Wednesday, May 10, 2006

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

Morning Hour

ROLL CALL

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

PRESENT

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

ABSENT

Erdey                       McDonald                  Winston
Fannin                      McVea                     Wooton
Total - 105

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

Prayer

Prayer was offered by Rev. Conway Jones.

Pledge of Allegiance

Rep. Chandler 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. Honey, the reading of the Journal was dispensed with.

On motion of Rep. Kleckley, and under a suspension of the rules, the Journal of May 9, 2006, was corrected to reflect him as voting nay on final passage of House Bill No. 492.

On motion of Rep. Walsworth, the Journal of May 9, 2006, was adopted.

Petitions, Memorials and Communications

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

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

May 10, 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. 177
Returned without amendments

House Concurrent Resolution No. 179
Returned without amendments

House Concurrent Resolution No. 181
Returned without amendments

House Concurrent Resolution No. 183
Returned without amendments

House Concurrent Resolution No. 184
Returned without amendments

House Concurrent Resolution No. 185
Returned without amendments

House Concurrent Resolution No. 186
Returned without amendments

House Concurrent Resolution No. 187
Returned without amendments

House Concurrent Resolution No. 188
Returned without amendments

Respectfully submitted,

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

SENATE BILLS

May 10, 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. 655

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. 655—
BY SENATORS ADLEY, KOSTELKA AND QUINN AND REPRESENTATIVES DANIEL, BEARD, CRANE, DAMICO, DEWITT, FRITH, GEYMANN, HAMMERT, KATZ, LANCASTER, MARTINY, PIERRE, PITRE, T. POWELL, SCALISE AND WALSWORTH

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. 30:29, 29.1, and 2015.1(L), relative to remediation; to provide relative to remediation of certain sites by 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, judgments, and awards by the court; to provide relative to remediation and cleanup arising from such actions or claims; to provide relative to oilfield sites and exploration and production sites; to provide for landowner notification of environmental testing; 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. 180—
BY REPRESENTATIVES HUTTER AND TUCKER
A CONCURRENT RESOLUTION

To urge and request the Louisiana Recovery Authority to develop and prepare an Action Plan to use Community Development Block Grant funds to redeem, purchase, defease, or otherwise retire not less than fifty percent of the bonds of the Louisiana Citizens Property Insurance Corporation.

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. 73—
BY SENATORS FIELDS, FONTENOT, BROOME, CAIN, CRAVINS, DUPLESSIS, DUPRE, ELLINGTON, B. GAUTREAX, HINES, JACKSON, JONES, MARIONNEAUX, MURRAY, NEVERS, QUINN, SHEPHERD AND THEUNISSEN
A CONCURRENT RESOLUTION

To urge and request the governor's office of homeland security and emergency preparedness to establish a statewide planning and mapping system of public buildings for use as shelters to accommodate persons in need of being placed in a safe environment whenever a state of emergency has been declared due to a natural disaster.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 80—
BY SENATOR JONES
A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to establish a special committee to research, study and make recommendations regarding the update, revision, and recodification of all of Louisiana's criminal or penal statutes and penalties into one comprehensive Criminal Code.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 82—
BY SENATOR BARHAM
A CONCURRENT RESOLUTION

To urge and request the secretary of the Department of Environmental Quality to participate in and monitor the activities related to the proposed permitting of the El Dorado Wastewater Effluent Pipeline.

Read by title.

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

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. 204—
BY SENATORS CHEEK AND ELLINGTON
AN ACT

To amend and reenact R.S. 33:1981(C)(1) and (2) and 2201(C)(1) and (2) and to enact R.S. 11:248 and R.S. 33:2201(F), relative to financial security of survivors of certain firemen and law enforcement officers; to increase payments to surviving spouses and children in certain cases; to extend the period of time in which to notify the Law Enforcement Officers and Firemen's Survivor Benefit Review Board of such death; to provide for cost-of-living adjustments for surviving spouses of certain law enforcement officers; to provide for retroactive effect; 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. 246—
BY SENATOR MCPHERSON
AN ACT

To amend and reenact R.S. 17:1519.6(C) and to repeal R.S. 47:8051 through 8060, relative to common payment methodology for hospitals; to provide for the adoption by the Department of the method of determining payment; to provide for the calculation of each hospital's payments; to amend R.S. 17:1519.6(B)(2) and to provide for related matters.

Read by title.

Under the rules, the above resolution was referred to the Committee on Education.
Health and Hospitals of a Medicaid common payment methodology; to repeal the Healthcare Affordability Act; 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. 285—
BY SENATOR MARIONNEAUX
AN ACT
To amend and reenact Part VI-B of Chapter 20 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:1742.1, relative to providing information and making recommendations of lifestyle modifications, food, dietary supplements, or homeopathic remedies; to provide with respect to disclosure by certain individuals who provide such information recommendations; to provide for information to be disclosed in the disclosure; 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. 383—
BY SENATOR MURRAY
AN ACT
To amend and reenact R.S. 4:61(B) and (C), 63, 64, 65(A), (B), and (C)(3), (4); and (5), 67(A) and (C)(1), 70, 72, 73, 75, 76, 79, 81, 82, 83, and 85, relative to providing information and making recommendations of lifestyle modifications, food, dietary supplements, or homeopathic remedies; to provide with respect to disclosure by certain individuals who provide such information recommendations; to provide for information to be disclosed in the disclosure; 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. 476—
AN ACT
To enact Chapter 32 of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:1280 through 1283, relative to the religious history of America and of the state of Louisiana as background of American and Louisiana law; to authorize the state archives and records service within the office of the secretary of state to produce certain documents; to distribute certain documents to state offices, judges and clerks of court and local government entities; to authorize court houses and local buildings to post certain documents relative to the history of that heritage; to provide for the production of documents by members of the public, 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. 520—
BY SENATOR SCHEDLER
AN ACT
To amend and reenact R.S. 22:658(B)(1), relative to insurance against an insurer who fails to timely pay a claim; and to authorize the assessment of attorney fees and costs against an insurer who fails to timely pay a claim; 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. 596—
BY SENATOR SCHEDLER
AN ACT
To amend and reenact R.S. 46:1071 and to enact R.S. 46:1076.1, relative to hospital service districts; to provide for findings; to provide with respect to joint bargaining and contracting, including immunity from certain antitrust provisions; to provide for applicability; 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. 620—
BY SENATOR MURRAY
AN ACT
To amend and reenact R.S. 22:658(B)(1), relative to insurance claims; to increase the penalties for failure to timely pay a claim; to authorize the assessment of attorney fees and cost against an insurer who fails to timely pay a claim; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Insurance.
SENATE BILL NO. 679—
BY SENATORS MCPHERSON AND NEVERS
AN ACT
To amend and reenact R.S. 37:1646(37), relative to pharmacy practice; to provide for definitions; to provide for pharmacy collaborative drug therapy management; 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. 740—
BY SENATORS QUINN AND MURRAY
AN ACT
To amend and reenact R.S. 22:629 and to enact R.S. 22:658.3, relative to insurance claims; to provide relative to certain time limits of actions; to extend the time for filing certain insurance claims for damages arising from hurricane activity; and to provide for related matters.

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

SENATE BILL NO. 646—
BY SENATOR MURRAY
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.

Called from the calendar.

Suspension of the Rules
Under a suspension of the rules, Rep. Tank Powell moved that Senate Bill No. 646 be designated as a duplicate of House Bill No. 1176.

Which motion was agreed to.

Motion
On motion of Rep. Tank Powell, the above bill was referred to the Legislative Bureau.

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 BILL NO. 240—
BY REPRESENTATIVE GREENE AND SENATOR BROOME
AN ACT
To enact R.S. 32:300.3, relative to the safe operation of motor vehicles; to provide relative to traffic rules for funeral processions; to provide for the definition of a "funeral procession"; to require the uniform identification of motor vehicles participating in funeral processions; to provide penalties for certain violations; and to provide for related matters.

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

The substitute was read by title as follows:

HOUSE CONCURRENT RESOLUTION NO. 190 (Substitute for House Concurrent Resolution No. 103 by Representative Greene)—
BY REPRESENTATIVE GREENE
A CONCURRENT RESOLUTION
To urge and request the Department of Transportation and Development to study the feasibility of incorporating into its five-year strategic plan a plan for the improvement of the appearance of state highways.

Read by title.

On motion of Rep. Quezaire, the substitute was adopted and became House Concurrent Resolution No. 103 by Rep. Greene, on behalf of the Committee on Transportation, Highways and Public Works, as a substitute for House Concurrent Resolution No. 103 by Rep. Greene.

Under the rules, lies over in the same order of business.

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

HOUSE BILL NO. 240—
BY REPRESENTATIVE GREENE AND SENATOR BROOME
AN ACT
To enact R.S. 32:300.3, relative to the safe operation of motor vehicles; to provide relative to traffic rules for funeral processions; to provide for the definition of a "funeral procession"; to require the uniform identification of motor vehicles participating in funeral processions; to provide penalties for certain violations; 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. 240 by Representative Greene

AMENDMENT NO. 1
On page 1, line 5, after "processions;" delete the remainder of the line and delete line 6 in its entirety and insert "to provide penalties for certain"

AMENDMENT NO. 2
On page 1, line 12, after "person" insert "or cremated human remains"

AMENDMENT NO. 3
On page 1, line 13, after "lighted" delete the period ";" and delete the remainder of the line and delete lines 14 and 15 in their entirety and insert "and its emergency lights flashing."
AMENDMENT NO. 4
On page 1, line 19, after "procession," delete "Whenever" and insert "If the procession has a police escort, whenever"

AMENDMENT NO. 5
On page 2, line 2, after "devices," insert the following:

"A motor vehicle participating in a funeral procession shall not leave the procession while it is traveling unless specifically permitted to do so by a law enforcement officer or by making a right turn out of the procession. No motor vehicle which leaves a funeral procession shall be permitted to rejoin the procession."

AMENDMENT NO. 6
On page 2, line 6, after "lighted" delete the remainder of the line and delete lines 7 through 19 in their entirety and insert the following:

"and its emergency lights are flashing.

D. This Section shall not create a cause of action or substantive legal rights against any funeral home, its director, or any of its employees or agents. Furthermore, a funeral home, its director, or any of its employees or agents shall not be held liable for a violation of this Section if the operator of a motor vehicle fails to exercise due care while participating in a funeral procession."

