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

ELEVENTH DAY'S PROCEEDINGS

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

House of Representatives
State Capitol
Baton Rouge, Louisiana

Thursday, April 13, 2006

The House of Representatives was called to order at 1:00 P.M.,
by the Honorable Joe R. Salter, Speaker of the House of
Representatives.

Morning Hour

ROLL CALL

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

PRESENT

Fannin       McVea       Winston
Farrar      Montgomery      Wooton
Faucheux      Morrell
Frit
Total - 100

ABSENT

Alario        Carter, K.
Baudoin       Gray
Total - 4

The Speaker announced that there were 100 members present
and a quorum.

Prayer

Prayer was offered by Dr. Gregory Davis.

Pledge of Allegiance

Rep. Wooton 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. Gallot, the reading of the Journal was
dispensed with.

On motion of Rep. Frith, the Journal of April 11, 2006, was
adopted.

Petitions, Memorials and
Communications

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

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

April 13, 2006

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

I am directed to inform your honorable body that the Senate has
concurred in the following House Concurrent Resolutions:

House Concurrent Resolution No. 88
Returned without amendments
House Concurrent Resolution No. 89
Returned without amendments
House Concurrent Resolution No. 90
Returned without amendments
House Concurrent Resolution No. 93
Returned without amendments
House Concurrent Resolution No. 96
Returned without amendments
House Concurrent Resolution No. 97
Returned without amendments
House Concurrent Resolution No. 98
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate
Message from the Senate

ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS

April 13, 2006

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. 9

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

SENATE BILLS

April 13, 2006

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

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

Senate Bill No. 1

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Senate Bills and Joint Resolutions on First Reading

The following Senate Bills and Joint Resolutions on first reading were taken up, read, and placed upon the calendar for their second reading:

SENATE BILL NO. 1—

BY SENATORS MCFERSON, ADLEY, AMEDEE, BARHAM, CAIN, CRAVINS, DUPERRELL, DUKE, ELLINGTON, FINLEY, HINES, HOLLIS, LENTINI, MOUNT, MURRAY, NEVIER, SCHMIDT AND SMITH AND REPRESENTATIVES ALARO, ALEXANDER, BALDOINE, BAUDOIN, BOWLER, BRUNEAU, BURNS, CAZAYoux, CROWE, CURTIS, DAMICO, DARDEN, DOERGE, DOWNS, DUKE, FANNIN, FARRAR, FRITH, GREENE, E. GUILLORY, HILL, JEFFERSON, JOHNS, KLECKLEY, LAFONTA, LANCASTER, MCDONALD, MDHEA, MONTGOMERY, SCHNEIDER, T. POWELL, RITCHIE, ROMERO, STRAIN AND WALSWORTH

A JOINT RESOLUTION

Proposing to amend Article I, Section 4(B) and Article VI, Section 21(B) of the Constitution of Louisiana, relative to the expropriation of property; to prohibit the expropriation of property for use by or transfer to any private person or entity under certain circumstances; to provide for the definition of “public purposes”; to provide concerning the sale of expropriated property; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

Introduction of Resolutions,
House and House Concurrent

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

HOUSE RESOLUTION NO. 31—

BY REPRESENTATIVE HEBERT

A RESOLUTION

To amend and readopt House Rule 6.4(A) and (B) of the Rules of Order of the House of Representatives to provide for the composition of the Committee on Appropriations.

Read by title.

Lies over under the rules.

Introduction of House Bills and Joint Resolutions

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

HOUSE BILL NO. 347—

BY REPRESENTATIVE FRITH

AN ACT

To amend and reenact R.S. 3:3004(B), relative to impounding livestock found at large; to increase the fee for retrieval of escaped livestock in Vermilion parish; and to provide for related matters.

Read by title.

HOUSE BILL NO. 741—

BY REPRESENTATIVE RICHMOND

AN ACT

To enact R.S. 38:2225.1(B)(3), relative to public work contracts let by Orleans Parish; to provide for hiring preferences; to provide for an effective date; and to provide for related matters.

Read by title.

HOUSE BILL NO. 764—

BY REPRESENTATIVE FRITH

AN ACT

To enact R.S. 25:215(B)(16), relative to the Vermilion Parish Library; to transfer the administration of and accounting functions for funds of the library from the Vermilion Parish Police Jury to the Vermilion Parish Library Board of Control; and to provide for related matters.

Read by title.

HOUSE BILL NO. 812—

BY REPRESENTATIVE KENNARD

AN ACT

To enact R.S. 33:381(C)(28), relative to the police chief of the city of Central; to provide for the appointment of the chief of police; to provide relative to setting the chief’s salary and establishing his powers, responsibilities, and qualifications; to provide for his term of office; and to provide for related matters.

Read by title.

HOUSE BILL NO. 813—

BY REPRESENTATIVE KENNARD

AN ACT

To amend and reenact R.S. 33:3074(D)(5), relative to the city of Central; to provide for the termination of provisions for the Central Transition District and the levy of a sales tax by the district; and to provide for related matters.

Read by title.
HOUSE BILL NO. 1077—
BY REPRESENTATIVE FARRAR
AN ACT
To amend and reenact R.S. 11:802, relative to Teachers’ Retirement System of Louisiana; to provide for service credit and retirement eligibility for members paid from school food service funds; to provide with respect to administrative error; to provide for refund of contributions; and to provide for related matters.

Read by title.

HOUSE BILL NO. 1178—
BY REPRESENTATIVES TOOMY, ANSARDI, ARNOLD, BRUCE, BRUNEAU, BURRELL, R. CARTER, CAZAYOUX, DAMICO, DARTEZ, DORGE, DURAND, FARAR, FAUCHEUX, FRITH, GALLOW, HARRIS, HEBERT, HILL, JOHNS, LAPLACE, LAMBERT, MARTINY, ODINET, PINAC, PITRE, ROMERO, SALTER, JACK SMITH, JOHN SMITH, ST. GERMAIN, TOWNSEND, TUCKER, WALKER, AND WHITE AND SENATORS AMEDEE, CHAISSON, DARDENNE, FONTENOT, B. GAUTREAUX, HEITMEIER, HINES, HOLLIS, LENTINI, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, AND ULLO
AN ACT
To amend and reenact R.S. 16:11(A)(1), relative to the annual salary of assistant district attorneys paid by the state; to provide for an increase in salary; and to provide for related matters.

Read by title.

HOUSE BILL NO. 1179—
BY REPRESENTATIVE FANNIN
AN ACT
To amend and reenact R.S. 32:387.10(A)(3), relative to special permits allowing operation of oversize and overweight trucks and combination vehicles; to provide relative to the limitations on a vehicle transporting certain logging equipment pursuant to such a permit; and to provide for related matters.

Read by title.

HOUSE BILL NO. 1180—
BY REPRESENTATIVE FANNIN
AN ACT
To enact R.S. 32:705(B)(3), relative to motor vehicle titles; to authorize the endorsement of the signature of the seller in the presence of two witnesses; and to provide for related matters.

Read by title.

HOUSE BILL NO. 1181—
BY REPRESENTATIVE LABRÚZZO
AN ACT
To enact R.S. 37:848.1, relative to funeral homes; to prohibit certain acts by funeral home directors and employees; to provide for the viewing of a body under certain circumstances; to provide for exceptions; to provide relative to the authority of the tutor of a minor child; to provide for an exemption from liability; to provide for the availability of civil damages for noncompliance; and to provide for related matters.

Read by title.

HOUSE BILL NO. 1182—
BY REPRESENTATIVE WALKER
AN ACT
To enact R.S. 13:3881(A)(7), relative to exemptions from seizure; to provide for the exemption from seizure of certain medical devices and health aids; and to provide for related matters.

Read by title.

HOUSE BILL NO. 1183—
BY REPRESENTATIVE MORRIS
AN ACT
To enact R.S. 33:1236(65), relative to powers of parish governing authorities; to authorize parish governing authorities to provide for the general health, safety, and welfare of the citizens of their respective parishes; and to provide for related matters.

Read by title.

HOUSE BILL NO. 1184—
BY REPRESENTATIVE M. POWELL
AN ACT
To amend and reenact R.S. 17:1235(A) and 1237(B) and to enact R.S. 17:1235(E), relative to school employee personnel files; to provide relative to documents placed in such files on or before a specified date; to provide that school employees be given the opportunity to rebut and respond to such documents especially under certain circumstances; and to provide for related matters.

Read by title.

HOUSE BILL NO. 1185—
BY REPRESENTATIVE DOVE
AN ACT
To enact R.S. 40:1730.23(D), relative to local enforcement of building codes; to provide for plans stamped by an architect or engineer; to provide for an effective period; and to provide for related matters.

Read by title.

HOUSE BILL NO. 1186—
BY REPRESENTATIVE ALARION
AN ACT
To provide with respect to the Revenue Sharing Fund and the allocation and distribution thereof for Fiscal Year 2006-2007; and to provide for related matters.

Read by title.

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. 100—
BY REPRESENTATIVE ODINET
A CONCURRENT RESOLUTION
To authorize and request the governor of the state to direct the Louisiana Recovery Authority to prepare, on or before May 31, 2006, a recovery plan which includes a definitive time line for implementation thereof for the distribution of Community Development Block Grant funds for housing recovery.

Read by title.

Under the rules, the above resolution was referred to the Committee on Appropriations.

Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 15—
BY SENATOR JONES
A CONCURRENT RESOLUTION
To create a study committee to review and recommend a proposal for development and location of regional records centers outside of the State Archives Building and a records recovery complex to provide for storage and back up storage for Louisiana’s clerks of court, registrars of voters, assessors and the secretary of state’s office.

Read by title.

Under the rules, the above resolution was referred to the Committee on House and Governmental Affairs.
SENATE CONCURRENT RESOLUTION NO. 27—
BY SENATOR BAJOIE
A CONCURRENT RESOLUTION
To commend Delta Sigma Theta Sorority, Inc., for its achievements and community service and to designate April 19, 2006, as Delta Sigma Theta Sorority “Red and White” Day at the Senate of the Legislature of Louisiana.

Read by title.
Lies over under the rules.

House Bills and Joint Resolutions on Second Reading to be Referred

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

HOUSE BILL NO. 366—
BY REPRESENTATIVE JACKSON
AN ACT
To enact Chapter 42 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9581, relative to public contracts; to authorize East Baton Rouge Parish to enter into agreements for the maintenance and operation of public facilities related to sewerage and nonpotable water treatment systems; to provide with respect to the content of such contractual agreements; to provide for the disposition and allocation of revenues and assets; to provide for the pledging of revenues; to provide certain immunities from liability; to provide for limitation of liability; and to provide for related matters.

Read by title.
Under the rules, the above bill was referred to the Committee on Retirement.

HOUSE BILL NO. 935—
BY REPRESENTATIVE DANIEL
AN ACT
To enact Chapter 42 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9581, relative to public contracts; to authorize East Baton Rouge Parish to enter into agreements for the maintenance and operation of public facilities related to sewerage and nonpotable water treatment systems; to provide with respect to the content of such contractual agreements; to provide for the disposition and allocation of revenues and assets; to provide for the pledging of revenues; to provide certain immunities from liability; to provide for limitation of liability; and to provide for related matters.

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

HOUSE BILL NO. 1170—
BY REPRESENTATIVE JACK SMITH
AN ACT
To require that the Department of Transportation and Development provide improvements at an intersection in Patterson, Louisiana; and to provide for related matters.

Read by title.
Under the rules, the above bill was referred to the Committee on Transportation, Highways and Public Works.

HOUSE BILL NO. 1171—
BY REPRESENTATIVES BRUNEAU AND WADDELL
AN ACT
To amend and reenact R.S. 44:5, relative to public records; to provide for the application of the laws relative to public records to the office of the governor; to provide that exemption from such laws applies solely to the executive office of the governor; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 1172—
BY REPRESENTATIVE TUCKER
AN ACT
To enact R.S. 11:1141(E), relative to the Louisiana School Employees’ Retirement System; to provide for application for disability retirement and error related thereto; to provide for the authority of the board of trustees; to provide for an effective date; and to provide for related matters.

Read by title.
Under the rules, the above bill was referred to the Committee on House and Governmental Affairs.

