

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

TWENTY-SIXTH 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

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

Durand	McDonald	White
Erdey	McVea	Winston
Fannin	Montgomery	Wooton
Farrar	Morrell	Wright
Total - 105		
	ABSENT	

Total - 0

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

Prayer

Prayer was offered by Rev. Raymond Jetson.

Pledge of Allegiance

Rep. Shepherd 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. Fannin, the reading of the Journal was dispensed with.

On motion of Rep. Gray, and under a suspension of the rules, the Journal of June 6, 2005, was corrected to reflect her as voting nay on final passage of House Bill No. 370.

On motion of Rep. Gray, the Journal of June 7, 2005, was adopted.

**Petitions, Memorials and
Communications**

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

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

June 8, 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. 164
Returned without amendments

House Concurrent Resolution No. 166
Returned without amendments

House Concurrent Resolution No. 167
Returned without amendments

House Concurrent Resolution No. 171
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

**ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

June 8, 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. 83, 103, 104, 105, and 106

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Suspension of the Rules

On motion of Rep. McVea, 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. 103—
BY SENATOR ELLINGTON AND REPRESENTATIVE MCVEA
A CONCURRENT RESOLUTION

To recognize and commend Mark Lester, a civics educator at West Feliciana High School in St. Francisville, upon being selected to participate as a Practitioner of Legislative Civic Education in the "Appreciating Legislatures" pilot program.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 105—
BY SENATOR HOLLIS
A CONCURRENT RESOLUTION

To recognize and commend John L. Alexander, educator of social studies and civic education in Jefferson Parish Schools, upon the occasion of his retirement for his contributions to citizenship education and to designate June 30, 2005, as "John L. Alexander Day" in Louisiana.

Read by title.

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

Message from the Senate

SENATE BILLS

June 8, 2005

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

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

Senate Bill No. 146

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Suspension of the Rules

On motion of Rep. Crane, 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. 146—
BY SENATORS BAJOEI AND MCPHERSON
AN ACT

To enact R.S. 17:197.1, relative to school nutrition; to provide for legislative finding; to limit the sale of certain beverages and foods at schools during specified portions of the day; to require certain decisions be made by school principals; and to provide for related matters.

Read by title.

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

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

HOUSE RESOLUTION NO. 86—
BY REPRESENTATIVE JOHNS
A RESOLUTION

To commend Alex Ducote of DeQuincy for his impressive finish in the Top Ten at the Scripps National Spelling Bee in Washington, D.C.

Read by title.

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

HOUSE RESOLUTION NO. 87—
BY REPRESENTATIVE BALDONE
A RESOLUTION

To commend the members of the Vanderbilt High School quiz bowl team for winning the Louisiana Association of Academic Competition (LAAC) Region IV Division II State Championship.

Read by title.

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

HOUSE RESOLUTION NO. 88—
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
A RESOLUTION

To commend Cary Koch of The Dunham School upon being named The Advocate's Student Athlete of the Year and for his extraordinary accomplishments as a student athlete and scholar.

Read by title.

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

HOUSE RESOLUTION NO. 89—
BY REPRESENTATIVE SALTER
A RESOLUTION

To express the condolences of the House of Representatives upon the death of Stephanie Hammerschmidt Gussman of Baton Rouge.

Read by title.

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

HOUSE RESOLUTION NO. 90—

BY REPRESENTATIVE GRAY

A RESOLUTION

To urge and request the Louisiana Student Financial Assistance Commission to study the feasibility of establishing a student loan repayment program for certain audiologists and speech-language pathologists who are employed in Louisiana's city, parish, and other local public schools.

Read by title.

Lies over under the rules.

HOUSE RESOLUTION NO. 91—

BY REPRESENTATIVE GRAY

A RESOLUTION

To urge and request the Louisiana Student Financial Assistance Commission to study the feasibility of establishing a student loan repayment program for certain school social workers who are employed in Louisiana's city, parish, and other local public schools.

Read by title.

Lies over under the rules.

HOUSE RESOLUTION NO. 92—

BY REPRESENTATIVES DOWNS AND THOMPSON

A RESOLUTION

To urge and request Governor Kathleen Babineaux Blanco to promote the funding of agriculture and forestry education programs as a state priority.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 174—

BY REPRESENTATIVE ODINET

A CONCURRENT RESOLUTION

To urge and request the secretary of the U.S. Department of Commerce not to list the eastern oyster (*Crassostrea virginica*) under the Endangered Species Act of 1973.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 175—

BY REPRESENTATIVE CRAVINS

A CONCURRENT RESOLUTION

To urge and request the Louisiana Law Institute's Children's Code Committee to study and determine the best way to ensure that children who are in out-of-home placement, in the care and custody of the Department of Public Safety and Corrections, office of youth services, are treated humanely, protected from harm, and provided with adequate and effective rehabilitative services and treatment.

Read by title.

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

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. 34—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 47:6005, relative to income and franchise tax; to grant a tax credit for the purchase of certain equipment and/or service contracts related to recycling; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 52—

BY SENATOR CHEEK

AN ACT

To enact R.S. 42:1121(H), relative to the Code of Governmental Ethics; to provide for an exception to the post-service restrictions to allow certain employment by the board of commissioners of the DeSoto Parish Waterworks District No.1; and to provide for related matters.

Read by title.

Motion

Rep. Bruce moved that Senate Bill No. 52 be designated as a duplicate of House Bill No. 374.

Which motion was agreed to.

Motion

On motion of Rep. Bruce, the above bill was referred to the Legislative Bureau.

SENATE BILL NO. 89—

BY SENATORS NEVERS AND MARIONNEAUX

A JOINT RESOLUTION

Proposing to amend Article VII, Section 18(G)(1)(a)(i) and (iii) and (2)(a) and add Article VII, Section 18(G)(1)(a)(iv) of the Constitution of Louisiana, relative to ad valorem property tax; to provide for a special assessment level for certain deaths, disabilities, and other hazards of the military; to provide for certification of eligibility; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

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

SENATE BILL NO. 214—

BY SENATORS BARHAM AND CRAVINS

AN ACT

To amend and reenact R.S. 17:24.4(F)(3), relative to alternative assessments for students with certain disabilities; to require the Department of Education with the approval of the State Board of Elementary and Secondary Education to provide alternative assessments for students with persistent academic disabilities; to provide for minimum accommodations; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 264—

BY SENATOR JONES

AN ACT

To amend and reenact R.S. 17:427.4 and to enact R.S. 17:427.5, relative to public schools and school children; to benefit schools and children by encouraging the availability of certified teachers; to provide for programs designed to provide incentives

for certified classroom teachers to work in certain schools in disadvantaged geographical areas; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 291—

BY SENATORS DARDENNE, HOLLIS, SCHEDLER, AMEDEE, BARHAM, BOASSO, BROOME, CHAISSON, CHEEK, CRAVINS, DUPLESSIS, ELLINGTON, FIELDS, HEITMEIER, JACKSON, LENTINI, MICHOT, MOUNT, MURRAY, NEVERS, ROMERO, SMITH AND ULLO
AN ACT

To To enact Chapter 27-C of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9039.50 through 9039.66, relative to local and regional economic development; to provide for the creation of local and regional economic development districts that may operate on a local, municipal, parish, or multiparish basis to promote an economic development fund statewide; to provide for definitions; to provide for the appointment of members to the board of the local and regional economic development districts; to provide for the board's functions, powers, and duties; to authorize the board to exercise the power of taxation, levy assessments on property, and collect certain fees; to authorize the districts to undertake certain projects for the promotion of local and regional economic development activities; to provide procedures for the issuance of bonds, notes, certificates, or other evidences of indebtedness; and to provide for related matters.

Read by title.

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

Acting Speaker John Smith in the Chair

**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. 39—

BY REPRESENTATIVES CROWE AND LABRUZZO
A CONCURRENT RESOLUTION

To express the support of the Legislature of Louisiana for the practice of prayer at the beginning of school board meetings, to recognize that such prayer is a protected act in accordance with the fundamental principles upon which the United States of America was founded, and to disapprove of a decision by the United States District Court for the Eastern District of Louisiana that ruled that the opening of meetings of the Tangipahoa Parish School Board with prayer is unconstitutional.

Read by title.

Reported favorably by the Committee on Education.

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

HOUSE CONCURRENT RESOLUTION NO. 112—

BY REPRESENTATIVE M. POWELL
A CONCURRENT RESOLUTION

To urge and request the Louisiana medical schools to consider requiring medical school students attending such institutions to participate in clinical rotations in rural areas of the state in order to encourage and promote expansion of the family physician workforce in these areas thereby affording better medical care

to the citizens of areas of the state where there is a shortage of physicians and other health care professionals, and to urge and request the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to adopt appropriate policies providing for such rotations in the medical school programs under its jurisdiction and supervision.

Read by title.

Reported favorably by the Committee on Education.

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

**Senate Concurrent Resolutions
Reported by Committee**

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

SENATE CONCURRENT RESOLUTION NO. 5—

BY SENATOR AMEDEE
A CONCURRENT RESOLUTION

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

Read by title.

Reported favorably by the Committee on Health and Welfare.

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

SENATE CONCURRENT RESOLUTION NO. 15—

BY SENATOR JONES
A CONCURRENT RESOLUTION

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

Read by title.

Reported favorably by the Committee on Health and Welfare.

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

SENATE CONCURRENT RESOLUTION NO. 36—

BY SENATOR ADLEY
A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to develop and adopt a Minimum Foundation Program Formula that provides for the reallocation of the amount of state funds attributable to a secondary school student who is enrolled in a technical college from the city, parish, or other local public school system where the student attends to the technical college in which he is enrolled.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original Senate Concurrent Resolution No. 36 by Senator Adley

AMENDMENT NO. 1

On page 1, line 3, after "adopt a" and before "that" change "Minimum Foundation Program Formula" to "minimum foundation program formula"

AMENDMENT NO. 2

On page 2, line 17, after "adopt a" and before "that" change "Minimum Foundation Program Formula" to "minimum foundation program formula"

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

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

SENATE CONCURRENT RESOLUTION NO. 48—

BY SENATOR JONES

A CONCURRENT RESOLUTION

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

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Engrossed Senate Concurrent Resolution No. 48 by Senator Jones

AMENDMENT NO. 1

On page 2, line 1, change "within Region 8" to "statewide"

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

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

SENATE CONCURRENT RESOLUTION NO. 64—

BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

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

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Engrossed Senate Concurrent Resolution No. 64 by Senator Schedler

AMENDMENT NO. 1

On page 2, line 6, delete "following:" and insert "members of the Nursing Supply and Demand Commission."

AMENDMENT NO. 2

On page 2, delete lines 7 through 30 in their entirety

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

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

SENATE CONCURRENT RESOLUTION NO. 65—

BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To re-authorize and provide with respect to the Louisiana Public Mental Health Review Commission.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Engrossed Senate Concurrent Resolution No. 65 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 2, change "re-authorize" to "continue"

AMENDMENT NO. 2

On page 1, line 7, change "71" to "82"

AMENDMENT NO. 3

On page 1, line 8, delete "purpose of this commission is to study" and insert in lieu thereof "commission was charged with studying"

AMENDMENT NO. 4

On page 1, line 11, delete "since 1999" and after "evaluate" and before "public" delete "the"

AMENDMENT NO. 5

On page 1, line 12, change "health system" to "health systems" and after "restructuring" and before "system" change "the" to "a"

AMENDMENT NO. 6

On page 1, line 16, delete "more"

AMENDMENT NO. 7

On page 1, delete line 18 in its entirety

AMENDMENT NO. 8

On page 2, delete lines 1 through 4 in their entirety

AMENDMENT NO. 9

On page 2, line 5, change "understands that the system" to "has determined that the mental health system"

AMENDMENT NO. 10

On page 2, line 7, change "is in need of" to "needs" and at the end of the line delete "the"

AMENDMENT NO. 11

On page 2, line 8, change "determination and to adopt final" to "its studies before making final" and at the end of the line delete "that" and insert in lieu thereof a period "."