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. 345—
BY REPRESENTATIVE CAZAYOUX
A JOINT RESOLUTION
Proposing to amend Article VII, Section 14(B) of the Constitution of Louisiana, to authorize the investment in stocks of certain endowed funds of institutions of higher education; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported without amendments by the Committee on Civil Law and Procedure.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 406—
BY REPRESENTATIVE DANIEL
A JOINT RESOLUTION
Proposing to amend Article VII, Section 14(B) of the Constitution of Louisiana, to authorize the investment of a portion of the Medicaid Trust Fund for the Elderly in equities; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported without amendments by the Committee on Civil Law and Procedure.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 407—
BY REPRESENTATIVE RICHMOND
AN ACT
To enact the Louisiana Tax Delinquency Amnesty Act; to provide for definitions; to require the Department of Revenue to establish a tax amnesty program as provided for in this Act; to provide for terms and conditions of the program; to provide for an effective date; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Ways and Means.

The substitute was read by title as follows:

HOUSE BILL NO. 1376 (Substitute for House Bill No. 407 by Representative Richmond)—
BY REPRESENTATIVE RICHMOND
AN ACT
To enact the "Louisiana Tax Delinquency Amnesty Act"; to provide for definitions; to require the Department of Revenue to establish a tax amnesty program as provided for in this Act; to provide for terms and conditions of the program; to provide for an effective date; and to provide for related matters.

Read by title.

On motion of Rep. Hammett, the substitute was adopted and became House Bill No. 1376 by Rep. Richmond, on behalf of the Committee on Ways and Means, as a substitute for House Bill No. 407 by Rep. Richmond.

Under the rules, lies over in the same order of business.

HOUSE BILL NO. 461—
BY REPRESENTATIVE HEBERT
A JOINT RESOLUTION
Proposing to amend Article III, Section 2(A)(3)(a) and (4)(a) of the Constitution of Louisiana, to change the date that regular sessions of the legislature convene; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported without amendments by the Committee on Civil Law and Procedure.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 502—
BY REPRESENTATIVE PINAC
AN ACT
To enact Chapter 4-A of Title 32 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 32:750 through 787, relative to the Louisiana Recreational and Used Motor Vehicle Commission; to provide for jurisdiction and authority; to provide for definitions; to provide for suspension of licenses; to provide for eligibility; to provide for audits; to provide for selection of property; to provide for蚬 procurers; to provide for requirement to keep records; to provide for transfers of title; to provide for salvage pools; to provide for salvage dealers; to provide for recreational dealers and manufacturers; to provide for...
suspension of license; to provide for areas of responsibility; to provide for repurchase requirements; to provide for indemnity requirements; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Commerce.

The substitute was read by title as follows:

HOUSE BILL NO. 1377  (Substitute for House Bill No. 502 by Representative Pinac)—
BY REPRESENTATIVE PINAC—
AN ACT
To enact Chapter 4-C of Title 32 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 32:781 through 822, and to repeal Chapter 4-A of Title 32 of the Louisiana Revised Statutes of 1950, comprised of R.S. 32:751 through 766, and Chapter 4-B of Title 32 of the Louisiana Revised Statutes of 1950, comprised of R.S. 32:771 through 780, relative to the Louisiana Recreational and Used Motor Vehicle Commission; to provide for definitions; to provide for jurisdiction and authority; to provide for appointment and the powers and duties of the commission; to provide for licensing requirements for dealers; to provide for registration fees; to provide for penalties; to provide for application and bond requirements for a used motor vehicle dealer license; to provide for suspension or revocation of license; to provide for rent with option-to-purchase program; to provide for areas of responsibility; to provide for suspension of license; to provide for repurchase requirements; to provide for indemnity requirements; and to provide for related matters.

Read by title.

On motion of Rep. Pinac, the substitute was adopted and became House Bill No. 1377 by Rep. Pinac, on behalf of the Committee on Commerce, as a substitute for House Bill No. 502 by Rep. Pinac.

Under the rules, lies over in the same order of business.

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on Appropriations to Engrossed House Bill No. 570 by Representative Scalise

AMENDMENT NO. 1
On page 8, line 26, change "effect" to "affect"

AMENDMENT NO. 2
On page 10, line 1, delete "Qui tam action procedures" and insert "Administrative or civil action"

AMENDMENT NO. 3
On page 13, line 24, after "entitled to" and before "damages" delete "exemplary" and insert "treble"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 643—
BY REPRESENTATIVE BALDONE—
AN ACT
To amend and reenact R.S. 47:1851(M) and to repeal R.S. 47:1851(G) and (K), relative to ad valorem taxation; to remove gas and pipeline companies from the definition of public service property for purposes of assessment by the Louisiana Tax Commission; 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. 670—
BY REPRESENTATIVE ARNOLD
AN ACT
To amend and reenact R.S. 47:1931, relative to ad valorem taxation; to provide for the membership of the board of review in Orleans Parish; 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. 670 by Representative Arnold

AMENDMENT NO. 1
On page 1, at the end of line 13, after "of" insert "one member from each citywide tax millage recipient body to be appointed by the governing authority of each body."

AMENDMENT NO. 2
On page 2, delete lines 7 through 16 in their entirety and insert the following:

"Beginning January 1, 1978, assessments in each parish throughout the state shall be subject to review by a board of review, consisting of the governing authority of each parish. In each parish, except the parish of Orleans, the assessor and/or his designated representative(s) shall act in a nonvoting advisory capacity to the board of review during the hearings on cases involving assessments of property. In the parish of Orleans, the assessor and/or his designated representative(s) of the municipal district wherein the property is situated shall act in a nonvoting advisory capacity to the board of review during the hearings on cases involving assessments of property situated in his district."

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. 676—
BY REPRESENTATIVE BALDONE
AN ACT
To amend and reenact R.S. 47:1998(A)(1)(a) and to enact R.S. 47:1998(G), relative to ad valorem taxation; to provide procedures for judicial review of the final determination by the Louisiana Tax Commission of assessed valuation and taxes due; to authorize assessors employment of private counsel; 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. 676 by Representative Baldone

AMENDMENT NO. 1
On page 1, at the beginning of line 10, change "collection" to "assessment"

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. 699—
BY REPRESENTATIVE MONTGOMERY
AN ACT
To enact Chapter 10-A of Title 45 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 45:1356 through 1368, relative to cable services; to create the "Competitive Cable and Video Services Act"; to provide guidelines for cable and video services; to provide for certificate of franchise authority to be distributed by the secretary of state; to provide for franchise fees associated with cable or video services; to provide for franchise fee audits and dispute resolutions; to provide for the distribution of these fees; to provide for a prohibition against build-out requirements; to authorize a local governmental subdivision to regulate a certificate holder; to prohibit discrimination with regards to cable or video services; to provide for public, educational, and governmental access channels; 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. 699 by Representative Montgomery

AMENDMENT NO. 1
On page 1, line 3, after "through" change "1369" to "1368" 

AMENDMENT NO. 2
On page 1, delete line 4, and insert ""Competitive Cable and Video Services Act";"

AMENDMENT NO. 3
On page 1, line 5, between "cable" and "services;" insert "and video"

AMENDMENT NO. 4
On page 1, line 7, between "cable" and "services;" insert "or video"

AMENDMENT NO. 5
On page 1, line 10, between "cable" and "services;" insert "or video"

AMENDMENT NO. 6
On page 1, line 15, after "through" change "1369" to "1368"

AMENDMENT NO. 7
On page 1, line 16, between "CABLE" and "SERVICES" insert "AND VIDEO"

AMENDMENT NO. 8
On page 1, at the end of line 18, insert "and Video"

AMENDMENT NO. 9
On page 1, line 22, between "television services" and "and" insert a comma "," and insert "video services."
AMENDMENT NO. 10
On page 3, line 4, between "cable" and "service" insert "or video"

AMENDMENT NO. 11
On page 3, delete lines 5 through 7

AMENDMENT NO. 12
On page 3, at the beginning of line 8, change "(6)" to "(5)"

AMENDMENT NO. 13
On page 3, at the beginning of line 12, change "(7)" to "(6)"

AMENDMENT NO. 14
On page 3, line 16, after "system" and before "in" insert a comma"," and insert "or other wireline facilities used to distribute video programming services.

AMENDMENT NO. 15
On page 3, at the beginning of line 17, change "(8)" to "(7)"

AMENDMENT NO. 16
On page 3, line 18, between "cable" and "service," insert "or video"

AMENDMENT NO. 17
On page 3, at the beginning of line 19, change "(9)" to "(8)"

AMENDMENT NO. 18
On page 3, at the beginning of line 21, change "(10)" to "(9)"

AMENDMENT NO. 19
On page 3, delete line 22 and insert the following:
"provision of cable or video services, including franchise fees and all revenues received from non-subscribers for advertising disseminated through cable or video services and home shopping services. Gross revenues shall not include:

AMENDMENT NO. 20
On page 3, delete line 24 and insert "surcharge, or governmental fee."

AMENDMENT NO. 21
On page 3, line 27, between "cable" and "service" insert "or video"

AMENDMENT NO. 22
On page 4, line 2, between "cable" and "service" insert "or video"

AMENDMENT NO. 23
On page 4, line 3, between "cable" and "service" insert "or video"

AMENDMENT NO. 24
On page 4, line 4, between "system" and "that" insert "or other wireline facilities used to distribute video programming services"

AMENDMENT NO. 25
On page 4, delete line 7 and insert "and directory or Internet advertising revenues, including but not limited to yellow pages, white pages, banner advertisements, and electronic publishing advertising. Where the sale of any such non-"

AMENDMENT NO. 26
On page 4, at the beginning of line 8, between "cable" and "service" insert "or non-video"

AMENDMENT NO. 27
On page 4, line 8, between "more cable" and "services" insert "or video"

AMENDMENT NO. 28
On page 4, at the beginning of line 19, change "(11)" to "(10)"

AMENDMENT NO. 29
On page 4, at the beginning of line 22, change "(12)" to "(11)"

AMENDMENT NO. 30
On page 4, at the beginning of line 23, change "(13)" to "(12)"

AMENDMENT NO. 31
On page 4, at the beginning of line 28, change "(14)" to "(13)"

AMENDMENT NO. 32
On page 5, at the beginning of line 1, change "(10)" to "(9)"

AMENDMENT NO. 33
On page 5, delete lines 3 through 29 and on page 6, delete lines 1 through 11, and insert the following:

"(15) "Video service" means video programming services provided through wireline facilities located at least in part in the public rights-of-way without regard to delivery technology, including Internet protocol technology. This definition does not include any video programming provided by a commercial mobile service provider as defined herein.

(16) "Video service provider" means any entity providing video service. This term does not include a cable service provider or any affiliate, successor, or assign of a cable service provider operating under a franchise agreement with a local governmental subdivision in this state on the effective date of this Chapter."

AMENDMENT NO. 34
On page 6, at the beginning of line 12, change "$1360." to "$1359."

