

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

THIRTY-FIRST DAY'S PROCEEDINGS

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

House of Representatives
State Capitol
Baton Rouge, Louisiana

Thursday, June 16, 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	Smiley
Burrell	Hunter	Smith, G.
Carter, K.	Hutter	Smith, J.D.—50th
Carter, R.	Jackson	Smith, J.H.—8th
Cazayoux	Jefferson	Smith, J.R.—30th
Crane	Johns	St. Germain
Cravins	Katz	Strain
Crowe	Kennard	Thompson
Curtis	Kenney	Toomy
Damico	Kleckley	Townsend
Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Triche
DeWitt	LaFonta	Tucker
Doerge	Lambert	Waddell
Dorsey	Lancaster	Walker

Dove	Marchand	Walsworth
Downs	Martiny	White
Durand	McDonald	Winston
Erdey	McVea	Wooton
Fannin	Montgomery	Wright
Farrar	Morrell	
Total - 104		

ABSENT

Total - 0

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

Prayer

Prayer was offered by Rev. Dan Glenn.

Pledge of Allegiance

Rep. John Smith 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. Frith, the reading of the Journal was dispensed with.

On motion of Rep. Cazayoux, the Journal of June 15, 2005, was adopted.

**Petitions, Memorials and
Communications**

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

Message from the Senate

SENATE BILLS

June 16, 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. 183

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

**Senate Bills and Joint Resolutions on
Second Reading to be Referred**

Rep. Gray asked for and obtained a suspension of the rules to take up at this time the following Senate Bills and Joint Resolutions just received from the Senate with a view of advancing same, which were taken up, read, and referred to committees, as follows:

SENATE BILL NO. 183—

BY SENATOR BAJOIE

AN ACT

To amend and reenact R.S. 47:6019(A)(1), relative to tax credits for historic structures; to increase the credit; and to provide for related matters.

Read by title.

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

Message from the Senate

DISAGREEMENT TO SENATE BILL

June 16, 2005

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

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 6 by Sen. Adley, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

**ADOPTION OF
CONFERENCE COMMITTEE REPORT**

June 16, 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 the report of the Conference Committee on the disagreement to House Bill No. 17.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

**ADOPTION OF
CONFERENCE COMMITTEE REPORT**

June 16, 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 the report of the Conference Committee on the disagreement to House Bill No. 272.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

**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. 115—
BY REPRESENTATIVE GALLOT

A RESOLUTION

To commend Felton Claude Evans upon his retirement from Pineview High School.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 198—

BY REPRESENTATIVE WALKER

A CONCURRENT RESOLUTION

To commend Louisiana Economic Development for obtaining ISO 9001:2000 registration for its commitment to quality and to recognize its outstanding contributions in forwarding the state's master plan for economic development, Louisiana: Vision 2020.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 199—

BY REPRESENTATIVE HUTTER

A CONCURRENT RESOLUTION

To designate St. Bernard Parish as the "Redfish Capital of Louisiana" and to recognize the economic impact of the fishing industry in St. Bernard Parish and the state of Louisiana.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 200—

BY REPRESENTATIVE SCALISE

A CONCURRENT RESOLUTION

To commend Taylor Hackford, director of the outstanding film Ray, upon the nomination of the film for the Academy Award for Best Motion Picture of the Year and his nomination as Best Director.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 201—

BY REPRESENTATIVE SCALISE

A CONCURRENT RESOLUTION

To commend Jamie Foxx for winning an Academy Award for his performance in Ray.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 202—

BY REPRESENTATIVE SCALISE

A CONCURRENT RESOLUTION

To commend Stuart Benjamin, executive producer, for his involvement in the production of the acclaimed motion picture Ray.

Read by title.

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

Ordered to the Senate.

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. 72—

BY SENATOR N. GAUTREAUX

AN ACT

To amend and reenact the introductory paragraph of R.S. 47:601(A) and 611 and to enact R.S. 47:601(D), relative to corporate franchise tax; to exclude from the taxable base of such tax the first one hundred thousand dollars of capital stock, surplus, undivided profits, and borrowed capital of a corporation; 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 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. 4—

BY SENATOR AMEDEE

A CONCURRENT RESOLUTION

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

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original Senate Concurrent Resolution No. 4 by Senator Amedee

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "to study" delete "create a task force" and insert "request the House Committee on the Environment and the Senate Committee on Environmental Quality to meet and function as a joint committee"

AMENDMENT NO. 2

On page 1, line 11, after "WHEREAS," and before "consider" delete "a task force should be created to" and insert "a joint committee of the legislature could"

AMENDMENT NO. 3

On page 1, line 13, after "Louisiana" delete the remainder of the line and on line 14, delete "force" and insert "does hereby request the House Committee on the Environment and the Senate Committee on Environmental Quality to meet and function as a joint committee"

AMENDMENT NO. 4

On page 1, line 16, after "that the" delete the remainder of the line and delete lines 17 and 18 and insert "joint committee shall specifically solicit the input, recommendations, and advice of the following:"

AMENDMENT NO. 5

Delete House Committee Amendment No. 1 proposed by the House Committee on Transportation, Highways, and Public Works and adopted by the House on May 24, 2005.

AMENDMENT NO. 6

On page 2, delete lines 1 through 19 and insert the following:

"(1) A representative from the Department of Transportation and Development.

(2) A representative from the East Baton Rouge Parish Public Works Department.

(3) A representative from the Ascension Parish Public Works Department.

(4) A representative from the Iberville Parish Public Works Department.

(5) A representative from the Pontchartrain Levee District.

(6) A representative from the governor's office.

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

AMENDMENT NO. 7

On page 2, line 20, change "task force" to "joint committee"

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

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

SENATE CONCURRENT RESOLUTION NO. 13—

BY SENATOR LENTINI

A CONCURRENT RESOLUTION

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

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

SENATE CONCURRENT RESOLUTION NO. 25—

BY SENATOR MCPHERSON

A CONCURRENT RESOLUTION

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

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed Senate Concurrent Resolution No. 25 by Senator McPherson

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AMENDMENT NO. 1

On page 1, line 13, change "our nation's leader" to "our president,"
On motion of Rep. Lancaster, the amendments were adopted.

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

SENATE CONCURRENT RESOLUTION NO. 35— BY SENATOR JONES

A CONCURRENT RESOLUTION

To urge and request the Secretary of State to remove the date of birth and social security number from voter notice of registration form.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed Senate Concurrent Resolution No. 35 by Senator Jones

AMENDMENT NO. 1

On page 1, line 2, after "date of birth" delete the remainder of the line and on line 3 delete "number from" and insert "from the"

AMENDMENT NO. 2

On page 1, line 11, after "date of birth" delete the remainder of the line and insert a semi-colon ";" and insert "and"

AMENDMENT NO. 3

On page 1, line 15, after "date of birth" delete the remainder of the line

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

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

SENATE CONCURRENT RESOLUTION NO. 58— BY SENATOR THEUNISSEN

A CONCURRENT RESOLUTION

To urge and request that the State Board of Elementary and Secondary Education, the state Department of Education, and the state Superintendent of Education support, promote, and expand the Teacher Advancement Program (TAP).

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 Engrossed Senate Concurrent Resolution No. 58 by Senator Theunissen

AMENDMENT NO. 1

On page 1, line 2, after "request" and before "the State" delete "that"

AMENDMENT NO. 2

On page 1, line 3, after "state" and before "support," change "Superintendent of Education" to "superintendent of education to continue to"

AMENDMENT NO. 3

On page 1, at the beginning of line 10, after "Program" and before "recently" insert a comma ","

AMENDMENT NO. 4

On page 1, line 17, after "observations" and before "and student" insert a comma ","

AMENDMENT NO. 5

On page 2, at the beginning of line 18, after "performance" and before "offers" delete "and" and insert a comma ","

AMENDMENT NO. 6

On page 2, at the beginning of line 19, after "available" and before "and" insert a comma ","

AMENDMENT NO. 7

On page 2, line 22, after "abilities" and before "and" insert a comma ","

AMENDMENT NO. 8

On page 2, line 23, after "roles" and before "and" insert a comma ","

AMENDMENT NO. 9

On page 2, line 30, after "Education" and before "and the" insert a comma "," and "the state superintendent of education,"

AMENDMENT NO. 10

On page 3, line 1, after "support" and before "and involvement" insert "of"

AMENDMENT NO. 11

On page 3, line 2, after "expansion" and before "the" change "through" to "throughout"

AMENDMENT NO. 12

On page 3, line 9, after "of the" and before "Board" change "Louisiana" to "State"

AMENDMENT NO. 13

On page 3, at the beginning of line 10, change "Superintendent of Education" to "state superintendent of education"

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. 63— BY SENATOR JONES

A CONCURRENT RESOLUTION

To urge and request the Board of Regents to conduct a study and manage a master planning process using research, data analysis, community input and experience to recommend programs, site

design, and development plans for the creation of the Northeast Louisiana Delta Learning Center.

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. 63 by Senator Jones

AMENDMENT NO. 1

On page 1, line 3, after "input" and before "and" insert a comma ","

AMENDMENT NO. 2

On page 1, at the end of line 9, after "particular" insert a comma ","

AMENDMENT NO. 3

On page 1, line 12, after "center" and before "along" change "and/or community college" to "or community college, or both,"

AMENDMENT NO. 4

On page 1, line 16, after "Center" and before "and" delete the comma ","

AMENDMENT NO. 5

On page 2, line 5, after "study" and before "and to" delete the comma ","

AMENDMENT NO. 6

On page 2, line 10, after "design" and before "based" delete the comma ","

AMENDMENT NO. 7

On page 2, at the end of line 12, after "to" delete the comma ","

AMENDMENT NO. 8

On page 2, line 18, after "to" and before "workforce" delete the comma ","

AMENDMENT NO. 9

On page 2, line 20, after "skills," and before "and" change "drop-outs," to "dropouts,"

AMENDMENT NO. 10

On page 2, line 23, after "for the" delete the remainder of the line

AMENDMENT NO. 11

On page 2, line 28, after "recommendations" and before "covering" delete the comma ","

AMENDMENT NO. 12

On page 2, line 29, after "component" and before "and" delete the comma ","

AMENDMENT NO. 13

On page 2, at the end of line 30, after "impact" insert a comma ","

AMENDMENT NO. 14

On page 3, line 2, after "include" and before "but" delete the comma ","

AMENDMENT NO. 15

On page 3, line 2, after "to" and before "the" delete the comma ","

AMENDMENT NO. 16

On page 3, line 3, after "conversion" delete the remainder of the line and insert in lieu thereof "or new construction, or both."

AMENDMENT NO. 17

On page 3, line 6, after "challenges" and before "and potential." insert a comma ","

AMENDMENT NO. 18

On page 3, delete line 8 and insert a period "."

AMENDMENT NO. 19

On page 3, line 10, after "engagement" and before "civic" insert a comma ","

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. 78—

BY SENATOR JONES

A CONCURRENT RESOLUTION

To urge and request the Senate Committee on Judiciary B and the House Committee on the Administration of Criminal Justice to jointly study the fees and other charges imposed by the parish sheriffs around the state on local governing authorities to reimburse the costs of keeping and feeding persons confined to the parish or public jails that are under the management of the sheriff; to request the committees to establish a formula to be enacted into law to provide for an equitable rate of reimbursement; to make a report of such information and formula; and to request the Joint Legislative Committee on the Budget to take action on such report.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

SENATE CONCURRENT RESOLUTION NO. 81—

BY SENATOR JONES

A CONCURRENT RESOLUTION

To urge and request the Senate Committee on Senate and Governmental Affairs and the House Committee on House and Governmental Affairs to meet jointly to examine issues related to the investment in and establishment of low-income housing and to determine and report on legislative initiatives that would enhance and improve the climate for investment in low-income housing, including providing for alternate assessment of such housing as it relates to taxation and including authorizing the establishment of crime prevention districts in areas in which low-income housing is established.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

SENATE CONCURRENT RESOLUTION NO. 83—

BY SENATOR BARHAM

A CONCURRENT RESOLUTION

To create and establish a commission to study and make recommendations regarding the effect of tax exemptions relative to the funding of education in Louisiana.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed Senate Concurrent Resolution No. 83 by Senator Barham

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "to study" delete "create and establish a commission" and insert "request the House Committee on Ways and Means and the Senate Committee on Revenue and Fiscal Affairs to meet and function as a joint committee"

AMENDMENT NO. 2

On page 2, line 1, after "feels that" and before "to carefully gather" delete "a special commission should be formed" and insert "a joint legislative committee should meet"

AMENDMENT NO. 3

On page 2, line 3, after "Louisiana" delete the remainder of the line and on line 4 delete "commission" and insert "does hereby request the House Committee on Ways and Means and the Senate Committee on Revenue and Fiscal Affairs to meet and function as a joint committee"

AMENDMENT NO. 4

On page 2, line 6, after "that the" delete the remainder of the line and delete lines 7 through 25 and insert the following:

"joint committee shall specifically solicit the input, recommendations, and advice of the following:

- (1) The state superintendent of education, or his designee.
- (2) A person from the governor's staff, chosen by the governor.
- (3) Another person chosen by the governor.
- (4) Two persons chosen by the Board of Elementary and Secondary Education.
- (5) A person chosen by the Louisiana Tax Commission."

