

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

THIRTY-SECOND 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

Friday, June 17, 2005

The House of Representatives was called to order at 9:00 A.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	Farrar	Morrell
Alario	Faucheux	Morrish
Alexander	Frith	Odinet
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
Bruneau	Honey	Scalise
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
Total - 102		

ABSENT

Geymann	Schneider
Total - 2	

The Speaker announced that there were 102 members present and a quorum.

Prayer

Prayer was offered by Rev. Henry Oubre.

Pledge of Allegiance

Rep. Robideaux 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. Greene, the reading of the Journal was dispensed with.

On motion of Rep. Baudoin, and under a suspension of the rules, the Journal of June 14, 2005, was corrected to reflect her as voting nay on final passage of Senate Bill No. 278.

On motion of Rep. Dove, and under a suspension of the rules, the Journal of June 16, 2005, was corrected to reflect him as voting nay on concurrence of Senate amendments to House Bill No. 887.

On motion of Rep. Waddell, the Journal of June 16, 2005, was adopted.

**Petitions, Memorials and
Communications**

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

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

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 appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 59: Senators Mount, Hollis and Nevers.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

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 appointed the following committee to serve with a

like committee from the House to confer on the disagreement to House Bill No. 194: Senators Amedee, Shepherd, and Marionneaux.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

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 appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 528: Senators Jackson, McPherson, and Cheek.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

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 appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 561: Senators Cravins, Cain, and Kostelka.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

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 appointed the following committee to serve with a like committee from the House to confer on the disagreement to Senate Bill No. 205: Senators Duplessis, Hollis, and Bajoie.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

**ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

June 17, 2005

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

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

Senate Concurrent Resolution Nos. 122, 123, and 124

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Suspension of the Rules

On motion of Rep. Robideaux, 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. 123—

BY SENATOR MICHOT

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Robley P. "Shine" Domingue, a devoted public servant, husband, father, brother, grandfather and great-grandfather.

Read by title.

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

House and House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 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.

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

Ordered to the Senate.

Suspension of the Rules

On motion of Rep. Morrell, 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. 56—
BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 33:4121(E), relative to the Sewerage and Water Board of New Orleans; to provide for a technical change in the board's bonding authority; to provide for an effective date; 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	Erdey	Montgomery
Alario	Fannin	Morrell
Alexander	Farrar	Morrish
Ansardi	Faucheux	Odinot
Badon	Frith	Pierre
Baldone	Gallot	Pinac
Barrow	Glover	Pitre
Baudoin	Gray	Powell, M.
Baylor	Greene	Powell, T.
Beard	Guillory, E.	Quezaire
Bowler	Guillory, M.	Ritchie
Bruce	Hebert	Robideaux
Bruneau	Hill	Scalise
Burns	Honey	Smiley
Burrell	Hopkins	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	Toomy
Curtis	Kenney	Townsend
Damico	Kleckley	Trahan
Daniel	LaBruzzo	Triche
Dartez	LaFleur	Tucker
DeWitt	LaFonta	Waddell
Doerge	Lambert	Walker
Dorsey	Lancaster	Walsworth
Dove	Martiny	White
Downs	McDonald	Winston
Durand	McVea	Wooton
Total - 93		

NAYS

Total - 0

ABSENT

Arnold	Hunter	Schneider
Geymann	Marchand	Thompson
Hammett	Richmond	Wright
Heaton	Romero	
Total - 11		

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. 58—
BY SENATORS DUPLESSIS AND FIELDS
AN ACT

To repeal R.S. 17:121(D), relative to participation in certain campaign activities for the election of school board members in Orleans Parish; to remove the prohibition against school board members or other elected officials in campaigning for or against

the election of school board members in Orleans Parish; and to provide for related matters.

Read by title.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Morrish
Alario	Frith	Pierre
Alexander	Gallot	Pinac
Ansardi	Glover	Pitre
Badon	Gray	Powell, M.
Baldone	Guillory, E.	Powell, T.
Barrow	Guillory, M.	Quezaire
Baudoin	Hebert	Richmond
Baylor	Hill	Ritchie
Bruce	Honey	Robideaux
Burns	Hopkins	Romero
Burrell	Hunter	Scalise
Carter, K.	Hutter	Smith, G.
Carter, R.	Jackson	Smith, J.D.—50th
Cazayoux	Jefferson	Smith, J.R.—30th
Crane	Johns	St. Germain
Cravins	Kennard	Strain
Crowe	Kenney	Thompson
Curtis	Kleckley	Townsend
Damico	LaFleur	Trahan
Dartez	LaFonta	Triche
DeWitt	Lambert	Waddell
Doerge	Lancaster	Walker
Dorsey	Marchand	White
Dove	Martiny	Winston
Durand	McVea	Wooton
Fannin	Montgomery	Wright
Farrar	Morrell	
Total - 83		

NAYS

Bowler	Greene	Toomy
Bruneau	Smiley	Walsworth
Total - 6		

ABSENT

Arnold	Geymann	McDonald
Beard	Hammett	Odinot
Daniel	Heaton	Schneider
Downs	Katz	Smith, J.H.—8th
Erdey	LaBruzzo	Tucker
Total - 15		

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 80—
BY SENATOR MURRAY
AN ACT

To amend and reenact R.S. 33:4084(A)(1)(a), relative to the Sewerage and Water Board of New Orleans; to change the threshold contract amount of materials and supplies contracts

with the board that must be advertised for public bid; to provide for an effective date; 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	Farrar	Morrish
Alario	Faucheux	Odinet
Alexander	Frith	Pierre
Ansardi	Gallot	Pinac
Badon	Glover	Pitre
Baldone	Greene	Powell, M.
Barrow	Guillory, E.	Powell, T.
Baudoin	Guillory, M.	Quezaire
Baylor	Hebert	Richmond
Beard	Hill	Ritchie
Bowler	Honey	Romero
Bruce	Hopkins	Scalise
Bruneau	Hunter	Smiley
Burns	Hutter	Smith, G.
Burrell	Jackson	Smith, J.D.-50th
Carter, R.	Jefferson	Smith, J.H.-8th
Cazayoux	Johns	Smith, J.R.-30th
Crane	Katz	St. Germain
Cravins	Kennard	Strain
Crowe	Kenney	Thompson
Curtis	Kleckley	Toomy
Damico	LaBruzzo	Townsend
Daniel	LaFleur	Trahan
Dartez	LaFonta	Triche
DeWitt	Lambert	Tucker
Doerge	Lancaster	Waddell
Dorsey	Marchand	Walker
Dove	Martiny	Walsworth
Downs	McDonald	White
Durand	McVea	Winston
Erdey	Montgomery	Wooton
Fannin	Morrell	Wright
Total - 96		

NAYS

Total - 0

ABSENT

Arnold	Gray	Robideaux
Carter, K.	Hammett	Schneider
Geymann	Heaton	
Total - 8		

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. 81—
BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 33:4079, relative to the Sewerage and Water Board of New Orleans; to provide for the conformity to plans for drainage system and related facilities; to provide for an effective date; 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	Faucheux	Morrish
Alario	Frith	Odinet
Alexander	Gallot	Pierre
Ansardi	Glover	Pinac
Badon	Gray	Pitre
Baldone	Greene	Powell, M.
Barrow	Guillory, E.	Powell, T.
Baylor	Guillory, M.	Quezaire
Beard	Heaton	Richmond
Bowler	Hebert	Ritchie
Bruce	Hill	Robideaux
Bruneau	Honey	Romero
Burns	Hopkins	Scalise
Burrell	Hunter	Smiley
Carter, K.	Hutter	Smith, G.
Carter, R.	Jackson	Smith, J.D.-50th
Cazayoux	Jefferson	Smith, J.H.-8th
Crane	Johns	Smith, J.R.-30th
Cravins	Katz	St. Germain
Crowe	Kennard	Strain
Curtis	Kenney	Thompson
Damico	Kleckley	Toomy
Daniel	LaBruzzo	Townsend
Dartez	LaFleur	Trahan
DeWitt	LaFonta	Triche
Doerge	Lambert	Tucker
Dorsey	Lancaster	Waddell
Dove	Marchand	Walker
Downs	Martiny	Walsworth
Durand	McDonald	White
Erdey	McVea	Winston
Fannin	Montgomery	Wooton
Farrar	Morrell	Wright
Total - 99		

NAYS

Total - 0

ABSENT

Arnold	Geymann	Schneider
Baudoin	Hammett	
Total - 5		

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. 156—
BY SENATORS CHAISSON AND NEVERS
AN ACT

To enact R.S. 14:67.4, relative to crimes; to make theft of encoded credit card information a crime; to criminalize the use of a scanning device or re-encoder to capture encoded information from a magnetic strip; to provide for definitions; to provide for penalties; and to provide for related matters.

Read by title.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 98

NAYS

Total - 0

ABSENT

Arnold	Geymann	Jefferson
DeWitt	Hammett	Schneider

Total - 6

The Chair declared the above bill was finally passed.