AMENDMENT NO. 35
On page 6, delete line 13, and insert "A. Any person or entity seeking to provide cable or video service"

AMENDMENT NO. 36
On page 6, line 16, between "cable" and "service" insert "or video"

AMENDMENT NO. 37
On page 6, line 27, between "cable" and "service" insert "or video"

AMENDMENT NO. 38
On page 7, at the end of line 4, insert "or video"

AMENDMENT NO. 39
On page 7, line 10, between "cable" and "service" insert "or video"
On page 7, line 18, after "of" change "twenty-five" to "ten"

On page 7, line 25, between "cable" and "service" insert "or video"

On page 8, at the beginning of line 10, change "§1361." to "§1360."

On page 8, line 13, after "revenues" delete "derived from" and insert "received from the provision of cable or video services to"

On page 8, line 14, between "parish" and the period "," insert "and from advertising disseminated through cable or video service and home shopping services as allocated under Subsection D of this Section"

On page 8, line 18, between "certificate franchise fee" and the period "," insert "rate"

On page 8, at the end of line 19, delete "board" and insert "holder of a certificate"

On page 8, delete lines 22 through 26 and insert the following: "pursuant to this Section, the local governmental subdivision shall provide each certificate holder with a copy of each rate change notification at least forty-five days in advance of the effective date of such rate change."

On page 8, line 27, after "pay" delete "the board quarterly" and insert "to the local governmental subdivision monthly"

On page 8, line 28, after "Each" delete "quarterly"

On page 8, line 29, after "of the" delete "quarter for the"

On page 9, at the beginning of line 1, change "calendar quarter." to "month."

On page 9, delete lines 9 through 13, and insert the following:

"C. Any supporting statements shall be confidential and exempt from disclosure as proprietary and trade secret information under any provision of state law.

D. The amount of a cable or video service provider's non-subscriber revenues from advertising disseminated through cable or video service and home shopping services that is allocable to a local governmental subdivision is equal to the total amount of the cable or video service provider's revenue received from such advertising and home shopping services multiplied by the ratio of the number of subscribers in such municipality or in the unincorporated area of such parish on the preceding January first to the total number of subscribers receiving cable or video service from the cable or video service provider on that date."

On page 9, at the beginning of line 14, change "D. " to "E."

On page 9, at the beginning of line 17, change "E. " to "F."

On page 9, at the end of line 20, delete "This" and delete lines 21 through 23 and insert "No local government shall levy any other tax."

On page 9, line 18, between "cable" and "service" insert "or video"

On page 9, line 20, between "cable" and "service" insert "or video"

On page 9, at the end of line 20, delete "This" and delete lines 21 through 23 and insert "No local government shall levy any other tax."

On page 9, line 24, between "cable" and "service" insert "or video"

On page 10, at the beginning of line 1, change "F. " to "G."

On page 10, at the beginning of line 4, change "§1362. " to "§1361."

On page 10, line 5, change "board" to "local governmental subdivision"

On page 10, line 6, between "cable" and "service" insert "or video"

On page 10, line 7, change "R.S. 45:1361." to "R.S. 45:1360."

On page 10, line 9, change "R.S. 45:1361" to "R.S. 45:1360"

On page 10, delete lines 10 and 11 and insert "be filed either by the local governmental subdivision seeking to recover an additional amount alleged to be due, or by the certificate holder seeking a refund of an alleged overpayment, in a state or federal court."

On page 10, line 12, change "quarter" to "month"

On page 10, line 14, after "and the" delete the remainder of the line, delete line 15, and insert "local governmental subdivision."
AMENDMENT NO. 68
On page 10, line 16, change "board" to "local governmental subdivision"

AMENDMENT NO. 69
On page 10, line 22, change "board" to "local governmental subdivision"

AMENDMENT NO. 70
On page 10, line 27, change "board" to "local governmental subdivision"

AMENDMENT NO. 71
On page 11, between lines 3 and 4, insert the following:
"E. A local governmental subdivision may contract with a third-party administrator for the collection of the franchise fees and enforcement of the provisions of this Chapter."

AMENDMENT NO. 72
On page 11, at the beginning of line 4, change "E." to "F."

AMENDMENT NO. 73
On page 11, delete line 8 and insert "may impose any requirements for construction of a cable system or wireline facilities used to distribute video programming services or for cable or video service deployment"

AMENDMENT NO. 74
On page 11, line 13, between "cable" and "service" insert "or video"

AMENDMENT NO. 75
On page 11, line 17, between "system" and "to" insert "or wireline facilities used to distribute video programming services"

AMENDMENT NO. 76
On page 11, at the end of line 19, delete "For", delete lines 20 and 21, and at the beginning of line 22, delete "hours of non-repeating content per day."

AMENDMENT NO. 77
On page 11, line 23, between "cable" and "service" insert "or video"

AMENDMENT NO. 78
On page 11, at the end of line 27, insert the following:
"A local governmental subdivision may use one PEG channel without restrictions relating to repeat programming provided in this Section."

AMENDMENT NO. 79
On page 11, line 29, after "eight" delete "contiguous"

AMENDMENT NO. 80
On page 12, line 4, after "eight" delete "contiguous"

AMENDMENT NO. 81
On page 12, line 5, between "cable" and "service" insert "or video"

AMENDMENT NO. 82
On page 12, line 4, after "eight" delete "contiguous"

AMENDMENT NO. 83
On page 12, line 9, between "of" and "access" insert "additional"

AMENDMENT NO. 84
On page 12, line 10, between "capacity" and "allowed" insert "above the one unrestricted channel"

AMENDMENT NO. 85
On page 12, line 11, between "hours of non-repeating content per day."

AMENDMENT NO. 86
On page 12, line 14, after "twelve contiguous" and insert "eight"

AMENDMENT NO. 87
On page 12, line 15, change "seventy-five" to "forty" and change "twelve" to "eight"

AMENDMENT NO. 88
On page 12, line 26, after "subdivision" delete the remainder of the line and at the beginning of 27, delete "Television Authority must" and insert "shall"

AMENDMENT NO. 89
On page 12, line 29, between "cable" and "service" insert "or video"

AMENDMENT NO. 90
On page 13, line 3, between "cable" and "service" insert "or video"

AMENDMENT NO. 91
On page 13, line 4, between "cable" and "services" insert "or video"

AMENDMENT NO. 92
On page 13, line 7, between "system" and "of" insert "or wireline facilities used to distribute video programming services"

AMENDMENT NO. 93
On page 13, line 12, between "cable" and "service" insert "or video"

AMENDMENT NO. 94
On page 13, line 15, between "cable" and "service" insert "or video"

AMENDMENT NO. 95
On page 13, line 16, between "cable" and "service" insert "or video"

AMENDMENT NO. 96
On page 13, at the beginning of line 18, change "$1365." to "$1364."

AMENDMENT NO. 97
On page 13, at the end of line 21, insert "or video"

AMENDMENT NO. 98
On page 14, between lines 5 and 6, insert the following:
"C. Nothing contained in this Chapter impairs the lawful exercise of existing police powers of the local governmental subdivisions in which cable or video service is delivered."

AMENDMENT NO. 99
On page 14, at the beginning of line 6, change "$1366." to "$1365."

AMENDMENT NO. 100
On page 14, line 7, between "cable" and "service" insert "or video"

AMENDMENT NO. 101
On page 14, line 10, between "cable" and "service" insert "or video"

AMENDMENT NO. 102
On page 14, line 18, between "cable" and "service" insert "or video"

AMENDMENT NO. 103
On page 14, delete line 19 and insert "45:1362."

AMENDMENT NO. 104
On page 14, at the beginning of line 21, before "who" insert "within a municipality or parish identified pursuant to R.S. 45:1359(C)(2)"

AMENDMENT NO. 105
On page 14, line 22, delete "secretary of state" and insert "attorney general"

AMENDMENT NO. 106
On page 14, line 24, delete "secretary of state" and insert "attorney general"

AMENDMENT NO. 107
On page 14, line 25, between "cable" and "service" insert "or video"

AMENDMENT NO. 108
On page 14, line 28, delete "secretary of state" and insert "attorney general"

AMENDMENT NO. 109
On page 14, line 29, delete "secretary of state" and insert "attorney general"

AMENDMENT NO. 110
On page 15, line 2, delete "secretary of state" and insert "attorney general"

AMENDMENT NO. 111
On page 15, at the end of line 3, after "cable" insert "or video"

AMENDMENT NO. 112
On page 15, at the beginning of line 5, change "$1367." to "$1366."

AMENDMENT NO. 113
On page 15, at the beginning of line 10, change "$1368." to "$1367."

AMENDMENT NO. 114
On page 15, line 12, after "charter" and before "governed" insert "existing or adopted when the Louisiana Constitution of 1974 was adopted which is"
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. 769—
BY REPRESENTATIVE CAZAYOUX
AN ACT
To enact R.S. 9:2780.1, relative to indemnity agreements; to provide relative to mineral leases, servitudes, or royalty interests; to provide that certain indemnity agreements applicable to actions for restoring damaged property are null and void under certain circumstances; 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. 769 by Representative Cazayoux

AMENDMENT NO. 1
On page 1, line 16, after “policy” insert a period “.” and delete the remainder of the line

AMENDMENT NO. 2
On page 1, delete lines 17 through 19 in their entirety and insert the following:

"Section 2. The provisions of this Act shall be applied prospectively only and shall apply only to agreements executed after the effective date of this Act."

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. 830—
BY REPRESENTATIVE CAZAYOUX
AN ACT
To amend and reenact R.S. 49:327(C)(3), relative to the investment of endowed funds; to provide for the investment of a percentage of the publicly funded permanently endowed funds in stock; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on Appropriations to Original House Bill No. 830 by Representative Cazayoux

AMENDMENT NO. 1
On page 2, line 7, after “all” insert "publicly"
HOUSE BILL NO. 891 —
BY REPRESENTATIVE ARNOLD
AN ACT
To amend and reenact R.S. 32:1252(8), (22)(a), and 23(a) and 1254(1)(4)(a), relative to the distribution and sale of motor vehicles; to provide for definitions; to provide for additional licensing and compliance requirements for motor vehicle lessors; 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. 960 —
BY REPRESENTATIVE HAMMETT
AN ACT
To enact Part VII-A of Chapter 10 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:2318.1, relative to the selection of professional services for public contracts; to prohibit the selection of providers of design professional services based on price; to provide for contracts for design professional services entered into where price or price-related factors were a factor in selection; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Appropriations to Original House Bill No. 960 by Representative Hammett

**AMENDMENT NO. 1**
On page 1, line 16, after "price" delete the remainder of the line and at the beginning of line 17, delete "selection," and insert a period ".