HOUSE BILL NO. 1173—
BY REPRESENTATIVE CROWE
AN ACT
To amend and reenact R.S. 48:279(A) and (B), relative to highway construction by the Department of Transportation and Development; to provide relative to the hours when construction may be done on certain highways; to provide for penalties; and to provide for related matters.

Read by title.
Under the rules, the above bill was referred to the Committee on Appropriations.

HOUSE BILL NO. 1174—
BY REPRESENTATIVE LAFONTA
AN ACT
To enact R.S. 38:2182 and R.S. 39:1518.1 and 1658, relative to the Department of Transportation and Development; to provide for the application of the laws relative to public records; to provide relative to the crime of failure to submit such required information; to provide for penalties; to provide for an effective date; and to provide for related matters.

Read by title.
Under the rules, the above bill was referred to the Committee on Commerce.

HOUSE BILL NO. 1175—
BY REPRESENTATIVE SALTER
AN ACT
To amend and reenact R.S. 47:511.1(A), relative to registration of vehicles; to provide relative to temporary permits authorizing the operation of trucks owned by residents of states which do not have a reciprocity agreement with Louisiana; to increase the fee for issuance of temporary permits authorizing the operation of such trucks on Louisiana highways; to provide relative to the terms of such temporary permits; to increase the number of hours the temporary permits authorize the operation of such trucks on Louisiana highways; and to provide for related matters.

Read by title.
Under the rules, the above bill was referred to the Committee on Transportation, Highways and Public Works.
HOUSE BILL NO. 1176—
BY REPRESENTATIVE T. POWELL
AN ACT
To enact R.S. 18:1505.2(S), relative to campaign finance; to prohibit certain campaign contributions made to candidates seeking the office of the commissioner of insurance; to prohibit service providers who contract or subcontract with the Louisiana Citizens Property Insurance Corporation from making campaign contributions to such candidates; to define the term service provider; to provide for applicability to certain campaign contributions; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on House and Governmental Affairs.

HOUSE BILL NO. 1177—
BY REPRESENTATIVES DANIEL, DAMICO, BEARD, CRANE, DEWITT, FRITH, GEYMANN, HAMMETT, KATZ, LANCASTER, MARTINY, PIERRE, PITRE, T. POWELL, SCALISE, AND WALSWORTH AND SENATORS ADLEY, KOSTELKA, AND QUINN
AN ACT
To amend and reenact R.S. 30:82(6), 89.1, and 2015.1(B), (C)(1), (2), and (4), (D), (E)(1), (F)(2), (H), (I), and (K) and to enact R.S. 30:299 and 2015.1(L), relative to remediation of certain oil field sites under the jurisdiction of the Department of Natural Resources; to provide relative to the remediation of oil and gas and other sites; to provide terms, conditions, procedures, requirements, definitions, and standards; to provide relative to duties and responsibilities of certain agencies; to provide relative to certain actions or claims involving environmental damage; to provide relative to parties, proceedings, orders, and awards by the court; to provide relative to remediation and cleanup arising from such actions or claims; to provide relative to oil field sites and exploration and production sites; and to provide for related matters.

Read by title.

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

Motion

On motion of Rep. Thompson, the Committee on Natural Resources was discharged from further consideration of House Bill No. 1079.

HOUSE BILL NO. 1079—
BY REPRESENTATIVE THOMPSON
AN ACT
To amend and reenact R.S. 3:4617(C), relative to the prohibition of fraud in the sale of catfish; to provide for changes in the definition of catfish; and to provide for related matters.

Read by title.

On motion of Rep. Thompson, the bill was recommitted to the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

Senate Bills and Joint Resolutions on Second Reading to be Referred

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

SENATE BILL NO. 47—
BY SENATORS NEVERS AND AMEDEE
AN ACT
To enact R.S. 14-98(L) and R.S. 47:463.131, relative to motor vehicle license plates; to provide for a special license plate for DWI offenders; to require certain persons convicted of operating a vehicle while intoxicated to obtain and display a special DWI license plate; to provide for its charge; to provide for the distribution and use of the monies; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 91—
BY SENATOR DUPRE
AN ACT
To amend and reenact R.S. 38:329(A), relative to the bonding and taxing authority of the Terrebonne Levee and Conservation District; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 92—
BY SENATOR ADLEY
AN ACT
To amend and reenact R.S. 34:2303, relative to the Red River Waterway Commission; to require one member-at-large on the commission; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 134—
BY SENATOR HINES
AN ACT
To amend and reenact R.S. 40:2120.33(13), (14)(c), and (16), relative to brain injury facilities; to redefine certain terms; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 155—
BY SENATORS MARIONNEAUX, AMEDEE AND FONTENOT
AN ACT
To enact Chapter 27-F of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9039.81 through 9039.86, relative to the creation of the Louisiana Capital Area Economic Development Alliance (LACAEDA) Film Commission; to provide for the distribution and use of the monies; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 188—
BY SENATORS NEVERS, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CHAISON, CHERT, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, JOHNS, LENTINI, MARIONNEAUX, MCPHERSON, MICHELOT, MOUNT, MURRAY, ROMERO, SCHLDER, SHEPHERD, SMITH, THEUNISSEN AND ULLO
AN ACT
To authorize the secretary of the Department of Public Safety and Corrections to rename the correctional facility located at Angie,
Louisiana as the B.B. "Sixty" Rayburn Correctional Center; and to provide for related matters.

Read by title.

Motion

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

SENATE BILL NO. 193—
BY SENATOR LENTINI
AN ACT
To amend and reenact R.S. 46:236.1.8(D) and (E), relative to child support programs; to authorize certain support enforcement service support personnel to administer oaths; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 209—
BY SENATOR FONTENOT
AN ACT
To amend and reenact R.S. 30:2054(B)(9) and to enact R.S. 30:2022(D), relative to environmental quality; to authorize the secretary of the Department of Environmental Quality to develop regulatory permits; to provide for limitations on such authority; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 244—
BY SENATOR MICHOT
AN ACT
To enact Chapter 29-A of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1971 through 1978; to enact the Computer Spyware Protection Act; to provide prohibited acts; to provide for enforcement; to provide penalties; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 307—
BY SENATOR JONES
AN ACT
To amend and reenact R.S. 42:1121(B), relative to the Code of Governmental Ethics; to prohibit a former employee from rendering certain services to or for his former employer during a specified period regardless of the parties to the contract; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on House and Governmental Affairs.

SENATE BILL NO. 320—
BY SENATOR HINES AND REPRESENTATIVE SALTER
AN ACT
To amend and reenact R.S. 49:72(2), relative to executive branch lobbying; to revise the definition of executive branch action; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on House and Governmental Affairs.

SENATE BILL NO. 337—
BY SENATOR CRAVINS
AN ACT
To amend and reenact the introductory paragraph of R.S. 27:306(A)(4)(c)(ii) and to enact R.S. 27:308(B)(4) and (5), relative to the impact of force majeure on the operation of video draw poker devices and the license of such operation; to provide for an exception to the restaurant requirements of a qualified truck stop facility in cases where the restaurant cannot be operated because of force majeure; to provide for the turning in of a license as a result of force majeure; to provide for an exemption from certain fees due to force majeure; to provide with respect to restoration of a license turned in as a result of force majeure; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 358—
BY SENATOR ELLINGTON
AN ACT
To amend and reenact R.S. 37:1041(B), (C)(4)(b), (5), the introductory paragraph of 1048, 1048(4), (5)(a), 1057, 1061, 1063, 1065, and the introductory paragraph of 1068 and to enact R.S. 37:1048(7) through (14), and 1063.1, relative to the professional licensing and regulation of the conduct of optometrists; to provide relative to the purpose of such law; to provide relative to the powers of the Louisiana State Board of Optometry Examiners; to provide relative to license renewals; to provide relative to violations and causes for refusal, suspension, or revocation of certificates; to provide relative to the obtaining of a criminal history record; to authorize a compulsory evaluation; to provide relative to exemptions; to provide relative to criminal penalties; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 418—
BY SENATOR HINES
AN ACT
To amend and reenact R.S. 37:1041(B), (C)(4)(b), (5), the introductory paragraph of 1048, 1048(4), (5)(a), 1057, 1061, 1063, 1065, and the introductory paragraph of 1068 and to enact R.S. 37:1048(7) through (14), and 1063.1, relative to the professional licensing and regulation of the conduct of optometrists; to provide relative to the purpose of such law; to provide relative to the powers of the Louisiana State Board of Optometry Examiners; to provide relative to license renewals; to provide relative to violations and causes for refusal, suspension, or revocation of certificates; to provide relative to the obtaining of a criminal history record; to authorize a compulsory evaluation; to provide relative to exemptions; to provide relative to criminal penalties; and to provide for related matters.

Read by title.

Motion

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

SENATE BILL NO. 418—
BY SENATOR HINES
AN ACT
To amend and reenact R.S. 37:1041(B), (C)(4)(b), (5), the introductory paragraph of 1048, 1048(4), (5)(a), 1057, 1061, 1063, 1065, and the introductory paragraph of 1068 and to enact R.S. 37:1048(7) through (14), and 1063.1, relative to the professional licensing and regulation of the conduct of optometrists; to provide relative to the purpose of such law; to provide relative to the powers of the Louisiana State Board of Optometry Examiners; to provide relative to license renewals; to provide relative to violations and causes for refusal, suspension, or revocation of certificates; to provide relative to the obtaining of a criminal history record; to authorize a compulsory evaluation; to provide relative to exemptions; to provide relative to criminal penalties; and to provide for related matters.

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

SENATE BILL NO. 545—
BY SENATOR SCHEDLER
AN ACT
To amend and reenact R.S. 47:302.26(D) and 322.37, relative to the disposition of certain collections from the sales of services; to provide with respect to the disposition of the avails of the tax on the sales of services in St. Tammany Parish; and to provide for related matters.
Read by title.
Under the rules, the above bill was referred to the Committee on Appropriations.

SENATE BILL NO. 572—
BY SENATOR JONES
AN ACT
To enact Code of Criminal Procedure Article 799.1, relative to the number of peremptory challenges; to provide for use of all challenges available unless otherwise agreed; and to provide for related matters.
Read by title.
Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

House and House Concurrent Resolutions Reported by Committee

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

HOUSE CONCURRENT RESOLUTION NO. 28—
BY REPRESENTATIVE JOHN SMITH
A CONCURRENT RESOLUTION
To authorize and request the Louisiana State Law Institute to study and make recommendations to the legislature on the laws of usufruct and naked ownership especially in light of Hurricanes Katrina and Rita.
Read by title.
Reported favorably by the Committee on Civil Law and Procedure.
On motion of Rep. Ansardi, the resolution was ordered engrossed and passed to its third reading.

On motion of Rep. Ansardi, the bill was ordered engrossed and passed to its third reading.
Under the rules, placed on the regular calendar.

HOUSE BILL NO. 176—
BY REPRESENTATIVE WHITE
AN ACT
To amend and reenact R.S. 37:1371(B), relative to the state plumbing board; to provide for fees; and to provide for related matters.
Read by title.
Reported with amendments by the Committee on Commerce.
The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on Commerce to Original House Bill No. 176 by Representative White

AMENDMENT NO. 1
On page 1, line 2, after "37:1371(B)" delete "and to enact R.S. 37:1378(C)"

AMENDMENT NO. 2
On page 1, line 3, after "for fees;" delete "to provide for fines;"

AMENDMENT NO. 3
On page 1, line 6, after "reenacted" delete "and R.S. 37:1378(C)"

AMENDMENT NO. 4
On page 1, line 7, delete "is hereby enacted"

AMENDMENT NO. 5
On page 3, delete lines 20 through 27 in their entirety
On motion of Rep. Pinac, the amendments were adopted.
On motion of Rep. Pinac, the bill, as amended, was ordered engrossed and passed to its third reading.
Under the rules, placed on the regular calendar.