AMENDMENT NO. 5

On page 2, line 26, change "commission" to "joint committee"

AMENDMENT NO. 6

On page 2, delete lines 27 and 28 and insert "report its findings to the legislature and"

AMENDMENT NO. 7

On page 2, delete line 30 and on page 3 delete lines 1 through 3.

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

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

SENATE CONCURRENT RESOLUTION NO. 88—

BY SENATORS JONES AND ELLINGTON

A CONCURRENT RESOLUTION

To urge and request that the Region 8 Health Care Consortium and the Department of Health and Hospitals develop a plan for a Northeast-Delta Human Services District.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original Senate Concurrent Resolution No. 88 by Senator Jones

AMENDMENT NO. 1

On page 1, line 16, after "established," and before "Capital" insert "including" and on line 18, change "proved" to "proven"

AMENDMENT NO. 2

On page 2, line 7, after "hereby" and before "and" insert "urges" and at the beginning of line 8, change "request" to "requests" and before "Region" insert "the"

AMENDMENT NO. 3

On page 2, line 15, change "latter" to "later"

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. 101—

BY SENATOR MCPHERSON

A CONCURRENT RESOLUTION

To create and provide for the Prescription Medication Donation Task Force to examine the issue of the donation by health care providers to charitable pharmacies of previously prescribed, but unused, prescription medications.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original Senate Concurrent Resolution No. 101 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 2, after "To" delete the remainder of the line and insert "request the House Committee on Health and Welfare and the

Senate Committee on Health and Welfare to meet and function as a joint committee to study the"

AMENDMENT NO. 2

On page 2, delete line 2, and insert "request the House Committee on Health and Welfare and the Senate Committee on Health and Welfare to meet and function as a joint committee to study the"

AMENDMENT NO. 3

On page 2, line 5, after "that the" delete the remainder of the line and delete lines 6 through 11 and insert the following:

"joint committee shall specifically solicit the input, recommendations, and advice of the following:

(1) The secretary of the Department of Health and Hospitals, or his designee.

(2) A representative from each of the following groups, organizations, or agencies,"

AMENDMENT NO. 4

On page 2, delete lines 20 through 25

AMENDMENT NO. 5

On page 2, line 25, change "task force" to "joint committee"

AMENDMENT NO. 6

On page 2, line 27, after "report its findings to the" delete the remainder of the line and delete line 28 and insert "legislature not later than February 15, 2006."

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

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

SENATE CONCURRENT RESOLUTION NO. 104—
BY SENATOR ELLINGTON AND REPRESENTATIVE MCVEA
A CONCURRENT RESOLUTION

To express the support of the Legislature of Louisiana for the potential location of an advanced nuclear energy plant at Entergy Nuclear's River Bend Station.

Read by title.

Reported favorably by the Committee on Commerce.

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

SENATE CONCURRENT RESOLUTION NO. 106—
BY SENATOR HOLLIS
A CONCURRENT RESOLUTION

To direct the Louisiana Motor Vehicle Commission to conduct a study to develop a uniform retail installment sale document.

Read by title.

Reported favorably by the Committee on Commerce.

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

SENATE CONCURRENT RESOLUTION NO. 109—
BY SENATORS ELLINGTON, ADLEY, BOASSO, CHAISSON, B. GAUTREAUX AND HEITMEIER
A CONCURRENT RESOLUTION

To create and provide with respect to a group to study issues relative to state participation in and implementation of the Federal

Railroad Safety Program State Participation Agreement and to make recommendations to the legislature concerning legislation for the 2006 Regular Session.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original Senate Concurrent Resolution No. 109 by Senator Ellington

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "to study" delete "create and provide with respect to a group" and insert "request the House Committee on Transportation, Highways, and Public Works and the Senate Committee on Transportation, Highways, and Public Works to meet and function as a joint committee"

AMENDMENT NO. 2

On page 2, line 28, after "Louisiana" delete the remainder of the line and on line 29 delete "establishes a group" and insert "does hereby request the House and Senate Committees on Transportation, Highways, and Public Works to meet and function as a joint committee"

AMENDMENT NO. 3

On page 3, line 1, after "that the" delete the remainder of the line and delete lines 2 through 14 and insert the following:

"joint committee shall specifically solicit the input, recommendations, and advice of the following:

(1) The secretary of the Public Service Commission.

(2) The secretary of the Louisiana Department of Transportation and Development.

(3) One person selected by the Louisiana Railroads Association to represent it."

AMENDMENT NO. 4

On page 3, delete lines 19 through 21

AMENDMENT NO. 5

On page 3, line 22, after "that the" delete the remainder of the line and delete line 23 and on line 24 delete "works" and insert "joint committee shall report its findings to the legislature"

AMENDMENT NO. 6

On page 3, line 27, after "Development, to the" delete the remainder of the line and on line 28 delete "representing District 5" and insert "secretary"

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

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

SENATE CONCURRENT RESOLUTION NO. 110—
BY SENATOR LENTINI
A CONCURRENT RESOLUTION

To create the Implementation Team of the Louisiana Commission on Decision-Making of Persons with Cognitive Disabilities.

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. 111—
BY SENATOR MCPHERSON

A CONCURRENT RESOLUTION

To urge and request the state land office, division of administration to implement a procedure for public notice of preliminary water bottom ownership determinations.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

SENATE CONCURRENT RESOLUTION NO. 117—
BY SENATOR BOASSO AND REPRESENTATIVE WOOTON

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to ensure states' rights are considered with respect to Liquefied Natural Gas terminal siting and overall Liquefied Natural Gas safety with both federal oversight and extensive coordination and input from public, local and state agencies in regasification terminal permitting, in particular as new technologies emerge in the industry.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Original Senate Concurrent Resolution No. 117 by Senator Boasso

AMENDMENT NO. 1

On page 2, delete lines 5 through 7 in their entirety

AMENDMENT NO. 2

On page 2, line 10, change "the" to "chlorinated"

AMENDMENT NO. 3

On page 2, delete line 11 and insert in lieu thereof "the Gulf; and"

AMENDMENT NO. 4

On page 2, line 26, delete "only"

AMENDMENT NO. 5

On page 2, at the end of line 30, delete "and" and on page 3, line 1, delete "communities across the nation," and insert in lieu thereof "in their development of the LNG industry,"

AMENDMENT NO. 6

On page 3, line 2, after "approving" insert "open-loop"

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

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

**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. 3—
BY SENATOR FIELDS

AN ACT

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

Read by title.

Reported favorably by the Committee on Ways and Means.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 32—
BY SENATOR ADLEY

A JOINT RESOLUTION

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

Read by title.

Reported favorably by the Committee on Ways and Means.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 47—
BY SENATOR BARHAM

AN ACT

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

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Engrossed Senate Bill No. 47 by Senator Barham

AMENDMENT NO. 1

On page 1, line 9, after "The commission" and before "taxes within" delete "shall have the power to levy" and insert in lieu thereof "may levy and collect"

AMENDMENT NO. 2

On page 1, line 11, after "prescribed thereby," and before "to sue" insert the following"

"but only if the imposition of the tax, the issuance of the bonds, or the incurrence of debt has been approved by a majority of the electors of the parish voting on the proposition at an election held for that purpose. The commission shall have the power"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 61—
BY SENATOR DUPLESSIS

AN ACT

To amend and reenact R.S. 47:287.752 and to enact R.S. 47:297(N), relative to income tax credits; to provide a credit for the employment of certain first time offenders; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

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.

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 Ways and Means to Reengrossed Senate Bill No. 89 by Senator Nevers

AMENDMENT NO. 1

On page 2, line 4, after "qualified for" and before "the special" insert "and receive"

AMENDMENT NO. 2

On page 2, at the end of line 23, insert the following:

"The provisions of this Subsubparagraph (a)(iv) shall not apply to an owner who has qualified for and received the special assessment level for persons sixty-five years of age or older or to such owner's surviving spouse as described in Subsubparagraph (a)(i) of this Subparagraph."

AMENDMENT NO. 3

On page 2, line 25, after "(2)" insert "Provided such owner is qualified for and receives the special assessment level," and change "The" to "the"

AMENDMENT NO. 4

On page 2, at the end of line 28, insert the following:

"The special assessment level shall remain on the property even if the ownership interest of the surviving spouse is an interest in usufruct."

AMENDMENT NO. 5

On page 3, delete lines 8 and 9.

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 96—

BY SENATORS SCHEDLER AND NEVERS
AN ACT

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

Read by title.

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 Reengrossed Senate Bill No. 96 by Senator Schedler

AMENDMENT NO. 1

On page 3, line 1, after "journal" delete the remainder of the line and insert "at a charge not in excess of the rates assessed and charged for regular commercial advertising."

AMENDMENT NO. 2

On page 3, delete line 2 in its entirety.

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. 96 by Senator Schedler

AMENDMENT NO. 1

On page 4, line 6, following "(2)" and before "Taxpayers" delete "(a)"

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

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

Under the rules, placed on the regular calendar.

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SENATE BILL NO. 104—

BY SENATOR ADLEY

AN ACT

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

Read by title.

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 Engrossed Senate Bill No. 104 by Senator Adley

AMENDMENT NO. 1

On page 1, line 5, after "industries" and before "to" insert "serving rural hospitals"

AMENDMENT NO. 2

On page 2, line 2, after "Medical" and before the semicolon ";" insert "Industries serving rural hospitals"

AMENDMENT NO. 3

On page 2, line 24, after "medical" and before the semicolon ";" insert "industries serving rural hospitals"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

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.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Engrossed Senate Bill No. 121 by Senator Cheek

AMENDMENT NO. 1

On page 2, line 9, after "the costs" and before "of any" insert "either incurred or for contracting"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 137—

BY SENATOR DARDENNE

AN ACT

To enact R.S. 22:1265(D) and R.S. 33:1359(F), relative to certain premium taxes paid on excess insurance premiums; to exempt premiums paid by certain interlocal risk management agencies; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 141—

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

AN ACT

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

Read by title.

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. 141 by Senator Romero

AMENDMENT NO. 1

On page 1, line 14, after "legislature" delete "in providing" and insert "to provide"

AMENDMENT NO. 2

On page 1, line 15, after "Act" delete "for" and insert "to enable"

AMENDMENT NO. 3

On page 1, at the beginning of line 16, after "32:387.7(B)" insert a comma "," and delete "is"

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.

SENATE BILL NO. 165—

BY SENATOR HEITMEIER

A JOINT RESOLUTION

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

Read by title.

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 Engrossed Senate Bill No. 165 by Senator Heitmeier

AMENDMENT NO. 1

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

AMENDMENT NO. 2

On page 1, line 15, after "person or persons" delete the remainder of the line, delete lines 16 and 17, and on page 2, line 1, delete "making determinations regarding disability" and insert "designated as totally and permanently disabled by the United States Social Security Administration, or its successor"

AMENDMENT NO. 3

On page 2, line 4, after "level" and before the period "." insert a comma "," and "provided such person or persons remain qualified for and receive the special assessment level"

AMENDMENT NO. 4

On page 2, between lines 5 and 6, insert the following:

"(iv) An owner who is below the age of sixty-five and who has applied for and received the special assessment level may qualify for and receive the special assessment level in the subsequent year by certifying to the assessor of the parish, or in the parish of Orleans, the assessor of the district where the property is located, that such person or persons' adjusted gross income in the prior tax year satisfied the income requirement of this Paragraph. The provisions of this Subsubparagraph (a)(iv) shall not apply to an owner who has qualified for and received the special assessment level for persons sixty-five years of age or older or to such owner's surviving spouse as described in Subsubparagraph (a) of this Subparagraph.

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

(a) That owner, or that owner's surviving spouse who is fifty-years of age or older or who has minor children, remains the owner of the property and is qualified for and receives the special assessment level. The special assessment level shall remain on the property even if the ownership interest of the surviving spouse is an interest in usufruct.

* * *

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 165 by Senator Heitmeier

AMENDMENT NO. 1

In House Committee Amendment No. 1 proposed by the House Committee on Ways and Means, on line 3, following "18(G)(1)(a)(iv)" insert "and on line 9, following "18(G)(1)(a)(i)" insert "and (2)(a) and to add Article VII, Section 18(G)(1)(c)(iv)"

AMENDMENT NO. 2

In House Committee Amendment No. 4 proposed by the House Committee on Ways and Means, on lines 21 and 22, delete "or to such owner's surviving spouse" and on line 22, following "Subparagraph" and before "." insert ", or to such owner's surviving spouse"

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 193—

BY SENATOR FIELDS

AN ACT

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

Read by title.

Reported favorably by the Committee on Ways and Means.

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. 193 by Senator Fields

AMENDMENT NO. 1

On page 1, line 9, change "Employee and refunds credits" to "Employee refunds and credits."

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

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

Under the rules, placed on the regular calendar.

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.