AMENDMENT NO. 12

On page 2, delete line 9 in its entirety

AMENDMENT NO. 13

On page 2, delete lines 12 through 30 in their entirety and insert in lieu thereof:

"BE IT FURTHER RESOLVED that the commission shall be comprised of the same membership set forth in Senate Concurrent Resolution No. 82 of the 2004 Regular Session of the Legislature, with the addition of the following:

(1) A representative of the Department of Public Safety and Corrections, office of youth services.

(2) A representative of the Louisiana State University Health Sciences Center-Shreveport.

(3) A representative of the Louisiana State University Health Sciences Center-New Orleans.

(4) A representative of the Metropolitan Area Human Services Authority.

(5) A representative of the Louisiana Academy of Medical Psychologists."

AMENDMENT NO. 14

On page 3, delete lines 1 through 30 in their entirety

AMENDMENT NO. 15

On page 4, delete lines 1 through 13 in their entirety

AMENDMENT NO. 16

On page 4, delete lines 17 through 19 in their entirety

AMENDMENT NO. 17

On page 4, line 26, after "Legislature" delete the period "." and insert in lieu thereof:

", and such report shall include recommendations and an action plan to accomplish the following:

(1) Establish effective, collaborative discharge planning from institutions, including correctional facilities, for persons with persistent mental illness, in a manner which fully utilizes state dollars by combining them with federal and local funds.

(2) Increase the number of federally qualified health clinics providing mental health services.

(3) Address the number of persons with mental illness using emergency room services.

(4) Implement fully the intended provisions of the Early and Periodic Screening, Diagnosis and Treatment program, including the establishment of a viable mental health creening tool.

BE IT FURTHER RESOLVED that the report shall address other issues identified by the commission, and the commission may invite nonmember organizations or individuals to address particular issues.

BE IT FURTHER RESOLVED that the commission shall begin implementation of the action plan when feasible."

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

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

House Bills and Joint Resolutions on Second Reading Reported by Committee

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

HOUSE BILL NO. 458—
BY REPRESENTATIVES DOWNS AND MCDONALD
AN ACT

To amend and reenact R.S. 17:416(B)(1)(b), relative to the suspension and expulsion of certain public school students found carrying or possessing a knife; to require a school principal to take certain disciplinary action under specified circumstances; to provide exceptions; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 613—
BY REPRESENTATIVE BURNS
AN ACT

To enact Chapter 43 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:4011 through 4014, relative to educational vouchers; to establish the Vouchers for Students in Failing Schools Pilot Program; to provide for the purposes of the program; to provide program eligibility requirements for participating students and nonpublic schools; to provide for the issuance and value of educational vouchers to parents of eligible students; to provide relative to continued eligibility criteria and funding adjustments pursuant to the program; to provide for program administration and implementation by the state Department of Education; to provide for certain admissions procedures and limitations; to provide for applicability; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 613 by Representative Burns

AMENDMENT NO. 1

On page 2, between lines 25 and 26, insert the following:

"(3) The student is entering kindergarten or grades one through five."

AMENDMENT NO. 2

On page 3, line 17, after "school." delete the remainder of the line and delete lines 18 through 25 in their entirety

AMENDMENT NO. 3

On page 5, line 16, after "mechanism" delete the remainder of the line and on line 17, delete "with recommendations made by the Nonpublic School Commission and"

AMENDMENT NO. 4

On page 5, line 22, after "for" change "participating nonpublic schools." to "each participating nonpublic school."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 867—

BY REPRESENTATIVE LABRUZZO
AN ACT

To amend and reenact R.S. 47:303(A)(3) and 337.86(A), relative to the sales and use tax levied by the state and its political subdivisions; to provide with respect to the credit against the use tax for sales and use taxes paid on vehicles purchased and titled in other states; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 867 by Representative LaBruzzo

AMENDMENT NO. 1

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

"To amend and reenact R.S. 47:303(A)(3) and 337.86(A), relative to the sales and use tax levied by the state and its political subdivisions; to provide with respect to the credit against the use tax for sales and use taxes paid on vehicles purchased and titled in other states; to provide for an effective date; and to provide for related matters."

AMENDMENT NO. 2

On page 1, delete lines 6 through 11 in their entirety and insert the following:

"Section 1. R.S. 47:303(A) and 337.86(A) are hereby amended and reenacted to read as follows:

§303. Collection

A.

* * *

(3)(a) A credit against the use tax imposed by this Chapter shall be granted to taxpayers who have paid a similar tax upon the sale or use of the same tangible personal property in another state. The credit provided herein shall be granted only in the case where the state to which a similar tax has been paid grants a similar credit as provided herein, provided that members of the armed forces who are citizens of this state and whose orders or enlistment contracts stipulate a period of active duty of two years or more and who purchase automobiles outside of the state of Louisiana while on such tour of active duty shall be granted such credit in connection with the purchase of such automobiles whether or not the state to which such tax thereon has been paid grants a similar credit as herein provided.

The amount of the credit shall be calculated by multiplying the rate of the similar tax paid in the other state by the cost price which is subject to Louisiana use tax at the time of the importation of the tangible personal property. The proof of payment of a similar tax to another state shall be made according to rules and regulations promulgated by the secretary. In no event shall the credit be greater than the tax imposed by Louisiana upon the particular tangible personal property which is the subject of the Louisiana use tax.

(b) The credits provided by this Section and R.S. 47:337.86 shall be applied together against the state and local taxes due on the use of a motor vehicle, automobile, motorcycle, truck, truck-tractor, trailer, semitrailer, motor bus, house trailer, or any other vehicle, subject to the vehicle registration license tax, so that the applicant for title or registration in Louisiana of a vehicle, that the applicant previously purchased and titled in another state, is allowed credit against the state and local use taxes imposed in Louisiana for the full rate of sales or use tax paid in the other state.

* * *

§337.86. Credit for monies taxes paid

A.(1) A credit against the sales and use tax imposed by any taxing authority of the state shall be granted to a taxpayer who paid monies, whether or not paid in error, absent bad faith, based upon a similar tax, levy, or assessment upon the same tangible personal property in a taxing jurisdiction of this state or another state. The credit granted herein shall be applicable only when a similar taxing authority is seeking to impose and collect a similar tax, levy, or assessment from a taxpayer upon the same tangible personal property for which the taxpayer has paid a similar tax, levy, or assessment to a similar taxing authority.

(2) A taxing authority shall give credit against the use taxes due on the importation of a vehicle for taxes paid in another state where the vehicle was previously purchased and titled, regardless of the authority's similarity to jurisdictions in the other state to which the sales or use taxes were paid. With respect to vehicles, the credit shall be calculated by multiplying the rate of the sales or use tax paid in the other state by the cost price that is subject to the authority's use tax at the time of the importation of the vehicle. The credits provided by this Section and R.S. 47:303 shall be applied together against the state and local taxes due on the use of a motor vehicle, automobile, motorcycle, truck, truck-tractor, trailer, semitrailer, motor bus, house trailer, or any other vehicle subject to the vehicle registration license tax, so that the applicant for title or registration in Louisiana of a vehicle that the applicant previously purchased and titled in another state is allowed credit against the state and local use taxes imposed in Louisiana for the full rate of sales or use tax paid in the other state.

* * *

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

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

Under the rules, placed on the regular calendar.

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. 44—

BY SENATORS LENTINI, MCPHERSON AND NEVERS
AN ACT

To enact R.S. 39:362.1, relative to state owned motor vehicles and aircraft; to require the approval of the Joint Legislative Committee on the Budget for the purchase of certain vehicles

for use by a statewide elected official; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 132—
BY SENATOR MCPHERSON

AN ACT

To enact Part XIV of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:366.1 through 366.3, 366.5, and 366.9, relative to providing for accountability for state resources that are obligated, dedicated, or otherwise are committed to or are necessary to the confederation of agreements with private persons relative to the interests of the state; to provide purposes and definition; to provide for the powers and duties of the commissioner of administration; to provide for the powers and duties of the attorney general; to provide for the powers and duties of the Joint Legislative Committee on the Budget and its litigation subcommittee; to authorize executive sessions under certain circumstances; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Reengrossed Senate Bill No. 132 by Senator McPherson

AMENDMENT NO. 1

On page 2, line 8, after "entered into" delete the remainder of the line and insert "pursuant to a public purpose or to ensure"

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. 132 by Senator McPherson

AMENDMENT NO. 1

On page 1, lines 2 and 13, following "XIV of" and before "Title" insert "Chapter 1 of"

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 185—
BY SENATOR CRAVINS

AN ACT

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

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Reengrossed Senate Bill No. 185 by Senator Cravins

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 42:851(O)" to "R.S. 42:851(E)(5)"

AMENDMENT NO. 2

On page 1, line 6, change "R.S. 42:851(O)" to "R.S. 42:851(E)(5)"

AMENDMENT NO. 3

On page 1, delete lines 10 through 17, and on page 2, delete lines 1 through 5, and insert the following:

"E.

* * *

(5)(a) Any person who was employed by a school board that was not an Office of Group Benefits participating employer and who commences employment with an Office of Group Benefits participating employer on or after January 1, 2002, shall be eligible for credit for years of participation in the health plan of the previous school board employer for vesting purposes. Nothing herein shall be construed to confer eligibility for such credit globally upon the employees of any school board that was not an Office of Group Benefits participating employer on and before December 31, 2001, and becomes an Office of Group Benefits participating employer on or after January 1, 2002. An individual who seeks credit for years of participation in a health plan offered by a school board that was not an Office of Group Benefits participating employer must enroll in an Office of Group Benefits health plan immediately upon employment and continue participation until retirement. In all cases the individual must participate a minimum of five years in an Office of Group Benefits health plan prior to retirement unless otherwise granted retirement based on disability.

(b) Any individual who is eligible for and receives disability retirement benefits from a retirement system created under the laws of this state, shall receive the same retiree health care premium subsidy as an individual who has participated for twenty or more years in the Office of Group Benefits health care program. In order to be eligible for the retiree health care premium subsidy, the individual must have participated in health care programs sponsored by the Office of Group Benefits for the number of years sufficient to earn disability retirement benefits."

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 195—

BY SENATORS DUPRE, BAJOIE, N. GAUTREAUX, HINES, MALONE, MCPHERSON, MICHOT, MOUNT AND ROMERO AND REPRESENTATIVES ALARIO, BALDONE, DORSEY, HAMMETT, PITRE, SALTER AND ST. GERMAIN

AN ACT

To amend and reenact R.S. 49:213.7(A)(2)(introductory paragraph), (C) and (D), and to enact R.S. 49:213.7(B)(3) and (E)(7), relative to the Wetlands Conservation and Restoration Fund; to

provide relative to certain federal revenues to be credited and deposited to the fund; to provide relative to fund uses; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Engrossed Senate Bill No. 195 by Senator Dupre

AMENDMENT NO. 1

On page 2, line 12, at the beginning of the line before "federal" insert "in each fiscal year, the first six hundred million dollars in"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 218—

BY SENATOR DUPRE AND REPRESENTATIVE BALDONE
AN ACT

To amend and reenact R.S. 39:330(B)(3) and (4) and to enact R.S. 39:330(B)(5) and 330.4, relative to property control; to provide for the acquisition of surplus computer equipment by certain public educational institutions; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Engrossed Senate Bill No. 218 by Senator Dupre

AMENDMENT NO. 1

On page 1, line 2, after "to enact" delete the remainder of the line and insert "Part X of Chapter 10 of Title 38 of the Louisiana Revised Statutes of 1950, comprised of R.S. 38:2320, and R.S. 39:330(B)(5),"

AMENDMENT NO. 2

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

"Section 1. Part X of Chapter 10 of Title 38 of the Louisiana Revised Statutes of 1950, comprised of R.S. 38:2320, is hereby enacted to read as follows:

PART X. DISPOSAL OF SURPLUS COMPUTER EQUIPMENT BY POLITICAL SUBDIVISIONS

§2320. Disposal of surplus computer equipment by political subdivisions

Notwithstanding the provisions of any other law to the contrary, political subdivisions in the state shall establish procedures to give first priority for the acquisition of their surplus computer equipment to public elementary and secondary schools in the state and community and technical colleges under the management and control of the Board of Supervisors of Louisiana Community and Technical Colleges."