**AMENDMENT NO. 2**
On page 2, delete lines 1 through 3 and insert the following:

"B. However, the provisions of this Section shall have no effect on and shall not supersede any contract permitted pursuant to the provisions of R.S. 48:250.2 et seq., R.S. 29:42, or R.S. 38:85, all relating to the authority for certain political subdivisions to enter into design-build contracts."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 992 —
BY REPRESENTATIVE MARCHAND
AN ACT
To enact R.S. 19:2.3, relative to expropriation; to prohibit expropriation for certain purposes; to provide for exceptions; to provide for the return of unused expropriated property; to provide for applicability; 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. 992 by Representative Marchand

**AMENDMENT NO. 1**
On page 1, line 15, after "utilities" and before "or" insert a comma "," and "public ports,"

**AMENDMENT NO. 2**
On page 1, line 15, after "carriers," change "This" to "Except for lease and operations agreements for port facilities, this"

**AMENDMENT NO. 3**
On page 1, line 20, change "thirty" to "fifteen"

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. 1003 —
BY REPRESENTATIVE SALTER
AN ACT
To enact R.S. 47:337.9(F), relative to the Uniform Local Sales Tax Code; to exempt purchases of prescription drugs purchased through or pursuant to a Medicare Part D plan; 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. 1003 by Representative Salter

**AMENDMENT NO. 1**
On page 1, line 2, change "R.S. 47:305.56" to "R.S. 47:337.9(F)"

**AMENDMENT NO. 2**
On page 1, line 2, after "relative to" delete the remainder of the line, delete line 3 in its entirety and insert "the Uniform Local Sales Tax Code"

**AMENDMENT NO. 3**
On page 1, at the beginning of line 4, delete "not coterminous with the state"

**AMENDMENT NO. 4**
On page 1, line 8, change "R.S. 47:305.56" to "R.S. 47:337.9(F)"

**AMENDMENT NO. 5**
On page 1, at the beginning of line 9, change "$305.56" to "$337.9" and at the beginning of line 10, insert "F."

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. 1078—
BY REPRESENTATIVE ARNOLD
AN ACT
To amend and reenact R.S. 6:969.37(A)(1), (B), (C)(1), (D), (E), (G), and (H), 969.38(A), (B), (C), and (D), 969.39(A) and (B), 969.40(B), (C), and (D), and 969.41(A), (B), and (C), relative to the Louisiana Motor Vehicle Sales Finance Act; to provide for licensing procedures; to provide for denial, suspension, or revocation of licenses; to provide for investigations and complaints; to provide for the powers of the commission; to provide for the penalties imposed by the commission; 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. 1158—
BY REPRESENTATIVE QUEZAIRE
AN ACT
To amend and reenact R.S. 47:820.4(D), relative to the Transportation Infrastructure Model for Economic Development; to provide relative to bonds sold to fund the program; 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. 1181—
BY REPRESENTATIVE LABRUZZO
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.

Reported by substitute by the Committee on Commerce.

On motion of Rep. Pinac, the substitute was adopted and became House Bill No. 1380 by Rep. LaBruzzo, on behalf of the Committee on Commerce, as a substitute for House Bill No. 1181 by Rep. LaBruzzo.

Under the rules, lies over in the same order of business.

HOUSE BILL NO. 1182—
BY REPRESENTATIVES WALKER, ALEXANDER, AND R. CARTER
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.

Reported favorably by the Committee on Appropriations.

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. 1187—
BY REPRESENTATIVE LABRUZZO
AN ACT
To amend and reenact R.S. 35:191(P), relative to notaries public; to provide for statewide jurisdiction for certain notaries; to provide for the qualifications to obtain statewide jurisdiction; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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. 1186—
BY REPRESENTATIVE ALARIO
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.

Reported favorably by the Committee on Appropriations.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1213—
BY REPRESENTATIVE M. POWELL
AN ACT
To amend and reenact R.S. 8:655(C) and R.S. 37:876(F), relative to funeral homes; to provide for a child's right to view the body of a deceased parent; to provide for exceptions; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.
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. 1215—**
**BY REPRESENTATIVE ALARIO**

AN ACT
To amend and reenact Section 13 of Act No. 465 of the 2005 Regular Session of the Legislature as amended by Act No. 20 of the 2006 First Extraordinary Session of the Legislature, relative to revenue sharing; to provide for certain parish allocations for Fiscal Year 2005-2006; to provide with respect to the distribution of certain revenue sharing allocations; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Appropriations to Original House Bill No. 1215 by Representative Alario

**AMENDMENT NO. 1**
On page 2, line 25, after "parishes of" and before "St." insert "Orleans,"

**AMENDMENT NO. 2**
On page 2, line 27, after "distribution for" delete the remainder of the line and insert "any parish for which current figures are not available shall be"

**AMENDMENT NO. 3**
On page 3, line 1, after "of" and before "St. Bernard" insert "Orleans,"

**AMENDMENT NO. 4**
On page 3, line 4, after "of" and before "St. Bernard" insert "Orleans,"

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1219—**
**BY REPRESENTATIVE BOWLER**

AN ACT
To amend and reenact R.S. 35:131 through 133, 191(C)(1) and (2) and (E), and 191.1 and to enact R.S. 35:191(V), relative to notaries public; to authorize the secretary of state to grant leaves of absence for notaries; to provide for the application, qualification, and administration process for taking the notary examination; to provide for certain fees; to provide for the continued exercise of notarial functions by notaries displaced by Hurricane Katrina or Rita; to provide for the development of uniform statewide examination standards; to provide for regional testing centers; 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. 1219 by Representative Bowler

**AMENDMENT NO. 1**
On page 3, line 3, after "court" delete the remainder of the line and insert "shall not charge any fee in excess of thirty-five dollars"

**AMENDMENT NO. 2**
On page 3, line 4, change "the application" to "any application, or petition, or both,"

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. 1223—**
**BY REPRESENTATIVE GALLOT**

AN ACT
To amend and reenact R.S. 35:71(A)(1) and (E) and to enact R.S. 35:191(A)(3), relative to notaries public; to provide relative to the suspension of a notarial commission and the removal of certain penalties; to provide for the definitions of "valid notarial commission" and "validly appointed notary public"; 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. 1223 by Representative Gallot

**AMENDMENT NO. 1**
On page 1, line 14, after "limits" and before "shall" delete "for any parish in this state"

**AMENDMENT NO. 2**
On page 2, line 5, after "the" and before "functions" delete "duties or"

**AMENDMENT NO. 3**
On page 2, line 14, after "commission" and before "issued" insert "that has not been revoked or resigned, and that was"

**AMENDMENT NO. 4**
On page 2, line 22, after "law" and before "for" insert "pursuant to R.S. 35:14 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. 1278—
BY REPRESENTATIVES BRUNEAU, DANIEL, DOVE, DOWNS, ERDEY, FANNIN, HUTTER, LAMBERT, PITRE, M. POWELL, SMILEY, AND ST. GERMAIN
AN ACT
To enact R.S. 32:402(C)(3), relative to driver's licenses; to authorize the waiver of certain commercial motor vehicle driver's license requirements for military personnel during a state of emergency; to provide relative to certain restrictions; 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. 1278 by Representative Bruneau

AMENDMENT NO. 1
On page 1, line 15, change "reserved" to "reserve"

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. 1325—
BY REPRESENTATIVE BURRELL
AN ACT
To amend and reenact R.S. 51:941(3), relative to economic development; to provide for a definition of "small and emerging business"; 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. 1328—
BY REPRESENTATIVE KATZ
AN ACT
To amend and reenact Section 2 of Act No. 1118 of the 1995 Regular Session of the Legislature, relative to tax increment financing; to provide that the prohibition regarding the use of state sales tax increments shall not apply to a project expansion or extension of the use of state sales tax for certain economic development projects or programs; 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. 1328 by Representative Katz

AMENDMENT NO. 1
On page 2, delete line 2, and insert the following:

"project or program, provided that any project or program in Ouachita Parish shall not be expanded in scope and shall be extended for not more than five years."

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. 1359—
BY REPRESENTATIVES STRAIN AND DURAND
AN ACT
To enact R.S. 9:2793.5: relative to civil liability of nonprofit organizations; to provide an exception for willful and wanton misconduct; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

On motion of Rep. Ansardi, 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. LaBruzzo, 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

HOUSE BILL NO. 1232—
BY REPRESENTATIVE MARTINY
AN ACT
To enact R.S. 22:1138.2, relative to insurance producers; to provide for specialty limited lines motor vehicle title insurance producer licenses and their issuance by the commissioner of insurance; to provide for an application process; to provide for fees; to provide for renewals; to provide for registration of employees and representatives; to provide for penalties; to provide for commissions; to provide for regulations; and to provide for related matters.

Read by title.

Motion

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

Suspension of the Rules

On motion of Rep. Pinac, the rules were suspended in order to limit the author or proponent handling the legislative instrument to ten minutes for opening remarks and all subsequent speakers on the instrument to five minutes.
HOUSE BILL NO. 1235—
BY REPRESENTATIVE LABRUZZO
AN ACT
To amend and reenact R.S. 37:1226.2(A)(introductory paragraph) and (2) and (B)(introductory paragraph) and (1), (2), (3), (6), (7), and (8), and (D)(1) and to enact R.S. 37:1226.2(F) and (G), relative to prescription drug returns, exchanges, and redispensing; to allow a penal institution or state hospital for the mentally ill to receive donated medications for redispensing to individuals in its facility; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 1232—
BY REPRESENTATIVE MARTINY
AN ACT
To enact R.S. 22:1138.2, relative to insurance producers; to provide for specialty limited lines motor vehicle title insurance producer licenses and their issuance by the commissioner of insurance; to provide for an application process; to provide for fees; to provide for renewals; to provide for registration of employees and representatives; to provide for penalties; to provide for commissions; to provide for regulations; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Martiny moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Beard Crowe Erdey

Total - 3

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1236—
BY REPRESENTATIVE WALSWORTH
AN ACT
To amend and reenact R.S. 42:1114.3(C) and (D) and to enact R.S. 42:1113(E), relative to the Code of Governmental Ethics; to prohibit certain public servants, immediate family members of such persons, and certain related legal entities from engaging in certain activity involving remunerative contracts arising from certain declared emergencies or disasters; to provide for the disclosure of certain such contracts; to remove certain provisions relative to initial disclosure; and to provide for related matters.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Walsworth gave notice of his intention to call House Bill No. 1236 from the calendar for future action.

Acting Speaker John Smith in the Chair

HOUSE BILL NO. 1239—
BY REPRESENTATIVE WALKER
AN ACT
To amend and reenact R.S. 42:1112(D) and to enact R.S. 42:1120.3, relative to ethics; to provide for the recusal of a member of a parish planning or zoning commission in a parish with a population of less than fifty thousand under certain circumstances; 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:

YEAS

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

Total - 102

NAYS

Total - 0

ABSENT

Beard Crowe Erdey

Total - 3

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Martiny moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.
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. 1262—
BY REPRESENTATIVES SAL TER, BURNS, R. CARTER, CURTIS, DOERGE, DURAND, GRAY, E. GUIL LORY, M. GUIL LORY, JACKSON, KATZ, LABRUZZO, MCDONALD, JOHN SMITH, STRAIN, WADDELL, AND WINSTON
AN ACT
To amend and reenact R.S. 46:153.3(B)(1), relative to the Louisiana medical assistance program; to provide for reimbursement for prescription drugs; to provide for an effective date; and to provide for related matters.