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 Engrossed Senate Bill No. 246 by Senator Duplessis

AMENDMENT NO. 1

On page 2, at the end of line 24, insert the following: "The provisions of Section 1 of this Act shall become null and void on June 30, 2012."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

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.

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

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 325—
BY SENATOR JONES

AN ACT

To enact R.S. 33:2740.49(H), (I), and (J), relative to special districts; to provide to the Downtown Economic Development District of the City of Monroe the authority for tax increment financing by the city, subject to the approval of district voters; to provide for an effective date; and to provide for related matters.

Read by title.

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

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 331—
BY SENATOR N. GAUTREUX

AN ACT

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

certain transactions related to crawfish harvesting and production; and to provide for related matters.

Read by title.

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 Reengrossed Senate Bill No. 331 by Senator N. Gautreaux

AMENDMENT NO. 1

On page 2, delete line 1 in its entirety and insert "equipment, vessels, fuel, bait, and related items used in the"

AMENDMENT NO. 2

On page 2, line 18, after "equipment" and the comma "," and before "fuel" insert "vessels."

AMENDMENT NO. 3

On page 2, at the beginning of line 19, delete "other than vessels."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 341—

BY SENATORS DUPLESSIS, BAJOIE, BROOME, DARDENNE, JACKSON, MICHOT, MURRAY AND NEVERS AND REPRESENTATIVE SCALISE
AN ACT

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

Read by title.

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 Reengrossed Senate Bill No. 341 by Senator Duplessis

AMENDMENT NO. 1

On page 3, at the end of line 29, insert the following:

"The total amount of tax credits granted shall not exceed five million dollars annually."

AMENDMENT NO. 2

On page 6, at the end of line 14, insert the following:

"Written approval of the secretary of the Department of Economic Development and the commissioner of administration shall be received prior to issuance of a credit certification letter."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 351—

BY SENATOR NEVERS

AN ACT

To enact R.S. 47:287.759, relative to tax credits; to provide certain tax credits to certain contractors and subcontractors who provide certain insurance; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

Reconsideration

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

SENATE BILL NO. 155—

BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 46:1408(A) and (B), 1409(A), (B)(introductory paragraph) and (D), 1417, and 1419, relative to multi-year licenses for child care facilities and child placing agencies; to provide for advice and consultation from the child care committees; to provide for the promulgation of applicable rules; and to provide for related matters.

Read by title.

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

Returned to the calendar under the rules.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. St. Germain gave notice of her intention to call Senate Bill No. 155 from the calendar for future action.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to Senate Bill No. 205: Reps. Pinac, Bowler, and Ritchie.

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. 102—

BY REPRESENTATIVE LAFONTA

A RESOLUTION

To recognize the need for an apology to the victims of lynching and their descendants by the United States Senate for the Senate's failure to enact anti-lynching legislation.

Read by title.

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

HOUSE RESOLUTION NO. 104—

BY REPRESENTATIVE E. GUILLORY

A RESOLUTION

To urge and request the Louisiana High School Athletic Association to consider eliminating the requirement that sports contest officials annually take and pass a sports rules test and to submit a written report on any action taken relative to such consideration to the House Committee on Education prior to the convening of the 2006 Regular Session.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 185—

BY REPRESENTATIVE QUEZAIRE

A CONCURRENT RESOLUTION

To urge and request railroads to increase contributions for railroad grade crossing safety improvements.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 189—

BY REPRESENTATIVE WALSWORTH

A CONCURRENT RESOLUTION

To urge and request the attorneys representing the state of Louisiana in the Henderson v. Stalder case to seek relief from the United States District Court for the Eastern District of Louisiana from the injunction which prohibits the office of motor vehicles from issuing special prestige license plates, including special prestige license plates created for the military and military personnel.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 192—

BY REPRESENTATIVE BEARD

A CONCURRENT RESOLUTION

To urge and request the Planning and Zoning Commission of the parish of East Baton Rouge and the city of Baton Rouge to revisit the decision of the commission approving development of the land area presently known as of the Shenandoah Golf Club and to urge and request the Metropolitan Council of the parish of East Baton Rouge and the city of Baton Rouge to pass a resolution which would maintain the current use of the Shenandoah Country Club and Golf Course as a recreational land use area as designated under the Horizon Plan map and prohibit the city-parish government from taking any action or issuing any permit which would allow any development to proceed pending a decision of the court of appeals in the case of Residents of Shenandoah Estates vs. Greentrails, L.L.C.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Beard to Original House Concurrent Resolution No. 192 by Representative Beard

AMENDMENT NO. 1

On page 1, line 4, after "known as" and before "the Shenandoah" delete "of"

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AMENDMENT NO. 2

On page 1, line 7, after "Shenandoah" and before "as a recreational" change "Country Club and Golf Course" to "Golf Club"

AMENDMENT NO. 3

On page 2, at the end of line 11, after "approving" delete the remainder of the line

AMENDMENT NO. 4

On page 2, line 12, after "development" and before "the Shenandoah" delete "in the case of" and insert in lieu thereof "of the land area presently known as"

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

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

Ordered to the Senate.

HOUSE RESOLUTION NO. 7— BY REPRESENTATIVE BURNS

A RESOLUTION

To amend and readopt House Rule 14.33 of the Rules of Order of the House of Representatives, to require any person who submits data or statistical information in a prepared statement filed with a committee to include sufficient information to identify the source of the data or statistical information.

Read by title.

Rep. Burns moved the adoption of the resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. Speaker, Alario, Alexander, Ansardi, Arnold, Badon, Barrow, Baudoin, Baylor, Beard, Bowler, Bruce, Bruneau, Burns, Burrell, Carter, K., Carter, R., Cazayoux, Crane, Cravins, Crowe, Curtis, Damico, Daniel, Dartez, DeWitt, Doerge, Dorsey, Downs, Durand, Total - 90; Fannin, Farrar, Faucher, Frith, Gallot, Glover, Gray, Greene, Guillory, E., Guillory, M., Hammett, Heaton, Hebert, Honey, Hunter, Hutter, Jackson, Jefferson, Johns, Katz, Kenney, Kleckley, LaFleur, LaFonta, Lambert, Lancaster, Marchand, Martiny, McDonald, McVea; Montgomery, Morrell, Morrish, Odinet, Pierre, Pinac, Pitre, Powell, M., Powell, T., Quezaire, Ritchie, Robideaux, Romero, Scalise, Smith, G., Smith, J.H.-8th, Smith, J.R.-30th, St. Germain, Strain, Thompson, Toomy, Townsend, Trahan, Triche, Tucker, Walker, Walsworth, Winston, Wooton, Wright

NAYS

Total - 0

ABSENT

Table with 3 columns of names: Baldone, Dove, Erdey, Geymann, Hill; Hopkins, Kennard, LaBruzzo, Richmond, Schneider; Smiley, Smith, J.D.-50th, Waddell, White

Total - 14

The resolution was adopted.

HOUSE RESOLUTION NO. 46— BY REPRESENTATIVE WHITE

A RESOLUTION

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

Read by title.

Motion

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

HOUSE RESOLUTION NO. 80— BY REPRESENTATIVES SCHNEIDER AND BRUNEAU

A RESOLUTION

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

Read by title.

On motion of Rep. Burns, 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.

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

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.

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

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.

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

HOUSE RESOLUTION NO. 99—

BY REPRESENTATIVES THOMPSON, BRUNEAU, AND WADDELL
A RESOLUTION

To urge and request the Committee on House and Governmental Affairs to study the issues surrounding the processes involved in the delivery and distribution of items, materials, letters, packages, and information to the members of the House of Representatives during legislative sessions and make recommendations regarding standards and procedures to govern those processes to the House of Representatives no later than thirty days prior to the convening of the 2006 Regular Session of the Legislature.

Read by title.

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

HOUSE RESOLUTION NO. 100—

BY REPRESENTATIVES TUCKER AND ARNOLD
A RESOLUTION

To the House Committee on Education to study and recommend how best to govern, manage, and supervise the effective and efficient delivery of public elementary and secondary education services to residents of the Algiers community in the city of New Orleans; to provide that the House education committee shall report study findings and recommendations to the House of Representatives not later than February 1, 2006.

Read by title.

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

HOUSE RESOLUTION NO. 108—

BY REPRESENTATIVES FAUCHEUX AND GALLOT
A RESOLUTION

To urge and request the State Board of Elementary and Secondary Education, in consultation with the Louisiana Student Financial Assistance Commission, to study the need for and benefits of the state board developing and implementing a uniform grading scale and system in public and state-approved nonpublic high schools for calculating a student's cumulative high school grade point average to determine eligibility for awards pursuant to the Tuition Opportunity Program for Students; to provide that the state board shall report study findings and recommendations in writing to the House Committee on Education at least sixty days prior to convening of the 2006 Regular Session of the Legislature; and to provide for related matters.

Read by title.

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

HOUSE RESOLUTION NO. 113—

BY REPRESENTATIVE ANSARDI
A RESOLUTION

To urge and request the Louisiana Supreme Court to appoint a committee to conduct a thorough and detailed study of all aspects of the Lengthy Trial Fund, as provided in R.S. 13:3050, including adequate funding sources, and the length of juror service in civil and criminal cases in all district courts in this state.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 80—

BY REPRESENTATIVES THOMPSON AND KENNEY
A CONCURRENT RESOLUTION

To urge and request the Board of Supervisors for the University of Louisiana System to study the feasibility of establishing a university laboratory school on or near the campus of the University of Louisiana at Monroe and to report the study findings and recommendations to the House Committee on

Education and the Senate Committee on Education prior to the convening of the 2006 Regular Session.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 169—

BY REPRESENTATIVES GLOVER, ARNOLD, BALDONE, BAYLOR, BRUCE, BURRELL, K. CARTER, CRAVINS, CURTIS, DORSEY, DOVE, FAUCHEUX, FRITH, GRAY, GREENE, E. GUILLORY, HEATON, HILL, HOPKINS, JACKSON, JEFFERSON, KATZ, KENNEY, LAFONTA, MARCHAND, ODINET, PIERRE, PITRE, M. POWELL, QUEZAIRE, RICHMOND, ROBIDEAUX, SHEPHERD, GARY SMITH, JANE SMITH, ST. GERMAIN, THOMPSON, WADDELL, WALKER, AND WHITE
A CONCURRENT RESOLUTION

To urge and request the House Committee on Commerce and the Senate Committee on Commerce, Consumer Protection, and International Affairs to meet and function as a joint committee for the purpose of conducting a thorough study of the current status of the automobile manufacturing industry in the state and measures needed to stabilize and secure the industry and to access opportunities to advance the industry.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 170—

BY REPRESENTATIVE GRAY
A CONCURRENT RESOLUTION

To urge and request the House Committee on Labor and Industrial Relations and the Senate Committee on Labor and Industrial Relations to meet and function as a joint committee to study domestic abuse, its effect in the workplace, and to submit a report of its findings and recommendations to the governor and the legislature prior to the 2006 Regular Session of the Legislature.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 178—

BY REPRESENTATIVE GALLOT AND SENATOR MICHOT
A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study the duties of clerks of court and recorders of mortgages and conveyances to maintain and preserve original, electronic, and historic records affecting immovable property.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 179—

BY REPRESENTATIVE GRAY
A CONCURRENT RESOLUTION

To continue the work of House Concurrent Resolution No. 289 of the 2004 Regular Session regarding the study of issues relating to juvenile competency by creating a task force and to extend the period of time for the study of such issues to June 1, 2006.

Read by title.

On motion of Rep. Karen Carter, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 182—

BY REPRESENTATIVE GLOVER

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to study all viable opportunities to offer prescription drugs at no cost or reduced cost to Louisiana's uninsured and under-insured populations.

Read by title.

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

Ordered to the Senate.

Suspension of the Rules

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage

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

Regular Calendar

SENATE BILL NO. 161—

BY SENATOR AMEDEE

AN ACT

To amend and reenact Children's Code Arts. 615(B)(1) and (2), 619(B) and (C), 620(C), 622(A)(introductory paragraph) and (1), (2), and (4), 624(A), 627(B),and R.S. 14:92.2(B), and to enact Children's Code Arts. 603(18) and (19), 624(G) and (H), and R.S. 14:92.2(A)(3), relative to children in need of care; to provide relative to definitions for the removal of a child in need of care; to provide with respect to instant removal of a child in need of care; to provide for provisional custody of a child in need of care; to provide for a court ordered safety plan to insure the protection of a child; to provide for penalties for improper supervision of a minor child; and to provide for related matters.

Read by title.

Rep. Lambert moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Morrish
Alario	Faucheux	Odinet
Alexander	Frith	Pierre
Ansardi	Gallot	Pinac
Arnold	Glover	Pitre
Badon	Gray	Powell, M.
Baldone	Greene	Powell, T.
Barrow	Guillory, E.	Quezairé
Baudoin	Guillory, M.	Richmond
Baylor	Heaton	Ritchie
Beard	Hebert	Robideaux
Bowler	Hill	Romero
Bruce	Honey	Scalise
Bruneau	Hopkins	Schneider
Burns	Hunter	Smiley
Burrell	Hutter	Smith, G.
Carter, K.	Jackson	Smith, J.D.—50th

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

Total - 99

NAYS

Total - 0

ABSENT

Erdey	Hammett	Tucker
Geymann	LaBruzzo	
Total - 5		

The Chair declared the above bill was finally passed.