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

Suspension of the Rules

On motion of Rep. Damico, 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. 157—
BY SENATORS CHAISSON AND MARIONNEAUX
AN ACT**

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

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Baldone to Reengrossed Senate Bill No. 157 by Senator Chaisson

AMENDMENT NO. 1

On page 1, line 8, after "offenses" and before the semicolon insert "in certain circumstances"

AMENDMENT NO. 2

On page 2, line 4, after "sentence," delete the remainder of the line and delete lines 5 through 7 in their entirety and insert in lieu thereof the following:

"(i) If the offender has not previously been ordered to participate in substance abuse treatment and home incarceration as required by the provisions of this Subsection, the remainder of the sentence shall be suspended and the offender shall be placed on supervised probation with the Department of Public Safety and Corrections, division of probation and parole, for a period of time equal to the remainder of the sentence of imprisonment, which probation shall commence on the day after the offender's release from custody.

(ii) If the offender has previously been ordered to participate in substance abuse treatment and home incarceration as required by the provisions of this Subsection, the court, in its discretion, may suspend all or any part of the remainder of the sentence of imprisonment. If any portion of the sentence is suspended, the offender shall be placed on supervised probation with the"

AMENDMENT NO. 3

On page 2, line 12, change "Subsection D" to "Item (D)(1)(a)(i)" and after "required" and before "as" insert a comma and "any offender placed on probation pursuant to the provisions of Item (D)(1)(a)(i) may be required."

AMENDMENT NO. 4

On page 2, line 17, change "Subsection D" to "Item (D)(1)(a)(i)" and after "placed" and before "in" insert a comma and "any offender placed on probation pursuant to the provisions of Item (D)(1)(a)(ii) may be placed."

AMENDMENT NO. 5

On page 3, line 4, after "sentence," delete the remainder of the line and delete lines 5 through 7 in their entirety and insert in lieu thereof the following:

"(i) If the offender has not previously been ordered to participate in substance abuse treatment and home incarceration as required by the provisions of this Subsection, the remainder of the sentence shall be suspended and the offender shall be placed on supervised probation with the Department of Public Safety and Corrections, division of probation and parole, for a period of time equal to the remainder of the sentence of imprisonment, which probation shall commence on the day after the offender's release from custody.

(ii) If the offender has previously been ordered to participate in substance abuse treatment and home incarceration as required by the provisions of this Subsection, the court, in its discretion, may suspend all or any part of the remainder of the sentence of imprisonment. If any portion of the sentence is suspended, the offender shall be placed on supervised probation with the"

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AMENDMENT NO. 6

On page 3, line 12, change "Subsection E" to "Item (E)(1)(a)(i)" and after "required" and before "as" insert a comma and "any offender placed on probation pursuant to the provisions of Item (E)(1)(a)(ii) may be required."

AMENDMENT NO. 7

On page 3, line 17, change "Subsection E" to "Item (E)(1)(a)(i)" and after "placed" and before "in" insert a comma and "any offender placed on probation pursuant to the provisions of Item (E)(1)(a)(ii) may be placed."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Morrell to Reengrossed Senate Bill No. 157 by Senator Chaisson

AMENDMENT NO. 1

On page 2, at the end of line 10, insert the following:

"Notwithstanding any other provision of law to the contrary, if the judge orders the offender to serve a sentence of imprisonment which exceeds thirty days, then the substance abuse treatment provided for in Subparagraph (b) of this Paragraph shall be provided to the offender while in custody of the Department of Public Safety and Corrections, shall commence on the thirty-first day of incarceration, and shall be provided at the expense of the state."

AMENDMENT NO. 2

On page 3, at the end of line 10, insert the following:

"Notwithstanding any other provision of law to the contrary, if the judge orders the offender to serve a sentence of imprisonment which exceeds sixty days, then the substance abuse treatment provided for in Subparagraph (b) of this Paragraph shall be provided to the offender while in custody of the Department of Public Safety and Corrections, shall commence on the sixty-first day of incarceration, and shall be provided at the expense of the state."

On motion of Rep. Morrell, 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

Table listing names of representatives who voted 'YEAS' for Amendment No. 1, including Mr. Speaker, Alario, Alexander, Ansardi, Baldone, Barrow, Baudoin, Baylor, Beard, Bowler, Bruneau, Burns, Burrell, Fauchoux, Frith, Gallot, Glover, Gray, Greene, Guillory, E., Guillory, M., Hebert, Hill, Honey, Hopkins, Jackson, Pierre, Pinac, Pitre, Powell, M., Powell, T., Quezaire, Richmond, Ritchie, Robideaux, Romero, Scalise, Smiley, and Smith, G.

Table listing names of representatives who voted 'NAYS' for Amendment No. 1, including Carter, K., Carter, R., Cazayoux, Cravins, Crowe, Curtis, Damico, Daniel, Dartez, Dorsey, Dove, Downs, Durand, Erdey, Fannin, Farrar, Jefferson, Johns, Katz, Kennard, Kenney, LaBruzzo, LaFleur, LaFonta, Lambert, Lancaster, Marchand, Martiny, McDonald, Montgomery, Morrell, Morrish, Smith, J.H.-8th, Smith, J.R.-30th, St. Germain, Strain, Thompson, Toomy, Trahan, Triche, Tucker, Waddell, Walker, Walsworth, White, Winston, and Wright.

Total - 86

NAYS

Table listing names of representatives who voted 'ABSENT' for Amendment No. 1, including Badon, Crane, DeWitt, Doerge, Hammett, McVea, Odinet, and Smith, J.D.-50th.

Total - 10

ABSENT

Table listing names of representatives who were present for Amendment No. 2, including Arnold, Bruce, Geymann, Heaton, Hunter, Hutter, Kleckley, and Schneider.

Total - 8

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. 160— BY SENATOR AMEDEE

AN ACT

To amend and reenact R.S. 46:56(F)(9), relative to the Department of Social Services; to provide with respect to the confidentiality of case records; to provide for limited disclosures by the department; to provide for confidentiality of records during criminal investigations; to provide for confidentiality of public records as required by federal law; 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

Table listing names of representatives who voted 'YEAS' for Senate Bill No. 160, including Mr. Speaker, Alario, Alexander, Ansardi, Badon, Baldone, Barrow, Baudoin, Baylor, Beard, Bowler, Bruce, Bruneau, Farrar, Fauchoux, Frith, Gallot, Glover, Gray, Greene, Guillory, E., Guillory, M., Heaton, Hebert, Hill, Honey, Morrish, Odinet, Pierre, Pitre, Powell, M., Powell, T., Quezaire, Richmond, Ritchie, Robideaux, Romero, Scalise, and Smiley.

Burns	Hopkins	Smith, G.
Burrell	Hunter	Smith, J.D.—50th
Carter, K.	Hutter	Smith, J.H.—8th
Cazayoux	Jefferson	Smith, J.R.—30th
Crane	Johns	St. Germain
Cravins	Katz	Strain
Crowe	Kennard	Thompson
Curtis	Kenney	Toomy
Damico	Kleckley	Townsend
Daniel	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 - 96

NAYS

Total - 0

ABSENT

Arnold	Hammett	Pinac
Carter, R.	Jackson	Schneider
Geymann	LaBruzzo	

Total - 8

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. 226—
BY SENATOR N. GAUTREAUX
AN ACT

To amend and reenact the introductory paragraph of R.S. 15:574.4(A)(2)(a), and R.S. 40:967(B)(1), (4) and (5) and 981.2(C), relative to certain controlled dangerous substances; to increase the penalty for the manufacture, possession or distribution of oxycodone; to authorize offenders to participate in the intensive incarceration program; and to provide for related matters.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Cravins gave notice of his intention to call Senate Bill No. 226 from the calendar for future action.

SENATE BILL NO. 289—
BY SENATOR MURRAY
AN ACT

To enact R.S. 33:4079.1, relative to the Sewerage and Water Board of New Orleans; to provide for the authorization to lease conduit to house fiber optic cable by the Sewerage and Water Board of New Orleans; to provide for an effective date; 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	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
Baylor	Hammett	Ritchie
Beard	Hebert	Robideaux
Bruce	Hill	Romero
Bruneau	Honey	Scalise
Burns	Hunter	Smiley
Carter, K.	Hutter	Smith, G.
Carter, R.	Jackson	Smith, J.D.—50th
Cazayoux	Jefferson	Smith, J.H.—8th
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 - 95

NAYS

Bowler
Total - 1

ABSENT

Baudoin	Heaton	Schneider
Burrell	Hopkins	Smith, J.R.—30th
Geymann	Odinot	

Total - 8

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. 323—
BY SENATORS JACKSON AND MURRAY
AN ACT

To amend and reenact R.S. 15:146(B)(1), 147(A)(1)(b), (c), (d), (e), (f) and (g), 148(B), 151(B)(1), (2), (3), (5), (6), 151.1(A) and (C), 151.2(C), (E), (F) and (G) and to enact R.S. 15:145.1, 147(A)(1)(h) and (i), 151(C) and 151.2(H), relative to indigent defenders; to provide for special reporting requirements; to provide for definitions; to provide for a cost to be assessed in certain cases; authorizes judicial district indigent defender boards to recoup funds; to provide for members of the Indigent Defense Assistance Board; to provide the board with certain duties and powers; to provide for quorum requirements; to provide for staggered terms of the membership; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Martiny to Reengrossed Senate Bill No. 323 by Senator Jackson

AMENDMENT NO. 1

On page 2, at the end of line 5, add "The report shall also include the number of Families in Need of Services (FINS) petitions, Child in Need of Care (CINC) petitions, and child support petitions handled by each indigent defender district."