Rep. Salter moved the final passage of the bill.

ROLL CALL
The roll was called with the following result:

YEAS

Mr. Speaker  Farrar  Morrell
Alario  Fauchaux  Morristown
Alexander  Frith  Odinet
Ansardi  Gallot  Pierre
Arnold  Geymann  Pinnacle
Bardon  Glover  Powell
Baldone  Gray  Pinnacle

Total - 101

NAYS

Total - 0

ABSENT

Total - 4

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Salter moved the final passage of the bill.
Barrow Greene Powell, M.
Baudoin Guillory, E. Powell, T.
Baylor Guillory, M. Quezaire
Beard Hammett Richmond
Bowler Harris Ritchie
Bruce Heaton Robideaux
Bruneau Hebert Romero
Burns Hill Scalise
Burrell Honey Schneider
Carter, K. Hopkins Smiley
Carter, R. Hunter Smith, G.
Cazayoux Hutter Smith, J.D.–50th
Chandler Jackson Smith, J.H.–8th
Crane Jefferson Smith, J.R.–30th
Cravins Johns St. Germain
Crowe Katz Strain
Curtis Kennard Thompson
Damico Kenney Toomy
Daniel Kleckley Townsend
Dartez LaBruzzo Trahan
DeWitt LaFleur Triche
Doerge LaFonta Tucker
Dorsey Lambert Waddell
Dove Lancaster Walker
Dowens Marchand Walsworth
Durand Martiny White
Erdey McDonald Winston
Fannin McVea Wooton
Total - 105
NAYS
Total - 0
ABSENT
Total - 0

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. 1304—
BY REPRESENTATIVE ROBIDEAUX
AN ACT
To enact R.S. 14:102.21, relative to offenses affecting the public sensibility; to create the crime of unauthorized use of the identity of a deceased soldier; to provide for the elements of the crime; to provide for criminal penalties; to provide for definitions; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 1311—
BY REPRESENTATIVE TOWNSEND
AN ACT
To amend and reenact R.S. 26:2(12) and 241(12) and to enact R.S. 26:71(A)(6), 71.2, 271(A)(6), and 271.3, relative to permits to engage in the business of dealing in beverages of high or low alcoholic content; to provide for a Retail Class C-Package Store permit; to provide for a fee for the permit; to define "Class C-Package Store"; to define Package House-Class B; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS
Amendments proposed by Representative Crowe to Engrossed House Bill No. 1311 by Representative Townsend

AMENDMENT NO. 1
On page 2, line 17, change "eighteen" to "twenty-one"
Rep. Crowe moved the adoption of the amendments.
By a vote of 33 yeas and 59 nays, the amendments were rejected.

Point of Order
Rep. Winston asked for a ruling from the Chair as to whether House Bill No. 1311 levies a new fee or increases an existing fee, and therefore would require the favorable vote of two-thirds of the elected members to finally pass the House.

Ruling of the Chair
The Chair ruled the bill did levy a new fee or increase an existing fee, and therefore would require the favorable vote of two-thirds of the elected members to finally pass the House.

Rep. Townsend moved the final passage of the bill.

ROLL CALL
The roll was called with the following result:

YEAS
Alario Downs Marchand
Ansardi Farrar Martiny
Arnold Frith Montgomery
Badon Gallot Morrell
Baylor Glover Morrish
Bowler Gray Odinet
Bruce Guillory, E. Pierre
Bruneau Guillory, M. Pinac
Burrell Hammett Pitre
Carter, K. Harris Richmond
Carter, R. Heaton Romero
Cazayoux Hebert Smith, G.
Chandler Honey Smith, J.D.–50th
Cravins Hopkins St. Germain
Damico Jackson Townsend
Daniel Jefferson Wooton
Dartez Johns Wooton
Dove Lamont Walker
Doerge McDonald Waddell
Dorsey LaFleur Walker

NAYS
Mr. Speaker Hutter Smiley
Alexander Katz Smith, J.H.–8th
Barrow Kennard Smith, J.R.–30th
Baudoin Kenney Strain
Beard Kleckley Thompson
Crane LaBruzzo Trahan
Crowe Lambert Triche
Doerge McDonald Tucker
Dove McVea Waddell
Durand Powell, M.
Erdey  Powell, T.  Walsworth
Fannin  Ritchie  White
Geymann  Robideaux  Winston
Greene  Scalise
Hill  Schneider
Total - 43

ABSENT
Baldone  Faucheux  Quezaire
Burns  Hunter
Curtis  LaFonta
Total - 7

Failed to pass.
Motion to reconsider pending.

Speaker Salter in the Chair

HOUSE BILL NO. 1304—
BY REPRESENTATIVE ROBIDEAUX
AN ACT
To enact R.S. 14:102.21, relative to offenses affecting the public sensibility; to create the crime of unauthorized use of the identity of a deceased soldier; to provide for the elements of the crime; to provide for criminal penalties; to provide for definitions; and to provide for related matters.

 Called from the calendar.

Read by title.

Rep. Robideaux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker  Frith  Morrish
Alario  Gallot  Odinet
Alexander  Geary  Pierre
Ansardi  Glover  Pinac
Arnold  Gray  Pitre
Badon  Greene  Powell, M.
Baldone  Guillory, E.  Powell, T.
Barrow  Guillory, M.  Quezaire
Baudoin  Hammett  Richmond
Bayor  Hebert  Robideaux
Bowler  Hill  Romero
Bruce  Honey  Scalise
Burns  Hopkins  Schneider
Burrell  Hunter  Smiley
Carter, R.  Hutter  Smith, G.
Cazayoux  Jackson  Smith, J.D.–50th
Chandler  Jefferson  Smith, J.H.–8th
Cravins  Johns  Smith, J.R.–30th
Crowe  Katz  St. Germain
Curtis  Kennard  Strain
Damico  Kenney  Thompson
Daniel  Kleckley  Tommy
Dartez  LaBruzze  Townsend
Doerge  LaFonta  Trahan
Dorse  LaFonta  Triche
Dove  Lambert  Tucker
Downs  Lancaster  Waddell
Durand  Marchand  Walker
Erdey  Martin  Walsworth
Fannin  McDonald  White
Farrar  McVea  Winston
Faucheux  Morrell  Wooton
Total - 99

NAYS

Total - 0

ABSENT

Bruneau  Crane  Heaton
Carter, K.  DeWitt  Montgomery

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Robideaux 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. 1235—
BY REPRESENTATIVE LABRUZZO
AN ACT
To amend and reenact R.S. 37:1226.2(A)(introductory paragraph) and (2) and (B)(introductory paragraph) and (1), (2), (3), (6), (7), and (8), and (D)(1) and to enact R.S. 37:1226.2(F) and (G), relative to prescription drug returns, exchanges, and redispensing: to allow a penal institution or state hospital for the mentally ill to receive donated medications for redispensing to individuals in its facility; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative LaBruzoo to Engrossed House Bill No. 1235 by Representative LaBruzoo

AMENDMENT NO. 1
On page 1, after “37:1226.2” delete the remainder of the line

AMENDMENT NO. 2
On page 1, delete line 3, and insert "(B)(1) and (2) and to enact"

AMENDMENT NO. 3
On page 1, line 5, after the semicolon “;” delete the remainder of the line and delete line 6 in its entirety

AMENDMENT NO. 4
On page 1, at the beginning of line 7, insert "and to"

AMENDMENT NO. 5
On page 1, line 9, after "Section 1." delete the remainder of the line and delete line 10 in its entirety and insert "R.S. 37:1226.2(B)(1) and (2) are hereby amended and reenacted"

AMENDMENT NO. 6
On page 1, delete lines 14 through 21 in their entirety and delete pages 2 and 3 in their entirety and insert the following:

**  *  *

B. Donations of prescription drugs to a charitable pharmacy are subject to the following requirements:

(1) The charitable pharmacy may shall accept only those drugs in their original sealed and tamper-evident packaging: except that including drugs packaged in single-unit doses, including blister packs, may be accepted and . These drugs may be dispensed when the outside packaging is opened if the single-unit dose packaging is intact, subject to the provisions of Subsection (B)(2) of this Section.
(2) The pharmacist in charge of the charitable pharmacy shall determine if the drug is not adulterated or misbranded and is safe to dispense. No product where the integrity of the medication cannot be assured shall be accepted for redispensing by the pharmacist of the charitable pharmacy.

* * *

F. All hospitals, health care facilities, and governmental entities that are enrolled in the Medicaid program shall donate all prescription drugs that meet the criteria in Subsections A and B of this Section to charitable pharmacies or any entity approved by law for such donation.

G. Any unused and unopened prescription drugs from a hospital, health care facility, or governmental entity may be returned to the supplying pharmacy and a deduction of any and all charges for such drugs shall be made to the account of the hospital, health care facility, or governmental entity.

Rep. LaBruzzo moved the adoption of the amendments.


By a vote of 33 yeas and 66 nays, the amendments were rejected.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Walker to Engrossed House Bill No. 1235 by Representative LaBruzzo

AMENDMENT NO. 1

On page 2, after line 23, insert the following:

"H. (1) Notwithstanding the provisions of Subsection F of this Section, "penal institution pharmacy" shall not include an institutional pharmacy located within a penal institution in an excepted parish as defined in Paragraph (3) of this Subsection.

(2) Notwithstanding the provisions of Subsection G of this Section, "state hospital for the mentally ill pharmacy" shall not include an institutional pharmacy located within a state hospital for the mentally ill in an excepted parish as defined in Paragraph (3) of this Subsection.

(3) For purposes of this Subsection, "excepted parish" shall mean any parish with a population of not less than 41,000 and not more than 41,700 according to the most recent federal decennial census.