Rep. Lambert 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.

SENATE BILL NO. 180—

BY SENATOR MALONE

AN ACT

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

Read by title.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Morrish
Alario	Frith	Odinet
Ansardi	Gallot	Pierre
Arnold	Glover	Pinac
Badon	Gray	Pitre
Baldone	Greene	Powell, M.
Barrow	Guillory, E.	Powell, T.
Baudoin	Guillory, M.	Ritchie
Baylor	Hammett	Robideaux
Beard	Heaton	Romero
Bowler	Hebert	Scalise
Bruce	Hill	Schneider
Bruneau	Honey	Smiley
Burns	Hunter	Smith, G.
Burrell	Hutter	Smith, J.D.—50th
Carter, K.	Jackson	Smith, J.H.—8th
Carter, R.	Jefferson	Smith, J.R.—30th
Cazayoux	Johns	St. Germain
Crane	Katz	Strain

Cravins	Kennard	Thompson
Crowe	Kenney	Toomy
Curtis	Kleckley	Townsend
Damico	LaFleur	Trahan
Dartez	LaFonta	Triche
DeWitt	Lambert	Tucker
Doerge	Lancaster	Waddell
Dorsey	Marchand	Walker
Dove	Martiny	Walsworth
Downs	McDonald	White
Durand	McVea	Winston
Fannin	Montgomery	Wooton
Farrar	Morrell	Wright

Total - 96

NAYS

Total - 0

ABSENT

Alexander	Geymann	Quezaire
Daniel	Hopkins	Richmond
Erdey	LaBruzzo	

Total - 8

The Chair declared the above bill was finally passed.

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.

SENATE BILL NO. 182—
BY SENATOR DUPRE

AN ACT

To enact Subpart A-3 of Part II of Chapter 2 of Subtitle 1 of Title 30 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 30:150, relative to mineral leases; to provide relative to mineral leases on state lands; to provide certain drilling incentives; to provide relative to royalties; to create the Louisiana Royalty Relief Dry Hole Credit Program; to provide certain terms, conditions, procedures, and requirements; and to provide for related matters.

Read by title.

Motion

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

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

A JOINT RESOLUTION

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

Read by title.

Rep. Pitre moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 98

NAYS

Total - 0

ABSENT

Erdey	Hopkins	Martiny
Geymann	LaBruzzo	Smith, J.R.—30th

Total - 6

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

Rep. Pitre 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.

SENATE BILL NO. 195—
BY SENATORS DUPRE, BAJOIE, N. GAUTREAU, 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.

Called from the calendar.

Read by title.

Rep. Pitre moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

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YEAS

Mr. Speaker	Fauchoux	Odinet
Alario	Frith	Pierre
Alexander	Gallot	Pinac
Ansardi	Glover	Pitre
Arnold	Gray	Powell, M.
Badon	Greene	Powell, T.
Baldone	Guillory, E.	Quezaire
Barrow	Guillory, M.	Richmond
Baudoin	Hammett	Ritchie
Baylor	Heaton	Robideaux
Beard	Hebert	Romero
Bowler	Hill	Scalise
Bruce	Honey	Schneider
Bruneau	Hopkins	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	Katz	St. Germain
Crane	Kennard	Strain
Cravins	Kenney	Thompson
Curtis	Kleckley	Toomy
Damico	LaFleur	Townsend
Daniel	LaFonta	Trahan
Dartez	Lambert	Triche
DeWitt	Lancaster	Tucker
Doerge	Marchand	Waddell
Dorsey	Martiny	Walker
Dove	McDonald	Walsworth
Downs	McVea	White
Durand	Montgomery	Winston
Fannin	Morrell	Wooton
Farrar	Morrish	Wright
Total - 99		

NAYS

Total - 0

ABSENT

Crowe	Geymann	LaBruzzo
Erdey	Johns	
Total - 5		

The Chair declared the above bill was finally passed.

Rep. Pitre 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.

SENATE BILL NO. 216—

BY SENATORS DUPRE, HINES, BAJOIE, HEITMEIER, MCPHERSON AND MOUNT AND REPRESENTATIVES ALARIO, DORSEY, HAMMETT AND SALTER AND SENATORS ADLEY, AMEDEE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAU, N. GAUTREAU, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MICHOT, MURRAY, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN AND ULLO

AN ACT

To enact Part III of Chapter 2 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:120 through 122, Subpart I of Part I of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:120.31, and R.S. 47:297.5 and 306.2, relative to military affairs; to provide relative to military family assistance; to create and provide for donations to the Louisiana Military Family Assistance Fund; to create the Louisiana Military Family Assistance Board, and provide for its composition, powers, and duties; to provide relative to the manner and procedure for distributing money from the fund; to provide terms, procedures, definitions, conditions, and requirements; to provide relative to

donation of tax refunds and donations in excess of tax due; to exempt payments from the Military Family Assistance Fund from state individual income tax; and to provide for related matters.

Read by title.

Rep. Cazayoux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Morrish
Alario	Fauchoux	Odinet
Alexander	Frith	Pierre
Ansardi	Gallot	Pinac
Arnold	Glover	Pitre
Badon	Gray	Powell, M.
Baldone	Greene	Powell, T.
Barrow	Guillory, E.	Quezaire
Baudoin	Guillory, M.	Richmond
Baylor	Heaton	Ritchie
Beard	Hebert	Robideaux
Bowler	Hill	Romero
Bruce	Honey	Scalise
Bruneau	Hopkins	Schneider
Burns	Hunter	Smiley
Burrell	Hutter	Smith, G.
Carter, K.	Jackson	Smith, J.D.—50th
Carter, R.	Jefferson	Smith, J.H.—8th
Cazayoux	Johns	Smith, J.R.—30th
Crane	Katz	St. Germain
Cravins	Kennard	Strain
Crowe	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
Total - 102		

NAYS

Total - 0

ABSENT

Geymann	Hammett
Total - 2	

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 256—

BY SENATORS MOUNT AND MARIONNEAUX
AN ACT

To enact R.S. 17:1686 and 1686.1, relative to scholarships for children of military personnel killed as a result of duty in certain theaters of military operation; to provide for definitions; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Crane to Reengrossed Senate Bill No. 256 by Senator Mount

AMENDMENT NO. 1

On page 1, line 9, after "who" delete the remainder of the line and delete lines 10 through 17 in their entirety and on page 2, delete lines 1 and 2 and insert in lieu thereof the following:

"meets all of the following criteria:

(1) Has served on active duty in the armed forces of the United States in certain theaters of military operation at any time beginning September 11, 2001, through the date as declared by the United States government to be the termination of service for members of the armed forces.

(2) Is eligible for the award of the Afghanistan Campaign Medal or the Global War on Terrorism Expeditionary Medal.

(3) Served in Operation Enduring Freedom or Operation Iraqi Freedom.

(4) Was domiciled in Louisiana for civilian purposes and named Louisiana a home of residence for military purposes when inducted into active service.

(5) During the course of his or her official duty was killed or later died as a result of injuries sustained in the course of such duty."

AMENDMENT NO. 2

On page 2, at the beginning of line 4, after "quarters" and before "or" insert a comma " , "

AMENDMENT NO. 3

On page 2, at the beginning of line 9, after "instruction" and before "which" delete the comma " , "

AMENDMENT NO. 4

On page 2, line 13, after "support" and before "and" delete the comma " , "

AMENDMENT NO. 5

On page 2, at the beginning of line 17, delete "their"

AMENDMENT NO. 6

On page 2, at the end of line 21, delete the comma " , "

AMENDMENT NO. 7

On page 2, line 28, after "in" and before "or" change "a four-year degree-granting institution" to "any public postsecondary education institution that offers degrees at the baccalaureate level or higher"

AMENDMENT NO. 8

On page 2, line 29, after "other" and before "In" change "postsecondary institution." to "public postsecondary education institution."

AMENDMENT NO. 9

On page 2, line 29, after "addition" and before "such" delete "thereto"

AMENDMENT NO. 10

On page 3, line 4, after "that" and before "not" change "they do" to "he or she does"

AMENDMENT NO. 11

On page 3, at the end of line 6, delete the comma " , "

AMENDMENT NO. 12

On page 3, line 7, after "Section" and before "exceeds" delete the comma " , "

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Farrar	Lancaster
Geymann	Schneider
Total - 4	

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 322—
BY SENATOR FONTENOT

AN ACT

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

Read by title.

Rep. Hammett moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 98

NAYS

Total - 0

ABSENT

Beard	Johns	Schneider
Geymann	Kennard	Trahan

Total - 6

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 336—
BY SENATORS MALONE AND CHEEK

AN ACT

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

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Michael Powell gave notice of his intention to call Senate Bill No. 336 from the calendar for future action.

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

AN ACT

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

Read by title.

Rep. Crane moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Doerge	Lancaster	Walsworth
Dorsey	Marchand	White
Dove	Martiny	Winston
Downs	McDonald	Wooton
Durand	McVea	Wright
Erdey	Montgomery	
Fannin	Morrell	

Total - 100

NAYS

Total - 0

ABSENT

Farrar	Odinet
Geymann	Robideaux

Total - 4

The Chair declared the above bill was finally passed.

Rep. Crane 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.

SENATE BILL NO. 182—
BY SENATOR DUPRE

AN ACT

To enact Subpart A-3 of Part II of Chapter 2 of Subtitle 1 of Title 30 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 30:150, relative to mineral leases; to provide relative to mineral leases on state lands; to provide certain drilling incentives; to provide relative to royalties; to create the Louisiana Royalty Relief Dry Hole Credit Program; to provide certain terms, conditions, procedures, and requirements; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Daniel to Reengrossed Senate Bill No. 182 by Senator Dupre

AMENDMENT NO. 1

On page 2, line 14, change "productive" to "commercially productive"

AMENDMENT NO. 2

On page 3, line 28, after "agree to" delete the remainder of the line and delete line 29 and insert the following:

"fully compensate for the adverse impacts to coastal wetlands in an amount equal to at least one hundred twenty-five percent of the habitat value of the affected wetlands, calculated in accordance with an evaluation method adopted by"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Erdey	Morrell
Alario	Fannin	Morrish
Alexander	Farrar	Odinet
Ansardi	Faucheux	Pierre
Arnold	Frith	Pitre
Badon	Glover	Powell, M.
Baldone	Gray	Powell, T.
Barrow	Greene	Richmond
Baudoin	Guillory, E.	Ritchie
Baylor	Hammett	Robideaux
Bead	Heaton	Romero
Bowler	Hebert	Scalise
Bruce	Hill	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	Katz	Strain
Crane	Kennard	Thompson
Cravins	Kenney	Toomy
Crowe	Kleckley	Townsend
Curtis	LaBruzzo	Trahan
Damico	LaFleur	Triche
Daniel	LaFonta	Tucker
Dartez	Lambert	Waddell
DeWitt	Lancaster	Walker
Doerge	Marchand	Walsworth
Dorsey	Martiny	White
Dove	McDonald	Winston
Downs	McVea	Wooton
Durand	Montgomery	Wright

Total - 96

NAYS

Total - 0

ABSENT

Gallot	Honey	Quezaire
Geymann	Johns	St. Germain
Guillory, M.	Pinac	

Total - 8

The Chair declared the above bill was finally passed.

Rep. Daniel 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.

SENATE BILL NO. 20—
BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 24:771(3) and 772, relative to reports provided to the legislature; to provide for definitions; to provide for record maintenance and retrieval; to require audit determination of reporting compliance; and to provide for related matters.

Read by title.

Rep. Bruneau moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Morrish
Alario	Frith	Odinet
Alexander	Gallot	Pierre

Ansardi	Glover	Pinac
Arnold	Gray	Pitre
Badon	Greene	Powell, M.
Baldone	Guillory, E.	Powell, T.
Barrow	Hammett	Quezaire
Baudoin	Heaton	Richmond
Baylor	Hebert	Ritchie
Beard	Hill	Robideaux
Bowler	Honey	Romero
Bruce	Hopkins	Scalise
Bruneau	Hunter	Schneider
Burns	Hutter	Smiley
Burrell	Jackson	Smith, G.
Carter, K.	Jefferson	Smith, J.D.-50th
Carter, R.	Johns	Smith, J.H.-8th
Cazayoux	Katz	Smith, J.R.-30th
Cravins	Kennard	Strain
Crowe	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 - 99

NAYS

Total - 0

ABSENT

Crane	Geymann	St. Germain
Curtis	Guillory, M.	

Total - 5

The Chair declared the above bill was finally passed.

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

Suspension of the Rules

On motion of Rep. Odinet, 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.