AMENDMENT NO. 3

On page 1, line 7, change "Section 1." to "Section 2."

AMENDMENT NO. 4

On page 1, line 8, delete "and 330.4 are" and insert "is"

AMENDMENT NO. 5

On page 2, delete lines 13 through 20 in their entirety

AMENDMENT NO. 6

On page 2, line 21, change "Section 2." to "Section 3."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 270—

BY SENATOR MCPHERSON

AN ACT

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

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Reengrossed Senate Bill No. 270 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 2, after "R.S." and before "46:978" insert "22:232(21) and 236(7)(a) and (b) and R.S."

AMENDMENT NO. 2

On page 1, line 5, after "provide for" and before "expansion" insert "certain premium subsidies with respect to the Louisiana Health Plan; to provide for"

AMENDMENT NO. 3

On page 1, between lines 7 and 8, insert the following:

"Section 1. R.S. 22:232(21) and 236(7)(a) and (b) are hereby amended and reenacted to read as follows:

§232. Definitions

As used in this Part:

* * *

(21) "Medicaid" means coverage provided under the state plan for Title XIX of the Social Security Act, 42 U.S.C. 1396 et seq., as amended.

* * *

§236. Powers and duties of the plan

* * *

(7)

* * *

(a) Rates for federally defined individuals. (i) Subject to approval by the Department of Insurance, the plan shall determine a standard risk rate for each coverage option offered by considering the premium rates charged by other insurers offering similar health insurance coverage to individuals and family groups. The standard risk rate shall be established using reasonable actuarial techniques and shall reflect anticipated experience and expenses for such coverage. Subject to the limits provided in this Paragraph, initial rates for each plan year shall be established to provide fully for the expected costs of claims including recovery of prior losses, expenses of operation, investment income of claim reserves, and any other cost factors subject to the limitations described herein, provided such rates shall not exceed two hundred percent of rates applicable to individual standard risks. Upon the receipt of governmental appropriations or alternative funding sources, other than assessments under R.S. 22:239.1, such as authorized service charges, governmental transfer payments, donations or grants, the board shall be authorized to reduce rates for the plan year based on established actuarial and underwriting practices. In no event shall rates for plan coverage be less than the greater of one hundred twenty-five percent of rates established as applicable for individual standard risks or rates established for other individuals provided coverage by or through the plan unless such rates would exceed the maximum amount allowed under this Paragraph. In no instance shall the rates discriminate between covered individuals on the basis of health-related factors.

(ii) Notwithstanding any other provision of this Part to the contrary, for persons eligible under a federal waiver pursuant to R.S. 22:237(B)(2), the board may authorize a premium subsidy if such a premium subsidy is authorized by the federal waiver. If the board authorizes a premium subsidy, the total amount of the subsidy may not be more than sixty-six percent of the premium otherwise specified by this Part. The board may authorize the Louisiana Health Plan to provide for the non-federal share of such premium subsidy. Nothing herein shall permit rates to be calculated other than as described in this Part, or otherwise restrict the board from participating in other components of the federal waiver.

(b) Rates for other individuals. (i) Rates shall not be unreasonable in relation to the coverage provided, the risk experience, and expenses of providing the coverage. Rates and rate schedules may be adjusted for appropriate risk factors such as age and area variation in claim cost and shall take into consideration appropriate risk factors in accordance with established actuarial and underwriting practices. In no instance shall the rates discriminate between covered individuals on the basis of health-related factors.

(ii) Notwithstanding any other provision of this Part to the contrary, for persons eligible under a federal waiver pursuant to R.S. 22:237(D)(2), the board may authorize a premium subsidy if such a premium subsidy is authorized by the federal waiver. If the board authorizes a premium subsidy, the total amount of the subsidy may not be more than sixty-six percent of the premium otherwise specified by this Part. The board may authorize the Louisiana Health Plan to provide for the non-federal share of such premium subsidy. Nothing herein shall permit rates to be calculated other than as described in this Part, or otherwise restrict the board from participating in other components of the federal waiver.

* * *

AMENDMENT NO. 4

On page 1, at the beginning of line 8, change "Section 1." to "Section 2."

AMENDMENT NO. 5

On page 3, between lines 1 and 2, insert the following:

"(v) To provide for annual federal disproportionate share hospital payments to hospitals that pay hospital provider fees and that meet disproportionate share hospital funding requirements."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 333—

BY SENATORS MALONE, ADLEY AND CHEEK AND REPRESENTATIVES MONTGOMERY, M. POWELL, JANE SMITH AND WADDELL

AN ACT

To amend and reenact R.S. 34:3158(A) and to enact R.S. 34:3158(D), relative to the Caddo-Bossier Parishes Port Commission; to provide relative to the composition, membership, powers, and duties of the port commission; 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. 333 by Senator Malone

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 34:3158(A) and" delete the remainder of the line and insert "(B), relative to the Caddo-"

AMENDMENT NO. 2

On page 1, line 8, after "R.S. 34:3158(A)" delete the remainder of the line and from the beginning of line 9, delete "is hereby enacted" and insert "and (B) are hereby amended and reenacted"

AMENDMENT NO. 3

On page 1, delete lines 15 through 17 in their entirety, delete page 2 in its entirety and delete lines 1 through 12 in their entirety from page 3, and insert the following:

"(1)(a) ~~One of the commissioners shall be appointed by the governing authority of the parish of Caddo.~~ Four commissioners shall each serve six-year terms and shall be appointed as follows:

(i) One commissioner shall be appointed by the president of Caddo Parish with the concurrence of a majority of the members of the parish council.

(ii) One commissioner shall be appointed by the mayor of the city of Shreveport with the concurrence of a majority of the members of the city council.

(iii) One commissioner shall be appointed by the mayor of the city of Bossier with the concurrence of a majority of the members of the city council.

(iv) One commissioner shall be appointed by the governing authority of Bossier Parish.

(b) Commissioners appointed pursuant to the provisions of this Paragraph may be removed at the discretion of the appointing authority.

(c) If any appointing authority fails, within sixty days of taking office, to make an appointment as required in Paragraph (1) of this Subsection, or if he fails to get concurrence of a majority of the respective parish or city council on any such appointment, the commissioner from that parish or city shall be appointed by the governor.

~~(2) One of the commissioners shall be appointed by the governing authority of the parish of Bossier. Five commissioners shall each serve six-year terms and shall be appointed as follows:~~

(a) One commissioner shall be appointed by the president of Caddo Parish with the concurrence of a majority of the members of the parish council from a list of nominees submitted by the members of the state House of Representatives who represent House Districts Nos. 1, 5, 6, and 7. Each representative shall submit one nominee.

(b) One commissioner shall be appointed by the mayor of the city of Shreveport with the concurrence of a majority of the members of the city council from a list of nominees submitted by the state senators who represent Senate Districts Nos. 37 and 38. Each senator shall submit two nominees.

(c) One commissioner shall be appointed by the mayor of the city of Shreveport with the concurrence of a majority of the members of the city council from a list of nominees submitted by the state senator representing Senate District No. 39. Such senator shall submit three nominees.

(d) One commissioner shall be appointed by the mayor of the city of Shreveport with the concurrence of a majority of the members of the city council from a list of nominees submitted by the members of the state House of Representatives who represent House Districts Nos. 2, 3, and 4. Each representative shall submit one nominee.

(e) One commissioner shall be appointed by the mayor of Bossier City with the concurrence of a majority of the members of the governing authority from a list of nominees submitted by the state senators representing Senate Districts Nos. 36 and 37 and the members of the House of Representatives representing House Districts Nos. 8 and 9. Each senator and each representative shall submit one nominee.

~~(3) Five of the commissioners shall be appointed by the governing authority of the city of Shreveport.~~

~~(4) Two of the commissioners shall be appointed by the governing authority of the city of Bossier City.~~

~~B. (1) A vacancy on the commission for any reason shall be filled in the same manner as the original appointments and for the unexpired term of office. Each commissioner shall be a citizen of the United States and a qualified voter and property taxpayer of the parish of Caddo or Bossier, as the case may be, and of the state of Louisiana.~~

(2)(a) Appointments to fill a vacancy for any commissioner position as provided for in Paragraph A(1) of this Section shall be filled in the same manner as the original appointments and for the unexpired term of office.

(b) The board of commissioners of the Caddo-Bossier Parishes Port Commission shall send notice of a vacancy, by certified mail, within ten days of a vacancy occurring of any commissioner position which is appointed pursuant to the provisions of Paragraph A(2) of this Section to the appointing authority and to each state legislator submitting nominations for such position. Within fifteen days of

receiving notice from the board of commissioners of the vacated position, the state legislators required to submit nominations for filling the commissioner position shall submit nominees in accordance with the provisions of Paragraph A(2) of this Section to the appointing authority. The appointing authority shall appoint a commissioner within thirty days of receiving nominees from the state legislators; however, if the appointing authority fails to make an appointment as required by this Subparagraph, the commissioner position shall be appointed by the governor from the list of nominees submitted by the state legislators who may make nominations for that position.

* * *

Section 2. A. The immediate successors to the members The Caddo-Bossier Parishes Port Commission serving on the effective date of this Act and the filling of any vacancies as they are deemed by this Section to exist shall be made in accordance with this Section:

(1) The term of the commissioner appointed by the governing authority of Caddo Parish and which term is set to expire in March of 2009 is not affected by this Act. The successor to the commissioner shall be appointed by the president of Caddo Parish as more specifically provided in R.S. 34:3158(A)(1)(a)(i).

(2) The term of the commissioner appointed by the governing authority of Shreveport and which term is set to expire in July of 2007 is not affected by this Act. The successor to the commissioner shall be appointed by the mayor of Shreveport as more specifically provided in R.S. 34:3158(A)(1)(a)(ii).

(3) The term of the commissioner appointed by the governing authority of Bossier City and which term is set to expire in March of 2006 is not affected by this Act. The successor to the commissioner shall be appointed by the mayor of Bossier City as more specifically provided in R.S. 34:3158(A)(1)(a)(iii).

(4) The term of the commissioner appointed by the governing authority of Bossier Parish and which term is set to expire in February 2009 is not affected by this Act. The successor to the commissioner shall be appointed by the governing authority of Bossier Parish, as more specifically provided in R.S. 34:3158(A)(1)(a)(iv).

(5) The commissioner position that was filled by the governing authority of Shreveport and the term for which expired in July of 2003 is hereby declared terminated as of May 1, 2005. However, such commissioner shall continue to serve until his successor is appointed and has qualified. The vacancy shall be filled by an appointment made by the president of Caddo Parish as more specifically provided in R.S. 34:3158(A)(2)(a).

(6) The commissioner position that was filled by the governing authority of Shreveport and the term for which is to expire in July of 2009 is hereby declared terminated as of May 1, 2005. However, such commissioner shall continue to serve until his successor is appointed and has qualified. The vacancy shall be filled by an appointment made by the mayor of Shreveport as more specifically provided in R.S. 34:3158(A)(2)(b).