HOUSE BILL NO. 180—
BY REPRESENTATIVE BRUNEAU
AN ACT
To enact Code of Civil Procedure Article 1913(E), relative to notice of judgment; to provide for notice of judgment in open court under certain circumstances; to provide for exceptions; and to provide for related matters.
Read by title.
Reported with amendments by the Committee on Civil Law and Procedure.
The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 180 by Representative Bruneau

AMENDMENT NO. 1
On page 1, line 14, after "advisement" insert a period "." and delete the remainder of the line and delete line 15 in its entirety
On motion of Rep. Ansardi, the amendments were adopted.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 203—**

**BY REPRESENTATIVE PINAC**

**AN ACT**

To enact Chapter 25 of Title 12 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 12:1601 through 1605, relative to organization of business entities; to authorize conversion of domestic business entities; to provide for application and approval requirements; to provide for certificates of conversion and for certain filing requirements; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Commerce to Engrossed House Bill No. 203 by Representative Pinac

**AMENDMENT NO. 1**

On page 1, line 3, after "through" delete "1603, and R.S. 47:1508(B)(23)," and insert "1605,"

**AMENDMENT NO. 2**

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

**AMENDMENT NO. 3**

On page 1, line 10, after "through" change "1603" to "1605"

**AMENDMENT NO. 4**

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

"§1601. Definitions

As used in this Chapter, the following terms and phrases shall have the meaning ascribed to them in this Section, unless the context clearly indicates otherwise:

(1) "Conversion" means the continuance of a domestic entity of one type as a domestic entity of another type.

(2) "Converted entity" means an entity resulting from a conversion.

(3) "Converting entity" means an entity as the entity existed before the entity's conversion.


**AMENDMENT NO. 5**

On page 1, line 12, at the beginning of the line, change "§1601," to "§1602,"

**AMENDMENT NO. 6**

On page 1, line 14, after "type of" insert "domestic"

**AMENDMENT NO. 7**

On page 2, line 5, at the beginning of the line change "§1602," to "§1603,"

**AMENDMENT NO. 8**

On page 2, line 7, after "converting entity" insert "and the converted entity"

**AMENDMENT NO. 9**

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

"(3) A statement that the converting entity is continuing its existence in the organizational form of the converted entity"

**AMENDMENT NO. 10**

On page 2, line 9, at the beginning of the line, change "(3)" to "(4)"

**AMENDMENT NO. 11**

On page 2, line 12, at the beginning of the line, change "(4)" to "(5)"

**AMENDMENT NO. 12**

On page 2, line 14, at the beginning of the line, change "(5)" to "(6)"

**AMENDMENT NO. 13**

On page 2, line 15, after "limited liability company," delete "including the name of the converted"

**AMENDMENT NO. 14**

On page 2, at the beginning of line 16, delete "entity,"

**AMENDMENT NO. 15**

On page 2, line 18, after "corporation" delete the comma "," and delete "including the name of the converted entity,"

**AMENDMENT NO. 16**

On page 2, line 21, after "commendam" delete the comma "," and delete "including the name of the"

**AMENDMENT NO. 17**

On page 2, line 22, delete "converted entity if a partnership name is adopted"

**AMENDMENT NO. 18**

On page 3, line 3, at the beginning of the line, change "§1603," to "§1604,"

**AMENDMENT NO. 19**

On page 3, delete lines 8 through 19 in their entirety

**AMENDMENT NO. 20**

On page 3, line 20, at the beginning of the line, change "§1" to "§1,"

**AMENDMENT NO. 21**

On page 4, line 1, at the beginning of the line, change "D." to "C."

**AMENDMENT NO. 22**

On page 4, delete lines 6 through 15 and insert the following:

"§1605. Effect of conversion

When the conversion of a converting entity takes effect:
(1) The converting entity shall continue to exist, without interruption, but in the organizational form of the converted entity rather than in its prior organizational form.

(2) All rights, title, and interest to all real estate and other property owned by the converting entity shall continue to be owned by the converted entity in its new organizational form without reverson or impairment, and without further act or deed, but subject to any existing liens or other encumbrances thereon. However, the duplicate certificate of conversion must be filed for record in the conveyance records of each parish in this state in which the converting entity has immovable property that will transfer to the converted entity.

(3) All liabilities and obligations of the converting entity shall continue to be liabilities and obligations of the converted entity in its new organizational form without impairment or diminution by reason of the conversion.

(4) All rights of creditors or other parties with respect to or against the prior interest holders or other owners of the converting entity in their capacities as such in existence as of the effective time of the conversion will continue in existence as to those liabilities and obligations and may be pursued by such creditors and obligees as if the conversion had not occurred.

(5) A proceeding by or against the converting entity or by or against any of the converting entity’s interest holders or owners in their capacities as such may be continued by or against the converted entity in its new organizational form and by or against the prior interest holders or owners, as the case may be, without any need for substitution of parties.

(6) The ownership or membership interests in the converting entity that are to be converted into the ownership or membership interests in the converted entity as provided in the application for conversion shall be so converted.

(7) If, after the effectiveness of the conversion, a shareholder, partner, member, or other owner of the converted entity would be liable under applicable law, in such capacity, for the debts or obligations of the converted entity, such shareholder, partner, member, or other owner of the converted entity shall be liable for the debts and obligations of the converting entity that existed before the conversion takes effect only to the extent that such shareholder, partner, member, or other owner:

(a) Agreed in writing to be liable for such debts or obligations.

(b) Was liable under applicable law, prior to the effectiveness of the conversion, for such debts or obligations.

(c) By becoming a shareholder, partner, member, or other owner of the converted entity, becomes liable under applicable law for existing debts and obligations of the converted entity.

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.”

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 371—
BY REPRESENTATIVE DAMICO
AN ACT
To enact R.S. 49:191(4) and to repeal R.S. 49:191(1)(g), relative to the Department of Environmental Quality, including provisions to provide for the re-creation of the Department of Environmental Quality and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Environment.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 387—
BY REPRESENTATIVE QUEZAIRE
AN ACT
To amend and reenact R.S. 47:820.5.2(E), relative to toll violations on the Crescent City Connection bridge; to repeal certain defenses to liability for toll violations on such bridge; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 392—
BY REPRESENTATIVE HAMMETT
AN ACT
To amend and reenact R.S. 49:191(3) and to repeal R.S. 49:191(1)(m), relative to the Department of Revenue; to provide for the re-creation of the Department of Revenue and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 395—
BY REPRESENTATIVE HAMMETT
AN ACT
To amend and reenact R.S. 47:118(I)(introductory paragraph), relative to the state income tax; to change the deadline for the application for waiver of penalty for underpayment of estimated tax; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

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

Under the rules, placed on the regular calendar.

323
HOUSE BILL NO. 396—
BY REPRESENTATIVE HAMMETT
AN ACT
To amend and reenact R.S. 47:1562(A), 1563, and 1564, relative to assessment of tax, penalty, and interest; to provide the time period from the date of the notice of tax due to protest proposed assessment; to provide for assessment of tax, interest, and penalties; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 397—
BY REPRESENTATIVE HAMMETT
AN ACT
To amend and reenact R.S. 36:458(B), (C), (D), (E), and (F), relative to the offices, purposes, and functions of the Department of Revenue; to modify certain provisions to reflect the agency's current organizational structure and functions; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 397 by Representative Hammett

AMENDMENT NO. 1
On page 2, line 21, after "laws" and before the comma "," delete "and under the direction of the secretary"

AMENDMENT NO. 2
On page 2, line 22, after "beverages" and before "in" insert "and tobacco products"

AMENDMENT NO. 3
On page 2, line 24, after "in" and before "beverages" insert "alcoholic"

AMENDMENT NO. 4
On page 2, at the end of line 24, after "beverages" delete the remainder of the line and insert "or tobacco products"

AMENDMENT NO. 5
On page 2, at the beginning of line 25, delete "or low alcoholic content"

AMENDMENT NO. 6
On page 2, line 26, after "beverages" and before "and" insert "or tobacco products"

AMENDMENT NO. 7
On page 2, line 26, after "sale" and the period ";" delete the remainder of the line and delete lines 27 through 29 in their entirety.

AMENDMENT NO. 8
On page 2, line 26, after "sale" and the period ";" insert the following:

"The office of alcohol and tobacco control shall be under the the control and direction of the commissioner of the office of alcohol and tobacco control, who shall be the assistant secretary of the office of alcohol and tobacco control in the Department of Revenue. The commissioner shall employ, appoint, remove, assign, and promote such personnel as is necessary for the efficient administration of the office of alcohol and tobacco control and for the performance of the powers, duties, functions, and responsibilities of the office of alcohol and tobacco control. The commissioner shall be solely responsible for employment, assignment, and removal of all personnel employed by the office of alcohol and tobacco control on a contractual basis. The commissioner shall be solely responsible for the transfer of all personnel within the office of alcohol and tobacco control and no personnel shall be transferred to or from the office of alcohol and tobacco control to any other office of the department without the commissioner's prior approval. The commissioner shall exercise all powers and authority granted to him in this Title subject to the overall direction and control of the secretary."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 413—
BY REPRESENTATIVE QUEZAIRE
AN ACT
To amend and reenact R.S. 47:820.5(B)(introductory paragraph), relative to the Greater New Orleans Mississippi River Bridges; to provide relative to deposits collected for Automatic Vehicular Identification tags; to authorize the Crescent City Connection Division within the Department of Transportation and Development to collect a deposit for such tags in a certain amount; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 419—
BY REPRESENTATIVE QUEZAIRE
AN ACT
To amend and reenact R.S. 47:820.5(B)(introductory paragraph), relative to tolls on the Greater New Orleans Mississippi River Bridges; to authorize the Crescent City Connection Division to sell Automatic Vehicular Identification tags for use on such bridges; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.
HOUSE BILL NO. 423—
BY REPRESENTATIVE QUEZAIRE
AN ACT
To amend and reenact R.S. 48:255(B)(1), relative to public contracts let by the Department of Transportation and Development; to provide relative to the deadline for awarding certain contracts let by the department; to provide for certain exceptions; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 453—
BY REPRESENTATIVES TOOMY, JOHNS, AND WALKER
AN ACT
To enact R.S. 29:735.1, relative to emergency assistance during disasters; to provide a limitation of liability for health care providers; to provide an exception for gross negligence; to provide relative to the licensing of certain health care providers; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 453 by Representative Toomy

AMENDMENT NO. 1
On page 1, line 16, after "state" delete the remainder of the line and insert the following:

"and shall have in their personal possession a copy of their state license and photo identification."

AMENDMENT NO. 2
On page 1, delete lines 17 through 19 in their entirety

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 483—
BY REPRESENTATIVE QUEZAIRE
AN ACT
To repeal R.S. 48:250.1, relative to the Department of Transportation and Development's structured training program; to repeal the requirement that construction and maintenance personnel of the department participate in the structured training program.

Read by title.

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 496—
BY REPRESENTATIVES BURNS, DANIEL, GREENE, KATZ, M. POWELL, AND SMILEY
AN ACT
To enact R.S. 48:229(A)(12), relative to the state highway system; to provide relative to the factors to be considered when prioritizing highway projects; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 499—
BY REPRESENTATIVES QUEZAIRE AND M. POWELL
AN ACT
To amend and reenact R.S. 48:252(B)(4), relative to bid proposal documents on projects for the Department of Transportation and Development; to provide relative to the fee for such documents; to provide for an effective date; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 499 by Representative Quezaire

AMENDMENT NO. 1
On page 1, line 16, after "documents" and before "provided" delete "or plans" and at the end of the line delete "an electronic"

AMENDMENT NO. 2
On page 1, line 17, delete "bidding service." and insert "the department web site."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 511—
BY REPRESENTATIVE DAMICO
AN ACT
To amend and reenact R.S. 30:2411(B)(1), 2412(3), (4), (5), (20), and (26), 2413(A)(8), 2415(A), (C), (D), and (E), 2417(A)(5), 2420(B), and 2421(B), to enact R.S. 30:2413(A)(10), and to repeal R.S. 30:2412(1.1) and (4.1) and 2417(A)(6) and (7) and (E)(4), relative to solid waste and recycling; to provide for purpose; to provide for definitions; to provide for powers and duties of the secretary of the Department of Environmental Quality; to provide for used oil, batteries, and white goods; and to provide for related matters.

Read by title.
Reported with amendments by the Committee on Environment.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Environment to Original House Bill No. 511 by Representative Damico

**AMENDMENT NO. 1**

On page 3, at the end of line 23, insert the following:

"Products manufactured by entities that offer Louisiana customers a no-charge return and recycling program for product disposal shall have the same status as goods with recycled content, provided such program is approved by the Environmental Protection Agency."