SENATE BILL NO. 24—

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

AN ACT

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

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Johns to Engrossed Senate Bill No. 24 by Senator Cain

AMENDMENT NO. 1

On page 3, delete line 7, and insert "Except pharmacies licensed by the Louisiana Board of Pharmacy, no retail"

AMENDMENT NO. 2

On page 3, line 16, delete "No" and insert "Except pharmacies licensed by the Louisiana Board of Pharmacy, no"

AMENDMENT NO. 3

On page 3, line 22, delete "The" and insert "Except pharmacies licensed by the Louisiana Board of Pharmacy, the"

AMENDMENT NO. 4

On page 4, line 10, after "establishment" and before "who" insert "or pharmacy"

AMENDMENT NO. 5

On page 4, line 11, change "Subsection" to "Section"

AMENDMENT NO. 6

On page 4, line 14, after "retailer," and before "whose" insert "or a pharmacy,"

AMENDMENT NO. 7

On page 4, line 18, change "Subsection" to "Section"

AMENDMENT NO. 8

On page 5, line 12, delete "retail distributor" and insert "pharmacy"

AMENDMENT NO. 9

On page 5, line 17, delete "The limit" and insert "The requirements of this Section"

AMENDMENT NO. 10

On page 5, line 18, delete "contained in this Subsection"

AMENDMENT NO. 11

On page 6, line 3, change "Subsection" to "Section"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Townsend and LaFleur to Engrossed Senate Bill No. 24 by Senator Cain

AMENDMENT NO. 1

On page 1, line 3, after "40:962.1.2" delete the comma "," and insert "962.1.3, and 962.1.4,"

AMENDMENT NO. 2

On page 1, line 7, after "methamphetamines;" delete the remainder of the line

AMENDMENT NO. 3

On page 1, delete lines 8 through 10 in their entirety and insert the following:

"to provide for the unlawful sales of certain quantities of products containing ephedrine, pseudoephedrine base, or phenylpropanolamine; to provide for the unlawful sale of nonliquid pseudoephedrine, ephedrine, or phenylpropanolamine; to provide for the unlawful distribution of pseudoephedrine, ephedrine, or phenylpropanolamine; to provide for definitions; to provide for penalties; to provide for exceptions; and to provide for related matters."

AMENDMENT NO. 4

On page 3, line 3, after "R.S. 40:962.1.2" and before "hereby" delete "is" and insert a comma "," and insert "962.1.3, and 962.1.4 are hereby enacted to read as follows:"

AMENDMENT NO. 5

On page 3, delete lines 4 through 29 in their entirety

AMENDMENT NO. 6

On page 4, delete lines 1 through 29 in their entirety

AMENDMENT NO. 7

On page 5, delete lines 1 through 29 in their entirety

AMENDMENT NO. 8

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

"§962.1.2. Unlawful sales of certain quantities of products containing ephedrine, pseudoephedrine base, or phenylpropanolamine

A. It is unlawful for any person to sell, deliver, supply, furnish, provide, or otherwise transfer more than three packages or nine grams of ephedrine, pseudoephedrine base, or phenylpropanolamine product in a single retail sales transaction.

B. The provisions of this Section shall not apply to any pediatric products primarily intended for administration, according to label instructions, to children under twelve years of age provided that:

(1) For any solid dosage form the individual dosage unit, according to label instructions, does not exceed fifteen milligrams of ephedrine, pseudoephedrine, or phenylpropanolamine.

(2) For any liquid dosage form the recommended dosage units, according to label instructions, does not exceed fifteen milligrams of ephedrine, pseudoephedrine, or phenylpropanolamine per five milliliters of the liquid product.

(3) For any liquid dosage form intended for administration to children under two years of age, the recommended dosage does not exceed two milliliters and the total package content is not more than one fluid ounce.

C. Whoever violates the provisions of this Section shall be fined not more than two thousand dollars or imprisoned with or without hard labor for not more than two years, or both.

§962.1.3. Unlawful sale of nonliquid pseudoephedrine, ephedrine, or phenylpropanolamine

A. It shall be unlawful for any person to sell, deliver, supply, furnish, provide, or otherwise transfer a nonliquid product containing ephedrine, pseudoephedrine, or phenylpropanolamine unless either of the following apply:

(1) The product is contained in a package holding not more than a total of three grams of pseudoephedrine base, ephedrine base, or phenylpropanolamine base.

(2) The product is contained in blister packs with each blister pack holding a maximum of two dosage units or the product is contained in unit dose packets or pouches.

B. Whoever violates the provisions of this Section shall be fined not more than five hundred dollars or imprisoned for not more than six months, or both.

§962.1.4. Unlawful distribution of pseudoephedrine, ephedrine, or phenylpropanolamine

A. For the purposes of this Section "distribute" means to sell, lease, rent, barter, trade, furnish, supply, or otherwise transfer in exchange for anything of value a product containing any amount of phenylpropanolamine.

B. It shall be unlawful for any person to knowingly distribute any product containing any amount of pseudoephedrine, ephedrine, or phenylpropanolamine when the person knows the product will be used in the unlawful manufacture of a controlled dangerous substance.

C. Whoever violates the provisions of this Section shall be sentenced to imprisonment with or without hard labor for not less than two nor more than five years; and may, in addition, be sentenced to pay a fine of not more than ten thousand dollars."

Rep. Townsend moved the adoption of the amendments.

Rep. Johns objected.

A record vote was asked for and ordered by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Dorsey	Kleckley
Alario	Downs	LaFleur
Ansardi	Durand	Lambert
Arnold	Fannin	Marchand
Badon	Farrar	McVea
Baldone	Faucheux	Montgomery
Barrow	Frith	Odinot
Baylor	Gallot	Pierre
Bowler	Glover	Pinac
Bruce	Gray	Romero
Burrell	Guillory, M.	Smith, G.
Carter, K.	Hammett	Smith, J.D.-50th
Cazayoux	Heaton	St. Germain
Cravins	Hebert	Townsend
Curtis	Honey	Walker
Damico	Hopkins	Wooton
Dartez	Hunter	Wright
DeWitt	Jackson	
Doerge	Jefferson	

Total - 55

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31st Day's Proceedings - June 16, 2005

NAYS

Alexander	Katz	Schneider
Baudoin	Kennard	Smiley
Beard	Kenney	Smith, J.H.—8th
Bruneau	LaFonta	Smith, J.R.—30th
Burns	Lancaster	Strain
Carter, R.	Martiny	Thompson
Crane	McDonald	Toomy
Crowe	Morrell	Trahan
Dove	Morrish	Triche
Erdey	Powell, M.	Tucker
Greene	Powell, T.	Waddell
Guillory, E.	Quezaire	Walsworth
Hill	Ritchie	White
Hutter	Robideaux	Winston
Johns	Scalise	
Total - 44		

ABSENT

Daniel	LaBruzzo	Richmond
Geymann	Pitre	
Total - 5		

The amendments were adopted.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Honey to Engrossed Senate Bill No. 24 by Senator Cain

AMENDMENT NO. 1

On page 4, line 10, after "owning" and before "a" delete "or being employed by"

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

Motion

Rep. Wooton moved that the bill, as amended, be returned to the calendar.

Rep. Johns objected.

A record vote was asked for and ordered by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Farrar	McDonald
Ansardi	Frith	Montgomery
Arnold	Gallot	Morrish
Badon	Glover	Odinot
Baldone	Gray	Pierre
Beard	Greene	Pinac
Burrell	Guillory, M.	Pitre
Cazayoux	Hammett	Quezaire
Cravins	Heaton	Romero
Curtis	Hebert	Smith, G.
Damico	Honey	Smith, J.D.—50th
Daniel	Hopkins	St. Germain
Dartez	Jackson	Townsend
DeWitt	Jefferson	Trahan
Doerge	Kennard	Walker

Dorsey
Dove
Durand
Total - 54

LaFleur
Lambert
Marchand

White
Wooton
Wright

NAYS

Mr. Speaker
Alexander
Barrow
Baudoin
Bruce
Bruneau
Burns
Carter, K.
Crane
Crowe
Downs
Erdey
Fannin
Faucheux
Total - 42

Guillory, E.
Hill
Hunter
Johns
Katz
Kenney
Kleckley
LaFonta
Lancaster
Martiny
McVea
Morrell
Powell, M.
Powell, T.

Ritchie
Robideaux
Scalise
Schneider
Smiley
Smith, J.H.—8th
Smith, J.R.—30th
Strain
Thompson
Toomy
Triche
Tucker
Waddell
Walsworth

ABSENT

Baylor
Bowler
Carter, R.
Total - 8

Geymann
Hutter
LaBruzzo

Richmond
Winston

The House returned the bill, as amended, to the calendar.

SENATE BILL NO. 46—
BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 38:2219(A)(3), relative to public contracts; to provide relative to contracts with the New Orleans Sewerage and Water Board for the purchase of goods and services; to increase that amount which is not subject to performance or surety bond requirements; and to provide for related matters.

Read by title.

Rep. Morrell moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker
Alario
Alexander
Ansardi
Arnold
Badon
Baldone
Barrow
Baudoin
Baylor
Beard
Bowler
Bruce
Bruneau
Burns
Burrell
Carter, K.
Carter, R.
Cazayoux
Crane
Cravins

Farrar
Faucheux
Frith
Gallot
Glover
Gray
Greene
Guillory, E.
Guillory, M.
Hammett
Heaton
Hebert
Hill
Honey
Hopkins
Hunter
Hutter
Jackson
Jefferson
Johns
Katz

Morrish
Odinot
Pierre
Pinac
Pitre
Powell, M.
Powell, T.
Quezaire
Richmond
Ritchie
Robideaux
Romero
Scalise
Schneider
Smiley
Smith, G.
Smith, J.D.—50th
Smith, J.H.—8th
Smith, J.R.—30th
St. Germain
Strain

Crowe	Kennard	Thompson
Curtis	Kenney	Toomy
Damico	Kleckley	Townsend
Daniel	LaFleur	Trahan
Dartez	LaFonta	Triche
DeWitt	Lambert	Tucker
Doerge	Lancaster	Waddell
Dorsey	Marchand	Walker
Dove	Martiny	Walsworth
Downs	McDonald	White
Durand	McVea	Winston
Erdey	Montgomery	Wright
Fannin	Morrell	

Total - 101

NAYS

Total - 0

ABSENT

Geymann	LaBruzzo	Wooton
Total - 3		

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 51—
BY SENATORS CHEEK AND BAJOIE
AN ACT

To amend and reenact R.S. 33:1981(C)(1) and 2201(C)(1), relative to certain payments made to survivors of certain first responders; to increase the amount of payments provided as financial security to the surviving spouse or parents of firemen and law enforcement officers in certain cases; and to provide for related matters.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Jack Smith gave notice of his intention to call Senate Bill No. 51 from the calendar for future action.

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.

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

Total - 99

NAYS

Bruneau	Scalise	Schneider
Total - 3		

ABSENT

Geymann	Lambert
Total - 2	

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 53—
BY SENATORS FIELDS, JONES, AMEDEE, BROOME, CAIN, CHAISSON, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FONTENOT, N. GAUTREAUX, HINES, JACKSON, MALONE, MARIONNEAUX, MCPHERSON, MURRAY, SCHEDLER, SMITH AND THEUNISSEN
AN ACT

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

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Baldone to Reengrossed Senate Bill No. 53 by Senator Fields

AMENDMENT NO. 1

In House Committee Amendment No. 1, proposed by the House Committee on House and Governmental Affairs and adopted by the

House of Representatives on June 13, 2005, on page 1, line 11, after "to enact" delete the remainder of the line and insert "R.S. 18:107.1, 402(E)(4), and"

AMENDMENT NO. 2

In House Committee Amendment No. 1 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 13, 2005, on page 1, line 22, after "party primary elections;" and before "to provide" insert "to allow persons to affiliate with more than one political party and provide election procedures relative to such persons;"

AMENDMENT NO. 3

In House Committee Amendment No. 2 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 13, 2005, on page 1, line 35, after "and R.S." change "18:402(E)(4)" to "18:107.1, 402(E)(4),"

AMENDMENT NO. 4

In House Committee Amendment No. 3 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 13, 2005, on page 2, between lines 14 and 15, insert the following:

"§107.1 Multiple political party affiliation; registration; election procedures

A. Application. The provisions of this Section shall apply to persons who desire to register to vote and declare an affiliation with more than one political party notwithstanding any conflicting provision of this Code to the contrary.

B. Voter registration. (1) An applicant for voter registration may choose to affiliate with more than one political party upon registration and the secretary of state shall provide reasonable space on the application form to allow an applicant to declare all of his party affiliations.

(2) If a registrant has registered with or without a declaration of party affiliation and afterwards desires to affiliate with more than one political party, he shall make written application therefor to the registrar, and the registrar shall enter on the original application form and on the voting certificate the additional party or parties the registrant has designated.

(3) If a registrant has registered with declarations of affiliation with multiple political parties and afterwards desires to change one or more of his political party affiliations, he shall make written application therefor to the registrar, and the registrar shall enter the change on the original application form and on the voting certificate.

(4) The provisions of Paragraphs (2) and (3) of this Subsection shall be subject to the provisions of R.S. 18:135.