(7) The commissioner position that was filled by the governing authority of Shreveport and the term for which is to expire in August of 2005 is hereby declared terminated as of May 1, 2005. However, such commissioner shall continue to serve until his successor is appointed and has qualified. The vacancy shall be filled by an appointment made by the mayor of Shreveport as more specifically provided in R.S. 34:3158(A)(2)(c).

(8) The term of the commissioner appointed by the governing authority of Shreveport and which term is set to expire in March of 2007 is not affected by this Act. The successor to the commissioner shall be appointed by the mayor of Shreveport as more specifically provided in R.S. 34:3158(A)(d).

(9) The commissioner position that was filled by the governing authority of Bossier City and the term for which is to expire in February of 2007 is hereby declared terminated as of May 1, 2005. However, such commissioner shall continue to serve until his successor is appointed and has qualified. The vacancy shall be filled by an appointment made by the mayor of Bossier City as more specifically provided in R.S. 34:3158(A)(2)(e).

B. Any vacancy occurring after the effective date of this Act but prior to the expiration of the term in effect on the effective date of this Act shall be filled in accordance with this Section for the remainder of the unexpired term as provided in this Section.

C. No entity shall make any appointment to the Commission and no commissioner position shall be filled between May 1, 2005 and the effective date of this Act. If any appointment is made or position filled between May 1, 2005 and the effective date of this Act, that position shall be declared terminated as of the effective date of this Act and the position filled in accordance with the provisions of this Section.

Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

House and House Concurrent Resolutions on Third Reading for Final Consideration

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

HOUSE RESOLUTION NO. 85—
BY REPRESENTATIVES KLECKLEY, GEYMAN, E. GUILLORY, JOHNS, AND MORRIS

A RESOLUTION

To urge and request the Department of Transportation and Development to revoke its issuance of an off-premise advertising permit authorizing the placement of an advertising billboard on Rabbit Island within the city of Lake Charles and to urge and request the department to deny issuance of any outdoor advertising permits on Rabbit Island in the future.

Read by title.

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

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.

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

Ordered to the Senate.

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.

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

Ordered to the Senate.

Speaker Salter in the Chair

HOUSE CONCURRENT RESOLUTION NO. 172—
BY REPRESENTATIVE ROBIDEAUX

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Social Services, bureau of licensing, to study the feasibility of adopting and implementing rules and regulations to provide for the licensing of "drop-in" programs.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 173—
BY REPRESENTATIVE DOVE

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to consider restricting the weight limit of commercial vehicles traveling on Louisiana Highway 316, also known as Bayou Blue Road, in Terrebonne Parish, and to consider reducing the posted speed limit for such highway.

Read by title.

On motion of Rep. Dove, the resolution 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. 7—
BY SENATOR FIELDS

A CONCURRENT RESOLUTION

To amend the rule adopted as policy by the Facility Planning and Control Division of the Office Facilities Corporation regarding procedure for access by visitors and/or non-tenants to a state office building, and to direct such division to reissue its policy.

Read by title.

Rep. Dorsey moved the concurrence of the resolution.

By a vote of 98 yeas and 0 nays, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 14—
BY SENATOR JONES

A CONCURRENT RESOLUTION

To urge and request the state of Louisiana to assume full ownership and possession of the real property and all of the improvements located on the property formerly known as Swanson Correctional Center for Youth-Madison Parish Unit facility at Tallulah.

Read by title.

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

Suspension of the Rules

On motion of Rep. Morrish, the rules were suspended in order to take up and consider House Bills and Joint Resolutions at this time.

House Bills and Joint Resolutions on Third Reading and Final Passage

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

Regular Calendar

HOUSE BILL NO. 110—

BY REPRESENTATIVE JOHNS
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 fees and expenses associated with legal representation of certain juveniles; and to provide for related matters.

Read by title.

Rep. Morrish 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	Romero
Bowler	Hill	Scalise
Bruce	Honey	Schneider
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.	Johns	St. Germain
Cazayoux	Katz	Strain
Crane	Kennard	Thompson
Cravins	Kenney	Toomy
Crowe	Kleckley	Townsend
Curtis	LaBruzzo	Trahan
Damico	LaFleur	Triche
DeWitt	LaFonta	Tucker
Doerge	Lambert	Waddell
Dove	Lancaster	Walker
Downs	Marchand	Walsworth
Durand	Martiny	Winston
Erdey	McDonald	Wooton
Fannin	McVea	Wright
Farrar	Montgomery	
Faucheux	Morrish	
Total - 94		

NAYS

Total - 0

ABSENT

Baylor	Hebert	Shepherd
Daniel	Jefferson	Smiley
Dartez	Morrell	White
Dorsey	Robideaux	
Total - 11		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 169—

BY REPRESENTATIVE TUCKER
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2005-2006 to the Department of Transportation and Development, Engineering and Operations, Bridge Trust Program, to provide for reimbursement of legal expenses of Alan J. LeVasseur; and to provide for related matters.

Read by title.

Rep. Arnold moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Odinet
Alario	Geymann	Pinac
Alexander	Glover	Pitre
Ansardi	Gray	Powell, M.
Arnold	Greene	Powell, T.
Badon	Guillory, E.	Quezaire
Baldone	Guillory, M.	Richmond
Baudoin	Hammett	Ritchie
Baylor	Heaton	Robideaux
Beard	Hill	Romero
Bowler	Honey	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hunter	Smiley
Burns	Hutter	Smith, G.
Burrell	Jackson	Smith, J.D.—50th
Carter, K.	Jefferson	Smith, J.H.—8th
Carter, R.	Johns	Smith, J.R.—30th
Cazayoux	Katz	St. Germain
Crane	Kennard	Strain
Cravins	Kenney	Thompson
Crowe	Kleckley	Toomy
Curtis	LaBruzzo	Townsend
Damico	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
Faucheux	Morrish	
Total - 98		

NAYS

Total - 0

ABSENT

Barrow	Gallot	Shepherd
Daniel	Hebert	
Dartez	Pierre	
Total - 7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 244—
BY REPRESENTATIVES WALSWORTH AND LAMBERT
AN ACT

To enact R.S. 40:1394.1, relative to state police; to provide for a report of salary schedules for troopers and officers of the division of state police; to require that the report be submitted to the governor, the commissioner of administration, and members of the legislature through the speaker of the House of Representatives and the president of the Senate; to provide for the scope of the annual salary schedule report; to provide for procedures for review of said salary schedule; to provide for the implementation of recommendations concerning such schedule; and to provide for related matters.

Read by title.

Rep. Walsworth moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Odinet
Alario	Gallot	Pinac
Alexander	Geymann	Pitre
Ansardi	Glover	Powell, M.
Arnold	Gray	Powell, T.
Badon	Greene	Quezaire
Barrow	Guillory, E.	Richmond
Baudoin	Guillory, M.	Ritchie
Baylor	Hammett	Robideaux
Beard	Heaton	Romero
Bowler	Hill	Scalise
Bruce	Honey	Schneider
Bruneau	Hopkins	Smiley
Burns	Hunter	Smith, G.
Burrell	Hutter	Smith, J.D.—50th
Carter, K.	Jackson	Smith, J.H.—8th
Carter, R.	Jefferson	Smith, J.R.—30th
Cazayoux	Johns	St. Germain
Crane	Katz	Strain
Cravins	Kennard	Thompson
Crowe	Kenney	Toomy
Curtis	Kleckley	Townsend
Damico	LaBruzzo	Trahan
Daniel	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	Morrill	
Faucheux	Morrish	
Total - 100		

NAYS

Total - 0

ABSENT

Baldone	Hebert	Shepherd
Dartez	Pierre	
Total - 5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 628—
BY REPRESENTATIVES QUEZAIRE, GLOVER, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BEARD, BRUCE, BURNS, BURRELL, K. CARTER, CAZAYOUX, CRAVINS, CURTIS, DAMICO, DARTEZ, DOERGE, DORSEY, DOVE, DOWNS, FARRAR, FAUCHEUX, FRITH, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HEBERT, HILL, HONEY, HUNTER, HUTTER, JACKSON, JEFFERSON, KATZ, KENNEY, LABRUZZO, LAFONTA, LANCASTER, MARCHAND, MARTINY, MCVEA, MORRELL, PITRE, T. POWELL, RICHMOND, RITCHIE, SALTER, SCALISE, SMILEY, GARY SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, THOMPSON, TOWNSEND, TRAHAN, TRICHE, WADDELL, WHITE, WOOTON, AND WRIGHT
AN ACT

To enact Chapter 20 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:2001 through 2008, and R.S. 51:931, relative to state procurement and public contracts; to create the Louisiana Initiative for Small Entrepreneurships; to provide definitions; to provide for certain source selection criteria, contract requirements, and goals with respect to certain procurements and public contracts; to provide for responsibilities of the commissioner of administration and state agencies with respect to the initiative; to provide for eligibility requirements for participation in the initiative; to provide for certification of certain businesses; to provide for reporting; to provide for rulemaking; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Quezaire to Engrossed House Bill No. 628 by Representative Quezaire

AMENDMENT NO. 1

On page 1, line 4 after "Entrepreneurships" insert "(the Hudson Initiative)"

AMENDMENT NO. 2

On page 1, line 14, after "ENTREPRENEURSHIPS" insert "(THE HUDSON INITIATIVE)"

AMENDMENT NO. 3

On page 1, at the beginning of line 17, after "Entrepreneurships" insert "(the Hudson Initiative)"

AMENDMENT NO. 4

On page 9, line 9, after "Entrepreneurships" insert "(the Hudson Initiative)"

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

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

YEAS

Mr. Speaker	Faucheux	Morrish
Alario	Frith	Odinet
Alexander	Gallot	Pierre
Ansardi	Geymann	Pinac

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

Total - 102

NAYS

Total - 0

ABSENT

Durand	Johns	Walker
Total - 3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Quezaire 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. 708—

BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 47:1703(A)(2) and (B), relative to the homestead exemption; to change the date which a property owner in Orleans Parish entitled to the homestead exemption is required to own and occupy the homestead before the homestead exemption is claimed; and to provide for related matters.

Read by title.

Rep. Arnold moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Morrell
Alario	Faucheux	Morrish
Alexander	Frith	Odinot
Ansardi	Gallot	Pierre

Arnold	Geymann	Pinac
Badon	Glover	Pitre
Baldone	Gray	Powell, M.
Barrow	Greene	Powell, T.
Baudoin	Guillory, E.	Richmond
Baylor	Guillory, M.	Ritchie
Beard	Hammett	Robideaux
Bowler	Heaton	Romero
Bruce	Hebert	Scalise
Bruneau	Hill	Schneider
Burns	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	Toomy
Damico	Kleckley	Townsend
Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Triche
DeWitt	LaFonta	Tucker
Doerge	Lambert	Waddell
Dorsey	Lancaster	Walsworth
Dove	Marchand	White
Downs	Martiny	Winston
Durand	McDonald	Wooton
Erdey	McVea	
Fannin	Montgomery	

Total - 100

NAYS

Total - 0

ABSENT

Honey	Thompson	Wright
Quezaire	Walker	
Total - 5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 796—

BY REPRESENTATIVE MORRELL

AN ACT

To amend and reenact Section 4 of Act No. 721 of the 2004 Regular Session of the Legislature of Louisiana; to provide relative to the effectiveness of such Act; and to provide for related matters.

Read by title.