**AMENDMENT NO. 2**

On page 3, at the end of line 26, insert a comma "," and the following:

"provided that such products are either manufactured in Louisiana"

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 119—**

**AN ACT**

To enact Chapter 22 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1441 through 1445, relative to Internet fraud; to prohibit use of the Internet to obtain identifying information of another person for a fraudulent purpose; to provide for penalties; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 527—**

**A JOINT RESOLUTION**

Proposing to amend Article III, Sections 2(A)(4)(b)(introductory paragraph), 15(A), and 16(C) and Article VII, Section 11(B) of the Constitution of Louisiana, relative to appropriation bills; to provide for a separate appropriation bill for the governor, the lieutenant governor, and each department of state government and a combined bill for appropriations to entities which are not departments of state government; to provide for an effective date; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Engrossed House Bill No. 727 by Representative Lambert

**AMENDMENT NO. 1**

On page 3, line 26, change "provide for" to "require"

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 729—**

**BY REPRESENTATIVE QUEZAIRE**

**AN ACT**

To amend and reenact R.S. 14:59(A)(4), R.S. 32:169(A) and (B) and R.S. 36:501(C)(1) and 508(A), (B), (C), and (G), R.S. 38:90.4(B)(1) and 1583(B), R.S. 48:1(2) and (19), 92, 211, 223(C), 259, 260, 269, 272, 273, 274, 274.2, 342, 346.1, 381(C)(2)(b)(ii), 441, 758(A), 1259, 1271(C), and 1273, and R.S. 51:1259(f), relative to the Department of Transportation and Development; to change the name of the office of highways to the office of engineering; to provide relative to responsibilities of the department; and to provide for related matters.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 729 by Representative Quezaire

**AMENDMENT NO. 1**

On page 8, line 20, change "R.S. 48:442(2)" to "R.S. 48:442(2,3)"

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 798—**

BY REPRESENTATIVE HUTTER

AN ACT

To enact Chapter 19-E of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1751 through 1754, relative to anti-phishing provisions; to provide for definitions; to provide for unlawful requests; to provide for remedies; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 809—**

BY REPRESENTATIVE PITRE

AN ACT

To enact R.S. 28:53(P), 53.2(H), and 54(F), relative to transportation of persons suffering from mental illness or substance abuse; to provide relative to the law enforcement agency responsible for transportation; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 809 by Representative Pitre

**AMENDMENT NO. 1**

On page 1, line 11, after "be" and before "responsible" insert "primarily"

**AMENDMENT NO. 2**

On page 1, line 13, after "ordered" and before "by" insert "by the coroner or"

**AMENDMENT NO. 3**

On page 1, line 20, after "be" and before "responsible" insert "primarily"

**AMENDMENT NO. 4**

On page 2, line 2, after "ordered" and before "by" insert "by the coroner or"

**AMENDMENT NO. 5**

On page 2, line 7, after "be" and before "responsible" insert "primarily"

**AMENDMENT NO. 6**

On page 2, line 9, after "ordered" and before "by" insert "by the coroner or"

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 859—**

BY REPRESENTATIVE QUEZAIRE

AN ACT

To amend and reenact R.S. 48:255(B)(5)(b), relative to bids on contracts for the Department of Transportation and Development; to provide for the rejection of bids; to provide for an effective date; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 870—**

BY REPRESENTATIVES DAMICO AND SALTER

AN ACT

To enact R.S. 30:2014.5, relative to expedited permits; to provide for fees paid to the Department of Environmental Quality for processing certain permits; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Environment.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Environment to Original House Bill No. 870 by Representative Damico

**AMENDMENT NO. 1**

On page 1, line 2, after "enact" change "R.S. 30:2014(E)" to "R.S. 30:2014.5"

**AMENDMENT NO. 2**

On page 1, line 6, change "R.S. 30:2014(E)" to "R.S. 30:2014.5"

**AMENDMENT NO. 3**

On page 1, delete lines 7 and 8 in their entirety, and insert the following:
"§2014.5. Expedited permit program

A. The department shall report to the House Committee on Environment and the Senate Committee on Environmental Quality no later than May 1, 2007, on the status and progress of the expedited permit program. The report shall include a comparison of the average time required for the expedited permit process and the average time required to process similar permits under the normal permit process.

AMENDMENT NO. 4
On page 1, at the beginning of line 9, change "E." to "B."

AMENDMENT NO. 5
On page 1, delete lines 14 through 17 in their entirety and insert the following:

"Section 2. The Louisiana State Law Institute is hereby directed to redesignate the provisions enacted in Section 1 of Senate Bill No. 292 of the 2006 Regular Session of the Louisiana Legislature as Subsection A and redesignate the provisions enacted in Section 1 of this Act as Subsections B and C of R.S. 30:2014.5 as enacted in this Act."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 887—
BY REPRESENTATIVES PINAC, BRUCE, BURRELL, CROWE, DOERGE, RITCHIE, GARY SMITH, STRAIN, TRAHAN, WHITE, AND WINSTON
AN ACT
To enact R.S. 10:9-109(c)(6) and Part V-B of Chapter 9 of Title 45 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 45:1230 through 1240, relative to electric utilities; to provide for legislative intent and definitions; to provide with respect to secured transactions provisions of the uniform commercial laws; to provide that the jurisdiction of the commission is not impaired; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on Commerce to Original House Bill No. 887 by Representative Pinac

AMENDMENT NO. 1
On page 1, in the author designation, after "REPRESENTATIVE PINAC" delete "(BY REQUEST)"

AMENDMENT NO. 2
On page 10, line 7, delete line 7 in its entirety and insert in lieu thereof the following:

"C. For a financing order issued to an electric utility by the commission to create storm recovery property, the financing order shall:

AMENDMENT NO. 3
On page 10, line 13, at the beginning of the line before "such costs" insert "all"

AMENDMENT NO. 4
On page 10, delete lines 17 through 21 in their entirety and insert the following:

"(3) Provide that such storm recovery property shall be sold, assigned, or transferred by the electric utility to a subsidiary which is wholly owned, directly or indirectly, by the electric utility and which will be the issuer of the storm recovery bonds."

AMENDMENT NO. 5
On page 11, at the beginning of line 5, change "Subsection E" to "Subsection F"

AMENDMENT NO. 6
On page 12, before line 1, insert the following:

"D. In a financing order issued to an electric utility, the commission may:"

AMENDMENT NO. 7
On page 12, at the beginning of line 1, change ",(10)" to ",(1)"

AMENDMENT NO. 8
On page 12, at the beginning of line 3, change ",(11)" to ",(2)"

AMENDMENT NO. 9
On page 12, between lines 17 and 18, insert the following:

"(3) Provide that the creation of the electric utility's storm recovery property pursuant to Paragraph (C)(2) of this Section is conditioned upon, and shall be simultaneous with, the sale, assignment, or other transfer of the storm recovery property to an assignee and the security interest created in the storm recovery property to secure storm recovery bonds."

AMENDMENT NO. 10
On page 12, at the beginning of line 18, change ",(12)" to ",(4)"

AMENDMENT NO. 11
On page 12, at the beginning of line 25, change ",(19)" to ",(1)"

AMENDMENT NO. 12
On page 13, at the beginning of line 3, change "E." to "F."

AMENDMENT NO. 13
On page 13, at the beginning of line 14, change "F." to "G."

AMENDMENT NO. 14
On page 13, at the beginning of line 16, change "G." to "H."

AMENDMENT NO. 15
On page 14, at the beginning of line 5, change "Subsection G of this Section" to "this Subsection"
AMENDMENT NO. 16
On page 19, line 16, after "with" change "Subsection D. to "Paragraph (4) of this Section.

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 970—
BY REPRESENTATIVE JACK SMITH
AN ACT
To amend and reenact R.S. 30:2189(A) and R.S. 45:163(A), relative to transportation of hazardous waste; to provide for exemptions from permitting requirements for transporting hazardous waste in certain circumstances; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Environment.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on Environment to Original House Bill No. 970 by Representative Jack Smith

AMENDMENT NO. 1
On page 1, line 2, after "R.S." delete "30:2183(A) and 2189(A)" and insert "30:2189(A) and R.S. 45:163(A)"

AMENDMENT NO. 2
On page 1, line 6, after "R.S." delete "30:2183(A) and 2189(A) are" and insert "30:2189(A) is"

AMENDMENT NO. 3
On page 1, delete lines 8 through 20 and on page 2, delete lines 1 through 5

AMENDMENT NO. 4
On page 2, between lines 15 and 16, insert the following:

"Section 2. R.S. 45:163(A) is hereby amended and reenacted to read as follows:

§163. Powers of commission; rates; insurance policies or bonds

A. The commission has the power and authority necessary to supervise, govern, regulate, and control motor carriers, other than a contract carrier by bus, which transport household goods, passengers, or waste and to fix reasonable and just rates, fares, tolls, or charges for the commodities furnished or services rendered by such motor carriers. The commission shall prescribe rules and regulations governing the operation of contract carriers in competition with common carriers, and prescribe minimum rates, fares, and charges to be collected by such carriers. However, such rules shall not require a license, permit, schedule of compliance, or performance guideline for transporting hazardous waste commingled with construction or demolition debris pursuant to a contract with any federal or state agency or political subdivision, provided that such transporter shall register with and comply with all insurance filing requirements of the commission.

*          *          *

AMENDMENT NO. 5
On page 2, at the beginning of line 16, delete "Section 2. R.S. 30:2183(A) and 2189(A) are " and insert "Section 3. R.S. 30:2189(A) is"
Reported favorably by the Committee on Commerce.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1138—**

**BY REPRESENTATIVE DOVE**

**AN ACT**

To amend and reenact R.S. 38:329(A), relative to the Terrebonne Levee and Conservation District; to authorize the district, subject to voter approval, to levy a sales and use tax; to authorize the district to issue certain types of bonds; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1169 (Substitute for House Bill No. 115 by Representative Pinac)—**

**BY REPRESENTATIVE PINAC**

**AN ACT**

To amend and reenact R.S. 9:1123.115(A), relative to condominium management; to provide for privileges on immovables; and to provide for related matters.

Read by title.

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

Under the rules, placed on the regular calendar.

**Suspension of the Rules**

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

**House Bills and Joint Resolutions on Third Reading and Final Passage**

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

**Regular Calendar**

**Acting Speaker Cazayoux in the Chair**

**HOUSE BILL NO. 5—**

**BY REPRESENTATIVE SALTER**

**AN ACT**

To amend and reenact R.S. 8:78, relative to the Louisiana Cemetery Board; to provide for exemption from board authority; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Salter to Engrossed House Bill No. 5 by Representative Salter

---

**AMENDMENT NO. 1**

On page 1, delete lines 12 through 14 in their entirety and insert the following:

"B. The provisions of this Chapter shall not apply to community cemeteries owned and operated by nonprofit corporations in existence prior to January 1, 2007, whose officers and directors serve on a voluntary basis without compensation for their services."

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker Frith Morrish
Alexander Gallot Odinet
Ansardi Geymann Pierre
Arnold Glover Pinac
Badon Greene Pitre
Baldone Guillory, E. Powell, M.
Barrow Guillory, M. Powell, T.
Baylor Hammett Quezaire
Beard Harris Richmond
Bowler Heaton Ritchie
Bruce Hebert Robideaux
Bruneau Hill Romero
Burns Honey Scalise
Burrell Hopkins Schneider
Carter, R. Hunter Smiley
Cazayoux Hutter Smith, G.
Crane Jackson Smith, J.D.–50th
Cravins Jefferson Smith, J.H.–8th
Crowe Johns Smith, J.R.–30th
Curtis Katz Strain
Damico Kenney Thompson
Daniel Kleckley Toomy
Dartez LaBruzzi Townsend
DeWitt LaFleur Trahan
Doerge LaFonta Triche
Dove Lancaster Tucker
Downs Marchand Waddell
Durand Martiny Walker
Erdey McDonal White
Famin McVea Wotton
Farrar Montgomery Wotton
Faucheux Morrell Wotton

**NAYS**

Total - 0

**ABSENT**

Alario Carter, K. Kennard
Baudoin Gray

Total - 5

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Salter moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.
HOUSE BILL NO. 72—
BY REPRESENTATIVE LABRIZZO
AN ACT
To enact Part VI of Chapter 9 of Title 56 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 56:1950.11 through 1950.13, relative to the Old Metairie Road Business and Cultural District; to designate the area along a portion of Metairie Road in Jefferson Parish as the Old Metairie Road Business and Cultural District; to require certain signage identifying and providing directions to the district; and to provide for related matters.