C. Commissioners. (1) If a qualified voter who has declared multiple party affiliations becomes an alternate commissioner, a commissioner, or a commissioner-in-charge, such person shall provide to the clerk a list of each political party with which he is currently affiliated according to the records of the registrar. The clerk shall process such information in the same manner as he processes such information from an alternate commissioner, a commissioner, or a commissioner-in-charge who has declared a single party affiliation.

(2) If a commissioner who has declared multiple party affiliations is selected by the parish board of election supervisors to serve in an election, such commissioner may, pursuant to R.S. 18:434, represent any political party with which he has declared an affiliation.

D. Candidacy. (1) A person who has registered to vote and declared multiple party affiliations and who desires to become a candidate in a primary election shall qualify in accordance with Subpart B of Part IV of Chapter 5 of this Title, except that such person shall, on the notice of candidacy, list each political party with which he is currently affiliated according to the records of the registrar.

(2) If such a person's notice of candidacy is accompanied by a qualifying fee, he shall pay any additional fees imposed by each political party with which he is currently affiliated according to the records of the registrar.

(3) If such person is seeking membership on a political party committee and his notice of candidacy is accompanied by a nominating petition, only qualified voters in the voting area who are registered as being affiliated with the same political party on which committee the person is seeking membership shall be eligible to sign the nominating petition and the determination of the number of qualified voters necessary to sign the petition shall be based upon the number of qualified voters in the voting area who are registered as being affiliated with the same political party on which committee the person is seeking membership.

E. Ballots. If a candidate has declared multiple party affiliations, the secretary of state shall cause the designation of each recognized political party with which the candidate is registered as being affiliated to be listed in alphabetical order on the ballot and such designations shall be listed on the ballot in the same manner as provided in R.S. 18:551 for a candidate who is affiliated with a single recognized political party.

F. Voting in partisan elections. For elections at which members of a political party committee are to be elected, the presidential preference primary, and other elections which are conducted according to political party affiliation, a qualified voter who has declared multiple party affiliations shall be allowed to cast his vote on the ballot of only one of the political parties to which he is affiliated. Such a voter shall declare to the commissioners or the registrar of voters, as the case may be, the political party's ballot upon which he desires to cast his vote and he shall be allowed to vote on said ballot and no other political party's ballot. However, if a political party chooses its candidate for United States senator or United States representative by nominating convention, such a voter shall only participate in one such convention and if such voter participates in a nominating convention for such an office, the voter shall not be eligible to vote in a first or second primary election for the office of United States senator or United States representative.

G. Disclosure. For a person who has declared multiple party affiliations, each political party with which such person is currently affiliated according to the records of the registrar shall be submitted, listed, or otherwise designated in all instances that a person's party affiliation is required by law to be submitted, listed, or otherwise designated.

* * *

AMENDMENT NO. 5

In House Committee Amendment No. 3 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 13, 2005, on page 6, line 55, after "affiliated" and before "However," delete the period "." and insert a semicolon ";" and insert "except that voters affiliated with multiple political parties shall be allowed to vote as provided in R.S. 18:107.1(F)."

AMENDMENT NO. 6

In House Committee Amendment No. 3 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 13, 2005, on page 7, line 18, after

"affiliated" and before "However," delete the period "." and insert a semicolon ";" and "except that voters affiliated with multiple political parties shall be allowed to vote as provided in R.S. 18:107.1(F)."

AMENDMENT NO. 7

In House Committee Amendment No. 3 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 13, 2005, on page 7, at the end of line 24, after "election." insert the following:

"Each political party which conducts a nominating convention pursuant to the provisions of this Section, shall send a list of all voters who participated in its convention, including sufficient information to correctly identify each such voter, to the secretary of state no later than seven days after the conduct of the nominating convention. No later than three days after receipt of such information, the secretary of state shall forward such information to the appropriate registrar of voters who shall note such participation in the records of his office."

AMENDMENT NO. 8

In House Committee Amendment No. 3 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 13, 2005, on page 9, line 15 after "candidate" and before "A supplemental," delete the period "." and insert a comma "," and "including a voter affiliated with multiple political parties as provided in R.S. 18:107.1."

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

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Gallot gave notice of his intention to call Senate Bill No. 53 from the calendar for future action.

Suspension of the Rules

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

Petitions, Memorials and Communications

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

Message from the Senate

HOUSE BILLS

June 16, 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. 887
Returned with amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

House Bills and Joint Resolutions Returned from the Senate with Amendments

Rep. Durand asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just returned from the Senate with amendments to be concurred in by the House with a view of acting on the same:

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 8059, relative to state fees; to enact the Healthcare Affordability Act; to impose a fee on certain hospitals; to provide for collection and administration of the fee; to provide for disposition of the avails of the fee; to provide for penalties and sanctions; to provide for an effective date; and to provide for related matters.

Read by title.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 887 by Representative Durand

AMENDMENT NO. 1

On page 7, line 4, after "G." insert "(1)"

AMENDMENT NO. 2

On page 7, line 10, change "may" to "shall"

AMENDMENT NO. 3

On page 7, between lines 14 and 15, insert:

"(2) Any bill or statement sent to a patient, responsible party, insurer, or self-insured employer program after the initial effective date of this Subsection shall contain a statement that "This bill does not contain any cost of the fee imposed by the Healthcare Affordability Act provided in Act of the 2005 Regular Session." The act number shall be the number of the act which originated as House Bill No. 887 of the 2005 Regular Session."

AMENDMENT NO. 4

On page 7, line 27, after "Any hospital" insert "which has not filed previously or is"

AMENDMENT NO. 5

On page 7, line 28, after "care filing" delete the remainder of the line and insert:

" , or which is without a full year cost report, may file an estimate of its uncompensated costs within forty-"

AMENDMENT NO. 6

On page 8, line 7, after "care" delete "hospital" and change "levels" to "for care rendered by all hospitals as defined in this Chapter"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Reengrossed House Bill No. 887 by Representative Durand

AMENDMENT NO. 1

On page 5, line 13, after "revenue." insert the following:

"The department's regulations shall include instructions for reducing the net patient revenue in any such amended filing by the CMS Medicare hospital market basket index for the period between the applicable Medicare cost report and Federal Fiscal Year 2001."

AMENDMENT NO. 2

On page 5, line 13, delete "period covered by the" and insert "hospital's adjusted net revenue"

AMENDMENT NO. 3

On page 5, line 14, delete "amendment"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators McPherson and Boasso to Reengrossed House Bill No. 887 by Representative Durand

AMENDMENT NO. 1

Delete Senate Committee Amendment Nos. 1, 2, and 3 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 14, 2005.

AMENDMENT NO. 2

On page 7, delete lines 4 through 14, and insert the following:

"G.(1)(a) No hospital shall pass on the cost of this fee or include the fee as an itemized and separately listed amount on any statement sent to any patient, responsible party, insurer, or self-insured employer programs. If such a violation occurs, it shall be considered a violation of hospital minimum standards. If any such party has reason to believe that the fee has been passed on to him, or an attempt was made to do so, he may submit in writing to the Department of Revenue a request for an investigation along with evidence that the fee has been passed on or that an attempt was made to pass on the fee. The department shall have an affirmative duty to protect the parties above against any violation of this Subsection.

(b) Any bill or statement sent to a patient, responsible party, insurer, or self-insured employer program after the initial effective date of this Subsection shall contain a statement that "This bill does not contain any cost of the fee imposed by the Healthcare Affordability Act provided in Act of the 2005 Regular Session." The act number shall be the number of the act which originated as House Bill No. 887 of the 2005 Regular Session.

(2) Upon receipt of a written request for an investigation by an affected party, the department shall conduct a full investigation in a timely manner. Upon completion of the investigation, the department shall conduct a hearing pursuant to the provisions of the Administrative Procedure Act if it believes sufficient cause has been shown to warrant such hearing. If the department declines to conduct a hearing, it shall explain in writing to the requesting party its reasons for not further acting upon the complaint.

(3) Upon any finding by the Department of Revenue of a violation of this Subsection, it shall order full restitution to the affected party, including judicial interest computed from the time that the violation occurred until payment of the restitution. Furthermore, the department shall forward its findings to the Department of Health and Hospitals, which shall conduct a hearing in the matter to

determine the sanctions applicable thereto, including suspension or revocation of the violating hospital's license."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Barham to Reengrossed House Bill No. 887 by Representative Durand

AMENDMENT NO. 1

On page 1, line 14, after "Orleans" insert "and the LSU Health Sciences Center-Shreveport"

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. Speaker, Alario, Ansardi, Arnold, Badon, Baldone, Barrow, Baudoine, Baylor, Bruce, Burrell, Carter, K., Carter, R., Cazayoux, Crane, Cravins, Curtis, Damico, Dartez, DeWitt, Doerge, Dorsey, Downs, Durand, Total - 72

NAYS

Table with 3 columns of names: Alexander, Beard, Bowler, Bruneau, Burns, Crowe, Daniel, Dove, Erdey, Greene, Total - 28

ABSENT

Table with 2 columns of names: Farrar, Geymann, Total - 4

The amendments proposed by the Senate, having received a two-thirds vote of the elected members, were concurred in by the House.

Suspension of the Rules

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

Suspension of the Rules

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage

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

Regular Calendar

SENATE BILL NO. 24—

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

AN ACT

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

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative LaFleur to Engrossed Senate Bill No. 24 by Senator Cain

AMENDMENT NO. 1

In Amendment No. 8 proposed by Representatives Townsend and LaFleur to Senate Bill No. 24 by Senator Cain and adopted by the House of Representatives on June 16, 2005 on page 2, after line 40, insert the following:

"§962.1.5. Requirements on retail establishments selling pseudoephedrine, ephedrine and phenylpropanolamine; record of purchasers

A. A retail establishment offering for sale, lease, rent, trade, barter, furnish or supply a nonliquid product containing ephedrine, pseudoephedrine, or phenylpropanolamine shall require any person purchasing, receiving, or otherwise acquiring more than one package of a product containing pseudoephedrine, ephedrine or phenylpropanolamine to produce a photo identification showing the date of birth of the purchaser and that the person sign a written log or receipt showing the date of the transaction, the name of the purchaser, and the amount of the compound, mixture or preparation sold. The log shall be available to law enforcement authorities immediately upon request.

B. Any person owning or being employed by a retail establishment who violates this Section shall be subject to a fine of not more than five hundred dollars for the first offense and not more than one thousand dollars for each subsequent offense.

C. A retailer who is the owner or operator of a retail establishment, whose employee sells pseudoephedrine, ephedrine, or phenylpropanolamine in violation of this Section, shall not be liable if the retailer can document that his employee signed a written statement acknowledging that the employee was aware of the restrictions on sales provided in this Section, prior to the sale for which he was arrested."

On motion of Rep. LaFleur, the amendments were adopted.
Rep. LaFleur moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Carter, K.	Geymann
Durand	Trahan
Total - 4	

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 53—

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

AN ACT

To amend and reenact R.S. 18: 481, 511(A) and (B), and 512(B), relative to the election of United States senators and representative in congress; to provide for congressional

candidates to be elected only in a general election; to provide for election dates; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Gallot to Reengrossed Senate Bill No. 53 by Senator Fields

AMENDMENT NO. 1

Delete the set of House Committee Amendments proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 13, 2005.

AMENDMENT NO. 2

Delete Amendment No. 1 proposed by the Legislative Bureau and adopted by the House of Representatives on June 13, 2005.

Rep. Gallot moved the adoption of the amendments.

Rep. Lancaster objected.

By a vote of 67 yeas and 26 nays, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Durand	Morrell
Alario	Fannin	Odinot
Arnold	Faucheux	Pierre
Badon	Frith	Pitre
Baldone	Gallot	Quezairé
Barrow	Glover	Richmond
Baudoin	Gray	Ritchie
Baylor	Hammett	Romero
Bruce	Hill	Scalise
Bruneau	Honey	Schneider
Burrell	Hopkins	Smith, G.
Carter, K.	Hunter	Smith, J.D.—50th
Cazayoux	Hutter	Smith, J.H.—8th
Crane	Jackson	Thompson
Cravins	Jefferson	Toomy
Curtis	Kenney	Townsend
Damico	Kleckley	Triche
Daniel	LaFleur	Tucker
Dartez	LaFonta	Waddell
DeWitt	Marchand	White
Dorsey	McDonald	Wooton
Dove	McVea	
Downs	Montgomery	
Total - 67		

NAYS

Alexander	Greene	Powell, M.
Ansardi	Guillory, E.	Powell, T.
Beard	Hebert	Robideaux
Bowler	Katz	Smiley

Burns	Kennard	St. Germain
Carter, R.	Lambert	Strain
Crowe	Lancaster	Trahan
Doerge	Martiny	Walker
Erdey	Morrish	Walsworth
Farrar	Pinac	Wright
Total - 30		

ABSENT

Geymann	Johns	Winston
Guillory, M.	LaBruzzo	
Heaton	Smith, J.R.—30th	
Total - 7		

The Chair declared the above bill was finally passed.