Rep. Thompson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Geymann	Pinac
Alario	Glover	Pitre
Alexander	Gray	Powell, M.
Arnold	Greene	Powell, T.
Badon	Guillory, E.	Quezaire
Baldone	Guillory, M.	Richmond

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Barrow	Hammett	Ritchie
Baudoin	Heaton	Robideaux
Beard	Hebert	Romero
Bowler	Hill	Scalise
Bruce	Honey	Schneider
Bruneau	Hopkins	Shepherd
Burns	Hunter	Smiley
Burrell	Hutter	Smith, G.
Carter, K.	Jackson	Smith, J.D.—50th
Carter, R.	Jefferson	Smith, J.H.—8th
Cazayoux	Johns	Smith, J.R.—30th
Crane	Katz	St. Germain
Cravins	Kennard	Strain
Curtis	Kenney	Thompson
Damico	Kleckley	Toomy
Daniel	LaBruzzo	Townsend
Dartez	LaFleur	Trahan
DeWitt	LaFonta	Triche
Doerge	Lambert	Tucker
Dorsey	Lancaster	Waddell
Dove	Marchand	Walker
Downs	McDonald	Walsworth
Erdey	McVea	White
Fannin	Montgomery	Winston
Farrar	Morrell	Wooton
Faucheux	Morrish	Wright
Frith	Odinot	
Gallot	Pierre	
Total - 100		

NAYS

Total - 0

ABSENT

Ansardi	Crowe	Martiny
Baylor	Durand	
Total - 5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 862—
BY REPRESENTATIVE BURRELL
AN ACT

To enact Chapter 22 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1801 through 1808; to establish a tax rebate and credit program to promote urban revitalization; to provide for the eligibility for and administration of the tax credits and rebates; to provide for tax and other incentives; to provide with respect to financing; and to provide for related matters.

Read by title.

Rep. Burrell moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Arnold	Gray	Powell, T.
Badon	Greene	Quezaire
Baldone	Guillory, E.	Richmond
Barrow	Guillory, M.	Ritchie
Baudoin	Hammett	Robideaux
Beard	Hebert	Romero
Bowler	Hill	Scalise
Bruce	Honey	Schneider
Bruneau	Hopkins	Shepherd
Burns	Hunter	Smiley
Burrell	Hutter	Smith, G.
Carter, K.	Jackson	Smith, J.D.—50th
Carter, R.	Jefferson	Smith, J.H.—8th
Cazayoux	Johns	Smith, J.R.—30th
Crane	Katz	St. Germain
Cravins	Kennard	Strain
Crowe	Kenney	Thompson
Curtis	Kleckley	Toomy
Damico	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

Total - 0

ABSENT

Baylor	Heaton
Total - 2	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Burrell 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. 670—
BY REPRESENTATIVE R. CARTER
AN ACT

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

Suspension of the Rules

On motion of Rep. Robert Carter, 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.

Motion

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

HOUSE BILL NO. 586—

BY REPRESENTATIVE JEFFERSON
AN ACT

To amend and reenact R.S. 33:4720.52(A)(1) and (B), 4720.53, 4720.56(17), 4720.57(A), 4720.59(D)(5) and (E), 4720.60(A)(3), 4720.61(A), 4720.62(A)(3), 4720.65(A)(6), and 4720.71(7), (9)(introductory paragraph) and (a), (d), (f), and (g), and to enact R.S. 33:4720.56(18) and (19), 4720.61(B)(5) and (O), and 4720.72, relative to the New Orleans Community Improvement Act; to provide with respect to the New Orleans Redevelopment Authority; to provide for the acquisition of blighted properties and functionally obsolescent facilities; to provide relative to the recordation of liens; to provide for the issuance of certain types of bonds; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative McDonald on behalf of the Legislative Bureau to Engrossed House Bill No. 586 by Representative Jefferson

AMENDMENT NO. 1

On page 3, line 14, following "acquisition" and before "or lease" change "sales" to "sale"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Jefferson to Engrossed House Bill No. 586 by Representative Jefferson

AMENDMENT NO. 1

On page 4, at the end of line 18, insert the following:

"Notwithstanding the provisions of this Paragraph, the city of New Orleans shall have authority to waive any such liens it determines, in its sole discretion, appropriate in accordance with its lien waiver procedures as set forth by the mayor."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Morrell
Alario	Gallot	Morrish
Alexander	Geymann	Odinet
Ansardi	Glover	Pierre
Arnold	Gray	Pinac
Badon	Greene	Pitre
Baldone	Guillory, E.	Powell, M.
Barrow	Guillory, M.	Powell, T.

Baudoin	Hammett	Quezaire
Baylor	Heaton	Richmond
Beard	Hebert	Ritchie
Bruce	Hill	Robideaux
Bruneau	Honey	Romero
Burns	Hopkins	Scalise
Burrell	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	Triche
Doerge	Lambert	Tucker
Dorsey	Lancaster	Waddell
Downs	Marchand	Walker
Erdey	Martiny	White
Fannin	McDonald	Winston
Farrar	McVea	Wooton
Faucheux	Montgomery	Wright

Total - 99

NAYS

Total - 0

ABSENT

Bowler	Durand	Trahan
Dove	Schneider	Walsworth
Total - 6		

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.

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.

Suspension of the Rules

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Martiny to Engrossed House Bill No. 114 by Representative Martiny

AMENDMENT NO. 1

Delete House Floor Amendment No. 4 in the set of amendments proposed by Representative Martiny and adopted by the House of Representatives on June 2, 2005.

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Alario to Engrossed House Bill No. 114 by Representative Martiny

AMENDMENT NO. 1

Delete Amendment Nos. 2 and 3 in the set of four House Floor Amendments proposed by Representative Alario and adopted by the House on June 2, 2005.

AMENDMENT NO. 2

On page 23, line 20, after "district" delete the remainder of the line, and delete lines 21 through 24, and insert the following:

"shall:

(a) Levy and collect a franchise fee on net gaming proceeds as defined in R.S. 27:503 at a rate of seven and one-half percent of net gaming proceeds to be distributed as provided in Subsection F of this Section.

(b) Levy and collect a license fee equal to three and one-half percent of net gaming proceeds for the right to conduct domestic cruiseship gaming which shall be distributed to the state to conduct suitability determination"

AMENDMENT NO. 3

On page 23, between lines 27 and 28, insert the following:

"(c) Levy and collect a franchise fee of seven and one-half percent of net gaming proceeds for the right to conduct domestic cruiseship gaming which shall be distributed to the state for deposit in the state general fund."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Marchand
Ansardi	Frith	Martiny
Arnold	Gallot	McVea
Badon	Glover	Morrell
Baldone	Gray	Odinot
Baylor	Guillory, E.	Pierre
Bowler	Guillory, M.	Pinac
Bruce	Hammett	Pitre
Bruneau	Heaton	Quezaire
Burrell	Hebert	Richmond
Carter, K.	Honey	Smith, G.
Cazayoux	Hopkins	Smith, J.D.--50th
Curtis	Hutter	St. Germain
Damico	Jackson	Toomy
Dartez	Jefferson	Townsend
DeWitt	Johns	Triche
Dorsey	LaFleur	Walker
Dove	LaFonta	Wooton
Durand	Lancaster	
Total - 56		

NAYS

Alario	Greene	Scalise
Alexander	Hill	Schneider
Barrow	Katz	Shepherd
Baudoin	Kennard	Smiley
Bear	Kenney	Smith, J.H.--8th
Carter, R.	Kleckley	Smith, J.R.--30th
Crane	LaBruzzo	Strain
Cravins	Lambert	Thompson
Crowe	McDonald	Trahan
Doerge	Montgomery	Tucker
Downs	Morrish	Waddell
Erdey	Powell, M.	Walsworth
Fannin	Powell, T.	White
Farrar	Robideaux	Winston
Geymann	Romero	Wright
Total - 45		

ABSENT

Burns	Hunter
Daniel	Ritchie
Total - 4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Suspension of the Rules

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

Acting Speaker John Smith in the Chair

Suspension of the Rules

On motion of Rep. Hunter, 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. 80—

BY REPRESENTATIVES BRUNEAU, FAUCHEUX, ARNOLD, FANNIN, GALLOT, JEFFERSON, LAFONTA, LANCASTER, AND PITRE

A JOINT RESOLUTION

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

Suspension of the Rules

On motion of Rep. Bruneau, 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. Bruneau moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Pierre
Alexander	Frith	Pinac
Ansardi	Gallot	Pitre
Arnold	Glover	Powell, T.
Badon	Guillory, E.	Quezaire
Baldone	Heaton	Richmond
Barrow	Hebert	Ritchie
Baudoin	Hill	Smith, G.
Baylor	Hopkins	Smith, J.D.—50th
Bowler	Hunter	Smith, J.H.—8th
Bruce	Hutter	Smith, J.R.—30th
Carter, R.	Johns	St. Germain
Crane	Katz	Strain
Curtis	Kennard	Thompson
Damico	Kenney	Toomy
Dartez	Kleckley	Trahan
DeWitt	Lancaster	Triche
Doerge	McDonald	Tucker
Dorsey	McVea	Waddell
Dove	Montgomery	Walker
Downs	Morrell	Walsworth
Durand	Morrish	Wooton
Fannin	Odinet	Wright
Total - 69		

NAYS

Alario	Greene	Martiny
Beard	Guillory, M.	Powell, M.
Cazayoux	Hammett	Robideaux
Cravins	Jackson	Romero
Crowe	LaBruzzo	Scalise
Erdey	LaFleur	Smiley
Farrar	LaFonta	Townsend
Geymann	Lambert	White
Gray	Marchand	Winston
Total - 27		

ABSENT

Bruneau	Carter, K.	Jefferson
Burns	Daniel	Schneider
Burrell	Honey	Shepherd
Total - 9		

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

HOUSE BILL NO. 415—

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

AN ACT

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

Suspension of the Rules

On motion of Rep. Michael Powell, 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. Michael Powell moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	Montgomery
Alario	Faucheux	Morrell
Alexander	Frith	Pierre
Ansardi	Gallot	Pitre
Arnold	Glover	Powell, M.
Badon	Gray	Powell, T.
Baldone	Greene	Quezaire
Barrow	Guillory, E.	Ritchie
Baudoin	Hammett	Robideaux
Baylor	Hebert	Scalise
Beard	Honey	Smiley
Bowler	Hopkins	Smith, G.
Bruce	Hunter	Smith, J.D.—50th
Burns	Hutter	Smith, J.H.—8th
Burrell	Jackson	Smith, J.R.—30th
Carter, K.	Jefferson	St. Germain
Carter, R.	Johns	Strain
Cazayoux	Katz	Thompson
Crane	Kennard	Toomy
Cravins	Kenney	Townsend
Crowe	Kleckley	Trahan
Curtis	LaBruzzo	Triche
Damico	LaFleur	Tucker
Dartez	LaFonta	Waddell
Dorsey	Lambert	Walker
Dove	Marchand	Walsworth
Downs	Martiny	White
Durand	McDonald	Winston
Erdey	McVea	Wooton
Total - 87		

NAYS

DeWitt	Heaton	Pinac
Doerge	Hill	Romero
Farrar	Morrish	
Total - 8		

ABSENT

Bruneau	Lancaster	Shepherd
Daniel	Odinet	Wright
Geymann	Richmond	
Guillory, M.	Schneider	
Total - 10		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Suspension of the Rules

On motion of Rep. Bruneau, the rules were suspended in order to take up and consider House Bill No. 80 at this time.

HOUSE BILL NO. 80—

BY REPRESENTATIVES BRUNEAU, FAUCHEUX, ARNOLD, FANNIN, GALLOT, JEFFERSON, LAFONTA, LANCASTER, AND PITRE
A JOINT RESOLUTION

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

Read by title.