Read by title.

Rep. LaBruzzo moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker         Gallot          Morrish
Alexander          Geymann         Odiinet
Ansardi            Glover          Pierre
Badon              Greene          Pina
Baldone            Guillory, E.   Pite
Barrow             Guillory, M.   Powell, M.
Baylor             Hammett        Powell, T.
Beard              Harris          Quezaire
Bowler             Heaton          Richmond
Bruce              Hebert          Ritchie
Bruneau            Hill            Robideaux
Burns              Honey           Romero
Burrell            Hopkins         Scalise
Carter, R.         Hunter          Schneider
Cazayoux           Hutter          Smiley
Crane              Jackson         Smith, G.
Cravins            Jefferson       Smith, J.D.–50th
Crowe              Johns           Smith, J.H.–8th
Curris             Katz            Smith, J.R.–30th
Damico             Kennard         St. Germain
Daniel             Kenney          Strain
Dartez             Kleckley       Thompson
DeWitt             LaBruzzo      Toomy
Doerge             LaFleur        Townsend
Dorsey             LaFonta        Tichte
Dove               Lambert        Tucker
Downs              Lancaster      Waddell
Durand             Marchand      Walker
Erdey              Martiny        Walsworth
Fannin             McDonald      White
Farrar             McVea          Winston
Faucheux           Montgomery    Wooton
Frith              Morrell
Total - 98

NAYS

Arnold
Total - 1

ABSENT

Alario
Carter, K.
Baudoin
Gray
Total - 5

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 96—
BY REPRESENTATIVES HUTTER, BARROW, BRUCE, BURRELL, FRITH, KLECKLEY, LAFONTA, T. POWELL, GARY SMITH, STRAIN, TRAHAN, WADDELL, WALSWORTH, AND WHITE
AN ACT
To enact R.S. 37:853, relative to funeral establishments; to provide for identification on caskets; to provide for promulgation of rules; and to provide for related matters.

Read by title.

Rep. Hutter moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker          Gallot          Morrish
Alexander           Geymann         Odiinet
Ansardi             Glover          Pierre
Arnold              Greene          Pina
Badon               Guillory, E.   Pite
Baldone             Guillory, M.   Powell, M.
Barrow              Hammett        Powell, T.
Baylor              Harris          Quezaire
Beard               Heaton          Richmond
Bruce               Hebert          Ritchie
Bruneau             Hill            Robideaux
Burns               Honey           Romero
Burrell             Hopkins         Scalise
Carter, R.          Hunter          Schneider
Cazayoux           Hutter          Smiley
Crane               Jackson         Smith, G.
Cravins             Jefferson       Smith, J.D.–50th
Crowe               Johns           Smith, J.H.–8th
Curris              Katz            Smith, J.R.–30th
Damico             Kennard         St. Germain
Daniel              Kenney          Strain
Dartez              Kleckley       Thompson
DeWitt              LaBruzzo      Toomy
Doerge             LaFleur        Townsend
Dorsey             LaFonta        Tichte
Dove               Lambert        Tucker
Downs              Lancaster      Waddell
Durand             Marchand      Walker
Erdey              Martiny        Walsworth
Fannin             McDonald      White
Farrar             McVea          Winston
Faucheux           Montgomery    Wooton
Frith              Morrell
Total - 96

NAYS

Total - 0

ABSENT

Alario             Crowe           LaFleur
Baudoin           Erdey           Trahan
Carter, K.        Gray
Total - 8

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.
Rep. Hutter moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 110—
BY REPRESENTATIVE PINAC
AN ACT
To amend and reenact R.S. 37:1446(H), relative to real estate brokers; to provide that certain real estate salespersons or associates of real estate brokers are independent contractors and not employees; and to provide for related matters.

Read by title.

Rep. Pinac moved the final passage of the bill.

ROLL CALL
The roll was called with the following result:

YEAS
Mr. Speaker Gallot Pierre
Alexander Geymann Pinac
Ansardi Pitre
Arnold Greene Powell, M.
Badon Guillory, E. Powell, T.
Baldone Guillory, M. Quezaire
Barrow Hammett Richmond
Baylor Harris Ritchie
Beard Heaton Robideaux
Bowler Hebert Romero
Bruce Hill Scalise
Bruneau Honey Smiley
Burns Hopkins Smith
Burrell Hunter Smith, G.
Carter, R. Jackson Smith, J.H.–8th
Cazayoux Jefferson Smith, J.R.–30th
Crane Jefferson Smith, J.D.–50th
Cravins Johns St. Germain
Crowes Katz Strain
Curtis Kenney Thompson
Damico Kleckley Toomy
Daniel LaBruzzo
Dartez LaFleur
Doerge LaFonta
Dorsey Lambert
Dove Lancaster
Downs Marchand
Durand Martiny
Erdey McDonald
Fannin McVea
Farrar Montgomery
Faucheux Morrell
Frith Morrish

Total - 97

NAYS

Total - 0

ABSENT
Alario DeWitt Odinet
Baudoin Gray
Carter, K. Kennard

Total - 7

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 119—
BY REPRESENTATIVE PINAC
AN ACT
To enact R.S. 37:1449.1, relative to purchase agreements for residential real property; to require Louisiana Real Estate Commission licensees to use a uniform purchase agreement form; to provide for promulgation of the form by the commission; and to provide for related matters.

Read by title.

Rep. Pinac moved the final passage of the bill.

ROLL CALL
The roll was called with the following result:

YEAS
Mr. Speaker Gallot Morrish
Alexander Geymann Pierre
Ansardi Pinac
Badon Pitre
Baldone Guillory, E. Powell, M.
Baldone Guillory, M. Powell, T.
Barrow Hammett Quezaire
Baylor Harris Richmond
Beard Heaton Ritchie
Bowler Hebert Robideaux
Bruce Hill Scalise
Bruneau Honey Smiley
Burns Hopkins Smith
Burrell Hunter Smith, G.
Carter, R. Jackson Smith, J.H.–8th
Cazayoux Jefferson Smith, J.D.–50th
Cranes Katz St. Germain
Cravins Johns Thompson
Damasio Kenney Townsend
Daniel LaBruzio
Dartez LaFleur
Doerge LaFonta
Dorsey Lambert
Dove Lancaster
Dowes Marchand
Durand Martiny
Erdey McDonald
Fannin McVea
Farrar Montgomery
Faucheux Morrell
Frith Morrish

Total - 96

NAYS

Total - 0

ABSENT
Alario Carter, K. Hammett
Baudoin Crowe
Carter, K. White

Total - 8

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.
Rep. Pinac moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 159—**

**BY REPRESENTATIVE MONTGOMERY**

**AN ACT**

To amend and reenact R.S. 37:155(A)(4)(c), relative to exemptions from architect's license requirements; to increase the exemption threshold for persons acting as designers for certain renovations or alterations; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Montgomery moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Mr. Speaker</th>
<th>Farrar</th>
<th>Montgomery</th>
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</thead>
<tbody>
<tr>
<td>Ansardi</td>
<td>Faucheux</td>
<td>Morrish</td>
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<tr>
<td>Arnold</td>
<td>Frith</td>
<td>Pinac</td>
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<td>Baldone</td>
<td>Geymann</td>
<td>Powell, T.</td>
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<td>Baylor</td>
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<td>Richmond</td>
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<td>Bruce</td>
<td>Hammett</td>
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<td>Hebert</td>
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<td>Cazayoux</td>
<td>Hill</td>
<td>Smith, J.D.–50th</td>
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<td>Crane</td>
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<td>Smith, J.H.–8th</td>
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<td>Curtis</td>
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<td>Damico</td>
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<td>Strain</td>
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<td>Daniel</td>
<td>Jackson</td>
<td>Thompson</td>
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<td>Dartez</td>
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<td>Downs</td>
<td>LaFonta</td>
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<td>Fannin</td>
<td>Martiny</td>
<td>Winston</td>
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<td>Total - 66</td>
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</tbody>
</table>

**NAYS**

| Alexander    | Hutter        | Powell, M. |
| Beard        | Katz          | Scalise     |
| Bowler       | LaBruzio      | Schneider   |
| Burns        | Lambert       | Smiley      |
| Cravins      | Lancaster     | Smith, J.R.–30th |
| DeWitt       | McDonald      | Toomy       |
| Durand       | McVea         | Walker      |
| Erdy         | Odinet        | Walsworth   |
| Greene       | Pierre        | Wooton      |
| Total - 27   |              |            |

**ABSENT**

| Alario       | Gray          | Marchand   |
| Baudoin      | Guilory, M.   | Morrell    |
| Carter, K.   | Kennard       | Tucker     |
| Crowe        | LaFleur       |            |
| Total - 11   |              |            |

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**Suspension of the Rules**

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

**HOUSE BILL NO. 206—**

**BY REPRESENTATIVES R. CARTER, M. POWELL, AND SMILEY**

**A JOINT RESOLUTION**

Proposing to amend Article V, Section 15(A) of the Constitution of Louisiana, to authorize the legislature by law to establish new judgeships for district courts with the new division having limited or specialized jurisdiction within the territorial jurisdiction of the district court and subject matter jurisdiction as provided by law; to provide for submission of the proposed amendment to the electorate; and to provide for related matters.

Read by title.

**Motion**

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

**Notice of Intention to Call**

Pursuant to House Rule No. 8.26(A), Rep. Robert Carter gave notice of his intention to call House Bill No. 206 from the calendar for future action.

**HOUSE BILL NO. 259—**

**BY REPRESENTATIVE SALTER**

**AN ACT**

To amend and reenact R.S. 32:772(A)(1) and to enact Chapter 4-C of Title 32 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 32:801 through 809, relative to the recreational and used motor vehicle commission; to provide for commission members; to provide for definitions; to provide for licensing automotive glass replacement technicians; to provide for automotive glass replacement or repair technician licenses; to provide for qualifications; to provide for fees; to provide for reciprocity; to provide for exemptions; to provide for penalties; and to provide for related matters.

Read by title.

**Motion**

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

**Notice of Intention to Call**

Pursuant to House Rule No. 8.26(A), Rep. Salter gave notice of his intention to call House Bill No. 259 from the calendar for future action.

**HOUSE BILL NO. 285—**

**BY REPRESENTATIVE DAMICO**

**AN ACT**

To amend and reenact R.S. 37:1459(D), relative to the real estate commission; to provide for return of fees collected by unlicensed persons; and to provide for related matters.

Read by title.
Rep. Pinac moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
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<tbody>
<tr>
<td>Rep. Speaker</td>
<td>Geymann</td>
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<td>Alexander</td>
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<td>Bruneau</td>
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<td>Burns</td>
<td>Hopkins</td>
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<td>Carter, R.</td>
<td>Hunter</td>
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<td>Cazayoux</td>
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<td>Montgomery</td>
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<td>Frith</td>
<td>Morrell</td>
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<tr>
<td>Gallot</td>
<td>Morrish</td>
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<td>Total - 96</td>
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NAYS

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<td>Total - 0</td>
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ABSENT

<p>| | |</p>
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<tbody>
<tr>
<td>Alario</td>
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</tr>
<tr>
<td>Baudoin</td>
<td>Carter, K.</td>
</tr>
<tr>
<td>Beard</td>
<td>Crowe</td>
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<tr>
<td>Total - 8</td>
<td></td>
</tr>
</tbody>
</table>

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 309—

BY REPRESENTATIVES WALKER AND GRAY

AN ACT

To amend and reenact Civil Code Article 54, relative to declarations of death for absent persons; to provide relative to deaths between August 26, 2005, and September 30, 2005; to provide for retroactive application; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Walker moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Rep. Speaker</td>
<td>Frith</td>
</tr>
<tr>
<td>Alexander</td>
<td>Gallot</td>
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<td>Ansardi</td>
<td>Geymann</td>
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<td>Arnold</td>
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<td>Badon</td>
<td>Greene</td>
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<td>Baldone</td>
<td>Guillory, E.</td>
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<td>Guillory, M.</td>
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<td>Hammett</td>
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<td>Harris</td>
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<td>Bowler</td>
<td>Heaton</td>
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<td>Bruce</td>
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<td>Carter, R.</td>
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<td>Cazayoux</td>
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<td>Crane</td>
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<td>Daniel</td>
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<td>Fannin</td>
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<td>Frith</td>
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<tr>
<td>Gallot</td>
<td>Morrish</td>
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NAYS

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ABSENT

<p>| | |</p>
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<tr>
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<tr>
<td>Alario</td>
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</tr>
<tr>
<td>Baudoin</td>
<td>Gray</td>
</tr>
<tr>
<td>Total - 5</td>
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</table>

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 535—

BY REPRESENTATIVE GALLOT

AN ACT

To enact R.S. 9:5609, relative to prescription; to provide for a one-year prescriptive period of actions for actions on certain contracts to purchase or sell immovable property; to provide relative to recordation of contracts; to provide for effectiveness as to third parties; to provide for retroactive application; and to provide for related matters.