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Toomy gave notice of his intention to call House Bill No. 343 from the calendar for future action.

Suspension of the Rules

On motion of Rep. Gallot, 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

DISAGREEMENT TO SENATE BILL

June 16, 2005

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

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 135 by Sen. Dardenne, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

DISAGREEMENT TO SENATE BILL

June 16, 2005

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

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill

No. 185 by Sen. Cravins, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

June 16, 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. 22
Returned with amendments

House Concurrent Resolution No. 63
Returned without amendments

House Concurrent Resolution No. 130
Returned without amendments

House Concurrent Resolution No. 138
Returned without amendments

House Concurrent Resolution No. 172
Returned without amendments

House Concurrent Resolution No. 193
Returned without amendments

House Concurrent Resolution No. 195
Returned without amendments

House Concurrent Resolution No. 196
Returned without amendments

House Concurrent Resolution No. 197
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

HOUSE BILLS

June 16, 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. 75
Returned without amendments

House Bill No. 120
Returned with amendments

House Bill No. 133
Returned without amendments

House Bill No. 145
Returned without amendments

House Bill No. 151
Returned without amendments

House Bill No. 158
Returned without amendments

House Bill No. 161
Returned without amendments

House Bill No. 184
Returned without amendments

House Bill No. 197
Returned without amendments

House Bill No. 204
Returned without amendments

House Bill No. 224
Returned with amendments

House Bill No. 238
Returned without amendments

House Bill No. 244
Returned without amendments

House Bill No. 295
Returned without amendments

House Bill No. 314
Returned without amendments

House Bill No. 377
Returned without amendments

House Bill No. 380
Returned without amendments

House Bill No. 387
Returned with amendments

House Bill No. 397
Returned without amendments

House Bill No. 427
Returned without amendments

House Bill No. 428
Returned with amendments

House Bill No. 432
Returned with amendments

House Bill No. 460
Returned without amendments

House Bill No. 477
Returned without amendments

House Bill No. 505
Returned with amendments

House Bill No. 519
Returned without amendments

House Bill No. 560
Returned without amendments

House Bill No. 562
Returned with amendments

House Bill No. 586
Returned with amendments

House Bill No. 587
Returned with amendments

House Bill No. 628
Returned with amendments

House Bill No. 630
Returned without amendments

House Bill No. 640
Returned without amendments

House Bill No. 651
Returned with amendments

House Bill No. 654
Returned without amendments

House Bill No. 668
Returned with amendments

House Bill No. 682
Returned with amendments

House Bill No. 683
Returned without amendments

House Bill No. 701
Returned without amendments

House Bill No. 715
Returned with amendments

House Bill No. 724
Returned with amendments

House Bill No. 820
Returned with amendments

House Bill No. 840
Returned with amendments

House Bill No. 878
Returned without amendments

House Bill No. 879
Returned with amendments

House Bill No. 886
Returned without amendments

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Message from the Senate
ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS

June 16, 2005

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

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution No. 121

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

SIGNED SENATE BILLS AND JOINT RESOLUTIONS

June 16, 2005

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

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

Senate Bill Nos. 27, 35, 44, 45, 65, 70, 79, 107, 138, 151, 188, 196, 212, 239, 271, 278, 292, 327, 330, 332, and 348

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

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

The Senate Bills and Joint Resolutions contained herein were signed by the Speaker of the House.

Suspension of the Rules

On motion of Rep. Fannin, 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. 121—
BY SENATOR SMITH AND REPRESENTATIVE FANNIN
A CONCURRENT RESOLUTION

To recognize and commend Russell Sullivan for a lifetime of dedication to agricultural education.

Read by title.

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

**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 CONCURRENT RESOLUTION NO. 203—
BY REPRESENTATIVE JEFFERSON
A CONCURRENT RESOLUTION

To create the Louisiana Initiative for Tomorrow Task Force, to be known as the LIFT Task Force, for the purpose of encouraging private sector investments in Louisiana, particularly in distressed urban and rural areas in order to generate additional revenues and job opportunities in these areas, and contributing to the success of the Louisiana Initiative for Tomorrow.

Read by title.

Lies over under the rules.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Judiciary

June 16, 2005

To the Speaker and Members of the House of Representatives:

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

Senate Bill No. 320, by Heitmeier
Reported favorably. (5-4) (Regular)

JOSEPH F. TOOMY
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**

Thursday, June 16, 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 Bill No. 328, by Jones
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 16, 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. 59
Reported without amendments.

Senate Bill No. 78
Reported without amendments.

Senate Bill No. 189
Reported without amendments.

Senate Bill No. 197
Reported without amendments.

Senate Bill No. 214
Reported without amendments.

Senate Bill No. 215
Reported without amendments.

Senate Bill No. 223
Reported without amendments.

Senate Bill No. 243
Reported without amendments.

Senate Bill No. 264
Reported without amendments.

Senate Bill No. 266
Reported without amendments.

Senate Bill No. 273
Reported without amendments.

Senate Bill No. 353
Reported without amendments.

Respectfully submitted,

CHARLES MCDONALD
Chairman

Privileged Report of the Legislative Bureau

September 19, 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. 320
Reported without amendments.

Senate Bill No. 328
Reported without amendments.

Respectfully submitted,

CHARLES MCDONALD
Chairman

**Senate Instruments on Second Reading
Returned from the Legislative Bureau**

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

SENATE BILL NO. 59—
BY SENATOR DUPLESSIS
AN ACT

To amend and reenact R.S. 47:297.4 and to repeal R.S. 47:297.2, relative to state income tax credits; to provide for the child care and dependent care expense credits and their calculation; and to provide for related matters.

Read by title.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 78—
BY SENATOR ADLEY
AN ACT

To enact R.S. 40:1300.143(3)(a)(xii), relative to the rural hospital preservation act; to provide an additional definition of a rural hospital; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Reengrossed Senate Bill No. 78 by Senator Adley

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AMENDMENT NO. 1

On page 1, delete line 17 in its entirety

AMENDMENT NO. 2

On page 2, delete lines 1 through 7 in their entirety

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 189—

BY SENATOR BROOME

AN ACT

To enact Part VI-B of Chapter 20 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:1742.1, relative to providing information and making recommendation of food and dietary supplements; to provide with respect to disclosure by certain individuals who provide such information and recommendations; to provide for information to be disclosed in the disclosure; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Reengrossed Senate Bill No. 189 by Senator Broome

AMENDMENT NO. 1

On page 1, line 4, change "food and dietary supplements" to "food, dietary supplements, or homeopathic remedies"

AMENDMENT NO. 2

On page 1, line 10, after "R.S. 37:1742.1" insert a comma ","

AMENDMENT NO. 3

On page 1, line 12, change "AND" to "OR"

AMENDMENT NO. 4

On page 1, line 13, change "and" to "or"

AMENDMENT NO. 5

On page 1, line 15, change "and" to "or"

AMENDMENT NO. 6

On page 1, line 16, after "remedies" insert "vendor" ", hereinafter referred to as "vendor;"

AMENDMENT NO. 7

On page 1, line 17, change "and" to "or"

AMENDMENT NO. 8

On page 2, line 1, delete "pursuant to Title" and insert in lieu thereof "as defined in R.S. 37:1744(A)(2) or a dietician as defined in R.S. 37:3083"

AMENDMENT NO. 9

On page 2, line 2, delete "37 of the Louisiana Revised Statutes of 1950"

AMENDMENT NO. 10

On page 2, line 3, after "statement" and before "the" insert "all of"

AMENDMENT NO. 11

On page 2, line 4, after "business" insert a comma "," and delete "person providing" and insert in lieu thereof "vendor."

AMENDMENT NO. 12

On page 2, delete line 5 in its entirety

AMENDMENT NO. 13

On page 2, line 6, after "certified" and before "or" insert a comma ","

AMENDMENT NO. 14

On page 2, line 7, change "practitioner" to "provider"

AMENDMENT NO. 15

On page 2, delete lines 8 through 10 in their entirety and insert in lieu thereof:

"(3) That the food, dietary supplements, or homeopathic remedies being recommended are not drugs."

AMENDMENT NO. 16

On page 2, line 12, change "provider of information and recommendations" to "vendor"

AMENDMENT NO. 17

On page 2, line 15, change "person" to "vendor"

AMENDMENT NO. 18

On page 2, line 16, change "person" to "vendor"

AMENDMENT NO. 19

On page 2, line 19, change "provider of such" to "vendor."

AMENDMENT NO. 20

On page 2, line 20, delete "services."

AMENDMENT NO. 21

On page 2, line 23, change "the person" to "any vendor"

AMENDMENT NO. 22

On page 2, line 24, change "person" to "vendor" and change "they" to "he"

AMENDMENT NO. 23

On page 2, line 25, delete "that"

AMENDMENT NO. 24

On page 2, line 28, change "and" to "or"

AMENDMENT NO. 25

On page 2, after line 29 insert the following:

"E. This Section shall not be interpreted to apply to, control, prevent, or restrict the practice, service, or activity of lawfully marketing, selling, or distributing products such as food, dietary supplements, or homeopathic remedies, educating consumers about such products, or explaining the use of such products.

F. A person providing information or recommendations for a fee who is acting under and in compliance with this Section shall not be in violation of R.S. 37:1271 for providing information or making recommendations regarding food, dietary supplements, or homeopathic remedies."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 197—
BY SENATOR BAJOIE

AN ACT

To enact R.S. 18:425(A)(3) and 1363(G), relative to election officials and voting machines; to provide for the allocation of additional commissioners and voting machines in case of overcrowded precincts; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Reengrossed Senate Bill No. 197 by Senator Bajoue

AMENDMENT NO. 1

On page 1, line 13, change "due to" to "for"

AMENDMENT NO. 2

On page 1, line 14, after "shall include" and before "additional commissioners" delete "a justification for the" and insert "the number of additional commissioners requested and an explanation of the need for"

AMENDMENT NO. 3

On page 1, line 15, after "state determines that" delete the remainder of the line and insert "there is a need for additional commissioners and that the allocation of additional commissioners is feasible, he may"

AMENDMENT NO. 4

On page 1, line 16, change "allocate" to "approve the allocation of"

AMENDMENT NO. 5

On page 2, line 5, change "due to" to "for"

AMENDMENT NO. 6

On page 2, line 6, after "shall include" and before "additional voting machines," delete "a justification for the" and insert "the number of additional voting machines requested and an explanation of the need for"

AMENDMENT NO. 7

On page 2, line 7, after "state determines that" delete the remainder of the line and insert "there is a need for additional voting machines and that the provision of additional voting machines is feasible, he may"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

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.

Reported favorably by the Committee on Education.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 215—
BY SENATOR BARHAM
AN ACT

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

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed Senate Bill No. 215 by Senator Barham

AMENDMENT NO. 1

On page 2, delete line 20 and insert "takes office."

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AMENDMENT NO. 2

On page 2, delete line 29 and on page 3, delete line 1, and insert the following:

"(1) Meet at least quarterly at a place determined by a majority of the board with at least five days notice of the time, date, and place of each meeting given to each member of the board."

AMENDMENT NO. 3

On page 3, line 2, after "of the" and before "directors" insert "board of"

AMENDMENT NO. 4

On page 3, line 19, after "granted" and before "the board" delete "by" and insert "to"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 223—

BY SENATOR HOLLIS

AN ACT

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

Read by title.

Reported favorably by the Committee on Health and Welfare.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 243—

BY SENATOR MOUNT

AN ACT

To amend and reenact Children's Code Art. 603(14), relative to a child in need of care; to provide with respect to the definition of neglect; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Engrossed Senate Bill No. 243 by Senator Mount

AMENDMENT NO. 1

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

"Section 2. The provisions of this Act shall require the promulgation of rules and regulations by the Department of Social Services and shall not be applied, enforced, or required as applicable, until such rules and regulations are effective pursuant to the

provisions of R.S. 49:954(B). In promulgating such rules, the Department of Social Services shall work in conjunction with the medical community and other interested parties to clarify the necessary terms in this Act, including but not limited to defining "health care provider" and "effected by," in order to ensure compliance with federal mandates."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

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.

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 Engrossed Senate Bill No. 264 by Senator Jones

AMENDMENT NO. 1

On page 2, line 1, after "Louisiana" delete the remainder of the line and delete lines 2 and 3 and insert in lieu thereof the following:

"and especially in the Acadiana, East Coast, Florida, and North Central parishes and the Louisiana delta region which are"

AMENDMENT NO. 2

On page 2, line 5, after "in" and before "The" change "this region." to "these areas."

AMENDMENT NO. 3

On page 2 delete lines 15 through 17 in their entirety and insert in lieu thereof the following:

"but not limited to the Acadiana, East Coast, Florida, and North Central parishes and the Louisiana delta region of the state."