AMENDMENT NO. 2

Delete House Committee Amendments No. 3 proposed by the House Committee on Administration of Criminal Justice and adopted by the House on June 13, 2005.

AMENDMENT NO. 3

On page 2, delete lines 20 through 29 in their entirety and on page 3, delete lines 1 through 3 in their entirety and insert in lieu thereof:

"C. For purposes of this Section, a "case" is defined as a charge or set of charges contained in a charging instrument or petition against a single accused arising out of one or more events, transactions, or occurrences, which are joined, or which may be joined pursuant to Code of Criminal Procedure Articles 490 through 495.1. Cases that involve multiple persons accused are counted as a separate case for each person accused. Cases that involve multiple charges or counts are recorded with the highest charge, based on the severity of sentence for the crime charged, as the case type. Multiple charges against a single person for the issuing of worthless checks shall be counted as a single case. Each appeal, after conviction, shall be counted as a separate case. In the event that a charging instrument contains a charge or set of charges arising out of multiple events, transactions, or occurrences, indigent defender boards shall track, record, and report the number of such instances per charging instrument."

AMENDMENT NO. 4

On page 7, line 2, after the period "." delete the remainder of the line and delete line 3 in its entirety.

AMENDMENT NO. 5

On page 7, at the beginning of line 4, before "With" insert the following:

"Representatives of the client community shall not be prohibited from serving as voting members of the board."

AMENDMENT NO. 6

On page 7, line 28, after "members" and before the period, insert a comma and "subject to confirmation by the Senate"

AMENDMENT NO. 7

On page 8, line 1, after "member" and before the period, insert a comma and "subject to confirmation by the Senate"

AMENDMENT NO. 8

On page 8, line 3, after "member" and before the period, insert a comma and "subject to confirmation by the Senate"

AMENDMENT NO. 9

On page 8, line 5, after "member" and before the period, insert a comma and "subject to confirmation by the Senate"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hebert to Reengrossed Senate Bill No. 323 by Senator Jackson

AMENDMENT NO. 1

On page 3, line 10, after "violation" and before the period "." insert "or a speeding ticket"

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

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Martiny gave notice of his intention to call Senate Bill No. 323 from the calendar for future action.

SENATE BILL NO. 334—
BY SENATOR SCHEDLER

AN ACT

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

Read by title.

Rep. Burns moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Odinot
Alario	Frith	Pierre
Alexander	Gallot	Pinac
Badon	Glover	Pitre
Baldone	Gray	Powell, M.
Barrow	Greene	Powell, T.
Baudoin	Guillory, E.	Quezaire
Baylor	Guillory, M.	Richmond
Beard	Heaton	Ritchie
Bowler	Hebert	Robideaux
Bruce	Hill	Romero
Bruneau	Honey	Scalise
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	LaBruzzo	Townsend
Daniel	LaFleur	Trahan
Dartez	LaFonta	Triche
DeWitt	Lambert	Waddell
Doerge	Lancaster	Walker
Dorsey	Marchand	White
Dove	McDonald	Winston
Downs	McVea	Wooton
Durand	Montgomery	Wright
Erdey	Morrill	
Fannin	Morrish	
Total - 94		

NAYS

Faucheux
Total - 1

ABSENT

Ansardi	Hammett	Schneider
Arnold	Kleckley	Tucker
Geymann	Martiny	Walsworth
Total - 9		

The Chair declared the above bill was finally passed.

Rep. Burns 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. 26—
BY SENATORS MCPHERSON AND HINES
AN ACT

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

Read by title.

Rep. Farrar moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Doerge	Lambert	Waddell
Dorsey	Lancaster	Walker
Dove	Marchand	Walsworth
Downs	Martiny	White
Durand	McDonald	Winston
Erdey	McVea	Wooton
Fannin	Montgomery	Wright
Farrar	Morrill	
Faucheux	Morrish	
Total - 100		

NAYS

Total - 0

ABSENT

Arnold	Geymann
Carter, K.	Schneider
Total - 4	

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 34—
BY SENATOR MCPHERSON
AN ACT

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

Read by title.

Rep. Farrar moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

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Downs	Marchand	White
Durand	Martiny	Winston
Erdey	McDonald	Wooton
Fannin	McVea	Wright
Farrar	Montgomery	
Total - 98		
	NAYS	
Total - 0		
	ABSENT	
Ansardi	Geymann	Tucker
Carter, K.	Schneider	Walsworth
Total - 6		

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 226—

BY SENATOR N. GAUTREAUX

AN ACT

To amend and reenact the introductory paragraph of R.S. 15:574.4(A)(2)(a), and R.S. 40:967(B)(1), (4) and (5) and 981.2(C), relative to certain controlled dangerous substances; to increase the penalty for the manufacture, possession or distribution of oxycodone; to authorize offenders to participate in the intensive incarceration program; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Cravins moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Odinot
Alario	Gallot	Pierre
Alexander	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
Bruneau	Honey	Scalise
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	
Faucheux	Morrish	
Total - 100		

NAYS

Total - 0

ABSENT

Ansardi	Geymann
Arnold	Schneider
Total - 4	

The Chair declared the above bill was finally passed.

Rep. Cravins 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.

Suspension of the Rules

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

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hopkins to Engrossed Senate Bill No. 336 by Senator Malone

AMENDMENT NO. 1

On page 1, line 10, change "J. The" to "J.(1) Except as provided in Paragraph (2) of this Subsection. the"

AMENDMENT NO. 2

On page 1, at the beginning of line 14, change "(1)" to "(a)"

AMENDMENT NO. 3

On page 1, at the beginning of line 16, change "(2)" to "(b)"

AMENDMENT NO. 4

On page 1, after line 17, insert the following:

"(2) The provisions of Paragraph (1) of this Subsection shall not apply to sales and use taxes levied by the parish governing authority, the school board, or the sheriff of any such parish until after July 1, 2006."

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

Rep. Michael Powell moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 98

NAYS

Total - 0

ABSENT

Ansardi	Geymann	Hammett
Arnold	Guillory, M.	Schneider

Total - 6

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. 126—
BY SENATOR BROOME

AN ACT

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

Read by title.

Suspension of the Rules

On motion of Rep. Pinac, and under a suspension of the rules, consideration of the above bill was deferred at this time.

SENATE BILL NO. 129—
BY SENATOR NEVERS

AN ACT

To amend and reenact R.S. 17:3095(A)(1)(b) and (2) and to enact R.S. 17:3095(A)(1)(c) and R.S. 47:293(6)(a)(viii) and 1205(D), relative to enhancements to the Louisiana Student Tuition Assistance and Revenue Trust Program; to increase the taxable state income exclusion for married couples; to allow certain deposits over five years to be excluded from the state gift tax provisions so as to conform with the federal gift tax provisions; to provide with regard to the disbursement of funds from accounts established pursuant to such program; and to provide for related matters.

Read by title.

Rep. McDonald moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 100

NAYS

Total - 0

ABSENT

Dorsey	Guillory, M.
Geymann	Schneider

Total - 4

The Chair declared the above bill was finally passed.

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Frith gave notice of his intention to call Senate Bill No. 83 from the calendar for future action.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Cravins gave notice of his intention to call Senate Bill No. 97 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 House Bills and Joint Resolutions Returned from the Senate with Amendments at this time.

House Bills and Joint Resolutions Returned from the Senate with Amendments

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

HOUSE BILL NO. 115—
BY REPRESENTATIVE GALLOT
AN ACT

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

Read by title.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Engrossed House Bill No. 115 by Representative Gallot

AMENDMENT NO. 1

On page 1, line 20, after "prohibited" insert "unless ordered by a court of competent jurisdiction"

AMENDMENT NO. 2

On page 2, line 10, after "prohibited" insert "unless ordered by a court of competent jurisdiction"

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Morrish
Alario	Frith	Odinot
Alexander	Gallot	Pierre
Ansardi	Glover	Pinac
Badon	Greene	Pitre

Baldone
Barrow
Baudoin
Baylor
Beard
Bowler
Bruce
Bruneau
Burns
Burrell
Carter, R.
Cazayoux
Crane
Cravins
Crowe
Curtis
Damico
Daniel
Dartez
DeWitt
Doerge
Dorsey
Dove
Downs
Durand
Erdey
Fannin
Farrar

Total - 98

Guillory, E.
Guillory, M.
Hammett
Heaton
Hebert
Hill
Honey
Hopkins
Hunter
Hutter
Jackson
Jefferson
Johns
Katz
Kennard
Kenney
Kleckley
LaBruzzo
LaFleur
LaFonta
Lambert
Lancaster
Marchand
Martiny
McDonald
McVea
Montgomery
Morrell

NAYS

Scalise
Total - 1

ABSENT

Arnold
Carter, K.
Total - 5

Geymann
Gray

Schneider

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

HOUSE BILL NO. 208—
BY REPRESENTATIVE BOWLER
AN ACT

To amend and reenact R.S. 49:992(B)(2), relative to adjudications by the division of administrative law; to require that any agency shall comply fully and in a timely manner with the final decision or order of an administrative law judge in an adjudication commenced by the division of administrative law; and to provide for related matters.