Read by title.
Rep. Gallot moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

| Mr. Speaker | Alexander | Ansardi | Arnold | Badon | Baldone | Barrow | 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 | Faucheux |
|-------------|-----------|---------|--------|-------|---------|--------|--------|-------|--------|-------|---------|-------|---------|-----------|-----------|-------|--------|--------|-------|-------|-------|--------|-------|--------|-------|--------|--------|--------|----------|
| Gallot      | Gallot    | Geymann | Glover | Greene | Guillory, E. | Guillory, M. | Hammett | Harris | Heaton | Hebert | Hill    | Honey  | Hopkins | Hunter     | Hunter    | Jackson | Jefferson | Johns  | Katz    | Kenney | Kleckley | LaBruzzi | LaFleur | LaFonta | Lambert | Lancaster | Marchand | Martiny | McDonald | McVea   | Montgomery | Morrell |
| Powell, M.  | Powell, M.| Powell, T. | Quezaire | Ritchie | Robideaux | Romero | Scalise | Smiley |

Total - 98

**NAYS**

Total - 0

**ABSENT**

<table>
<thead>
<tr>
<th>Alario</th>
<th>Baudoin</th>
</tr>
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<tbody>
<tr>
<td>Carter, K.</td>
<td>Gray</td>
</tr>
<tr>
<td>Kennard</td>
<td>Smith, J.R.–30th</td>
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<tr>
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</table>

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 539—**

**AN ACT**

To enact R.S. 9:315.7(D) and (E), relative to the calculation of child support; to provide for deductions from the basic child support obligation; to provide relative to certain social security benefits; to provide relative to arrearages in child support obligations; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Bowler to Engrossed House Bill No. 539 by Representative R. Carter

**AMENDMENT NO. 1**

On page 1, line 2, after "To" and before "enact" insert "amend and reenact R.S. 9:315.9(A)(1) and to"

**AMENDMENT NO. 2**

On page 1, at the end of line 4, after the semicolon ";" insert "to clarify the definition of shared custody;"

**AMENDMENT NO. 3**

On page 1, line 7, after "Section 1."

insert "R.S. 9:315.9(A)(1) is hereby amended and reenacted and"

**AMENDMENT NO. 4**

On page 1, after line 16, insert the following:

"§315.9.  Effect of shared custodial arrangement

A. (1) "Shared custody" means a special type of joint custody order used only for the purposes of this Section, in which each parent has physical custody of the child for an approximately equal amount of time.

* * *

Point of Order

Rep. Pitre asked for a ruling from the Chair as to whether the above amendments were germane to the subject matter contained in the bill as introduced.

Ruling of the Chair

The Chair ruled that the above amendments were not germane to the subject matter contained in the bill as introduced.

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Mr. Speaker</th>
<th>Alexander</th>
<th>Ansardi</th>
<th>Arnold</th>
<th>Badon</th>
<th>Baldone</th>
<th>Baylor</th>
<th>Beard</th>
<th>Bowler</th>
<th>Bruce</th>
<th>Bruneau</th>
<th>Burns</th>
<th>Burrell</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gallot</td>
<td>Geymann</td>
<td>Glover</td>
<td>Greene</td>
<td>Guillory, E.</td>
<td>Guillory, M.</td>
<td>Hammett</td>
<td>Harris</td>
<td>Heaton</td>
<td>Hebert</td>
<td>Hill</td>
<td>Honey</td>
<td>Hopkins</td>
</tr>
<tr>
<td>Pierre</td>
<td>Pierre</td>
<td>Pinac</td>
<td>Pite</td>
<td>Powell, M.</td>
<td>Powell, T.</td>
<td>Quezaire</td>
<td>Richmond</td>
<td>Ritchie</td>
<td>Robideaux</td>
<td>Romero</td>
<td>Scalise</td>
<td>Smiley</td>
</tr>
<tr>
<td>Pinac</td>
<td>Pinac</td>
<td>Pite</td>
<td>Pite</td>
<td>Powell, M.</td>
<td>Powell, T.</td>
<td>Quezaire</td>
<td>Richmond</td>
<td>Ritchie</td>
<td>Robideaux</td>
<td>Romero</td>
<td>Scalise</td>
<td>Smiley</td>
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<tr>
<td>Powell, M.</td>
<td>Powell, M.</td>
<td>Powell, T.</td>
<td>Quezaire</td>
<td>Ritchie</td>
<td>Robideaux</td>
<td>Romero</td>
<td>Scalise</td>
<td>Smiley</td>
<td></td>
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</tr>
</tbody>
</table>

Total - 98
Carter, R. Hunter Smith, G.
Cazayoux Hutter Smith, J.D.–50th
Crane Jackson Smith, J.H.–8th
Cravins Jefferson Smith, J.R.–30th
Curtis Johns St. Germain
Damico Kenney Toomy
Daniel Kleckley Townsend
Dartez LaBruzzi Toomy
DeWitt LaFonta Townsend
Doerge Lambert Triche
Dorsey Lancaster Waddell
Dove Marchand Trahan
Downs Martiny Walsworth
Durand McDonald Walker
Erdey McVea White
Fannin Montgomery Winston
Farrar Morrell Wooton
Faucheux Morrisey Wooton
Frith Odinet
Total - 95 NAYS
Barrow Total - 1 ABSENT
Alario Crowe Kennard
Baudoin Gray LaFleur
Carter, K. Katz
Total - 8

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Robert Carter 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. Winston, and under a suspension of the rules, the above roll call was corrected to reflect her as voting yea.

HOUSE BILL NO. 589—
BY REPRESENTATIVE DAMICO
AN ACT
To amend and reenact R.S. 37:3397(B)(1)(introductory paragraph) and (c), (C)(1)(introductory paragraph) and (c), and (D)(1)(introductory paragraph) and (c), and 3406(D) and to enact R.S. 37:3393(I), (J), (K), and (L) and 3397(B)(6), (C)(5), and (D)(5), relative to the real estate appraisers board; to provide for penalties for unlicensed appraisers; to provide for minimum education, examination, and experience requirements; to provide for use of licenses; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative McDonald on behalf of the Legislative Bureau to Engrossed House Bill No. 589 by Representative Damico

AMENDMENT NO. 2

On page 2, line 19, following line 19 and before line 20 insert "* * *"

AMENDMENT NO. 3

On page 3, lines 6 and 22, and on page 4, line 8 change "Qualification" to "Qualifications"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Alexander Geymann Pinac
Ansardi Greene Powell, M.
Arnold Guillory, E. Powell, T.
Badon Guillory, M. Quezaire
Baldone Harris Richmond
Barrow Heaton Ritchie
Baylor Heaton Ritchie
Bruneau Hopkins Scalise
Burns Hunter Schneider
Burrell Hunter Smith, G.
Cavins Jackson Smith, J.H.–8th
Curtis Johns Smith, J.R.–30th
Damicco Kenney Strain
Daniel Kleckley Thompson
Dorsey LaFleur Toomy
Dove Marchand Trahan
Downd Marchand Waddell
Durand McDonald Walker
Erdey McVea White
Fannin Montgomery Winston
Farrar Morrell Wooton
Faucheux Morrisey Wooton
Frith Odinet
Total - 73

NAYS

Bowler Hebert Smith, J.D.–50th
Cazayoux Katz Townsend
Crane Martiny Walsworth
Dartez Pire
DeWitt Smiley
Total - 13

ABSENT

Mr. Speaker Crowe Kennard
Alario Gallot LaBruzzi
Baudoin Glover Lancaster
Beard Gray Montgomery
Carter, K. Hammett St. Germain
Carter, R. Jefferson Tucker
Total - 18

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

The title of the above bill was read and adopted.

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

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

HOUSE BILL NO. 664—
BY REPRESENTATIVE QUEZAIRE
AN ACT
To amend and reenact R.S. 34:3452(A)(1)(introductory paragraph), (B), and (C), 3453, 3454, and 3455(A) and to enact R.S. 34:3457.1, relative to the Port Construction and Development Priority Program, to provide relative to the deadline for submission of applications to such program; to provide relative to the review and approval of applications; to authorize reimbursement of funds expended for project construction in certain circumstances; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS
Amendments proposed by Representative Quezaire to Engrossed House Bill No. 664 by Representative Quezaire

AMENDMENT NO. 1
On page 5, after line 4, insert the following:

"Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

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

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

ROLL CALL
The roll was called with the following result:

YEAS

DeWitt  LaFleur  Townsend
Doerge  LaFonta  Trahan
Dorsey  Lambert  Tucker
Dove  Lancaster  Walker
Downs  Marchand  Walsworth
Durand  Martiny  White
Erdey  McDonald  Winston
Fannin  McVea  Wooton
Faucheux  Montgomery  
Frith  Morrell  
Total - 94

NAYS

Total - 0

ABSENT

Mr. Speaker  Farrar  Triche
Alario  Gray  Waddell
Baudoin  Johns  
Carter, K.  Smith, J.H.–8th  
Total - 10

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 730—
BY REPRESENTATIVE PINAC
AN ACT
To amend and reenact R.S. 37:3288(A), relative to prohibited acts and administrative penalties under the Private Security Regulatory and Licensing Law; to prohibit certain egregious acts; to provide for penalties for egregious acts; to increase certain administrative penalties; and to provide for related matters.

Read by title.

Rep. Pinac moved the final passage of the bill.

ROLL CALL
The roll was called with the following result:

YEAS

Ansardi  Geymann  Pinac
Arnold  Glover  Pitre
Badon  Greene  Powell, M.
Baldone  Guillory, E.  Powell, T.
Barrow  Hill  Quezaire
Beard  Heaton  Richmond
Bowler  Hebert  Ritchie
Bruce  Hill  Robideaux
Bruneau  Hopkins  Romero
Burns  Honey  Scalise
Burrell  Hunter  Smiley
Carter, R.  Hunter  
Cazayoux  Hutter  
Craw  Jackson  Smith, G.
Cravins  Jefferson  Smith, J.D.–50th
Crowe  Katz  Smith, J.R.–30th
Curtis  Kenward  St. Germain
Damico  Kenney  Strain
Daniel  Kleckley  Thompson
DeWitt  LaBruzzo  Toomy
Doerge  Lambert  Townsend
Total - 94

NAYS

Total - 0

ABSENT

Mr. Speaker  Farrar  Triche
Alario  Gray  Waddell
Baudoin  Johns  
Carter, K.  Smith, J.H.–8th  
Total - 10

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

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 841—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 37:3276(F) and (G), and 3284(B)(3), (E)(3), (F)(2), and (J) and to enact R.S. 37:3274(B)(11) and 3291(B)(12), relative to the Private Security Regulatory and Licensing Law; to authorize out-of-state private security companies to operate in this state during certain emergencies; to provide relative to the training and experience requirements for licensees and instructors; to prohibit the engagement of services of unlicensed private security businesses upon notice by the board; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 849—

BY REPRESENTATIVE LAMBERT

AN ACT

To amend and reenact Children's Code Articles 1569(B) and 1570.1 and R.S. 46:2135(B) and 2136.1, relative to domestic abuse assistance; to provide for protective orders; to reduce the time periods for hearings; to provide for the payment of attorney fees; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Lambert, the bill was returned to the calendar.
The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 841—
BY REPRESENTATIVE PINAC
AN ACT
To amend and reenact R.S. 37:3276(F) and (G), and 3284(B)(3), (E)(3), (F)(2), and (J) and to enact R.S. 37:3274(B)(11) and 3291(B)(12), relative to the Private Security Regulatory and Licensing Law; to authorize out-of-state private security companies to operate in this state during certain emergencies; to provide relative to the training and experience requirements for licensees and instructors; to prohibit the engagement of services of unlicensed private security businesses upon notice by the board; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS
Amendments proposed by Representative Downs to Engrossed House Bill No. 841 by Representative Pinac

