide for related matters.

Read by title.

**SENATE BILL NO. 165—**  
BY SENATOR HEITMEIER

A JOINT RESOLUTION

Proposing to amend Article VII, Section 18(G)(1)(a)(i) of the Constitution of Louisiana, relative to ad valorem property tax; to grant a special assessment level to certain disabled people; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

**SENATE BILL NO. 355 (Substitute of Senate Bill No. 234 by Senator Ullo)—**  
BY SENATOR ULLO

AN ACT

To enact R.S. 17:3048.5, relative to the Louisiana Tuition Opportunity Program for Students; to provide for a TOPS-Tech Early Start Award; to provide for eligibility and continuation requirements for such award; to provide for the administration and implementation of such award program; to provide for recommendations relative to TOPS-Tech; and to provide for related matters.

Read by title.

**Motion**

On motion of Rep. Crane, and under a suspension of the rules, the bill was referred to the Committee on Education.

**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. 79—**  
BY REPRESENTATIVE CROWE

A RESOLUTION

To urge and request public libraries to confine certain books and other materials that are age inappropriate for children to areas designated exclusively for adult access and distribution.

Read by title.

Lies over under the rules.

**HOUSE RESOLUTION NO. 80—**  
BY REPRESENTATIVE SCHNEIDER

A RESOLUTION

To urge and request the division of administration to study, review, and examine current state printing practices.

Read by title.

Lies over under the rules.

**HOUSE RESOLUTION NO. 81—**  
BY REPRESENTATIVE DANIEL

A RESOLUTION

To commend John D. Pourciau of Baton Rouge for his achievements and particularly for being chosen by his fellow graduates of the class of 2005 at Amherst College to give the Commencement Address.

Read by title.

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

**HOUSE RESOLUTION NO. 82—**  
BY REPRESENTATIVE SALTER

A RESOLUTION

To express the condolences of the House of Representatives upon the death of David S. Post, Ph.D. of Lake Charles.

Read by title.

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

**HOUSE RESOLUTION NO. 83—**

BY REPRESENTATIVES CROWE AND SCHNEIDER

A RESOLUTION

To commend Alaina Champagne upon being crowned Miss Slidell 2005.

Read by title.

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

**HOUSE RESOLUTION NO. 84—**

BY REPRESENTATIVE QUEZAIRE

A RESOLUTION

To recognize June 8, 2005, as Knights of Peter Claver, Inc. and Ladies Auxiliary Day.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 166—**

BY REPRESENTATIVES GALLOT, MONTGOMERY, AND DOWNS AND SENATORS BARHAM AND KOSTELKA

A CONCURRENT RESOLUTION

To commend Willis Reed upon being hired as vice president of basketball operations with the New Orleans Hornets.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 167—**

BY REPRESENTATIVES CROWE AND SCHNEIDER AND SENATORS BOASSO AND SCHEDLER

A CONCURRENT RESOLUTION

To urge and request the Base Realignment and Closure Commission to reject the Defense Department's recommendation to close the Defense Information Systems Agency (DISA) site in Slidell.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 168—**

BY REPRESENTATIVE DANIEL

A CONCURRENT RESOLUTION

To commend the Republic of China (Taiwan) for its close economic and business ties with the state of Louisiana and to urge and request the president to direct the United States Trade Representative to negotiate a free trade agreement between the United States and Taiwan.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 169—**

BY REPRESENTATIVE GLOVER

A CONCURRENT RESOLUTION

To create the Automobile Manufacturing Industry Task Force and to charge the task force with conducting a thorough study of the current status of the automobile manufacturing industry in the

state and measures needed to stabilize and secure the industry and to access opportunities to advance the industry.

Read by title.

Lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 170—**

BY REPRESENTATIVE GRAY

**A CONCURRENT RESOLUTION**

To create the Unemployment Compensation for Domestic Abuse Victims Task Force to study domestic abuse, its effect in the workplace, and to make recommendations regarding legislation.

Read by title.

Lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 171—**

BY REPRESENTATIVE HILL AND SENATOR HINES

**A CONCURRENT RESOLUTION**

To commend Beau Vidrine of Oakdale High School upon his selection as a representative of south Louisiana at the Hugh O'Brian World Leadership Congress in July in Washington, D.C.

Read by title.

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

Ordered to the Senate.

**Reports of Committees**

The following reports of committees were received and read:

**Report of the Committee on Appropriations**

June 6, 2005

To the Speaker and Members of the House of Representatives:

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

House Bill No. 110, by Johns  
Reported favorably. (14-0) (Regular)

House Bill No. 169, by Tucker  
Reported favorably. (15-0) (Regular)

House Bill No. 244, by Walsworth  
Reported with amendments. (15-0) (Regular)

House Bill No. 628, by Quezaire  
Reported with amendments. (13-0) (Regular)

House Bill No. 796, by Morrell  
Reported with amendments. (13-0) (Regular)

Senate Concurrent Resolution No. 7, by Fields  
Reported favorably. (16-0)

Senate Concurrent Resolution No. 14, by Jones  
Reported with amendments. (15-0)

Senate Bill No. 44, by Lentini  
Reported favorably. (13-0) (Regular)

Senate Bill No. 132, by McPherson  
Reported with amendments. (12-0) (Regular)

Senate Bill No. 185, by Cravins  
Reported with amendments. (13-0) (Regular)

Senate Bill No. 187, by Dupre (Joint Resolution)  
Reported with amendments. (13-0)

Senate Bill No. 195, by Dupre  
Reported with amendments. (13-0) (Regular)

Senate Bill No. 218, by Dupre  
Reported with amendments. (13-0) (Regular)

Senate Bill No. 270, by McPherson  
Reported with amendments. (14-0) (Regular)

JOHN ALARIO  
Chairman

The above Senate Bills reported favorably or with amendments, except Senate Bill No. 187, were referred to the Legislative Bureau.

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

June 6, 2005

To the Speaker and Members of the House of Representatives:

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

Senate Bill No. 333, by Malone  
Reported with amendments. (15-0-1) (Regular)

ROY QUEZAIRE  
Chairman

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

**Report of the Committee on Ways and Means**

June 6, 2005

To the Speaker and Members of the House of Representatives:

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

House Bill No. 862, by Burrell  
Reported with amendments. (15-0) (Regular)

BRYANT O. HAMMETT, JR.  
Chairman

**Privileged Report of the Legislative Bureau**

June 6, 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. 35  
Reported without amendments.

Senate Bill No. 45  
Reported without amendments.

Senate Bill No. 57  
Reported without amendments.

Senate Bill No. 79  
Reported without amendments.

Senate Bill No. 83  
Reported without amendments.

Senate Bill No. 90  
Reported without amendments.

Senate Bill No. 97  
Reported without amendments.

Senate Bill No. 118  
Reported with amendments.

Senate Bill No. 135  
Reported without amendments.

Senate Bill No. 158  
Reported without amendments.

Senate Bill No. 162  
Reported without amendments.

Senate Bill No. 313  
Reported without amendments.

Senate Bill No. 327  
Reported without amendments.

Senate Bill No. 330  
Reported without amendments.

Senate Bill No. 332  
Reported without amendments.

Senate Bill No. 348  
Reported without amendments.

Respectfully submitted,  
CHARLES MCDONALD  
Chairman

**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. 754—**  
BY REPRESENTATIVE HEBERT  
AN ACT

To amend and reenact R.S. 26:2(12), 90(A)(15), 142, 326, and 359(A) and to enact R.S. 26:80(H) and 280(H), relative to the Alcoholic Beverage Control Law; to provide for a revision of the law governing sales of alcoholic beverages; to redefine the term "package house"; to require the submission of fingerprints for a criminal history record check by either the office of state police or the Federal Bureau of Investigation to determine suitability for an alcoholic beverage permit; to provide for prohibited acts on licensed premises; to provide for exceptions to the prohibition of selling or offering for sale alcoholic beverages produced or manufactured inside or outside of the state except to the holder of a wholesaler's permit; to provide for related matters.