Read by title.

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Shepherd to Engrossed House Bill No. 208 by Representative Bowler

AMENDMENT NO. 1

On page 1, at the end of line 16, delete "take" and delete line 17 and insert the following: "comply fully with the final"

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 101

NAYS

Total - 0

ABSENT

Geymann	Kleckley	Schneider
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Total - 3

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

HOUSE BILL NO. 290—
BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact R.S. 22:250.52(5), 250.54(A), and 250.60(A)(2) and (B)(2), relative to health insurance; to provide with respect to prompt payment of electronic pharmacy claims; to provide for applicability to the Office of Group Benefits and pharmacy contracts; 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 Insurance to Reengrossed House Bill No. 290 by Representative Townsend

AMENDMENT NO. 1

On page 1, line 2, after "250.54(A)," insert "250.57(A),"

AMENDMENT NO. 2

On page 1, line 7, after "250.54(A)," insert "250.57(A),"

AMENDMENT NO. 3

On page 2, line 3, after "adjudicated." insert the following: "If the governor declares a state of emergency pursuant to R.S. 29:724, the time period prescribed in this Subsection shall be interrupted during the continuance of the state of emergency for any claims office which is located in the territorial limits of the declared state of emergency."

AMENDMENT NO. 4

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

"§250.57. Prescription drugs, products, and supplies; use of index

A. Reimbursement under a contract to a pharmacist or pharmacy for prescription drugs and other products and supplies that is calculated according to a formula that uses a nationally recognized reference in the pricing calculation shall use the most current nationally recognized reference price or amount in the actual or constructive possession of the health insurance issuer, its agent, or any other party responsible for reimbursement for prescription drugs and other products and supplies on the date of electronic adjudication ~~or on the date of service shown on the nonelectronic claim.~~

* * *

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 99

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NAYS

Total - 0

ABSENT

Geymann Kennard Schneider
Guillory, M. Kleckley
Total - 5

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

HOUSE BILL NO. 526—
BY REPRESENTATIVE WINSTON
AN ACT

To enact Part II-D of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2120.1 through 2120.10, relative to brain injury facilities; to provide for licensing requirements; 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 Health and Welfare to Reengrossed House Bill No. 526 by Representative Winston

AMENDMENT NO. 1

On page 2, line 14 change "Social Services" to "Health and Hospitals"

AMENDMENT NO. 2

On page 9, line 10 after "pouring or" delete the remainder of the line and insert "handing out"

AMENDMENT NO. 3

On page 9, line 11, delete "receiving"

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 526 by Representative Winston

AMENDMENT NO. 1

On page 9, line 25, following "by" and before end of line change "R. S. 40:2164.8 through 2165.1" to "R. S. 40:2120.8 through 2120.10"

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Baudoin Hammett Richmond
Baylor Heaton Ritchie
Beard Hebert Robideaux
Bowler Hill Romero
Bruce Honey Scalise
Bruneau Hopkins Smiley
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
Crote 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

Faucheux Schneider
Geymann Smith, G.
Total - 4

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

HOUSE BILL NO. 687—
BY REPRESENTATIVE K. CARTER
AN ACT

To amend and reenact R.S. 22:635.4(A) and to enact R.S. 22:635.4(C), relative to homeowners insurance policies; to provide for conversion of policy forms; to provide for approval; to provide for the Louisiana Insurance Rating Commission; 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 Insurance to Reengrossed House Bill No. 687 by Representative K. Carter

AMENDMENT NO. 1

On page 2, line 1, change "policy forms." to "policies." and after "filed" add the following:

"and converted pursuant to this Section"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Murray to Reengrossed House Bill No. 687 by Representative K. Carter

AMENDMENT NO. 1

On page 1, line 10, delete "and notwithstanding" and on line 11, delete "the language of R.S. 22:636.2 and 635.3"

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fauchoux	Morrish
Alario	Frith	Odinet
Alexander	Gallot	Pierre
Ansardi	Glover	Pinac
Arnold	Greene	Pitre
Badon	Guillory, E.	Powell, M.
Baldone	Guillory, M.	Powell, T.
Barrow	Hammett	Quezaire
Baudoin	Heaton	Ritchie
Baylor	Hebert	Robideaux
Beard	Hill	Romero
Bruce	Honey	Scalise
Bruneau	Hopkins	Smiley
Burns	Hunter	Smith, G.
Burrell	Hutter	Smith, J.D.-50th
Carter, R.	Jackson	Smith, J.H.-8th
Cazayoux	Jefferson	Smith, J.R.-30th
Crane	Johns	St. Germain
Cravins	Katz	Strain
Crowe	Kennard	Thompson
Curtis	Kenney	Toomy
Damico	Kleckley	Townsend
Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Triche
DeWitt	LaFonta	Tucker
Doerge	Lambert	Walker
Dorsey	Lancaster	Walsworth
Dove	Marchand	White
Downs	Martiny	Winston
Durand	McDonald	Wooton
Erdey	McVea	Wright
Fannin	Montgomery	
Farrar	Morrell	
Total - 97		

NAYS

Bowler
Total - 1

ABSENT

Carter, K.	Gray	Schneider
Geymann	Richmond	Waddell
Total - 6		

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

HOUSE BILL NO. 759—
BY REPRESENTATIVE BURNS

AN ACT

To amend and reenact R.S. 37:2442(4), 2444, 2445, 2446.1(A) and (B)(7), 2447, 2448(A) and (B)(1), 2449, 2450, 2451(A) and (B), 2461(A), 2462, and 2463, to enact R.S. 37:2442(6), 2449.1, 2449.2, 2449.3, and 2463.1, and to repeal R.S. 37:2452 and 2457(11), relative to the licensing of hearing aid dealers; to provide relative to qualifications, fees, penalties, and continuing education; to provide for temporary training permits and the training of temporary training permit holders; and to provide for related matters.

Read by title.

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini to Reengrossed House Bill No. 759 by Representative Burns

AMENDMENT NO. 1

On page 1, line 4 after "repeal R.S. 37:" insert "2451(C),"

AMENDMENT NO. 2

On page 9, delete lines 3 through 7 in their entirety

AMENDMENT NO. 3

On page 10, line 9 after "repeal R.S. 37:" insert "2451(C),"

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	Morrell
Alario	Farrar	Odinet
Alexander	Fauchoux	Pierre
Ansardi	Frith	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	Smiley
Bruneau	Honey	Smith, G.
Burns	Hopkins	Smith, J.D.-50th
Burrell	Hunter	Smith, J.H.-8th
Carter, R.	Hutter	Smith, J.R.-30th
Cazayoux	Jackson	St. Germain
Crane	Jefferson	Strain
Cravins	Katz	Thompson
Crowe	Kennard	Toomy
Curtis	Kenney	Townsend
Damico	LaBruzzo	Trahan
Daniel	LaFleur	Triche
Dartez	LaFonta	Tucker
DeWitt	Lambert	Waddell
Doerge	Lancaster	Walker
Dorsey	Marchand	Walsworth
Dove	Martiny	White
Downs	McDonald	Wooton
Durand	McVea	Wright
Erdey	Montgomery	
Total - 95		

NAYS

Total - 0

ABSENT

Carter, K.	Johns	Scalise
Gallot	Kleckley	Schneider
Geymann	Morrish	Winston
Total - 9		

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

HOUSE BILL NO. 883 (Substitute for House Bill No. 740 by Representative Hebert)—
BY REPRESENTATIVE HEBERT

AN ACT

To enact Chapter 36-B of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:2861 through 2870, relative to polysomnographic health professionals; to provide for the recognition of polysomnography as a separate and distinct profession; to provide for licensure of polysomnographic technologists and technicians; to provide for regulation of polysomnographic technologists, technicians, and individuals-in-training; to provide for definitions; to provide for the powers and duties of the Louisiana State Board of Medical Examiners relative to polysomnographic technologists, technicians, and individuals-in-training; to provide for the creation of the Advisory Committee on Polysomnography; to provide for fees, person and practices not affected, and prohibited acts; and to provide for related matters.

Read by title.