AMENDMENT NO. 1
On page 3, line 3, after "agency" delete the comma " ," and insert a period " ." and delete the remainder of the line

AMENDMENT NO. 2
On page 3, delete line 4 in its entirety
On motion of Rep. Downs, the amendments were adopted. Rep. Pinac moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:

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<tr>
<th>YEAS</th>
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<tbody>
<tr>
<td>Mr. Speaker</td>
<td>Gallot</td>
<td>Pierre</td>
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<td>Pinac</td>
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<td>Smith, J.D.—50th</td>
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<td>Jackson</td>
<td>Smith, J.H.—8th</td>
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<td>Smith, J.R.—30th</td>
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<td>LaBruzzo</td>
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<td>Waddell</td>
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<td>Montgomery</td>
<td>Winston</td>
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<td>Farrar</td>
<td>Morrell</td>
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<td>Faucheux</td>
<td>Morrish</td>
<td></td>
</tr>
<tr>
<td>Frith</td>
<td>Odinet</td>
<td></td>
</tr>
<tr>
<td>Total - 97</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>NAYS</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Total - 0</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 921—**

BY REPRESENTATIVE QUEZAIRE

AN ACT

To amend and reenact R.S. 48:381(E)(1)(a) and (F), relative to utility operators permitted to use and occupy highway rights-of-way; to add natural gas distribution systems to the definition of utility operators; to provide relative to the fee for certain utility operators to use and occupy highway rights-of-way; and to provide for related matters.

Read by title.

Rep. Quezaire moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Speaker</td>
<td>Farrar</td>
<td>Odinet</td>
</tr>
<tr>
<td>Alexander</td>
<td>Faucheux</td>
<td>Pierre</td>
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<td>Gallot</td>
<td>Pinac</td>
</tr>
<tr>
<td>Arnold</td>
<td>Geymann</td>
<td>Pitre</td>
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<td>Glover</td>
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<td>Powell, T.</td>
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<tr>
<td>Barrow</td>
<td>Guilory, E.</td>
<td>Quezaire</td>
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<tr>
<td>Baylor</td>
<td>Guillory, M.</td>
<td>Ritchie</td>
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<tr>
<td>Beard</td>
<td>Harris</td>
<td>Robideaux</td>
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The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 1094—**

BY REPRESENTATIVE M. POWELL

AN ACT

To amend and reenact R.S. 48:250.3(D)(2), relative to design-build contracts let by the Department of Transportation and Development; provides relative to invitations for detailed proposals; and to provide for related matters.

Read by title.
Rep. Michael Powell moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS
Mr. Speaker Frith Odinet
Alexander Gallot Pierre
Ansardi Geymann Pinac
Arnold Glover Pire
Badon Greene Powell, M.
Baldone Guilory, E. Powell, T.
Barrow Guilory, M. Quezaire
Baylor Hammett Richmond
Beard Harris Ritchie
Bowler Heaton Robideaux
Bruce Hebert Romero
Bruneau Hill Scalise
Burns Honey Smiley
Burrell Hopkins Smith, G.
Carter, R. Hunter Smith, J.H.–8th
Crane Jackson Smith, J.R.–30th
Cravins Jefferson St. Germain
Crowe Johns Strain
Dartez LaBruzzo Trahan
DeWitt LaFonta Triche
Doerge Lambert Tucker
Dorsey Lancaster Waddell
Dove Marchand Walker
Dowin Martiny Walworth
Durand McDonald White
Erdey McVea Winston
Fannin Montgomery Wooton
Farrar Morell
Fauquier Morrish
Total - 97

NAYS
Schneider Total - 1

ABSENT
Alario Carter, K. Kennard
Baudoin Gray LaFleur
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.

HOUSE BILL NO. 1107—
BY REPRESENTATIVE ST. GERMAIN
AN ACT
To enact R.S. 48:25.1 and to repeal R.S. 47:820.5(C), relative to ferries; to provide for fares for certain ferries regulated by the Department of Transportation and Development; to provide for an effective date; and to provide for related matters.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. St. Germain gave notice of her intention to call House Bill No. 1107 from the calendar for future action.

Speaker Salter in the Chair

Suspension of the Rules

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

Senate Bills and Joint Resolutions on Second Reading to be Referred

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

Motion

On motion of Rep. Beard, the Committee on Municipal, Parochial and Cultural Affairs was discharged from further consideration of Senate Bill No. 155.

SENATE BILL NO. 155—
BY SENATORS MARIONNEAUX, AMEDEE AND FONTENOT
AN ACT
To enact Chapter 27-F of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9039.81 through 9039.86, relative to the creation of the Louisiana Capital Area Economic Development Alliance (LACAEDA) Film Commission; to create the Louisiana Capital Area Economic Development Alliance (LACAEDA) Film Commission; to provide for the purposes, powers, duties, functions, and responsibilities of the commission; to appoint a film commissioner/executive director; to provide relative to employees, funding, and cooperation with state agencies; and to provide for related matters.

Read by title.

On motion of Rep. Beard, the bill was recommitted to the Committee on Commerce.

Introduction of Resolutions, House and House Concurrent

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

HOUSE CONCURRENT RESOLUTION NO. 101—
BY REPRESENTATIVES JOHN SMITH, GEYMANN, HILL, KLECKLEY, AND JOHNS AND SENATOR CAIN
A CONCURRENT RESOLUTION
To commend and recognize City Councilwoman Estella Scott for her nineteen years of public service to the citizens of the city of DeRidder and the parish of Beauregard.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 102—
BY REPRESENTATIVE GARY SMITH
A CONCURRENT RESOLUTION
To recognize and commemorate the bicentennial of the creation of civil parishes in Louisiana and of the nineteen original parishes.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 103—
BY REPRESENTATIVE GREENE
A CONCURRENT RESOLUTION
To urge and request the Department of Transportation and Development to study the feasibility of requiring that a small percentage of expenditures for contracts relative to highway construction projects be set aside to create more coordination in highway beautification projects and to promote green space along state highways.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 104—
BY REPRESENTATIVE GARY SMITH
A CONCURRENT RESOLUTION
To commend St. Charles Parish, Louisiana upon the celebration of its bicentennial.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 105—
BY REPRESENTATIVE MCVEA
A CONCURRENT RESOLUTION
To urge and request the Department of Transportation and Development to redesignate the truck route on Louisiana Highway 67 and Louisiana Highway 10 in the town of Clinton, Louisiana.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 106—
BY REPRESENTATIVE GREENE
A CONCURRENT RESOLUTION
To memorialize the United States Congress to enact the Federal Housing Finance Reform Act as presently contained in United States Representative Richard Baker’s H.R. 1461 or to take final action that, in all significant aspects, includes the provisions of H.R. 1461.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 107—
BY REPRESENTATIVE DOVE
A CONCURRENT RESOLUTION
To memorialize the United States Congress to take such actions as are necessary to ensure that any United States Army Corps of Engineer project restoring barrier islands protecting Terrebonne and Timbalier Bays redefine and narrow Whiskey Pass, Little Pass, Wine Island Pass, and Cat Island Pass using hardened material.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 109—
BY REPRESENTATIVE ODINET
A CONCURRENT RESOLUTION
To memorialize the United States Congress to take such actions as are necessary to adopt the Senate Appropriations Committee amendment for fishing industry recovery under the Magnuson-Stevens Fishery Conservation and Management Act to H.R. 4939 making emergency supplemental appropriations for the fiscal year ending September 30, 2006.

Read by title.

Lies over under the rules.

Introduction of House Bills and Joint Resolutions

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

HOUSE BILL NO. 1187—
BY REPRESENTATIVE LABRUZZO
AN ACT
To enact R.S. 38:2197 and R.S. 39:1515.2 and 1617, relative to public contracts and procurement; to prohibit the solicitation, receipt, offer, or payment of any kickbacks, bribes, rebates, incentive payments, or other remuneration or value for state contracts or agreements; to provide for an effective date; and to provide for related matters.

Read by title.

Lies over under the rules.

HOUSE BILL NO. 1188—
BY REPRESENTATIVE LAFONTA
AN ACT
To amend and reenact R.S. 45:844.42 and to enact R.S. 45:844.43(21) and (22) and 844.45(C), relative to the Local Government Fair Competition Act; to provide for legislative findings and declaration of intent; to provide for definitions; to provide for certain exemptions from the requirements of the Local Government Fair Competition Act; and to provide for related matters.

Read by title.

HOUSE BILL NO. 1189—
BY REPRESENTATIVE RITCHIE
AN ACT
To enact R.S. 6:121.7, relative to the Office of Financial Institutions; to authorize the imposition of a fee for certain payments which are returned unpaid, refused, or declined; and to provide for related matters.

Read by title.
HOUSE BILL NO. 1190—
BY REPRESENTATIVE M. GUILLORY
AN ACT
To enact R.S. 32:387.18, relative to special permits; to authorize the issuance of a special permit for the transport of specialized heavy haul equipment on interstate highways; to provide relative to certain limitations; and to provide for related matters.

Read by title.

HOUSE BILL NO. 1191—
BY REPRESENTATIVE THOMPSON, SALTER, DORSEY, TOOMY, ALARIO, K. CARTER, DEWITT, HAMMETT, JEFFERSON, RICHMOND, AND RICHIE AND SENATORS BARHAM, HINES, BAJOIE, MOUNT, AND NEVERS
AN ACT
To amend and reenact R.S. 29:723 (4), (5), and (6), 724(C)(2), 725(E) through (H), 726(E)(13) through (20), 727(B) and (E) through (H), 728(A), 729(C), 730(A), and 730.1(A) and R.S. 49:191(3), to enact R.S. 29:722(C), 723(7) and (8), 724(D)(10) and (11) and (H), 725(I), 725.1, 726(E)(21) through (25), 727(I) through (L), 727.1, and 729(E)(14) and (F), and to repeal R.S. 29:723(3.1) and 726(F) and Section 10 of Act No. 35 of the 2006 First Extraordinary Session of the Legislature of Louisiana, relative to governmental powers, functions, and responsibilities regarding homeland security and emergency preparedness; to provide for definitions; to provide for the powers, duties, and functions of the Governor's Office of Homeland Security and Emergency Preparedness; to provide for a director of such office; to provide for a deputy director, assistant deputy directors, directors, legal counsel, regional coordinators and assistant coordinators, and parish directors, some being full time, and their duties, functions, and responsibilities; to authorize the establishment of homeland security and emergency preparedness regions; to provide for appointment of statewide regional advisory committees and their duties; to provide for duties of the office and to delete certain duties; to provide for elements of the emergency operations plan and to delete certain components of the plan; to provide for powers of the parish president; to require the establishment of a unified joint incident command structure within each parish; to provide for the orderly succession of parish government officials; to provide for requirements for the parish emergency operations plans; to provide for sunset provisions for the office; to repeal provisions for the office; to repeal Act No. 35 of the 2006 First Extraordinary Session of the Louisiana Legislature in 2006; and to provide for related matters.

Read by title.

HOUSE BILL NO. 1192—
BY REPRESENTATIVE PITRE
AN ACT
To amend and reenact R.S. 15:574.23, relative to parole; to direct the Board of Parole to create a pilot special needs parole program to be administered by the Department of Public Safety and Corrections; to authorize the department to enter into agreements with other governmental agencies and nonprofit organizations for the operation of such program; to require the promulgation of rules and regulations for the administration of the program; and to provide for related matters.

Read by title.

HOUSE BILL NO. 1193—
BY REPRESENTATIVE BALDONE
AN ACT
To amend and reenact Children's Code Article 1131(E)(1), relative to adoptions; to authorize state police to conduct records checks; and to provide for related matters.

Read by title.