Called from the calendar.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Judiciary to Original House Bill No. 754 by Representative Hebert

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 26:2(12), and before "to enact" insert "90(A)(15), 142, 326, and 359(A) and"

AMENDMENT NO. 2

On page 1, at the end of line 2, after "280(H)," delete the remainder of the line in its entirety

AMENDMENT NO. 3

On page 1, at the beginning of line 3, delete "26:90(10) and 286(A)(10),"

AMENDMENT NO. 4

On page 1, line 3, after "Law;" and before "to" insert "to provide for a revision of the law governing sales of alcoholic beverages;"

AMENDMENT NO. 5

On page 1, at the end of line 6, after "permit;" delete the remainder of the line in its entirety and delete lines 7 and 8 in their entirety and insert in lieu thereof "to provide for prohibited acts on licensed premises; to provide for exceptions to the prohibition of selling or offering for sale alcoholic beverages produced or manufactured inside or outside of the state except to the holder of a wholesaler's permit;"

AMENDMENT NO. 6

On page 1, at the beginning of line 9, before "and" delete "distinct from the area dispensing alcohol;"

AMENDMENT NO. 7

On page 1, line 11, after "Section 1." and before "hereby" delete "R.S. 26:2(12) is" and insert in lieu thereof "R.S. 26:2(12), 90(A)(15), 142, 326, and 359(A) are"

AMENDMENT NO. 8

On page 2, line 2, after "premises" and before the period "." insert a comma "," and add "except that no person shall mix alcoholic beverages with other drink ingredients in view of the public"

AMENDMENT NO. 9

On page 2, line 16, after "police" and before "submit" delete "is authorized to" and insert in lieu thereof "shall"

AMENDMENT NO. 10

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

"§90. Acts prohibited on licensed premises; suspension or revocation of permits

A. No person holding a retail dealer's permit and no agent, associate, employee, representative, or servant of any such person shall do or permit any of the following acts to be done on or about the licensed premises:

\* \* \*

(15) ~~Sell or serve any alcoholic beverages at a price fixed on an "all you can drink" basis after the hour of 10:00 p.m.~~ Engage in any

of the following promotional practices between the hours of 10:00 p.m. and 10:00 a.m. of the following day:

(a) Sell or serve any alcoholic beverage at a price fixed on an "all you can drink" basis.

(b) Sell or otherwise furnish alcoholic beverage drinks at a price which is reduced by more than fifty percent from the usual, customary, or established retail price charged for such alcoholic beverage drinks.

(c) Sell or serve to all patrons or classes of patrons multiple drinks for a single price or free of charge.

\* \* \*

§142. ~~Importation by~~ Distribution through wholesalers only

~~No~~ Except as provided for in R.S. 33:271.1, 326, and 359, no alcoholic beverage produced or manufactured inside or outside of this state shall be sold or offered for sale in Louisiana or shipped or transported into or within the state except to the holder of a wholesaler's permit and for delivery at the place of business of the wholesaler as shown in his permit.

\* \* \*"

AMENDMENT NO. 11

On page 3, line 16, after "police" and before "submit" delete "is authorized to" and insert in lieu thereof "shall"

AMENDMENT NO. 12

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

"\* \* \*

§326. Native winery; ~~wholesale and~~ retail sales; intrastate shipment

Any person who has properly obtained a producer's permit, as provided for in R.S. 26:325, may engage in the production of native wines and may also sell the manufactured beverage ~~at wholesale and~~ at retail for consumption on or off the licensed premises, including by direct sale and shipment by common carrier to any consumer domiciled in the state of Louisiana. Sales of the manufactured beverage completed by delivery to the consumer through shipment by common carrier shall not be subject to the taxes levied by R.S. 26:341(B).