Motion

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

HOUSE BILL NO. 1321—

BY REPRESENTATIVE DORSEY

AN ACT

To amend and reenact R.S. 40:2116(B)(1) and to enact Part V-A of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2163.1 through 2163.8, relative to adult residential care providers; to provide for purpose and definitions; to provide licensure, rules, regulations, standards, and fees; to provide for license issuance, inspection, and on-site application; to provide for operation without a license and penalties; to provide for community service provider fees and their disposition; to provide for an effective date; and to provide for related matters.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Glover gave notice of his intention to call House Bill No. 1320 from the calendar for future action.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Farrar Morrell
Alario Faucheux Morrise
Alexander Frith Odinet
Arnold Geymann Pinnac
Badon Gray Pitre
Baldone Greene Powell, M.
Barrow Guillory, E. Powell, T.
Baylor Guillory, M. Quezaire
Beard Hammett Richmond
Bruce Harris Ritchie
Bruneau Heaton Robideaux
Burns Hebert Romero
Burrell Hill Scalese
Carter, K. Honey Schneider
Carter, R. Hopkins Smiley
Cazayoux Hunter Smith, G.
Chandler Hutter Smith, J.D.–50th
Craws Jefferson Smith, J.H.–8th
Crowe Johns Smith, J.R.–30th
Curtis Katz Thompson
Damico Kennes Toomy
Daniel Kleckley Townsend
Dartez LaBruzzo Trahan
DeWitt LaFonta Triche
Doerge Lambert Tucker
Dorsey Lancaster Waddell
Dove Marchand Walker
Downs Martiny Walsworth
Durand McDonald White
Erdey McVea Winston
Fannin Montgomery Wooton

Total - 99

NAYS

Total - 0

ABSENT

Ansardi Gallot LaFleur
Bowler Kennard LaLaur

Total - 6

929
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. Dorsey 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. 1342—**

**BY REPRESENTATIVES HONEY, BADON, BARROW, DOWNS, GREENE, AND TRAHAN**

**AN ACT**

To enact R.S. 17:1855.2, to authorize the Board of Supervisors of Southern University and Agricultural and Mechanical College to increase tuition for students attending the university laboratory school; to provide for the amounts of such increase; to provide for effectiveness; and to provide for related matters.

Read by title.

Rep. Honey 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>Mr. Speaker Durand</td>
<td>Marchand</td>
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<td>Marchand</td>
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<td>Alario</td>
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<td>Alexander</td>
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<td>Ansardi</td>
<td>Faucheux</td>
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<td>Arnold</td>
<td>Frith</td>
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<td>Bruce</td>
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<td>Carter, K.</td>
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<td>Chandler</td>
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<td>Smith, G.</td>
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<tr>
<td>Crane</td>
<td>Hunter</td>
<td>Smith, J.D. –50th</td>
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<td>Cravins</td>
<td>Hutter</td>
<td>Smith, J.H. –8th</td>
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<tr>
<td>Crowe</td>
<td>Jackson</td>
<td>Smith, J.R. –30th</td>
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<td>Curtis</td>
<td>Jefferson</td>
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<td>Daniel</td>
<td>Kenney</td>
<td>Townsend</td>
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<td>Dartez</td>
<td>Kleckley</td>
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<td>DeWitt</td>
<td>LaBrazzo</td>
<td>Triche</td>
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<td>Dorsey</td>
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<td>Waddell</td>
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<td>Dove</td>
<td>LaFonta</td>
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<tr>
<td>Downs</td>
<td>Lancaster</td>
<td>Wooton</td>
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**NAYS**

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<tr>
<td>Erdey</td>
<td>Scalise</td>
<td>Smiley</td>
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<tr>
<td>Geymann</td>
<td>Schneider</td>
<td>Winston</td>
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<tr>
<td>Total - 6</td>
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**ABSENT**

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<tbody>
<tr>
<td>Burns</td>
<td>Kennard</td>
<td>Strain</td>
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<td>Burrell</td>
<td>Lambert</td>
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<td>Doerge</td>
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<td>Walsworth</td>
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<tr>
<td>Johns</td>
<td>St. Germain</td>
<td>White</td>
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<td>Total - 12</td>
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</tbody>
</table>

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

**Suspension of the Rules**

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

**HOUSE BILL NO. 1372 (Substitute for House Bill No. 78 by Representative Gray)**

**BY REPRESENTATIVE GRAY**

**AN ACT**

To enact Code of Criminal Procedure Article 644.1, relative to sanity determinations involving juveniles; to provide for procedures for obtaining a sanity hearing when juveniles are transferred to criminal court; to provide with respect to procedures for conducting those proceedings; to provide with respect to the determination of capacity to proceed to trial for juveniles transferred to criminal court; and to provide for related matters.

Read by title.

Rep. Gray 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>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Speaker Farrar</td>
<td>Montgomery</td>
<td></td>
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<tr>
<td>Alario</td>
<td>Faucheux</td>
<td>Morrell</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. Gray 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. 1373 (Substitute for House Bill No. 995 by Representative Gray)—BY REPRESENTATIVE GRAY

AN ACT

To amend and reenact R.S. 15:587.1(A)(1), relative to criminal history background information; to provide with respect to criminal background information for persons applying for a position of supervisory or disciplinary authority over children; to provide that the Louisiana Bureau of Criminal Identification and Information shall provide information regarding all criminal convictions for a period of ten years prior to the request; and to provide for related matters.

Read by title.

Rep. Gray moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 101

NAYS

Total - 0

ABSENT

Doerge  Kennard  Schneider

Total - 3

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Gray 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. 1374 (Substitute for House Bill No. 1145 by Representative Jack Smith)—BY REPRESENTATIVES JACK SMITH AND ST. GERMAIN

AN ACT

To limit the applicability of the "trip-ticket" reporting requirements of R.S. 56:306.5 to the sale of crawfish; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 153—BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 44:4.1(B)(24) and to enact Part X-A of Chapter 4 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1001 through 1014, relative to the Prescription Monitoring Program Act; to provide for a short title; to provide for the purpose and definitions; to provide relative to the establishment of the prescription monitoring program; to provide for the creation of the advisory council; to provide for the reporting of prescription monitoring information; to provide for access to prescription monitoring information; to provide relative to education and treatment; to provide for unlawful acts; to provide for data analysis; to provide relative to reporting to the legislature; to provide relative to the authority to promulgate rules and regulations; to provide for funding authority; to provide for severability; to provide for an effective date; 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 Reengrossed House Bill No. 153 by Representative Johns

AMENDMENT NO. 1

On page 11, line 21, change "Subsection B of this" to "this Subsection"

AMENDMENT NO. 2

On page 11, line 22, delete "Section,"

On motion of Rep. McDonald, the amendments were adopted.
Rep. Johns sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS
Amendments proposed by Representative Johns to Reengrossed House Bill No. 153 by Representative Johns

AMENDMENT NO. 1
On page 1, line 2, after "reenact" and before "R.S. 44:4.1(B)(24)" insert "R.S. 40:975(G)(1) and"

AMENDMENT NO. 2
On page 1, line 4, after "Act;" and before "to provide" insert "to provide for the denial, revocation, suspension, or termination of a license;"

AMENDMENT NO. 3
On page 1, line 15, after "Section 1." and before "Part" insert "R.S. 40:975(G)(1) is hereby amended and reenacted and"

AMENDMENT NO. 4
On page 1, between lines 16 and 17 insert the following:

§975. Denial, revocation, suspension, or termination of license
          *          *
G.(1) A license pursuant to R.S. 40:974 to manufacture, distribute, or dispense a controlled dangerous substance shall be terminated by the department if the licensee has failed to timely renew the license and submit the applicable fee, including the fee for the prescription monitoring program authorized pursuant to R.S. 40:1013, and thirty days have elapsed since the date of expiration.
          *          *

AMENDMENT NO. 5
On page 6, delete lines 1 through 3 in their entirety and insert the following:

"(4) The methodology to be used for analysis and interpretation of prescription monitoring information.

(5) Design and implementation of a program evaluation component.

(6) Identification of potential additional members to the advisory council."

AMENDMENT NO. 6
On page 6, delete lines 9 through 29 in their entirety and on page 7, delete line 1 in its entirety and insert the following:

"(1) Prescriber information.

(2) Patient information.

(3) Prescription information.

(4) Controlled substance or drug information.

(5) Dispenser information."

AMENDMENT NO. 7
On page 7, line 3, after "board" and before the period "." insert the following:

"; however, the frequency shall not be more than once per week"

AMENDMENT NO. 8
On page 7, line 16, change ", and F" to "F, and G"

AMENDMENT NO. 9
On page 7, line 18, after "information" and before "not" delete "and" and insert in lieu thereof a comma .

AMENDMENT NO. 10
On page 7, line 19, after "et seq." and before "Prescription" insert ", and not subject to disclosure ."

AMENDMENT NO. 11
On page 7, line 25, after "proceedings" and before the period "." insert:

". but only in accordance with federal and state law and the requirements of this Part"

AMENDMENT NO. 12
On page 7, line 29, change "and F" to "F, and G"

AMENDMENT NO. 13
On page 8, delete lines 2 through 6 in their entirety and insert in lieu thereof:

"is reasonable suspicion to believe a breach of professional or occupational standards may have occurred, the board shall notify the appropriate professional licensing agency with jurisdiction over prescribers or dispensers and shall provide prescription monitoring information required for an investigation."

AMENDMENT NO. 14
On page 8, line 9 after "that" and before "be" delete "could" and insert in lieu thereof "identifies or could reasonably".

AMENDMENT NO. 15
On page 8, line 12, at the end of the line insert "at no cost and"

AMENDMENT NO. 16
On page 8, delete lines 19 through 21 in their entirety

AMENDMENT NO. 17
On page 8, line 22, change "(3)" to "(2)"

AMENDMENT NO. 18
On page 8, line 23, change "supervising" to "administrative oversight of"

AMENDMENT NO. 19
On page 8, line 25, change "(4)" to "(3)"

AMENDMENT NO. 20
On page 8, line 27, change "(5)" to "(4)"

AMENDMENT NO. 21
On page 8, after line 28, insert the following:

"F. The board may provide a report containing prescription monitoring information upon application of local, state, and federal law enforcement or prosecutorial officials engaged in the administration, investigation, or enforcement of the laws governing controlled substances or other drugs of concern in compliance with and as limited by the relevant requirements of any of the following:

(1) A court order or court-ordered warrant, or a subpoena or summons issued by a judicial officer."
(2) A grand jury subpoena.

(3) An administrative request, including an administrative subpoena or summons, a civil or an authorized investigative demand, or similar process authorized under law, provided by law enforcement to the board, and further, provided all of the following:

(a) The information sought is relevant and material to a legitimate law enforcement inquiry.

(b) The request is specific and limited in scope to the extent reasonably practicable in light of the purpose for which the information is sought.

(c) De-identified information, or limited information that does not identify or could not reasonably lead to the identification of an individual patient, could not reasonably be used.

AMENDMENT NO. 22
On page 9, line 1, change "F." to "G."

AMENDMENT NO. 23
On page 9, line 4, change "G." to "H."

AMENDMENT NO. 24
On page 9, delete lines 26 through 28 in their entirety and insert in lieu thereof the following:

"C. The board shall, upon reasonable suspicion, refer potential or alleged impaired prescribers and dispensers to the appropriate professional licensing or certification agency to ensure intervention, treatment, and ongoing monitoring and follow-up."