HOUSE BILL NO. 1194—
BY REPRESENTATIVE DANIEL
AN ACT
To amend and reenact Civil Code Article 2983, relative to actions for payment of gaming debts and bets; to prohibit an action for the recovery of payment for anything won or lost at Internet gaming; and to provide for related matters.

Read by title.

HOUSE BILL NO. 1195—
BY REPRESENTATIVE ROBIDEAUX
AN ACT
To enact R.S. 9:5504, relative to the inscription of mortgages; to provide for the effect of inscription of a judicial mortgage against property of the state or political subdivision; to provide for legislative intent and applicability; and to provide for related matters.

Read by title.

House Bills and Joint Resolutions on Second Reading to be Referred

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

Motion

On motion of Rep. Pitre, the Committee on Civil Law and Procedure was discharged from further consideration of House Bill No. 1139.

HOUSE BILL NO. 1139—
BY REPRESENTATIVE PITRE
AN ACT
To amend and reenact R.S. 30:2015.1(C)(3) and (4) and (D) and to enact Chapter 1-A of Subtitle II of Title 30 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 30:2005 through 2005.5 and 2015.1(J)(3) and (L), relative to certain administrative and judicial actions and proceedings involving claims for environmental injury and property remediation and restoration; to provide relative to claims for environmental injury; to provide certain terms, conditions, procedures, definitions, duties, requirements, and effects, including effects upon judicial actions and procedures; to provide relative to certain remediation and restoration of property; to provide relative to remediation of usable groundwater; and to provide for related matters.

Read by title.

On motion of Rep. Pitre, the bill was recommitted to the Committee on Natural Resources.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Judiciary

April 13, 2006

To the Speaker and Members of the House of Representatives:

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

House Bill No. 13, by Greene (Joint Resolution) Reported favorably. (13-1-1)
House Bill No. 290, by Durand  
Reported favorably. (8-5-1) (Regular)

House Bill No. 391, by Bruneau  
Reported with amendments. (14-0-1) (Regular)

House Bill No. 514, by Bruneau  
Reported with amendments. (13-0-1) (Regular)

House Bill No. 794, by Powell, M.  
Reported with amendments. (13-0-1) (Regular)

House Bill No. 876, by Baldone  
Reported favorably. (14-0-1) (Regular)

JOSEPH F. TOOMY  
Chairman

Report of the Committee on Labor and Industrial Relations  
April 13, 2006

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Labor and Industrial Relations to submit the following report:

House Bill No. 165, by Salter  
Reported with amendments. (7-0) (Regular)

House Bill No. 328, by Hunter  
Reported favorably. (7-0) (Regular)

House Bill No. 617, by Hunter  
Reported favorably. (6-0) (Regular)

House Bill No. 662, by Hunter  
Reported favorably. (6-0) (Regular)

House Bill No. 678, by Hunter  
Reported with amendments. (6-0) (Regular)

House Bill No. 801, by Hunter  
Reported with amendments. (6-0) (Regular)

House Bill No. 923, by Hunter  
Reported with amendments. (6-0) (Regular)

WILLIE HUNTER  
Chairman

Report of the Committee on Municipal, Parochial and Cultural Affairs  
April 13, 2006

To the Speaker and Members of the House of Representatives:

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

House Bill No. 40, by Bruce  
Reported favorably. (6-0-1) (Regular)

House Bill No. 365, by Fannin  
Reported favorably. (6-0-1) (Regular)

House Bill No. 586, by Greene  
Reported with amendments. (7-0-1) (Regular)

House Bill No. 634, by White  
Reported favorably. (6-0-1) (Regular)

House Bill No. 930, by Honey  
Reported with amendments. (6-0-1) (Regular)

House Bill No. 937, by Honey  
Reported favorably. (6-0-1) (Regular)

ERNEST BAYLOR, JR.  
Chairman

Privileged Report of the Legislative Bureau  
April 13, 2006

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. 292  
Reported without amendments.

Respectfully submitted,

CHARLES MCDONALD  
Chairman

Speaker Pro Tempore Dorsey in the Chair

Introduction of Resolutions, House and House Concurrent

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

HOUSE RESOLUTION NO. 32—  
BY REPRESENTATIVES SALTER, BRUNEAU, RICHMOND, HEBERT, HUTTER, TUCKER, LAFONTA, AND WALSWORTH  
A RESOLUTION

To strongly express the sentiment of the Louisiana House of Representatives to the Louisiana Recovery District to modify its Proposed Action Plan for Fiscal Year 2006 Community Development Block Grant Disaster Recovery Funds and its proposed The Road Home Housing Programs Action Plan Amendment for Disaster Recovery Funds; and to provide for other matters pertaining thereto.

Read by title.

On motion of Rep. Salter, the rules were suspended in order to consider the adoption of the resolution.

Rep. Salter moved the adoption of the resolution.

A roll call was asked for and ordered by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker  
Gallon  
Odinet

Alexander  
Geymann  
Pierre

Ansardi  
Glover  
Pineaz

Arnold  
Greene  
Pitre

Badon  
Guillory, E.  
Powell, M.

Baldone  
Guillory, M.  
Powell, T.

Barrow  
Hammett  
Quezair

Baylor  
Harris  
Richmond

344
Beard  Heaton  Ritchie  HP  345
Bowler  Hebert  Robideaux  HP  345
Bruce  Hill  Romero  HP  345
Bruneau  Honey  Scalise  HP  345
Burns  Hopkins  Schneider  HP  345
Burrell  Hunter  Smith, G.  HP  345
Carter, R.  Hutter  Smith, J.D.–50th  HP  345
Cazayoux  Jackson  Smith, J.H.–8th  HP  345
Crane  Jefferson  Smith, J.R.–30th  HP  345
Cravins  Johns  St. Germain  HP  345
Crowe  Katz  Strain  HP  345
Curtis  Kenard  Thompson  HP  345
Damico  Kenney  Toomy  HP  345
Daniel  Kleckley  Townsend  HP  345
Dartez  LaBruzzo  Triche  HP  345
DeWitt  LaFleur  Tucker  HP  345
Doerge  LaFonta  Waddell  HP  345
Dorsey  Lambert  Walker  HP  345
Doe  Marchand  Walthour  HP  345
Downs  Martiny  White  HP  345
Erdey  McDonald  Wooton  HP  345
Fannin  McVea  Winston  HP  345
Farrar  Montgomery  Wooton  HP  345
Faucheux  Morrell  Wooton  HP  345
Frith  Morrish  Wooton  HP  345
Baylor  Harris  Quezaire  HP  345
Beard  Heaton  Richmond  HP  345
Bowel  Hebert  Ritchie  HP  345
Bruce  Hill  Robideaux  HP  345
Bruneau  Honey  Romero  HP  345
Burns  Hopkins  Scalise  HP  345
Burrell  Hunter  Schneider  HP  345
Carter, R.  Hutter  Smiley  HP  345
Cazayoux  Jackson  Smith, G.  HP  345
Crane  Jefferson  Smith, J.D.–50th  HP  345
Cravins  Johns  Smith, J.H.–8th  HP  345
Crowe  Katz  Smith, J.R.–30th  HP  345
Curtis  Kenard  St. Germain  HP  345
Damico  Kenney  Strain  HP  345
Daniel  Kleckley  Thompson  HP  345
Dartez  LaBruzzo  Toomy  HP  345
DeWitt  LaFleur  Townsend  HP  345
Doerge  LaFonta  Triche  HP  345
Dorsey  Lambert  Tucker  HP  345
Doe  Marchand  Walker  HP  345
Downs  Martiny  Walthour  HP  345
Erdey  McDonald  Waddell  HP  345
Fannin  McVea  White  HP  345
Farrar  Montgomery  Wooton  HP  345
Faucheux  Morrell  Wooton  HP  345
Frith  Morrish  Wooton  HP  345

The resolution was adopted.

**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. 19—**

By Senators Hines, Bajoie and Heitmeier and Representatives Salter, Dorsey and Alario

A CONCURRENT RESOLUTION

To approve a Proposed Action Plan for Fiscal Year 2006 Community Development Block Grant Disaster Recovery Funds proposed by the Louisiana Recovery Authority and approved by the governor and the Joint Legislative Committee on the Budget; and to provide for other matters pertaining thereto.

Read by title.

Rep. Salter moved the concurrence of the resolution.

**ROLL CALL**

The roll was called with the following result:

YEAS

| Mr. Speaker | Alexander | Ansardi | Arnold | Badon | Baldone | Barrow | Baylor | Beard | Bowler | Bruce | Bruneau | Burns | Burrell | Carter, R. | Cazayoux | Crane | Cravins | Crowe | Curtis | Damico | Daniel | Dartez | DeWitt | Doerge | Dorsey | Doe | Downs | Durand | Erdey | Fannin | Farrar | Faucheux | Frith | Total - 100 | NAYS |
|-------------|-----------|---------|--------|-------|---------|--------|--------|-------|--------|-------|---------|-------|--------|------------|----------|-------|---------|-------|-------|--------|--------|--------|--------|-------|-------|--------|--------|-------|--------|---------|-------|--------|--------|---------|-------|--------|--------|

The resolution was concurred in.

**Speaker Salter in the Chair**

**Petitions, Memorials and Communications**

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

**Message from the Senate**

**SIGNED SENATE CONCURRENT RESOLUTIONS**

April 13, 2006

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

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

Senate Concurrent Resolution Nos. 8, 21, 22, 24, and 26

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.

Privileged Report of the Committee on Enrollment
April 13, 2006

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

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

The following House Resolutions have been properly enrolled:

**HOUSE RESOLUTION NO. 30**
BY REPRESENTATIVE WALSWORTH
A RESOLUTION
To commend M&W Transfer, LLC, upon its receipt of the Golden "NI-RO-PE" Award.

Respectfully submitted,
DONALD RAY KENNARD
Chairman

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

Privileged Report of the Committee on Enrollment
April 13, 2006

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

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

The following House Concurrent Resolutions have been properly enrolled:

**HOUSE CONCURRENT RESOLUTION NO. 79**
BY REPRESENTATIVE DURAND
A CONCURRENT RESOLUTION
To urge and request the Department of Health and Hospitals and the Governor's Office of Homeland Security and Emergency Preparedness to consider hospice patient's urgent needs when accepting patients in special needs shelters and hospitals during a gubernatorially declared disaster.

**HOUSE CONCURRENT RESOLUTION NO. 81**
BY REPRESENTATIVE LAFONTA
A CONCURRENT RESOLUTION
To urge and request contractors in the New Orleans area to require that roofing subcontractors and debris hauler subcontractors use magnets to remove nails from construction sites.

**HOUSE CONCURRENT RESOLUTION NO. 82**
BY REPRESENTATIVE HUTTER
A CONCURRENT RESOLUTION
To urge and request the Board of Supervisors of Community and Technical Colleges to implement Construction Technology degree programs at all community colleges in the state, especially those located in the parishes that were more severely impacted by the hurricanes in 2005, including the parishes of St. Bernard and Orleans.

**HOUSE CONCURRENT RESOLUTION NO. 87**
BY REPRESENTATIVE CROWE
A CONCURRENT RESOLUTION
To recognize and congratulate the mayor and the residents of the town of Pearl River on the occasion of the town's One Hundredth Anniversary.

**HOUSE CONCURRENT RESOLUTION NO. 92**
BY REPRESENTATIVE WALKER
A CONCURRENT RESOLUTION
To commend the Louisiana Department of Economic Development for achieving the distinction of being named an Accredited Economic Development Organization (AEDO) and to recognize its outstanding contributions to economic development in Louisiana.

Respectfully submitted,
DONALD RAY KENNARD
Chairman

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

Suspension of the Rules
On motion of Rep. Damico, the rules were suspended to permit the Committee on Environment to meet and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

Senate Bill No 57

Suspension of the Rules
On motion of Rep. Quezaire, the rules were suspended to permit the Committee on Transportation, Highways and Public Works to meet and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill No. 434

Leave of Absence
Rep. Alario - 1 day
Rep. Baudoin - 1 day
Rep. Karen Carter - 1 day
Rep. Gray - 1 day

Adjournment
On motion of Rep. Trahan, at 3:30 P.M., the House agreed to adjourn until Tuesday, April 18, 2006, at 2:00 P.M.

The Speaker of the House declared the House adjourned until 2:00 P.M., Tuesday, April 18, 2006.

ALFRED W. SPEER
Clerk of the House