\* \* \*

§359. ~~Importation~~ Distribution of alcoholic beverages ~~by~~ through wholesalers only

A. Except as provided in Subsection B of this Section ~~and R.S. 26:271.1 and 326~~, no alcoholic beverages as defined in R.S. 26:241(1) produced or manufactured inside or outside of this state shall be sold or offered for sale in Louisiana, or shipped or transported into or within the state, except to the holder of a wholesaler's permit. Delivery of alcoholic beverages produced or manufactured inside or outside of this state shall be made at the place of business of the wholesaler shown on the wholesaler's permit, and must be received and warehoused by the wholesaler at that place of business, where such alcoholic beverages shall come to rest before delivery is made to any retailer.

\* \* \*"

AMENDMENT NO. 13

On page 4, delete line 3 in its entirety

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

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

Under the rules, placed on the regular calendar .

**Privileged Report of the Committee on Enrollment**

June 6, 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. 77—**

BY REPRESENTATIVE BURNS

**A RESOLUTION**

To commend Senior Pastor Robert J. Taylor and the Greater North Shore Full Gospel Baptist Church on the occasion of their tenth anniversary.

Respectfully submitted,

DONALD RAY KENNARD  
Chairman

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

**Privileged Report of the Committee on Enrollment**

June 6, 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. 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.

**HOUSE CONCURRENT RESOLUTION NO. 150—**

BY REPRESENTATIVES BURRELL, ARNOLD, BALDONE, BARROW, BAUDOIN, BAYLOR, K. CARTER, CAZAYOUX, CURTIS, DARTEZ, DOERGE, DORSEY, DOVE, FARRAR, FRITH, GRAY, E. GUILLORY, HEBERT, HILL, HUNTER, KENNEY, LAFLEUR, LAFONTA, MARCHAND, MONTGOMERY, MORRELL, PIERRE, PITRE, M. POWELL, T. POWELL, RICHMOND, RITCHIE, ROMERO, SHEPHERD, GARY SMITH, JANE SMITH, JOHN SMITH, THOMPSON, AND SALTER AND SENATOR JACKSON

**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.

**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.

**HOUSE CONCURRENT RESOLUTION NO. 154—**

BY REPRESENTATIVES SALTER, GALLOT, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, 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, 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, SCALISE, SCHNEIDER, SHEPHERD, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, WOOTON, AND WRIGHT AND SENATORS ADLEY, AMEDEE, BAIJOIE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN, AND ULLO

**A CONCURRENT RESOLUTION**

To express the sincere and heartfelt condolences of the legislature upon the death of John Sidney Garrett and to record for posterity the enduring appreciation of the citizens of Louisiana for the singular contributions and achievements of Mr. Garrett, particularly during his twenty-four-year tenure as a distinguished member of and four-year term as Speaker of the House of Representatives of the Legislature of Louisiana.

Respectfully submitted,

DONALD RAY KENNARD  
Chairman

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

**Suspension of the Rules**

On motion of Rep. Martiny, the rules were suspended to permit the Committee on Administration of Criminal Justice to consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill Nos. 579 and 707

House Concurrent Resolution No. 155

**Suspension of the Rules**

On motion of Rep. Durand, the rules were suspended to permit the Committee on Health and Welfare to consider the following legislative instruments without giving the notice required by House Rule 14.24(A):

House Concurrent Resolution No. 157

**Suspension of the Rules**

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

House Bill Nos. 458 and 705

House Concurrent Resolution Nos. 39 and 112

Senate Bill Nos. 84 and 355

Senate Concurrent Resolution No. 36

**Suspension of the Rules**

On motion of Rep. Hammett, the rules were suspended to permit the Committee on Ways and Means to meet on Tuesday, June 7, 2005, without giving the notice required by House Rule 14.24(A) 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. 420, 441, 631, 828, 834, 849, 850, 867, and 871

Senate Bill Nos. 26, 104, 108, 136, 137, and 351

**Adjournment**

On motion of Rep. Kenney, at 6:00 P.M., the House agreed to adjourn until Tuesday, June 7, 2005, at 2:00 P.M.

The Speaker of the House declared the House adjourned until 2:00 P.M., Tuesday, June 7, 2005.

ALFRED W. SPEER  
Clerk of the House