AMENDMENT NO. 4

On page 2, line 24, after "local" and before "school" insert "public"

AMENDMENT NO. 5

On page 2, line 26, after "a" and before "school" change "low performing" to "low-performing"

AMENDMENT NO. 6

On page 3, at the end of line 12, change "low" to "low-performing" and at the beginning of line 13, delete "performing"

AMENDMENT NO. 7

On page 4, line 12, after "of the" and before "panel" insert "advisory"

AMENDMENT NO. 8

On page 4, line 17, after "(3)" and before "the" change "Annually evaluating and assessing" to "Evaluating and assessing annually"

AMENDMENT NO. 9

On page 4, line 21, after "(6)" delete the remainder of the line and delete line 22 and insert in lieu thereof "Recommending rules and regulations for program implementation and administration."

AMENDMENT NO. 10

On page 4, line 26, after "Meetings" and before "be" change "shall also" to "also shall"

AMENDMENT NO. 11

On page 5, line 1, after "governor" and before "and" insert a comma ",."

AMENDMENT NO. 12

On page 5, line 1, after "legislature" and before "at" delete the comma ",."

AMENDMENT NO. 13

On page 5, line 2, after "to" and before "regular" change "the" to "each"

AMENDMENT NO. 14

On page 5, line 3, after "appointment" and before "by" insert "to the advisory panel"

AMENDMENT NO. 15

On page 5, line 8, after "members" and before "shall" insert "of the advisory panel"

AMENDMENT NO. 16

On page 5, line 9, after "business" and before "to" delete the comma ",."

AMENDMENT NO. 17

On page 5, at the end of line 10, delete "Any" and delete lines 11 through 13 in their entirety and insert in lieu thereof the following:

"Legislators who are members of the panel shall receive such per diem and expenses as provided for legislators during attendance of committee meetings."

AMENDMENT NO. 18

On page 5, line 18, after "in" and before "elementary" insert "public"

AMENDMENT NO. 19

On page 5, line 22, after "a" delete the remainder of the line and delete line 23 and insert in lieu thereof "low-performing public school located in a disadvantaged and underserved geographical area of the state, all as identified by the State Board of Elementary and Secondary Education."

AMENDMENT NO. 20

On page 5, at the beginning of line 24, change "(2)(a)" to "(2)"

AMENDMENT NO. 21

On page 5, at the end of line 25 delete "the" and delete lines 26 through 29 and on page 6 delete lines 1 through 11 in their entirety and insert in lieu thereof the following:

"all of the following conditions and complies with all other applicable provisions of this Section:

(a) Holds a valid Louisiana teaching certificate issued by the state Department of Education and teaches in the field of certification.

(b) Has not had a certification or licensure requirement waived by the state on an emergency, temporary, or provisional basis.

(c) Has the equivalent of an academic major, or has passed the Louisiana licensing content-specific Praxis exam, or has earned a master's degree in the content area taught.

(d) Meets the definition of a highly qualified teacher under the federal No Child Left Behind Act which calls for a highly qualified teacher who demonstrates subject knowledge and skills in reading, writing, mathematics, and other basic subject areas to be placed in every classroom by the end of the 2005-2006 school year."

AMENDMENT NO. 22

On page 6 delete lines 12 through 29 and on page 7 delete lines 1 through 3 in their entirety and insert in lieu thereof the following:

"C.(1) The State Board of Elementary and Secondary Education shall formulate, develop, and approve components of the Louisiana Qualified Teachers' Incentive Program established by this Section and shall provide for the program to be administered by the state superintendent of education.

(2) The State Board of Elementary and Secondary Education, in accordance with the Administrative Procedure Act, shall adopt rules and regulations necessary for the implementation and administration of the Louisiana Qualified Teachers' Incentive Program."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 266—

BY SENATOR JONES

AN ACT

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

Read by title.

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 Reengrossed Senate Bill No. 266 by Senator Jones

AMENDMENT NO. 1

On page 3, line 1, change "within" to "with"

AMENDMENT NO. 2

On page 3, line 16, after "Plan" change the comma "," to a period "." and change "the" to "The"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

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.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Engrossed Senate Bill No. 273 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 27:28(H)(1)" delete the remainder of the line and insert "and 310(B)(1)(introductory paragraph) and (b) and (2) and to enact R.S. 27:310(H), relative to the suitability provisions of the"

AMENDMENT NO. 2

On page 1, line 6, after "appeal;" delete the remainder of the line

AMENDMENT NO. 3

On page 1, delete lines 7 and 8 in their entirety and insert in lieu thereof the following:

"to provide for suitability requirements for licensing to operate video draw poker devices; to change the requirements for demonstrating suitability for licensing to operate video draw poker devices; to remove consideration of arrest records in suitability determinations regarding licensing to operate video draw poker devices; to provide for the number of officers of a private or public golf course which

must meet suitability standards for the operation of video draw poker devices;"

AMENDMENT NO. 4

On page 1, line 10, after "R.S. 27:28(H)(1)" delete the remainder of the line and add "and 310(B)(1)(introductory paragraph) and (b) and (2) are hereby amended and reenacted and R.S. 27:310(H)"

AMENDMENT NO. 5

On page 2, line 9, after "operator" and before "pursuant" insert "or required to meet suitability"

AMENDMENT NO. 6

On page 2, delete lines 16 through 29 in their entirety

AMENDMENT NO. 7

On page 3, after line 1, insert the following:

"§310. Suitability requirements

* * *

B.(1) ~~No~~ A person shall be granted a license under the provisions of this Chapter unless the ~~applicant~~ applicant division has demonstrated by clear and convincing evidence to the ~~division board~~ division board that ~~he is suitable~~ the applicant is unsuitable for licensing. For purposes of this Chapter, suitability means the applicant or licensee is:

* * *

(b) A person whose prior activities ~~arrest~~ arrest or criminal conviction record, if any, reputation, habits, and associations do not pose a threat to the public interest of this state or to the effective regulation of video draw poker, and do not create or enhance the dangers of unsuitable, unfair, or illegal practices, methods, and operations in the activities authorized by this Chapter and financial arrangements incidental thereto.

* * *

(2) An applicant who is not disqualified from making application or licensure as a result of Subsection A of this Section shall still be required to demonstrate to the division that he otherwise meets the remaining requirements for suitability, particularly those contained in Subparagraphs (1)(a), (b), and (c) of this Subsection. ~~Evidence of or relating to an arrest, summons, charge, or indictment of an applicant, or the dismissal thereof, shall be considered by the division even if the arrest, summons, charge, or indictment results in acquittal, deferred adjudication, probation, parole, or pardon.~~

* * *

H. The general manager, the president, and treasurer of a country or community club, which meet all requirements for licensure under the provisions of this Chapter, shall be the only officers, directors, shareholders, owners, or members of that club required to meet the suitability requirements of this Chapter. However, this shall not preclude investigation of any individual who in the opinion of the board or division, has the ability to exercise significant influence within the country or community club. For the purposes of this Subsection, "country or community club" means an organization which operates at least two of the following:

(1) Golf course.

(2) Swimming pool.

(3) Tennis court.

* * *

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 320—

BY SENATORS HEITMEIER AND MURRAY AND REPRESENTATIVE TOOMY

AN ACT

To amend and reenact R.S. 16:51(A)(6), (9), (12), (35), and (38), relative to assistant district attorneys; to provide for additional assistant district attorneys for certain judicial districts; to provide for an effective date conditioned upon funding out of the State General Fund; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 328—

BY SENATOR JONES

AN ACT

To enact R.S. 33:2740.51(M), (N), (O), and (P), and to repeal R.S. 33:2740.51(H), relative to the Southside Economic Development District of the City of Monroe; to provide the board the authority for tax financing by the district; to provide for its termination; and to provide for related matters.

Read by title.

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

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 353 (Substitute of Senate Bill No. 207 by Senator Lentini)—

BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 48:390(A) and (B), to enact R.S. 44:4.1(B)(36) and R.S. 48:389.2 and 390.1, and to repeal R.S. 48:390(C), (D) and (E), relative to railroads; to provide for railroad safety; to require notification of any train derailment to local authorities; to provide relative to railroad grade crossings; to provide relative to such crossings which are located on roads not maintained by the state; to authorize the Department of Transportation and Development to evaluate such crossings; to provide relative to railroad grade crossing closures on such roads determined to be necessary by the department; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Reengrossed Senate Bill No. 353 by Senator Lentini

AMENDMENT NO. 1

On page 1, at the beginning of line 3, delete "48:389.2 and" and insert "48:"

AMENDMENT NO. 2

On page 1, delete line 4 in its entirety and from the beginning of line 5 delete "authorities;"

AMENDMENT NO. 3

On page 2, at the beginning of line 6, delete "48:389.2 and 390.1 are" and insert "48:390.1 is"

AMENDMENT NO. 4

On page 2, delete lines 7 through 20 in their entirety

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Reengrossed Senate Bill No. 353 by Senator Lentini

AMENDMENT NO. 1

On page 1, line 2, after "to enact" delete "R.S. 44:4.1(B)(36) and"

AMENDMENT NO. 2

On page 1, delete lines 11 through 17 and on page 2, delete lines 1 through 4

AMENDMENT NO. 3

On page 2, at the beginning of line 5, change "Section 2." to "Section 1."

AMENDMENT NO. 4

On page 4, line 1, after "shall be" delete "a public record." and insert "discoverable or admissible in any state court in Louisiana."

AMENDMENT NO. 5

On page 6, line 10, after "shall be" delete "a public record." and insert "discoverable or admissible in any state court in Louisiana."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

House and House Concurrent Resolutions

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

Motion

On motion of Rep. Montgomery, the Committee on Education was discharged from further consideration of House Resolution No. 106.

HOUSE RESOLUTION NO. 106—
BY REPRESENTATIVE MONTGOMERY
A RESOLUTION

To urge and request the Board of Regents to study the need for and feasibility of transferring the governance, management, and supervision of Louisiana Technical College from the Board of Supervisors of Community and Technical Colleges to the State Board of Elementary and Secondary Education and to report study findings and recommendations in writing to the legislature prior to the convening of the 2006 Regular Session.

Read by title.

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

Privileged Report of the Committee on Enrollment

June 16, 2005

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

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

The following House Resolutions have been properly enrolled:

HOUSE RESOLUTION NO. 112—
BY REPRESENTATIVES PINAC, BRUCE, CROWE, DOERGE, FRITH, GEYMAN, KLECKLEY, LAFONTA, T. POWELL, RITCHIE, GARY SMITH, STRAIN, TRAHAN, WALSWORTH, AND WHITE
A RESOLUTION

To urge and request the Office of Financial Institutions to study certain issues related to hedge funds and to propose recommendations for future legislation.

HOUSE RESOLUTION NO. 114—
BY REPRESENTATIVE THOMPSON
A RESOLUTION

To commend William T. "Bill" Hawks upon his retirement as the undersecretary of marketing and regulatory programs at the United States Department of Agriculture and to recognize his vision, wisdom, and outstanding contributions to the agriculture industry.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

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

Privileged Report of the Committee on Enrollment

June 16, 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. 79—
BY REPRESENTATIVE BRUCE
A CONCURRENT RESOLUTION

To request the Louisiana Commission on Law Enforcement and Administration of Criminal Justice to study whether juvenile correctional officers should be included in the definition of a peace officer for purposes of the Peace Officers Standards and Training Law and to report its findings to the speaker of the House of Representatives and the president of the Senate no later than February 1, 2006, and to create the Juvenile Correctional Officers Task Force to assist in this study.

HOUSE CONCURRENT RESOLUTION NO. 96—
BY REPRESENTATIVES DOERGE AND WALKER
A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 98—
BY REPRESENTATIVE BADON
A CONCURRENT RESOLUTION

To request the Louisiana Board of Pharmacy to study the feasibility and effectiveness of implementing a prescription monitoring program for controlled dangerous substances and to report its findings to the speaker of the House of Representatives and the president of the Senate no later than February 1, 2006, and to create the Prescription Monitoring Program Task Force to assist in this study.

HOUSE CONCURRENT RESOLUTION NO. 128—
BY REPRESENTATIVE M. POWELL AND SENATOR CHEEK
A CONCURRENT RESOLUTION

To request the House Committee on Transportation, Highways and Public Works and the Senate Committee on Transportation, Highways and Public Works to meet and function as a joint committee to study and make recommendations to the legislature regarding the need for legislation to address the issue of aggressive driving.

HOUSE CONCURRENT RESOLUTION NO. 158—
BY REPRESENTATIVE GALLOT
A CONCURRENT RESOLUTION

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

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.

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.

SSuspension of the Rules

On motion of Rep. Alario, the rules were suspended to permit the Committee on Appropriations to meet on Thursday, June 16, 2005, upon adjournment, 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:

Senate Bill No. 318

Suspension of the Rules

On motion of Rep. Hammett, the rules were suspended to permit the Committee on Ways and Means to meet on June 17, 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:

Senate Bill Nos. 183, 259, and 291

Leave of Absence

Rep. Geymann - 1/2 day

Adjournment

On motion of Rep. Kennard, at 6:30 P.M., the House agreed to adjourn until Friday, June 17, 2005, at 9:00 A.M.

The Speaker of the House declared the House adjourned until 9:00 A.M., Friday, June 17, 2005.

ALFRED W. SPEER
Clerk of the House