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

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 883 by Representative Hebert

AMENDMENT NO. 1

On page 2, line 19, at the beginning of the line change "(7)" to "(8)"; and, on line 21, change "(8)" to "(7)"; and, move the text of lines 19 and 20 to appear between lines 26 and 27

AMENDMENT NO. 2

On page 6, line 26, following "(2)" and before "conduct" change "Being found guilty of unprofessional" to "Unprofessional"

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	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
Bruce	Honey	Scalise
Bruneau	Hopkins	Smiley
Burns	Hunter	Smith, G.
Burrell	Hutter	Smith, J.D.—50th
Cazayoux	Jackson	Smith, J.H.—8th
Crane	Jefferson	Smith, J.R.—30th
Cravins	Johns	St. Germain
Crowe	Katz	Strain

Curtis	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
Faucheux	Morrish	
Total - 98		

NAYS

Total - 0

ABSENT

Bowler	Carter, R.	Kennard
Carter, K.	Geymann	Schneider
Total - 6		

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

HOUSE BILL NO. 120—
BY REPRESENTATIVES HILL AND BEARD
AN ACT

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

Read by title.

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Engrossed House Bill No. 120 by Representative Hill

AMENDMENT NO. 1

On page 1, line 12, change "(5)" to "(5)(a)"

AMENDMENT NO. 2

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

"(b) The provisions of this Paragraph shall be in effect through the 2007-2008 school year and thereafter shall have no effect."

AMENDMENT NO. 3

On page 2, line 6, change "(3)" to "(3)(a)"

AMENDMENT NO. 4

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

"(b) The provisions of this Paragraph shall be in effect through the 2007-2008 school year and thereafter shall have no effect."

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 91

NAYS

Total - 0

ABSENT

Arnold	Frith	Romero
Carter, K.	Geymann	Schneider
Carter, R.	Hammett	Waddell
Damico	Heaton	
Faucheux	Morrish	

Total - 13

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

HOUSE BILL NO. 473—
BY REPRESENTATIVE MCDONALD
AN ACT

To amend and reenact R.S. 30:2418(H)(introductory paragraph) and to enact R.S. 30:2418(H)(10), relative to fees collected on the sale of tires; to provide for exceptions from the fee on certain tire sales; and to provide for related matters.

Called from the calendar.

Read by title.

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Engrossed House Bill No. 473 by Representative McDonald

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 30:2418(H)(introductory paragraph)" insert ", (I)(2) and (N),"

AMENDMENT NO. 2

On page 1, line 4, after "sales;" insert "to provide for the disbursement of funds from the waste tire fund;"

AMENDMENT NO. 3

On page 1, line 6, after "R.S. 30:2418(H)(introductory paragraph)" delete "is" and insert in lieu thereof ", (I)(2) and (N) are"

AMENDMENT NO. 4

On page 2, delete line 3 in its entirety and insert in lieu thereof the following:

"I.(1)

* * *

(2) A permitted waste tire processing facility shall be eligible to receive a minimum of one dollar and fifty cents per twenty pounds of waste tire material that is recycled or that reaches end-market uses or per twenty pounds of whole waste tires marketed and shipped to a qualified recycler. This payment shall be conditioned on the facility providing to the department any documentation, including but not limited to manifests, statements, or certified scale-weight tickets, required by law or by rules and regulations promulgated by the department. The secretary shall not make payments from the fund or obligate the department to make payments from the fund to any waste tire processor who did not receive payments from the fund prior to March 1, 2004, in an amount greater than fifty percent of the amount otherwise eligible to receive pursuant to this Paragraph until one of the following occurs: (a) Payments have been made from the fund to waste tire processors, as provided for in Subparagraph (f)(3)(b), for a period of three consecutive months. (b) All until all undisputed obligations owed to waste tire processors have been paid in full and any disputed unpaid funds for the processing of tires shall be placed in escrow until such time as a final determination on such disputed funds is rendered.

* * *

N. The secretary shall promulgate rules to make payments to processors on the basis of weight or tire count at the option of the processor and shall promulgate rules to allow a processor to account for incoming tires on the basis of weight or tire count at the option of the processor, in accordance with the Administrative Procedure Act, R.S. 49:950 et seq. Payments to a waste processor, or any portion thereof, shall not be temporarily or permanently withheld or terminated prior to an adjudication and issuance of a decision, after adequate notice and an opportunity for a hearing, as provided in the Administrative Procedure Act.

* * *

Section 2.(A) Any funds collected, deposited, and available for distribution in the Waste Tire Management Fund for the sole purpose of research and development pursuant to and in accordance with Act No. 789 of the 2003 Regular Session of the Legislature shall be distributed in a pro rata share to those waste tire processors having a standard permit to whom there are fund obligations remaining unpaid. The first distribution shall occur within thirty days of the effective date of this Act.

(B) After all unpaid obligations to permitted waste tire processors have been satisfied in full, all remaining and future funds collected for the sole purpose of research and development pursuant to the provisions of Act No. 789 of the 2003 Regular Session of the Legislature shall be deposited into the Waste Tire Management Fund.

Section 3. This Act shall become effective on July 1, 2005; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 2005, or on the day following such approval by the legislature, whichever is later."

Rep. McDonald moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fauchoux	Odinot
Alario	Frith	Pierre
Alexander	Gallot	Pinac
Ansardi	Glover	Pitre
Badon	Greene	Powell, M.
Baldone	Guillory, E.	Powell, T.
Barrow	Guillory, M.	Quezaire
Baudoin	Heaton	Richmond
Baylor	Hebert	Ritchie
Beard	Hill	Robideaux
Bowler	Honey	Romero
Bruce	Hunter	Scalise
Bruneau	Hutter	Smiley
Burns	Jackson	Smith, G.
Burrell	Jefferson	Smith, J.D.—50th
Carter, R.	Johns	Smith, J.H.—8th
Cazayoux	Katz	Smith, J.R.—30th
Crane	Kennard	St. Germain
Cravins	Kenney	Strain
Crowe	Kleckley	Thompson
Curtis	LaBruzzo	Toomy
Daniel	LaFleur	Townsend
Dartez	LaFonta	Trahan
DeWitt	Lambert	Triche
Doerge	Lancaster	Tucker
Dorsey	Marchand	Waddell
Dove	Martiny	Walker
Downs	McDonald	Walsworth
Durand	McVea	White
Erdey	Montgomery	Winston
Fannin	Morrill	Wooton
Farrar	Morrish	Wright
Total - 96		

NAYS

Total - 0

ABSENT

Arnold	Geymann	Hopkins
Carter, K.	Gray	Schneider
Damico	Hammett	
Total - 8		

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

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 House Bill No. 473: Reps. McDonald, Damico, and Wooton.

Motion

On motion of Rep. Hammett, the Conference Committee on House Bill No. 599 was discharged from further consideration of the bill.

HOUSE BILL NO. 599—

BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, DORSEY, AND FAUCHEUX AND SENATORS HINES, BAJOE, HEITMEIER, AND MOUNT

AN ACT

To amend and reenact R.S. 3:4684 and R.S. 47:820.1 and 1508(B)(6) and to enact Part V-A of Chapter 7 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:818.1 through 818.104, relative to the taxes on gasoline, motor fuel, and special fuels; to provide for the disclosure of licensee information; to conform the terminology as it relates to the tax dedicated to the Transportation Infrastructure Model of Economic Development Account; to provide for the collection of the tax on gasoline, motor fuels, and special fuels at the point of leaving the terminal rack or upon importation into the state; to provide definitions; to provide for licensing and bond requirements and filing requirements; to provide for civil and criminal penalties; to define certain crimes; and to provide for related matters.

Read by title.

On motion of Rep. Hammett, the vote by which the Senate Amendments to House Bill No. 599 were rejected was reconsidered.

Suspension of the Rules

On motion of Rep. Hammett, the rules were suspended to consider the Senate Amendments to House Bill No. 599 at this time.

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. 599 by Representative Hammett

AMENDMENT NO. 1

On page 51, line 3, after "Commission" insert "or its successor"

AMENDMENT NO. 2

On page 56, line 6, after "Commission" insert "or its successor"

AMENDMENT NO. 3

On page 56, line 12, after "Commission" insert "or its successor"

AMENDMENT NO. 4

On page 51, at the beginning of line 19, insert "commercial" and change "as a transporter of" to "with"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Murray to Reengrossed House Bill No. 599 by Representative Hammett

AMENDMENT NO. 1

On page 46, line 8, after "transporting in a" insert "rail car or"

AMENDMENT NO. 2

On page 46, line 9, change "driver" to "operator" and after "every" insert "rail car or"

AMENDMENT NO. 3

On page 47, at the beginning of line 4, before "highway" insert "rail car or"

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 100

NAYS

Total - 0

ABSENT

Arnold	Morrish
Geymann	Schneider

Total - 4

The amendments proposed by the Senate were concurred in by 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 on Third Reading for final Consideration at this time.