Rep. Bruneau moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fauchoux	Pinac
Alexander	Frith	Pitre
Ansardi	Gallot	Powell, T.
Arnold	Glover	Quezairé
Badon	Guillory, E.	Richmond
Baldone	Heaton	Ritchie
Barrow	Hebert	Shepherd
Baudoin	Hill	Smiley
Baylor	Honey	Smith, G.
Bowler	Hopkins	Smith, J.D.—50th
Bruce	Hunter	Smith, J.H.—8th
Bruneau	Hutter	St. Germain
Burrell	Johns	Strain
Carter, R.	Katz	Thompson
Crane	Kenney	Toomy
Curtis	Kleckley	Trahan
Damico	Lancaster	Triche
Dartez	McDonald	Tucker
DeWitt	McVea	Waddell
Doerge	Montgomery	Walker
Dorsey	Morrill	Walsworth
Dove	Morrish	Wooton
Downs	Odinet	Wright
Fannin	Pierre	
Total - 71		

NAYS

Alario	Greene	Powell, M.
Beard	Guillory, M.	Robideaux
Burns	Hammitt	Romero
Carter, K.	Jackson	Scalise
Cazayoux	Jefferson	Schneider
Cravins	LaBruzzo	Smith, J.R.—30th
Crowe	LaFleur	Townsend
Erdey	LaFonta	White
Farrar	Lambert	Winston
Geymann	Marchand	
Gray	Martiny	
Total - 31		

ABSENT

Daniel	Durand	Kennard
Total - 3		

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.

Suspension of the Rules

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

Suspension of the Rules

On joint motion of Reps. Burns, Schneider, Jefferson and John Smith, and under a suspension of the rules, the above roll call was corrected to reflect them as voting nay.

Suspension of the Rules

On motion of Rep. Shepherd, 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:

June 1, 2005

Honorable Joe R. Salter
Speaker of the House
P. O. Box 94062
Baton Rouge, LA 70804-4062

Re: Resignation from the House of Representatives

Dear Joe:

I have had the privilege of serving the people of House District 87 as their member in the Louisiana House of Representatives. I now have the honor of serving a larger constituency in the Louisiana Senate as the Senator-elect for Senate District 3.

In as much as I can fill the currently vacant seat in the Senate, I tender my resignation from the Louisiana House of Representatives effective June 8, 2005.

It has been my honor and privilege to serve with you and to see you ascend to the Speakership. I assure you I will continue to work for the betterment of the people of Louisiana as I begin my service in the Senate.

With my best wishes, I remain

Sincerely yours;

Derrick D. T. Shepherd

Pc: Alfred W. Speer

Suspension of the Rules

On motion of Rep. Morrell, the rules were suspended in order to take up and consider House Bills and Joint Resolutions at this time.

House Bills and Joint Resolutions on Third Reading and Final Passage

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

Regular Calendar

HOUSE BILL NO. 711—

BY REPRESENTATIVE MORRELL
AN ACT

To enact R.S. 40:2533(C) and (D), relative to personnel files of law enforcement officers; to require a complaint involving domestic abuse made against an officer to be expunged from his file; to provide for conditions for expungement; to define applicable ordinances and statutes for which expungement is available; to prohibit the filing of certain untimely complaints in the personnel file of a law enforcement officer; and to provide for related matters.

Suspension of the Rules

On motion of Rep. Morrell, 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.

Motion

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

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.

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 moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Guillory, M.	Odinot
Alario	Hammett	Pierre
Ansardi	Heaton	Pinac
Arnold	Hebert	Powell, T.
Badon	Honey	Quezaire
Baylor	Hopkins	Richmond
Bruce	Hunter	Ritchie
Bruneau	Hutter	Robideaux
Burrell	Jackson	Smith, J.D.—50th
Cazayoux	Jefferson	Smith, J.R.—30th
Curtis	Johns	St. Germain
Damico	Kennard	Thompson
Dartez	Kenney	Townsend
DeWitt	LaFleur	Trahan
Dorsey	LaFonta	Triche
Dove	Lambert	Walker
Durand	Lancaster	White
Gallot	Martiny	Wooton
Glover	Montgomery	
Guillory, E.	Morrish	
Total - 58		

NAYS

Alexander	Farrar	Scalise
Baudoin	Faucheux	Schneider

Bowler	Greene	Smiley
Carter, R.	Hill	Smith, G.
Crane	Katz	Smith, J.H.—8th
Cravins	Kleckley	Strain
Crowe	LaBruzzo	Tucker
Daniel	McDonald	Waddell
Doerge	McVea	Walsworth
Downs	Pitre	Winston
Erdey	Powell, M.	Wright
Fannin	Romero	

Total - 35

ABSENT

Baldone	Carter, K.	Marchand
Barrow	Frith	Morrell
Beard	Geymann	Toomy
Burns	Gray	

Total - 11

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

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.

Suspension of the Rules

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Arnold to Engrossed House Bill No. 380 by Representative Arnold

AMENDMENT NO. 1

On page 1, line 2, after "11:266.1(B)" delete the remainder of the line and insert a comma "," and "(D), and (E), relative to"

AMENDMENT NO. 2

On page 1, line 7, after "Louisiana;" delete the remainder of the line and at the beginning of line 8, delete "requirements;" and insert in lieu thereof "to require the broker-dealers to enter into commission recapture agreements with the systems; to change the date on which the pilot program ends; to provide for an effective date;"

AMENDMENT NO. 3

On page 1, line 13, after "11:266.1(B)" and before "are" delete "and (D)" and insert in lieu thereof a comma "," and "(D), and (E)"

AMENDMENT NO. 4

On page 2, at the end of line 8, insert:

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"The broker-dealers defined in this Subsection shall negotiate commission recapture agreements with the systems. The commissions recaptured under any such agreement shall not be a majority of the total value of the commissions required to be directed to the broker-dealers pursuant to the provisions of this Section."

AMENDMENT NO. 5

On page 2, line 10, after "D." insert the following:

"The provisions of Subsections A, B, C, and D of this Section shall be implemented as a temporary pilot program and shall be null, void, and of no effect after June 30, 2005 2007. An interim cost analysis of the provisions of this Section shall be performed by the systems and shall be presented to the speaker of the House of Representatives, the president of the Senate, the chairmen of the House of Representatives and Senate committees on retirement, the Public Retirement Systems' Actuarial Committee, and the Commission on Public Retirement at least fourteen days before the convening of the regular legislative session in 2005 2007."

AMENDMENT NO. 6

On page 2, at the beginning of line 18, insert "E."

AMENDMENT NO. 7

On page 2, line 21, after "shall" insert "continue notwithstanding the June 30, 2005 2007, expiration of Subsections A, B, C, and D of this Section and shall"

AMENDMENT NO. 8

On page 3, delete line 1 in its entirety

AMENDMENT NO. 9

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

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of representatives who voted 'YEAS', including Mr. Speaker, Farrar, Montgomery, Alario, Faucheux, Morrell, Alexander, Frith, Odinet, Ansardi, Gallot, Pierre, Arnold, Geymann, Pinac, Badon, Glover, Pitre, Baldone, Gray, Powell, M., Barrow, Greene, Powell, T., Baudoin, Guillory, E., Quezairre, Baylor, Hammett, Richmond, Beard, Heaton, Ritchie, Bowler, Hebert, Robideaux, Bruce, Hill, Romero, Burns, Honey, Scalise, Burrell, Hopkins, Smiley, Carter, K., Hunter, Smith, G., Carter, R., Hutter, Smith, J.D.-50th, Cazayoux, Jackson, Smith, J.H.-8th, Crane, Jefferson, Smith, J.R.-30th, Cravins, Johns, St. Germain, Crowe, Katz, Strain, Curtis, Kennard, Thompson

Table listing names of representatives who voted 'NAYS' and 'ABSENT', including Damico, Kenney, Toomy, Daniel, Kleckley, Townsend, Dartez, LaBruzzo, Trahan, DeWitt, LaFleur, Triche, Doerge, LaFonta, Tucker, Dorsey, Lambert, Waddell, Dove, Lancaster, Walker, Downs, Marchand, Walsworth, Durand, Martiny, Winston, Erdey, McDonald, Wooton, Fannin, McVea, Wright

Total - 99 NAYS

Total - 0 ABSENT

Table listing names of representatives who were 'ABSENT', including Bruneau, Morrish, White, Guillory, M., Schneider

Total - 5

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 887 (Substitute for House Bill No. 802 by Representative Durand) — BY REPRESENTATIVES DURAND, ALARIO, DORSEY, HAMMETT, HUNTER, AND SALTER

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.

Suspension of the Rules

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Durand to Engrossed House Bill No. 887 by Representative Durand

AMENDMENT NO. 1

On page 1, line 3, delete "8062" and insert "8059"

AMENDMENT NO. 2

On page 2, line 2 after "implement a" insert "common Medicaid and disproportionate share"

AMENDMENT NO. 3

On page 2, line 4, delete "2007" and insert "2009"

AMENDMENT NO. 4

On page 2, line 9, delete "8062" and insert "8059"

AMENDMENT NO. 5

On page 3, line 2, after "for" and before "inpatient" delete "acute care and psychiatric care"

AMENDMENT NO. 6

On page 3, delete line 11 in its entirety

AMENDMENT NO. 7

On page 3, line 12, change "(5)" to "(4)"

AMENDMENT NO. 8

On page 3, line 14, change "(6)" to "(5)"

AMENDMENT NO. 9

On page 3, between line 14 and line 15, add the following:

"(6) "Exempt hospitals" means all hospitals owned by the state, all hospitals owned by the United States or any agency or department thereof, rural hospitals as defined in R.S. 40:1300.143, and hospitals certified by Medicare as separately licensed long-term acute care, rehabilitation, or psychiatric hospitals."

AMENDMENT NO. 10

On page 3, line 26, delete "board" and insert "department"

AMENDMENT NO. 11

On page 4, line 3, after the word "means" insert a comma "," and "with respect to hospitals subject to this Chapter."

AMENDMENT NO. 12

On page 4, line 8, delete "8058(E)" and insert "8056(E)"

AMENDMENT NO. 13

On page 4, line 9, after the word "means" and before "furnishing" insert a comma "," and "with respect to hospitals subject to this Chapter."

AMENDMENT NO. 14

On page 4, line 13, after "treasury" and before "the" insert "to be known as"

AMENDMENT NO. 15

On page 4, line 24 delete "under the" and on line 25 delete "supervision of the secretary and considering the advice of the board"

AMENDMENT NO. 16

On page 5, delete lines 1 through 29 and on page 6 delete lines 1 through 8

AMENDMENT NO. 17

On page 6, line 9, change "8056" to "8054"

AMENDMENT NO. 18

On page 7, delete lines 3 through 7 and insert in lieu thereof the following:

"be no more than ninety million dollars. Therefore, at any time it is determined that total collections of this fee in any state fiscal year will exceed ninety million dollars, the department shall immediately reduce the percentage amount of the fee due in the next calendar quarter to the extent necessary to limit total collections in that year to ninety million dollars. Any time it is determined that total collections of this fee in any state fiscal year will be less than eighty-six million dollars, it shall immediately increase the percentage amount of the fee due in the next calendar quarter to the extent necessary to insure total collections in that year are not less than eighty-six million dollars. The department shall publish notice of any adjustment in the fee in the Louisiana Register."

AMENDMENT NO. 19

On page 7, line 21, delete "board" and insert "secretary"

AMENDMENT NO. 20

On page 7, line 26, delete "board and"

AMENDMENT NO. 21

On page 8, line 15, delete "8057" and insert "8055"

AMENDMENT NO. 22

On page 8, line 18, delete "the board certifies that"

AMENDMENT NO. 23

On page 8, line 25, between "hospitals" and "for" insert "as defined in this Chapter"

AMENDMENT NO. 24

On page 8, line 27, between "year." and "Except" insert the following:

"Any hospital not yet required by regulation to make an uncompensated care filing may file an estimate of such care within forty-five days of the end of the quarter of such care provided in that quarter, and any such hospital otherwise eligible under this Chapter for such uncompensated care compensation shall be included in the payment to be made in the quarter, in which the estimate is filed, subject to final adjustment as otherwise provided."