AMENDMENT NO. 25
On page 11, delete lines 16 through 22 in their entirety and insert in lieu thereof the following:

"B. In the event the legislature provides full funding for the prescription monitoring program, no fees shall be levied as provided in this Section.

C. The board shall have the authority to levy and collect an annual fee from each of the following practitioners in possession of authority to prescribe or dispense controlled dangerous substances: physicians, podiatrists, dentists, optometrists, advanced practice registered nurses, physician assistants, medical psychologists, or any other person subsequently authorized by law to prescribe controlled dangerous substances; provided however, that veterinarians shall not be subject to this fee. The board shall also have the authority to levy and collect an annual fee from each pharmacy licensed by the board. The annual fee levied and collected from each person enumerated in this Subsection and each pharmacy shall not exceed twenty-five dollars.

D. The board shall not be required to fund any aspect of the prescription monitoring program."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 101

NAYS

Total - 0

ABSENT

Hammett  Trahan
Scalise  Tucker

Total - 4

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

HOUSE BILL NO. 577—
BY REPRESENTATIVE T. POWELL
AN ACT
To amend and reenact R.S. 23:1196(A)(5) and (H) and 1197(C), relative to insurance cost containment; to provide relative to workers' compensation self-insurance funds; to provide for reinsurance; to provide for deficit of fund; to provide for examination of the fund; 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. 577 by Representative T. Powell.

AMENDMENT NO. 1
On page 1, line 20, following "shall" and before "from" change "only be purchased" to "be purchased only."

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

ROLL CALL

The roll was called with the following result:

YEAS

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<th>Mr. Speaker</th>
<th>Fannin</th>
<th>McDonald</th>
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Total - 98

NAYS

Total - 0

ABSENT

| Carter, R.      | Quezaire                | Wooton                  |
| Kenney          | Trahan                  | Tucker                  |
| Odinet          |                         |                         |

Total - 7

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Tank 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. 1044—

BY REPRESENTATIVES HARRIS, ARNOLD, GALLOT, JEFFERSON, LANCASTER, MONTGOMERY, PITRE, AND SMILEY

AN ACT

To enact R.S. 18:1495.4(H), relative to campaign finance; to provide for the due date of certain campaign finance reports; to provide for an extension of time for candidates in service in the uniformed services; to provide for notice of such service; and to provide for related matters.

Read by title.

Rep. Harris moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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</tbody>
</table>

NAYS

Total - 0

ABSENT

| Carter, R.      | Quezaire                | McVea                   |
| Kenney          | Trahan                  | Scalise                 |
| Odinet          |                         |                         |

Total - 4

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Harris 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. 1150—

BY REPRESENTATIVES WADDELL, M. POWELL, AND WALSWORTH

AN ACT

To enact Chapter 20 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1751 and 1752, relative to personal information of law enforcement and court officers; to require data brokers to allow such officers and family members to opt out of their databases; to provide for definitions; to provide for certain notification requirements; to provide for an action for violations; to provide for damages, attorney fees, fines, and costs; 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. 1150 by Representative Waddell

**AMENDMENT NO. 1**

On page 3, line 21, following "the" change "opt out" to "opt-out"

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

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

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>NAYS</th>
<th>ABSENT</th>
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The Chair declared the above bill was finally passed. The title of the above bill was read and adopted.
Rep. Baldone 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. 1251—**

**BY REPRESENTATIVES WADDELL AND MONTGOMERY**

**AN ACT**

To enact R.S. 44:23, relative to exceptions to public records laws for certain personal information of certain law enforcement officers, court officers, and related persons; to provide for certain notifications; to provide for definitions; and to provide for related matters.

Read by title.

Rep. Waddell 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>Morrell</th>
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<tbody>
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<td>Alario</td>
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Total - 104

**NAYS**

Total - 0

**ABSENT**

Harris
Total - 1

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Waddell 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. 1330—**

**BY REPRESENTATIVE JOHNS**

**AN ACT**

To enact R.S. 23:921(I), relative to noncompete agreements; to provide for an exclusion for automobile salesmen; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Johns to Engrossed House Bill No. 1330 by Representative Johns

**AMENDMENT NO. 1**

On page 1, line 10, delete “or manufacturing”

**AMENDMENT NO. 2**

On page 1, line 11, after "automobiles" insert a period "." and delete the remainder of the line

**AMENDMENT NO. 3**

On page 1, line 12, change "(2)" to "(2)(a)"

**AMENDMENT NO. 4**

On page 1, after line 15, insert the following:

“(b) For the purposes of this Subsection, "salesman" means any person with a salesman’s license issued by the Louisiana Motor Vehicle Commission or the Used Motor Vehicle and Parts Commission, other than a person who owns a proprietary or equity interest in a new or used car dealership in Louisiana.

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

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

**ROll CALL**

The roll was called with the following result:

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Total - 104

**NAYS**

Total - 0

**ABSENT**

Harris
Total - 1
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. Baldone 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. 1375  (Substitute for House Bill No. 1115 by Representative Morrell)—

BY REPRESENTATIVES MORRELL, MORRISH, AND TUCKER

AN ACT

To amend and reenact R.S. 22:15(C)(19), 1382(A)(3)(a)(iv), 1401, 1402, 1404, 1404.1, 1404.2, 1405(B)(2)(b), 1407, 1408, 1411, 1416, 1417(B)(introductory paragraph) and (1), 1422, 1430.5(A), 1441.7(C), 1441.10, 1441.21(D), and 1459(A) and R.S. 22:1402.1, 1402.2, and 1402.3; and to repeal  R.S. 22:15(C)(8), (E)(16), (F)(7), and (G)(7),  1401.1, 1405(B)(2)(c), 1406, 1410(B), 1417(B)(2), 1418, and  1450.3 and R.S. 36:686(C)(1), relative to insurance rating; to abolish the Louisiana Insurance Rating Commission and to transfer its powers, duties, and functions to the Department of Insurance of Louisiana; and to provide for related matters.

Read by title.

Rep. Morrell gave notice of his intention to call House Bill No. 1375 from the calendar for future action.

Page 29 HOUSE

25th Day’s Proceedings - May 10, 2006

YEAS

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Alario  Faucheux Morriseh
Alexander  Frith Odenet
Ansardi  Gallot Pierre
Arnold  Geymann Pinac
Badon  Glover Pitre
Baldone  Gray Powell, M.
Barrow  Greene Powell, T.
Baudoin  Guillory, E. Quezaire
Baylor  Guillory, M. Richmond
Bowler  Hammett Ritchie
Bruce  Harris Robideaux
Bruneau  Hebert Romero
Burns  Hill Scalise
Burrell  Honey Schneider
Carter, K.  Hopkins Smiley
Carter, R.  Hunter Smith, J.D.–50th

NAYS

Cazayoux  Hutter Smith, J.R.–8th
Chandler  Jackson Smith, J.R.–30th
Crane  Jefferson St. Germain
Cravins  Johns Strain
Crowe  Kenney Townsend
Curtis  Kenney Toomy
Damico  Kleckley Townsend
Dartez  LaFleur Trahan
DeWitt  LaFleur Triche
Doerge  LaFonta Tucker
Dorsey  Lambert Waddell
Dove  Lancaster Walsworth
Downs  Marchand White
Durand  Martiny Winston
Erdey  McDonald Wooton
Fannin  McVea

Total - 95

Total - 1

Mr. Speaker  Hammett Quezaire
Ansardi  Gallot Pierre
Arnold  Geymann Pinac
Badon  Glover Pitre
Baldone  Gray Powell, M.
Barrow  Greene Powell, T.
Baudoin  Guillory, E. Quezaire
Baylor  Guillory, M. Richmond
Bowler  Hammett Ritchie
Bruce  Harris Robideaux
Bruneau  Hebert Romero
Burns  Hill Scalise
Burrell  Honey Schneider
Carter, K.  Hopkins Smiley
Carter, R.  Hunter Smith, J.D.–50th

Total - 9

Total - 4

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1331—

BY REPRESENTATIVE BALDONE

AN ACT

To enact R.S. 44:3(I), relative to criminal history records; to provide relative to public records; to provide for the accessibility of records of criminal convictions through the Louisiana Bureau of Criminal Identification and Information or any law enforcement agency; to provide for a charge to be assessed; to limit liability for any law enforcement agency furnishing such records; and to provide for related matters.

Read by title.

Rep. Baldone moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker  Farrar Morrell
Alario  Faucheux Morriseh
Alexander  Frith Odenet
Ansardi  Gallot Pierre
Arnold  Geymann Pinac
Badon  Glover Pitre
Baldone  Gray Powell, M.
Barrow  Greene Powell, T.
Baudoin  Guillory, E. Quezaire
Baylor  Guillory, M. Richmond
Bowler  Hammett Ritchie
Bruce  Harris Robideaux
Bruneau  Hebert Romero
Burns  Hill Scalise
Burrell  Honey Schneider
Carter, K.  Hopkins Smiley
Carter, R.  Hunter Smith, J.D.–50th

Total - 101

NAYS

Cazayoux  Hutter Smith, J.R.–8th
Chandler  Jackson Smith, J.R.–30th
Crane  Jefferson St. Germain
Cravins  Johns Strain
Curtis  Kenney Townsend
Damico  Kleckley Townsend
Daniel  LaBruzzo Trahan
Dartez  LaFleur Triche
DeWitt  LaFonta Tucker
Doerge  Lambert Waddell
Dorsey  Lancaster Walsworth
Dove  Marchand White
Downs  Marchand White
Durand  McDonald Winston
Erdey  McDonald Wooton
Fannin  Montgomery

Total - 95

Total - 1

Mr. Speaker  Hammett Quezaire
Ansardi  Gallot Pierre
Arnold  Geymann Pinac
Badon  Glover Pitre
Baldone  Gray Powell, M.
Barrow  Greene Powell, T.
Baudoin  Guillory, E. Quezaire
Baylor  Guillory, M. Richmond
Bowler  Hammett Ritchie
Bruce  Harris Robideaux
Bruneau  Hebert Romero
Burns  Hill Scalise
Burrell  Honey Schneider
Carter, K.  Hopkins Smiley
Carter, R.  Hunter Smith, J.D.–50th

Total - 9

Total - 4

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1331—

BY REPRESENTATIVE BALDONE

AN ACT

To enact R.S. 44:3(I), relative to criminal history records; to provide relative to public records; to provide for the accessibility of records of criminal convictions through the Louisiana Bureau of Criminal Identification and Information or any law enforcement agency; to provide for a charge to be assessed; to limit liability for any law enforcement agency furnishing such records; and to provide for related matters.

Read by title.