Senate Concurrent Resolutions on Third Reading for Final Consideration

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

SENATE CONCURRENT RESOLUTION NO. 3—

BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To affirm the establishment of an ongoing association between the state of Louisiana and the province of Alberta, Canada as "Twin" regions and to authorize the development of a "twinning agreement" between the state and the province in time for the centennial celebration of Alberta, Canada in 2005.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 23—

BY SENATOR JACKSON

A CONCURRENT RESOLUTION

To continue and provide for the Louisiana Task Force on Indigent Defense Services.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 76—

BY SENATOR DARDENNE

A CONCURRENT RESOLUTION

To create the Surplus Food Purchasing Task Force to study the feasibility of creating a Louisiana agricultural and seafood surplus products purchase program and the creation of a purchasing board to oversee the program; and to require the task force to report its findings, together with any recommendations for legislation, to the legislature.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 49—

BY SENATOR DUPRE

A CONCURRENT RESOLUTION

To approve the Fiscal Year 2005-2006 Coastal Wetlands Conservation and Restoration Plan, as adopted by the Wetlands Conservation and Restoration Authority ("authority").

Read by title.

Rep. Pitre moved the concurrence of the resolution.

ROLL CALL

The roll was called with the following result:

YEAS

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

Crane	Johns	Strain
Cravins	Katz	Thompson
Crowe	Kenney	Toomy
Curtis	Kleckley	Townsend
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

Total - 96

NAYS

Total - 0

ABSENT

Arnold	Hammett	Odinot
Damico	Kennard	Schneider
Geymann	Morrish	

Total - 8

The resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 61—
BY SENATORS B. GAUTREAUX AND DUPRE

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to enact the Coastal Restoration Tax Credit Act of 2005.

Read by title.

On motion of Rep. St. Germain, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 70—
BY SENATOR BARHAM

A CONCURRENT RESOLUTION

To direct the Senate and House agriculture, forestry, aquaculture, and rural development committees to meet and function as a joint committee to study and review the operational structure and procedures, including expenditures for management and operation, of the soil and water conservation districts in Louisiana; and to direct the office of soil and water conservation to assist the committee in its study.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Thompson to Original Senate Concurrent Resolution No. 70 by Senator Barham

AMENDMENT NO. 1

On page 1, line 2, change "direct" to "urge and request"

AMENDMENT NO. 2

On page 1, line 5, change "direct" to "urge and request"

AMENDMENT NO. 3

On page 2, line 10, change "direct" to "urge and request"

AMENDMENT NO. 4

On page 2, line 14, between "that the" and "office" insert "Legislature of Louisiana does hereby urge and request the" and change "shall" to "to"

AMENDMENT NO. 5

On page 2, line 15, delete "shall"

AMENDMENT NO. 6

On page 2, line 19, between "that the" and "joint" insert "Legislature of Louisiana does hereby urge and request the" and change "shall" to "to"

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

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

SENATE CONCURRENT RESOLUTION NO. 112—
BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To express support for the commercial introduction of low speed vehicles into Louisiana and to urge and request that the Louisiana office of motor vehicles use the maximum authorized inspection period for low speed vehicles and that all parishes and municipalities which inspect motor vehicles exempt low speed vehicles from such inspection.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 113—
BY SENATOR DUPLESSIS

A CONCURRENT RESOLUTION

To urge and request the assessors of Orleans Parish, individually and collectively, to undertake a comprehensive and continuing effort to locate all property owned or leased by a nonprofit corporation or association that is owned, operated, leased, or used for a commercial purpose unrelated to the exempt purposes of the corporation or association and to assess such property for ad valorem tax purposes.

Read by title.

Motion

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

SENATE CONCURRENT RESOLUTION NO. 115—
BY SENATOR CAIN

A CONCURRENT RESOLUTION

To urge and request the Louisiana Airport Authority and the Department of Transportation and Development to study the feasibility of locating the Louisiana Transportation Center at the Chennault International Airport in southwest Louisiana should efforts to locate the airport in the four parish region fail.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Quezairé to Original Senate Concurrent Resolution No. 115 by Senator Cain

AMENDMENT NO. 1

On page 2, line 12, after "center", delete the remainder of the line and delete line 13 in its entirety and insert:

"in all areas of the state, provided that any site shall be a minimum of 25,000 acres designated as "greenfields" and shall be accessible by air, rail, highway, and water; and"

AMENDMENT NO. 2

On page 2, line 21, after "Center", delete the remainder of the line, and on line 22, delete "Chennault International Airport in southwest Louisiana" and insert the following:

"in all areas of the state, provided that any site shall be a minimum of 25,000 acres designated as "greenfields" and shall be accessible by air, rail, highway, and water,"

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

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

SENATE CONCURRENT RESOLUTION NO. 44—
BY SENATOR AMEDEE

A CONCURRENT RESOLUTION

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

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 71—
BY SENATOR SMITH

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to direct the United States Army Corps of Engineers, New Orleans District, to cease using Section 10 of the Rivers and Harbors Act to stop sustainable forestry practices in areas that have no impact on actual navigation.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Daniel to Original Senate Concurrent Resolution No. 71 by Senator Smith

AMENDMENT NO. 1

On page 1, delete lines 2 through 5 in their entirety and insert in lieu thereof the following:

"To memorialize the Louisiana Congressional Delegation to request that the Chief of Engineers of the United States Army Corps of Engineers review the New Orleans District's application of Section 10 of the Rivers and Harbors Act to forestry practices in Section 10 waters and provide any necessary direction to the New Orleans District to ensure that its application is consistent with the Act's intent and application throughout the nation."

AMENDMENT NO. 2

On page 2, delete lines 9 through 12 in their entirety and insert in lieu thereof the following:

"Therefore, be it resolved that the Legislature of Louisiana does hereby memorialize the Louisiana Congressional Delegation to request the Chief of Engineers of the United States Army Corps of Engineers to review the New Orleans District's application of Section 10 of the Rivers and Harbors Act to forestry practices in Section 10 waters and provide any necessary direction to the New Orleans

District to ensure that its application is consistent with the Act's intent and application throughout the nation."

AMENDMENT NO. 3

On page 2, delete lines 14 through 16 in their entirety and insert in lieu thereof the following:

"to each member of the Louisiana Congressional Delegation; to the Chief of the United States Army Corps of Engineers"

Rep. Daniel moved the adoption of the amendments.

Rep. Fannin objected.

By a vote of 40 yeas and 55 nays, the amendments were rejected.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Dove to Original Senate Concurrent Resolution No. 71 by Senator Smith

AMENDMENT NO. 1

On page 1, line 5, after "navigation" delete the period "." and insert "and that are outside of the Barataria-Terrebonne National Estuary Program."

AMENDMENT NO. 2

On page 2, at the end of line 8, delete the period "." and insert a semicolon ";" and "and"

AMENDMENT NO. 3

On page 2, between lines 8 and 9 insert the following:

"WHEREAS, certain acreage between the Atchafalaya and Mississippi Rivers, encompassing all or portions of the parishes of Terrebonne, Lafourche, and St. Charles have been designated as an area of special significance to the United States and to the state of Louisiana and has been further designated as one of only twenty-eight National Estuaries in the United States; and

WHEREAS, the Barataria-Terrebonne National Estuary Program fully supports the efforts of the United States Army Corps of Engineers, New Orleans District, to work within its legislative mandate to regulate coastal forestry activity."

AMENDMENT NO. 4

On page 2, line 12, after "navigation" delete the period "." insert "and that are outside of the Barataria-Terrebonne National Estuary Program."

AMENDMENT NO. 5

On page 2, between lines 12 and 13 insert the following:

"BE IT FURTHER RESOLVED that the Legislature of Louisiana finds that it is imperative that the critically-imperiled region of fifteen parishes included in the Barataria-Terrebonne National Estuary Program should have the full protection afforded by Section 10 of the Rivers and Harbors Act."

Rep. Dove moved the adoption of the amendments.

Rep. Fannin objected.

By a vote of 52 yeas and 40 nays, the amendments were adopted.

Motion

Rep. Baldone moved that the resolution, as amended, be returned to the calendar.

Rep. Fannin objected.

By a vote of 25 yeas and 67 nays, the House refused to return the resolution, as amended, to the calendar.

Rep. Fannin moved the concurrence of the resolution, as amended.

By a vote of 92 yeas and 6 nays, the resolution, as amended, was concurred in.