AMENDMENT NO. 25

On page 9, delete lines 1 through 6 and insert in lieu thereof the following:

"(4) The Medicaid psychiatric care hospital per diem rate levels in the current fiscal year are at least sixty dollars greater than the base year Medicaid hospital rate for inpatient psychiatric care services, and the Medicaid hospital per diem rates for care rendered by all hospitals, as defined in this Chapter, other than psychiatric care, in the current fiscal year are at least one hundred sixty dollars greater than the base year Medicaid rate for such services."

AMENDMENT NO. 26

On page 9, delete lines 15 through 17 and insert in lieu thereof the following:

"that end, the amount of the fourth quarter payments in any fiscal year as provided in Paragraphs (A)(3), (4), and (5) of this Section shall be reduced or increased proportionately as necessary to achieve said total annual cost, and amounts due to individual hospitals shall be adjusted as necessary to reflect any differences between payments during the preceding twelve months to hospitals for estimates of

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uncompensated care and the amount actually due during that period based on uncompensated care filings by those hospitals."

AMENDMENT NO. 27

On page 9, delete line 22 and insert "C. If the criteria in R.S. 47:8055(A) have not been"

AMENDMENT NO. 28

On page 9, line 26, delete "board has certified that the"

AMENDMENT NO. 29

On page 9, line 27, delete "8057" and insert "8055"

AMENDMENT NO. 30

On page 10, line 1, change "8058" to "8056"

AMENDMENT NO. 31

On page 10, delete line 4 and insert "47:8055(A). The"

AMENDMENT NO. 32

On page 10, line 6, delete "After approval by the board, the" insert the word "The"

AMENDMENT NO. 33

On page 10, line 12, delete "8057" and insert "8055"

AMENDMENT NO. 34

On page 10, line 21, delete "8057" and insert "8055"

AMENDMENT NO. 35

On page 10, line 27, delete "8057" and insert "8055"

AMENDMENT NO. 36

On page 11, line 8, delete "8057" and insert "8055"

AMENDMENT NO. 37

On page 11, line 13, delete "8057" and insert "8055"

AMENDMENT NO. 38

On page 11, line 16, delete "8056" and insert "8054"

AMENDMENT NO. 39

On page 11, delete lines 17 through lines 21

AMENDMENT NO. 40

On page 11, line 22, change "8060" to "8057"

AMENDMENT NO. 41

On page 11, line 27, delete "8061" and insert "8058"

AMENDMENT NO. 42

On page 12, line 9, change "8062" to "8059"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Odinet to Engrossed House Bill No. 887 by Representative Durand

AMENDMENT NO. 1

On page 3, at the end of line 20, add the following:

"In addition, "hospital" shall not include any hospital having sixty or fewer beds and any such hospital shall not be deemed to be a hospital covered by this Chapter."

Rep. Odinet moved the adoption of the amendments.

Rep. Durand objected.

By a vote of 42 yeas and 53 nays, the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	McVea
Alario	Faucheux	Montgomery
Ansardi	Frith	Morrell
Arnold	Gallot	Morrish
Badon	Glover	Odinet
Baldone	Gray	Pierre
Barrow	Guillory, E.	Pinac
Baudoin	Guillory, M.	Powell, T.
Baylor	Hammett	Quezaire
Bruce	Heaton	Richmond
Burrell	Hill	Ritchie
Carter, K.	Honey	Robideaux
Carter, R.	Hunter	Smith, G.
Cazayoux	Hutter	Smith, J.D.--50th
Crane	Jackson	Smith, J.R.--30th
Cravins	Jefferson	St. Germain
Curtis	Johns	Thompson
Damico	Kennedy	Toomy
Dartez	Kleckley	Townsend
DeWitt	LaFleur	Triche
Doerge	LaFonta	Walker
Dorsey	Lancaster	Wooton
Downs	Marchand	Wright
Durand	Martiny	
Fannin	McDonald	

Total - 73

NAYS

Alexander	Greene	Smiley
Beard	Hebert	Smith, J.H.--8th
Bowler	Katz	Strain
Bruneau	Kennard	Trahan
Burns	LaBruzzo	Tucker
Crowe	Lambert	Waddell
Daniel	Pitre	Walsworth
Dove	Powell, M.	White
Erdey	Scalise	Winston
Geymann	Schneider	

Total - 29

ABSENT

Hopkins	Romero
---------	--------

Total - 2

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

Suspension of the Rules

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Salter gave notice of his intention to call House Bill No. 74 from the calendar for future action.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Salter gave notice of his intention to call House Bill No. 786 from the calendar for future action.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Quezaire gave notice of his intention to call House Bill No. 362 from the calendar for future action.

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.

Suspension of the Rules

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

Petitions, Memorials and Communications

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

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

June 8, 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. 105
Returned with amendments

House Concurrent Resolution No. 118
Returned with amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

HOUSE BILLS

June 8, 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. 172
Returned without amendments

House Bill No. 185
Returned without amendments

House Bill No. 214
Returned with amendments

House Bill No. 258
Returned with amendments

House Bill No. 276
Returned with amendments

House Bill No. 278
Returned without amendments

House Bill No. 281
Returned without amendments

House Bill No. 282
Returned without amendments

House Bill No. 298
Returned without amendments

House Bill No. 308
Returned with amendments

House Bill No. 388
Returned with amendments

House Bill No. 422
Returned without amendments

House Bill No. 453
Returned without amendments

House Bill No. 465
Returned without amendments

House Bill No. 485
Returned without amendments

House Bill No. 511
Returned without amendments

House Bill No. 525
Returned without amendments

House Bill No. 547
Returned with amendments

House Bill No. 572
Returned with amendments

House Bill No. 625
Returned with amendments

House Bill No. 784
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

**ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

June 8, 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. 78, 107, and 108

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Suspension of the Rules

On motion of Rep. Smiley, 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. 107—

BY SENATOR CAIN

A CONCURRENT RESOLUTION

To commend Cary Koch of The Dunham School on his extraordinary accomplishments as a student-athlete.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 108—

BY SENATORS THEUNISSEN AND ULLO AND REPRESENTATIVES HONEY AND RITCHIE

A CONCURRENT RESOLUTION

To recognize and commend Dr. Alan Rosenthal, Professor of Public Policy and Political Science at the Eagleton Institute of Politics at Rutgers University, for his leadership and participation in the "Appreciating Legislatures" pilot program at the state capitol on June 13-14, 2005.

Read by title.

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

Message from the Senate

SENATE BILLS

June 8, 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:

Senate Bill Nos. 121, 246, 273, 297, and 338

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Suspension of the Rules

On motion of Rep. Bruce, 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. 121—

BY SENATOR CHEEK

AN ACT

To enact R.S. 40:1502.15, relative to fire protection districts; to authorize the governing authority of such districts located within certain parishes to assess and collect a service charge or rates of service charges on each residential or commercial structure within the boundaries of the district; to provide for adoption of a resolution by the governing authority of the district; to provide for approval by a majority of electors of the district voting at an election held for that purpose; to provide for the use of such revenues; to provide for an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 246—

BY SENATOR DUPLESSIS

AN ACT

To enact R.S. 51:1787(A)(2)(d) and (C)(2)(c), relative to Enterprise Zones; to provide for tax credits for rubber manufacturing; to provide for an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 273—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 27:28(H)(1) and to enact R.S. 27:28(H)(3), relative to the Louisiana Gaming Control Law; to provide with respect to suitability standards; to provide for an appeal process for a person found by the board to exercise significant influence over a licensee, permittee, or casino gaming operator; to provide for procedures for filing such appeal; to provide for a procedure for taking administrative action against a licensee, permittee, or casino gaming operator associated with a person found to be unsuitable; and to provide for related matters.

Read by title.

SENATE BILL NO. 297—

BY SENATOR DUPLESSIS

AN ACT

To enact R.S. 33:2742.62, relative to non-profit corporations and associations; to provide for the levy of a fee to compensate for various governmental services provided to tax exempt property of certain nonprofit corporations and associations; to provide a process for the annual review of requests for exemption from ad valorem taxation on certain property owned or leased by nonprofit corporations or associations; and to provide for related matters.

Read by title.

SENATE BILL NO. 338—

BY SENATOR THEUNISSEN

AN ACT

To enact R.S. 47:301(3)(j) and (13)(l), relative to the state sales and use tax; to provide for a limitation on the sales price and cost price of natural gas; to provide for an effective date; and to provide for related matters.

Read by title.

Introduction of Resolutions, House and House Concurrent

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

HOUSE RESOLUTION NO. 93—

BY REPRESENTATIVE HUTTER
A RESOLUTION

To recognize Wednesday, June 8, 2005, as Delgado Day at the Louisiana House of Representatives.

Read by title.

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

HOUSE RESOLUTION NO. 94—

BY REPRESENTATIVE MORRELL
A RESOLUTION

To urge and request the Board of Regents, in consultation with the Louisiana Student Financial Assistance Commission, to study the fiscal, policy, and program implications of and make recommendations for reducing the amount paid by the state on behalf of a student who receives a Tuition Opportunity Program for Student's award in an equitable manner based on the amount of the expected family contribution toward the student's cost of attendance at a college or university as determined by federal need analysis methodology; to provide for the board to report study findings and recommendations in writing to the House Committee on Education and to the Senate Committee on Education at least sixty days prior to the convening of the 2006 Regular Session of the legislature; and to provide for related matters.

Read by title.

Lies over under the rules.

HOUSE RESOLUTION NO. 95—

BY REPRESENTATIVE DORSEY
A RESOLUTION

To urge and request the Department of Health and Hospitals to discontinue paying the cost of Viagra and other drugs used for the treatment of impotence for convicted sex offenders who receive Medicaid.

Read by title.

On motion of Rep. Dorsey, and under a suspension of the rules, the above resolution was referred to the Committee on Health and Welfare, under the rules.

HOUSE RESOLUTION NO. 96—

BY REPRESENTATIVES SALTER AND BRUNEAU
A RESOLUTION

To adopt House Rule 11.6 of the Rules of Order of the House of Representatives to provide relative to certain limitations on the consideration and adoption of certain amendments during regular sessions convening in odd-numbered years.

Read by title.

Lies over under the rules.

HOUSE RESOLUTION NO. 97—

BY REPRESENTATIVE WALSWORTH
A RESOLUTION

To urge and request the Department of Transportation and Development to operate the Motorist Assistance Patrol program in the Monroe area during construction of the Interstate 20 bridge in Ouachita Parish.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 176—

BY REPRESENTATIVE MORRELL
A CONCURRENT RESOLUTION

To urge and request the Board of Regents, in consultation with the Louisiana Student Financial Assistance Commission, to study the fiscal, policy, and program implications of and make recommendations for reducing the amount paid by the state on behalf of a student who receives a Tuition Opportunity Program for Student's award in an equitable manner based on the amount of the expected family contribution toward the cost of the student's attendance at a college or university as determined by federal need analysis methodology; to provide for the board to report study findings and recommendations in writing to the House Committee on Education and to the Senate Committee on Education at least sixty days prior to the convening of the 2006 Regular Session of the legislature; and to provide for related matters.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 177—

BY REPRESENTATIVES SALTER AND BRUNEAU
A CONCURRENT RESOLUTION

To adopt Joint Rule No. 20 of the Joint Rules of the Senate and House of Representatives, relative to the limitations on the filing and consideration of matters intended to have the effect of law and certain amendments thereto during regular sessions held in odd-numbered years; and to provide for related matters.

Read by title.