Suspension of the Rules

On motion of Rep. Martiny, 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. 323—
BY SENATORS JACKSON AND MURRAY
AN ACT

To amend and reenact R.S. 15:146(B)(1), 147(A)(1)(b), (c), (d), (e), (f) and (g), 148(B), 151(B)(1), (2), (3), (5), (6), 151.1(A) and (C), 151.2(C), (E), (F) and (G) and to enact R.S. 15:145.1, 147(A)(1)(h) and (i), 151(C) and 151.2(H), relative to indigent defenders; to provide for special reporting requirements; to provide for definitions; to provide for a cost to be assessed in certain cases; authorizes judicial district indigent defender boards to recoup funds; to provide for members of the Indigent Defense Assistance Board; to provide the board with certain duties and powers; to provide for quorum requirements; to provide for staggered terms of the membership; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Hebert, Martiny, and St. Germain to Reengrossed Senate Bill No. 323 by Senator Jackson

AMENDMENT NO. 1

On page 3, line 6, after the comma ", " insert the following:

"except in the town of Jonesville, in the city of Plaquemine, and in mayors' courts in municipalities having a population of less than five thousand,"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Morrell
Alario	Faucheux	Morrish
Alexander	Frith	Odinot
Ansardi	Gallot	Pierre
Arnold	Glover	Pinac
Badon	Gray	Pitre
Baldone	Greene	Powell, M.
Barrow	Guillory, E.	Quezaire
Baudoin	Guillory, M.	Richmond
Baylor	Hammett	Ritchie
Beard	Heaton	Robideaux
Bowler	Hebert	Romero
Bruce	Hill	Scalise
Bruneau	Honey	Smiley
Burns	Hopkins	Smith, J.D.--50th
Burrell	Hunter	Smith, J.H.--8th
Carter, K.	Hutter	Smith, J.R.--30th
Carter, R.	Jackson	St. Germain
Cazayoux	Jefferson	Strain
Crane	Johns	Thompson
Cravins	Katz	Toomy
Curtis	Kennard	Townsend
Damico	Kenney	Trahan
Daniel	Kleckley	Triche
Dartez	LaBruzzo	Tucker
DeWitt	LaFleur	Waddell
Doerge	LaFonta	Walker
Dorsey	Lancaster	Walsworth
Dove	Marchand	White
Downs	Martiny	Winston
Durand	McVea	Wooton
Erdey	Montgomery	Wright
Total - 96		

NAYS

Total - 0

ABSENT

Crowe	Lambert	Schneider
Fannin	McDonald	Smith, G.
Geymann	Powell, T.	
Total - 8		

The Chair declared the above bill was finally passed.

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

Petitions, Memorials and Communications

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

Message from the Senate

ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS

June 17, 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. 86

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

SIGNED SENATE BILLS AND JOINT RESOLUTIONS

June 17, 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. 46, 52, 84, 90, 108, 118, 132, 142, 158, 161, 162, 180, 216, 218, 270, 313, and 322

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.

Message from the Senate

SIGNED SENATE CONCURRENT RESOLUTIONS

June 17, 2005

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

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

Senate Concurrent Resolution No. 121

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

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

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

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Appropriations

June 17, 2005

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on June 16, 2005, I am directed by your Committee on Appropriations to submit the following report:

Senate Bill No. 318, by Jones
Reported favorably. (15-0) (Regular)

JOHN ALARIO
Chairman

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

Report of the Committee on Ways and Means

June 17, 2005

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Ways and Means to submit the following report:

Senate Bill No. 259, by Kostelka
Reported with amendments. (13-0) (Regular)

Senate Bill No. 291, by Dardenne
Reported with amendments. (14-0) (Regular)

BRYANT O. HAMMETT, JR.
Chairman

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

Privileged Report of the Legislative Bureau

September 14, 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. 318
Reported without amendments.

Respectfully submitted,

CHARLES MCDONALD
Chairman

Senate Instruments on Second Reading Returned from the Legislative Bureau

Rep. Alario 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. 318—
BY SENATOR JONES

AN ACT

To amend and reenact R.S. 14:403.3(D) and R.S. 15:538(D)(2), (3), (4), and (5), 541(14.1) and 542.1(L)(2), and to enact R.S. 14:403(E) and R.S. 15:538(D)(6) and (E), (F), and (G), 542(G) and (H), 542.1(N) and 549(H) and Chapter 24-B of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2525, relative to criminal offenses against persons; to provide for false reports or communications concerning the Amber Alert System; to require the Department of Public Safety and Corrections or the Louisiana Bureau of Criminal Identification and Information to approve the residence location and living arrangements of the sexual offender; to provide for the definition of sex offense; to provide for additional conditions of probation and parole in certain cases; to provide for verification of sexual offender registration; to provide that it is a criminal offense to hide or harbor a sex offender, child

predator, or sexually violent predator, or to fail to notify or to provide false information about such offender or predator to law enforcement officials; to provide for penalties; to provide for notification requirements for child predators or sexually violent predators; to provide for a pre-Amber Alert action plan; to provide for the use of certain technology; 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 Reengrossed Senate Bill No. 318 by Senator Jones

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 14:403.3(D)" delete the remainder of the line

AMENDMENT NO. 2

On page 1, delete line 3 in its entirety and insert in lieu thereof "and to enact R.S. 14:403(E)"

AMENDMENT NO. 3

On page 1, at the beginning of line 4, delete "(G), 542(G) and (H), 542.1(N) and 549(H)"

AMENDMENT NO. 4

On page 1, line 7, after "System;" delete the remainder of the line and delete lines 8 through 14 in their entirety

AMENDMENT NO. 5

On page 1, at the beginning of line 15, delete "for penalties;"

AMENDMENT NO. 6

On page 1, at the end of line 16, delete "to provide for the use"

AMENDMENT NO. 7

On page 1, at the beginning of line 17, delete "of certain technology;"

AMENDMENT NO. 8

On page 2, line 16, after "Section 2." delete the remainder of the line and delete line 17 in its entirety

AMENDMENT NO. 9

On page 2, line 18, change "and 549(H) are" to "R.S. 15:549(H) is"

AMENDMENT NO. 10

On page 2, delete lines 19 through 29 in their entirety

AMENDMENT NO. 11

On page 3, delete lines 1 through 29 in their entirety

AMENDMENT NO. 12

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

AMENDMENT NO. 13

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

AMENDMENT NO. 14

On page 6, delete lines 1 through 29 in their entirety

AMENDMENT NO. 15

On page 7, delete lines 1 through 24 in their entirety

Reported favorably by the Committee on Appropriations.

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.

Privileged Report of the Committee on Enrollment

June 17, 2005

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

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

The following House Bills have been properly enrolled:

HOUSE BILL NO. 6—

BY REPRESENTATIVES GARY SMITH, BRUCE, CROWE, DOERGE, FRITH, GEYMAN, KLECKLEY, LAFONTA, PINAC, T. POWELL, RITCHIE, SHEPHERD, STRAIN, TRAHAN, WADDELL, WALSWORTH, WHITE, SCHNEIDER, AND THOMPSON
AN ACT

To enact R.S. 29:418.1, relative to the suspension or termination of cellular phone contracts during service in the uniformed services; to authorize the termination of the contract without an early termination fee; to authorize the suspension of a cellular phone contract without imposition of any activation fee; to require certain notices; and to provide for related matters.

HOUSE BILL NO. 56—

BY REPRESENTATIVES KATZ, DOERGE, ST. GERMAIN, WINSTON, SCALISE, ALEXANDER, BADON, BALDONE, BARROW, BAUDOIN, BRUCE, BURNS, CRAVINS, CURTIS, DARTEZ, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FRITH, GALLOT, GLOVER, GREENE, HAMMETT, HEBERT, HILL, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KENNARD, KENNEY, LABRUZZO, LAFONTA, LANCASTER, MCDONALD, MONTGOMERY, MORRELL, MORRISH, PIERRE, PITRE, M. POWELL, T. POWELL, QUEZAIRE, SCHNEIDER, SMILEY, GARY SMITH, STRAIN, THOMPSON, TOWNSEND, TRAHAN, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, AND WOOTON AND SENATOR BROOME
AN ACT

To enact R.S. 14:46.2, relative to offenses against the person; to create the crime of human trafficking; to provide for criminal penalties; to provide for definitions; and to provide for related matters.

HOUSE BILL NO. 71—

BY REPRESENTATIVES BRUCE AND PINAC
AN ACT

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

HOUSE BILL NO. 72—

BY REPRESENTATIVES BRUCE AND MONTGOMERY
AN ACT

To enact R.S. 37:776(D), relative to dentists; to require the board to promulgate rules to expunge first-time advertising offenses from a licensee's record; and to provide for related matters.

HOUSE BILL NO. 78—

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

AN ACT

To amend and reenact R.S. 47:305.50(B) and 337.9(D)(25) and to enact R.S. 47:337.10(J), relative to the state sales and use tax; to exempt fabrication, modification, or repairs of rail rolling stock; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 84—

BY REPRESENTATIVES CAZAYOUX AND DORSEY

AN ACT

To enact R.S. 46:2134(G), relative to domestic abuse assistance; to provide for the payment of costs; and to provide for related matters.

HOUSE BILL NO. 90—

BY REPRESENTATIVES BRUNEAU, ARNOLD, AND RICHMOND AND SENATOR MURRAY

AN ACT

To amend and reenact R.S. 47:305.40(A) and to enact R.S. 47:301(13)(l), relative to state and local sales and use taxes; to provide that certain carnival and nonprofit organizations participating in certain parades and purchases or sales of certain specialty items by such organizations are not subject to such taxes; and to provide for related matters.

HOUSE BILL NO. 91—

BY REPRESENTATIVE ANSARDI

AN ACT

To amend and reenact Chapters 1, 2, and 3 of Title VII of Book I of the Civil Code, presently comprised of Articles 178 through 211, to be comprised of Chapters 1 and 2 of Title VII of Book I of the Civil Code, consisting of Articles 184 through 198, relative to the filiation of parents and children; to provide for the proof of maternity and paternity; to provide for the presumptions of paternity; to provide for disavowal of paternity; to provide for the contestation of paternity; to provide for an acknowledgment of paternity; to provide for the avowal action; to provide for the exceptional action of paternity; and to provide for related matters.

HOUSE BILL NO. 124—

BY REPRESENTATIVES WOOTON AND DARTEZ AND SENATORS DUPRE AND B. GAUTREAUX

AN ACT

To amend and reenact R.S. 56:305(H) and to enact R.S. 56:302.3(B)(5)(c), relative to shrimp gear licenses; to provide for additional fees for such licenses; to provide relative to deposit and use of the revenues from such additional fees; and to provide for related matters.

HOUSE BILL NO. 125—

BY REPRESENTATIVE TOOMY

AN ACT

To amend and reenact R.S. 37:751(A)(5), 780(B)(1), (2), and (3), 788(B)(4), and 795(B)(2)(a) and (3)(a) and to enact R.S. 37:780(B)(4) and 795(B)(2)(q), (r), (s), and (t), relative to the Dental Practice Act; to provide for definitions; to provide for the application of a license or a permit; to provide costs and fees for violations; to alter existing fees; and to provide for related matters.

HOUSE BILL NO. 226—

BY REPRESENTATIVE GALLOT

AN ACT

To amend and reenact Code of Civil Procedure Articles 592(A)(3)(b), 1917, 2031(A), and 2083, relative to civil procedure; to provide for the continuous revision of the Code of

Civil Procedure as required by R.S. 24:251; to provide for written reasons for judgment and findings of fact in class action certifications and for appeal therefrom; to provide for the commencement of the time period in which to request the court to give findings of fact and written reasons for judgment in a nonjury trial; to provide for the interruption of prescription with the filing of a motion to revive a judgment; to provide for appeal of interlocutory judgments; and to provide for related matters.

HOUSE BILL NO. 293—

BY REPRESENTATIVES TUCKER AND WALKER AND SENATOR CHEEK

AN ACT

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

HOUSE BILL NO. 318—

BY REPRESENTATIVE BADON AND SENATOR MURRAY

AN ACT

To amend and reenact Code of Civil Procedure Article 2293(B), relative to notice of seizure of property; to provide for giving additional notice of seizure to occupants and tenants; to provide relative to the validity of the sheriff's sale for failure to serve additional notices; to provide for an optional method of giving notice when the property consists of more than ten units; to provide for filing of an affidavit in the foreclosure proceeding records and the effect thereof; to provide for the inapplicability of additional notice provisions to certain property; to provide for the validity of foreclosure proceedings deemed not in compliance with Act No. 877 of the 2004 Regular Session; and to provide for related matters.

HOUSE BILL NO. 319—

BY REPRESENTATIVE MORRISH

AN ACT

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

HOUSE BILL NO. 336—

BY REPRESENTATIVE WADDELL AND SENATOR CHEEK

AN ACT

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

further redesignate the terms "absentee in person" and "absentee" as they relate to absentee in person voting as "early voting"; and to provide for related matters.

HOUSE BILL NO. 349—
BY REPRESENTATIVE BOWLER
AN ACT

To authorize and provide for the lease or transfer of certain state property in Jefferson Parish to the Jefferson Parish School Board; and to provide for related matters.

HOUSE BILL NO. 405—
BY REPRESENTATIVE ALEXANDER
AN ACT

To enact R.S. 17:62, to provide relative to term limits for the Lafayette Parish School Board; to authorize the school board to adopt such limits subject to voter approval; and to provide for related matters.

HOUSE BILL NO. 446—
BY REPRESENTATIVE TRAHAN
AN ACT

To enact R.S. 6:1094(B) and to repeal R.S. 6:1087(B)(10), relative to residential mortgage lending; to provide for licensure; to provide examination requirements; to establish licensure exemptions; to repeal the requirement of commissioner approval for persons engaging in no more than four residential mortgage lending transactions in a calendar year; to eliminate the licensure exemption for persons engaging in no more than four residential mortgage lending transactions in a calendar year; and to provide for related matters.

HOUSE BILL NO. 496—
BY REPRESENTATIVES MCDONALD, WALSWORTH, SCALISE, AND THOMPSON
AN ACT

To enact Chapter 27-C of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9039.51 through 9039.56, relative to the creation of the Northeast Louisiana Film Commission; to create the Northeast Louisiana Film Commission; to provide for the purposes, powers, duties, functions, and responsibilities of the commission; to provide for an executive director; to provide relative to employees, funding, and cooperation with state agencies; and to provide for related matters.

HOUSE BILL NO. 576—
BY REPRESENTATIVE LAMBERT
AN ACT

To enact R.S. 6:332 and 333(F)(16), relative to financial records; to provide relative to the disclosure of such records; to provide relative to attorney trust or escrow accounts; to authorize overdraft notification to the office of disciplinary counsel for the Louisiana Attorney Disciplinary Board; to provide for limitation of liability; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 581—
BY REPRESENTATIVE TRAHAN
AN ACT

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

HOUSE BILL NO. 650—
BY REPRESENTATIVES ARNOLD AND THOMPSON
AN ACT

To amend and reenact R.S. 6:969.35(A) and (D) and 969.37(D) and (G) and to enact R.S. 6:969.6(30) through (33), relative to the Motor Vehicle Sales Finance Act; to provide for definitions; to provide for authority to issue debt waiver or debt forgiveness

agreements; to provide for licenses; to provide for violations; to provide for fees; and to provide for related matters.

HOUSE BILL NO. 680—
BY REPRESENTATIVE HUNTER AND SENATORS MURRAY AND NEVERS
AN ACT

To amend and reenact R.S. 23:1101(B), 1102(A)(2), 1208(D) and (G), 1226(A) and (B)(3)(a), 1272(D), 1291(C)(3), (4), and (5), 1310.3(E), 1310.7(B) and (C), 1377(B)(1), and 1378(A)(5) and (8)(a) and (b) and to enact R.S. 23:1032.1 and 1034.2(C)(4), and to repeal R.S. 23:1101(D) and 1168(A)(2)(b), relative to workers' compensation; to provide for definitions; to provide for penalties for failure to secure workers' compensation insurance; to provide for reimbursement of dental services; to provide relative to third-party suits; to eliminate methods of securing workers' compensation insurance; to provide for the payment of penalties imposed for misrepresentations; to provide for reporting of earnings; to provide for vocational rehabilitation counseling; to provide relative to lump sum settlements; to provide relative to the records management, fraud, and workplace safety sections of the office workers' compensation administration; to provide for the jurisdiction of the workers' compensation judges; to provide for penalties and requirements for findings of contempt of court; to provide for the necessary allegations in a workers' compensation petition; to provide relative to the Second Injury Fund budget, assessments, and liabilities; and to provide for related matters.

HOUSE BILL NO. 751—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 4:147(2), relative to residency requirements of the state steward appointed by the Louisiana State Rating Commission; to require the steward to be residing in the state upon appointment; and to provide for related matters.

HOUSE BILL NO. 761—
BY REPRESENTATIVE WHITE
AN ACT

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

HOUSE BILL NO. 779—
BY REPRESENTATIVES MCVEA AND MCDONALD
AN ACT

To enact R.S. 32:867, relative to compulsory motor vehicle liability insurance; to provide for applicability; to provide for privately owned parking lots; and to provide for related matters.

HOUSE BILL NO. 816—
BY REPRESENTATIVES JOHNS AND MCDONALD
AN ACT

To amend and reenact R.S. 37:1184, relative to the Pharmacy Practice Act; to provide for changes in the fee schedule; and to provide for related matters.

HOUSE BILL NO. 817—
BY REPRESENTATIVE HAMMETT
AN ACT

To enact R.S. 47:1675 and to repeal R.S. 47:287.34, relative to income and corporation franchise tax credits; to provide for eligibility and application of the tax credits; to provide general administrative provisions for tax credits; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 885 (Substitute for House Bill No. 584 by Representative K. Carter)—
BY REPRESENTATIVES K. CARTER, BOWLER, LABRUZZO, AND SCALISE AND SENATORS HINES AND MURRAY
AN ACT

To amend and reenact R.S. 22:250.31 through 250.35, relative to health insurance claims; to provide relative to prompt payment

of health insurance claims; to provide for definitions; to provide for standards for receipt and processing of nonelectronic and electronic claims; to provide relative to limitations on claim filing and audit; to provide for the regulatory authority of the commissioner of insurance; to provide relative to applicability; and to provide for related matters.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

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

Leave of Absence

Rep. Schneider - 1 day

Rep. Geymann - 1 day

Adjournment

On motion of Rep. Kenney, at 12:50 P.M., the House agreed to adjourn until Monday, June 20, 2005, at 10:00 A.M.

The Speaker of the House declared the House adjourned until 10:00 A.M., Monday, June 20, 2005.

ALFRED W. SPEER
Clerk of the House