Lies over under the rules.

Suspension of the Rules

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

Senate Bills and Joint Resolutions on Second Reading to be Referred

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

SENATE BILL NO. 146—

BY SENATORS BAJOEIE AND MCPHERSON
AN ACT

To enact R.S. 17:197.1, relative to school nutrition; to provide for legislative finding; to limit the sale of certain beverages and foods at schools during specified portions of the day; to require certain decisions be made by school principals; and to provide for related matters.

Read by title.

On motion of Rep. Durand, and under a suspension of the rules, the above bill was referred to the Committee on Health and Welfare, under the rules.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Administration of Criminal Justice

June 8, 2005

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on June 7, 2005, I am directed by your Committee on Administration of Criminal Justice to submit the following report:

House Concurrent Resolution No. 155, by Crowe
Reported favorably. (10-0)

House Bill No. 39, by Jack Smith
Reported favorably. (13-0) (Regular)

House Bill No. 523, by Burrell
Reported with amendments. (9-0) (Regular)

House Bill No. 579, by LaFonta
Reported with amendments. (11-0) (Regular)

House Bill No. 707, by Townsend
Reported with amendments. (11-0) (Regular)

Senate Concurrent Resolution No. 23, by Jackson
Reported with amendments. (10-0)

Senate Bill No. 24, by Cain
Reported with amendments. (11-0) (Regular)

Senate Bill No. 156, by Chaisson
Reported favorably. (10-0) (Regular)

Senate Bill No. 157, by Chaisson
Reported favorably. (7-4-1) (Regular)

Senate Bill No. 226, by Gautreaux, N.
Reported with amendments. (8-0) (Regular)

Senate Bill No. 323, by Jackson
Reported with amendments. (13-0) (Regular)

DANIEL MARTINY
Chairman

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

**Report of the Committee on
House and Governmental Affairs**

June 8, 2005

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on June 7, 2005, I am directed by
your Committee on House and Governmental Affairs to submit the
following report:

House Resolution No. 31, by Tucker
Reported favorably. (9-0)

House Resolution No. 70, by Hebert
Reported favorably. (8-0)

House Concurrent Resolution No. 114, by Martiny
Reported with amendments. (6-0)

House Concurrent Resolution No. 128, by M. Powell
Reported with amendments. (7-0)

House Concurrent Resolution No. 142, by LaFonta
Reported with amendments. (8-0)

House Bill No. 40, by Pitre
Reported favorably. (8-0) (Regular)

House Bill No. 317, by LaFonta
Reported with amendments. (7-1) (Regular)

Senate Concurrent Resolution No. 76, by Dardenne
Reported with amendments. (6-0)

Senate Bill No. 20, by Michot
Reported with amendments. (7-0) (Regular)

Senate Bill No. 53, by Fields
Reported with amendments. (8-1) (Regular)

Senate Bill No. 58, by Duplessis
Reported favorably. (9-0) (Regular)

Senate Bill No. 160, by Amedee
Reported with amendments. (7-0) (Regular)

CHARLES D. LANCASTER, JR.
Chairman

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

**Report of the Committee on
Municipal, Parochial and Cultural Affairs**

June 8, 2005

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Municipal, Parochial and
Cultural Affairs to submit the following report:

Senate Concurrent Resolution No. 3, by Schedler
Reported favorably. (7-0-1)

Senate Bill No. 46, by Murray
Reported favorably. (7-0-1) (Regular)

Senate Bill No. 51, by Cheek
Reported favorably. (7-0-1) (Regular)

Senate Bill No. 56, by Murray
Reported favorably. (7-0-1) (Regular)

Senate Bill No. 80, by Murray
Reported favorably. (7-0-1) (Regular)

Senate Bill No. 81, by Murray
Reported favorably. (7-0-1) (Regular)

Senate Bill No. 289, by Murray
Reported favorably. (7-0-1) (Regular)

Senate Bill No. 334, by Schedler
Reported favorably. (7-0-1) (Regular)

ERNEST BAYLOR, JR.
Chairman

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

Privileged Report of the Legislative Bureau

June 8, 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. 27
Reported without amendments.

Senate Bill No. 65
Reported without amendments.

Senate Bill No. 73
Reported without amendments.

Senate Bill No. 84
Reported without amendments.

Senate Bill No. 108
Reported without amendments.

Senate Bill No. 124
Reported without amendments.

Senate Bill No. 138
Reported without amendments.

Senate Bill No. 142
Reported without amendments.

Senate Bill No. 155
Reported with amendments.

Senate Bill No. 161
Reported without amendments.

Senate Bill No. 180
Reported without amendments.

Senate Bill No. 182
Reported without amendments.

Senate Bill No. 187
Reported without amendments.

Senate Bill No. 216
Reported without amendments.

Senate Bill No. 256
Reported without amendments.

Senate Bill No. 322
Reported without amendments.

Senate Bill No. 336
Reported without amendments.

Senate Bill No. 355
Reported with amendments.

Respectfully submitted,

CHARLES MCDONALD
Chairman

Privileged Report of the Committee on Enrollment

June 8, 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. 18—
BY REPRESENTATIVES FAUCHEUX AND QUEZAIRE AND SENATOR AMEDEE

A CONCURRENT RESOLUTION

To urge and request the office of state parks of the Louisiana Department of Culture, Recreation and Tourism in coordination with the Louisiana Department of Wildlife and Fisheries to study the suitability of establishing a state park in the Maurepas Swamp Wildlife Management Area (WMA) and to report findings to the House Committee on Municipal, Parochial and

Cultural Affairs and the Senate Committee on Natural Resources prior to the beginning of the 2006 Regular Session of the Legislature.

HOUSE CONCURRENT RESOLUTION NO. 54—

BY REPRESENTATIVE ALEXANDER

A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 77—

BY REPRESENTATIVES M. POWELL, ANSARDI, ALEXANDER, ARNOLD, BADON, BALDONE, BAUDOIN, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, R. CARTER, CAZAYOUX, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DOERGE, DORSEY, DOVE, DOWNS, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GEYMAN, GLOVER, GREENE, E. GUILLORY, HAMMETT, HILL, HONEY, HOPKINS, HUTTER, JACKSON, JOHNS, KATZ, KENNARD, KLECKLEY, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRISH, ODINET, PIERRE, T. POWELL, RICHMOND, ROBIDEAUX, SCALISE, SCHNEIDER, SHEPHERD, SMILEY, GARY SMITH, JANE SMITH, JOHN SMITH, STRAIN, THOMPSON, TOOMY, TRAHAN, TRICHE, TUCKER, WADDELL, WALSWORTH, WHITE, AND WRIGHT AND SENATOR MALONE

A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 153—

BY REPRESENTATIVE TOOMY AND SENATOR HEITMEIER

A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 156—

BY REPRESENTATIVE WINSTON AND SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To commend Colin McCarthy of Saint Paul's School upon his selection as a representative of south Louisiana at the Hugh O'Brian World Leadership Congress in July in Washington, D.C.

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.

HOUSE CONCURRENT RESOLUTION NO. 161—

BY REPRESENTATIVE MARCHAND
A CONCURRENT RESOLUTION

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

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.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

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

Privileged Report of the Committee on Enrollment

June 8, 2005

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

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

The following House Bills have been properly enrolled:

HOUSE BILL NO. 8—

BY REPRESENTATIVE RITCHIE
AN ACT

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

HOUSE BILL NO. 16—

BY REPRESENTATIVE FARRAR AND SENATORS MCPHERSON AND MARIONNEAUX
AN ACT

To amend and reenact R.S. 14:32.1(A)(4), relative to vehicular homicide; to delete the requirement that the operator of a vehicle flee the scene of the accident as an element of the crime of vehicular homicide; and to provide for related matters.

HOUSE BILL NO. 26—

BY REPRESENTATIVE MCVEA
AN ACT

To amend and reenact R.S. 33:1236(55)(c), relative to the fees required to be charged by the clerk of court of East Feliciana Parish and remitted to the parish governing authority; to specify that the fees shall cover expenses of the office of the clerk; and to provide for related matters.

HOUSE BILL NO. 27—

BY REPRESENTATIVE GEYMANN AND SENATOR CAIN
AN ACT

To amend and reenact R.S. 33:2201(B)(15) and (16), relative to financial security for surviving spouses and children of law enforcement officers; to include constables of justice of the peace courts and their deputies as law enforcement officers for purposes of benefit payments to survivors; to include investigators of the Elections Compliance Unit of the Louisiana Department of State as law enforcement officers for purposes of benefit payments to survivors; and to provide for related matters.

HOUSE BILL NO. 44—

BY REPRESENTATIVE MORRELL
AN ACT

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

HOUSE BILL NO. 117—

BY REPRESENTATIVE FRITH
AN ACT

To amend and reenact Sections 9(B)(14)(Vermilion Parish) and 10(D)(23) of Act No. 590 of the 2004 Regular Session of the Louisiana Legislature, relative to the Revenue Sharing Fund; to provide with respect to certain distributions in Vermilion Parish for Fiscal Year 2004-2005; to provide for retroactive application of this Act; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 123—

BY REPRESENTATIVES DOWNS AND GALLOT
AN ACT

To enact R.S. 36:509(U) and Part XXXI of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3087.281 through 3087.295, relative to the Lincoln Parish Reservoir Authority; to create the Lincoln Parish Reservoir Authority as a state agency; to provide for a board of commissioners to manage the reservoir authority; to provide for the reimbursement of the amount originally paid for property returned to a prior landowner; to limit the authority of the district to expropriate property; to provide for the powers and duties of the authority including the authority to issue bonds; to prohibit certain actions; to provide for penalties; to provide relative to the authority's relationship with the Department of Transportation and Development and the Louisiana Wildlife and Fisheries Commission; and to provide for related matters.

HOUSE BILL NO. 126—

BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 33:1448.1(A), (B)(introductory paragraph), (C)(1) and (2), (D), (E), and (G)(1) and (2), relative to the Bossier Parish Retired Employees Insurance Fund; to provide relative to eligible retired sheriffs and retired deputy sheriffs; to increase the total amount of principal and earnings in the Bossier Parish Retired Employees Insurance Fund; to provide for the limitations on withdrawal and appropriation of monies; to provide for limitations on equity and fixed income investments; to provide for the membership and election of the investment advisory board and the filling of vacancies thereon; and to provide for related matters.

HOUSE BILL NO. 243—

BY REPRESENTATIVE QUEZAIRE
AN ACT

To authorize and provide for the conveyance of certain state property in Allen Parish and East Baton Rouge Parish to the Department of Transportation and Development; and to provide for related matters.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

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

Suspension of the Rules

On motion of Rep. Hammett, the rules were suspended to permit the Committee on Ways and Means to meet 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 No. 474

Suspension of the Rules

On motion of Rep. Durand, the rules were suspended to permit the Committee on Health and Welfare to meet on Thursday, June 9, 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. 242 and 734

House Resolution Nos. 48 and 95

House Concurrent Resolution Nos. 108, 130, 133, and 157

Senate Bill Nos. 146 and 272

Suspension of the Rules

On motion of Rep. Hunter, the rules were suspended to permit the Committee on Labor and Industrial Relations to meet on Thursday, June 9, 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 No. 517

Suspension of the Rules

On motion of Rep. Pierre, the rules were suspended to permit the Committee on Natural Resources to meet on Thursday, June 9, 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 Concurrent Resolution No. 132

Senate Concurrent Resolution No. 49

Adjournment

On motion of Rep. Kenney, at 6:40 P.M., the House agreed to adjourn until Thursday, June 9, 2005, at 2:00 P.M.

The Speaker of the House declared the House adjourned until 2:00 P.M., Thursday, June 9, 2005.

ALFRED W. SPEER
Clerk of the House