Rep. Baldone moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker  Farrar Morrell
Alario  Faucheux Morriseh
Alexander  Frith Odenet
Ansardi  Gallot Pierre
Arnold  Geymann Pinac
Badon  Glover Pitre
Baldone  Gray Powell, M.
Barrow  Greene Powell, T.
Baudoin  Guillory, E. Quezaire
Baylor  Guillory, M. Richmond
Bowler  Hammett Ritchie
Bruce  Harris Robideaux
Bruneau  Hebert Romero
Burns  Hill Scalise
Burrell  Honey Schneider
Carter, K.  Hopkins Smiley
Carter, R.  Hunter Smith, J.D.–50th

Total - 101

NAYS

Cazayoux  Hutter Smith, J.R.–8th
Chandler  Jackson Smith, J.R.–30th
Crane  Jefferson St. Germain
Cravins  Johns Strain
Curtis  Kenney Townsend
Damico  Kleckley Townsend
Daniel  LaBruzzo Trahan
Dartez  LaFleur Triche
DeWitt  LaFonta Tucker
Doerge  Lambert Waddell
Dorsey  Lancaster Walsworth
Dove  Marchand White
Downs  Marchand White
Durand  McDonald Winston
Erdey  McDonald Wooton
Fannin  Montgomery

Total - 95

Total - 1

Mr. Speaker  Hammett Quezaire
Ansardi  Gallot Pierre
Arnold  Geymann Pinac
Badon  Glover Pitre
Baldone  Gray Powell, M.
Barrow  Greene Powell, T.
Baudoin  Guillory, E. Quezaire
Baylor  Guillory, M. Richmond
Bowler  Hammett Ritchie
Bruce  Harris Robideaux
Bruneau  Hebert Romero
Burns  Hill Scalise
Burrell  Honey Schneider
Carter, K.  Hopkins Smiley
Carter, R.  Hunter Smith, J.D.–50th

Total - 9

Total - 4

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Baldone 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. 1375  (Substitute for House Bill No. 1115 by Representative Morrell)—

BY REPRESENTATIVES MORRELL, MORRISH, AND TUCKER

AN ACT

To amend and reenact R.S. 22:15(C)(19), 1382(A)(3)(a)(iv), 1401, 1402, 1404, 1404.1, 1404.2, 1405(B)(2)(b), 1407, 1408, 1411, 1416, 1417(B)(introductory paragraph) and (1), 1422, 1430.5(A), 1430.11(D), 1430.14, 1441.7(C), 1441.10, 1441.21(D), and 1459(A) and R.S. 44:4(5)(a); to enact R.S. 22:1402.1, 1402.2, and 1402.3; and to repeal  R.S. 22:15(C)(8), (E)(16), (F)(7), and (G)(7),  1401.1, 1405(B)(2)(c), 1406, 1410(B), 1417(B)(2), 1418, and 1450.3 and R.S. 36:686(C)(1), relative to insurance rating; to abolish the Louisiana Insurance Rating Commission and to transfer its powers, duties, and functions to the Department of Insurance of Louisiana; and to provide for related matters.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Morrell gave notice of his intention to call House Bill No. 1375 from the calendar for future action.

937
Motion

Rep. Martiny moved to call from the table the motion to reconsider the vote by which House Bill No. 669 failed to pass.


By a vote of 73 yeas and 25 nays, the motion to reconsider the vote by which House Bill No. 669 failed to pass was called from the table.

Reconsideration

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

HOUSE BILL NO. 669—
BY REPRESENTATIVE M. POWELL
AN ACT
To amend and reenact R.S. 18:1284(C), relative to proposition elections; to provide for the content of the proposition; and to provide for related matters.

Read by title.

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

Returned to the calendar under the rules.

Suspension of the Rules

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

HOUSE BILL NO. 69—
BY REPRESENTATIVE TOOMY
AN ACT
To enact Chapter 42 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9600 through 9604, relative to the creation of certain judicial administrative districts to fund the offices of the clerks of court; to provide for boundaries of the districts; to provide that the clerk of court is the ex officio chief executive officer and governing authority of the district; to provide that each district is a political subdivision of the state and is authorized to incur debt; to provide for power and authority of the districts; to provide for the establishment of a special fund and expenditures from that fund; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hebert to Engrossed House Bill No. 69 by Representative Toomy

AMENDMENT NO. 1
On page 1, line 7, after "debt;" and before "to" insert "to provide for liability;"

AMENDMENT NO. 2
On page 3, between lines 9 and 10, insert the following:

"D. A clerk who incurs such debt is personally liable for debts of his office only for unauthorized expenditures."

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

Rep. Toomy moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Farrar Montgomery
Alario Faucheux Morrell
Alexander Frith Odinet
Ansardi Gallot Piere
Badon Glover Pinac
Baldone Gray Powell, M.
Barrow Greene Powell, T.
Baudoin Guillory, E. Quezaire
Baylor Guillory, M. Richmond
Bowler Hammett Ritchie
Bruce Harris Robideaux
Bruneau Heaton Romero
Burns Hill Scalise
Burrell Honey Schneider
Carter, K. Hopkins Smiley
Carter, R. Hunter Smith, G.
Cazayoux Hutter Smith, J.D.–50th
Chandler Jackson Smith, J.H.–8th
Crane Jefferson Smith, J.R.–30th
Cravins Johns St. Germain
Crowe Katz Strain
Curtis Kennard Thompson
Damico Kenney Toomy
Daniel Kleckley Townsend
Dartez LaBruzzi Trahan
DeWitt LaFleur Trache
Doerge LaFonta Tucker
Dorsey Lambert Waddell
Dove Lancaster Walker
Downs Marchand White
Durand Martiny Winston
Erdey McDonald Wooton
Fannin McVea
Total - 101

NAYS

Hebert Total - 1

Total - 3

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Toomy 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. Faucheux, and under a suspension of the rules, the following bill was taken up out of its regular order at this time.
HOUSE BILL NO. 782—
BY REPRESENTATIVE FAUCHEUX
AN ACT
To enact R.S. 33:1448(S), relative to the premium costs of group hospital and health insurance for retired sheriffs and retired deputy sheriffs throughout the state and certain employees of other entities; to provide restrictions on eligibility to receive the benefit of having the premium cost of group insurance; to require a retiree or prospective retiree to retire directly from the sheriff’s office or other designated entities in order to be eligible for the benefit; and to provide for related matters.
Called from the calendar.
Read by title.
Rep. Faucheux sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS
Amendments proposed by Representative Faucheux to Engrossed House Bill No. 782 by Representative Faucheux

AMENDMENT NO. 1
In Amendment No. 6 of the House Floor Amendments adopted by the House of Representatives on April 4, 2006, on page 1, delete lines 15 through 25, and insert in lieu thereof the following:

"S. Effective August 15, 2006, in order for any sheriff, deputy sheriff, or other employee to be eligible to qualify for payment by the sheriff, Sheriffs’ Pension and Relief Fund, or the Louisiana Sheriffs’ Association of premium costs of health benefits upon retirement, each shall have completed the years of service required and have retired directly from either the sheriff’s office, the Sheriffs’ Pension and Relief Fund, or the Louisiana Sheriffs’ Association."

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

ROLL CALL
The roll was called with the following result:

YEAS

<table>
<thead>
<tr>
<th>Daniel</th>
<th>Kleckley</th>
<th>Townsend</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dartez</td>
<td>LaBrie</td>
<td>Triche</td>
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<tr>
<td>DeWitt</td>
<td>LaFleur</td>
<td>Tucker</td>
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<td>Doerge</td>
<td>LaFonta</td>
<td>Waddell</td>
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<td>Dorsey</td>
<td>Lambert</td>
<td>Walker</td>
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<tr>
<td>Dove</td>
<td>Lancaster</td>
<td>Walworth</td>
</tr>
<tr>
<td>Downs</td>
<td>Marchand</td>
<td>White</td>
</tr>
<tr>
<td>Durand</td>
<td>Martiny</td>
<td>Winston</td>
</tr>
<tr>
<td>Erdey</td>
<td>McDonald</td>
<td>Wooton</td>
</tr>
<tr>
<td>Famin</td>
<td>McVea</td>
<td></td>
</tr>
<tr>
<td>Farrar</td>
<td>Montgomery</td>
<td></td>
</tr>
</tbody>
</table>

Total - 103

NAYS

Total - 0

ABSENT

Damico | Trahan

Total - 2

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

Suspension of the Rules
On motion of Rep. Lambert, and under a suspension of the rules, the following bill was taken up out of its regular order at this time.

HOUSE BILL NO. 727—
BY REPRESENTATIVES LAMBERT, ALEXANDER, BOWLER, JOHNS, ROBIDEAUX, AND WALKER
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.
Called from the calendar.
Read by title.
Rep. Alario sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS
Amendments proposed by Representative Alario to Reengrossed House Bill No. 727 by Representative Lambert

AMENDMENT NO. 1
On page 3, line 21, after "2006" delete the period "." and insert in lieu thereof "and if ratified, shall take effect July 1, 2008."

Rep. Alario moved the adoption of the amendments.
By a vote of 69 yeas and 25 nays, the amendments were adopted.
Rep. Jack Smith moved the bill be recommitted to the Committee on Appropriations.
By a vote of 47 yeas and 55 nays, the House refused to recommit the bill to the Committee on Appropriations.

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

ROLL CALL

The roll was called with the following result:

YEAS

Alexander Alexander Johns Scalise
Beard Beard Katz Schneider
Bowler Bowler Kleckley Smiley
Bruneau Bruneau LaBruzzo St. Germain
Chandler Chandler Lambert Strain
Crowe Crowe Lancaster Trahan
Daniel Daniel Martiny Triche
Dove Dove McVea Tucker
Downs Downs Morish Waddell
Erdey Erdey Pierre Walker
Fannin Fannin Pitr Walsworth
Frith Frith Powell, M. White
Geymann Geymann Powell, T. Winston
Greene Greene Quezaire
Hebert Hebert Robindeaux
Total - 43

NAYS

Mr. Speaker Mr. Speaker Farrar McVea
Alario Alario Durand McDonald
Ansardi Ansardi Frith Morrell
Arnold Arnold Gallot Morris
Badon Badon Gray Odinet
Baldone Baldone Greene Pinac
Barrow Barrow Guillory, E. Pitre
Baudoin Baudoin Guillory, M. Powell, M.
Bayor Bayor Hammett Quezaire
Bruce Bruce Harris Ritchie
Bruneau Bruneau Hebert Richardson
Burns Burns Heaton Robideaux
Burrell Burrell Grey Sculsen
Carter, K. Carter, K. Hunter Smith, G.
Carter, R. Carter, R. Hunter Smith, J.D.–50th
Cayazouy Cayazouy Jackson Smith, J.R.–30th
Crane Crane Johns Smith, J.R.–8th
Cravins Cravins Katz Strain
Curis Curis Kennard Thompson
Damiaco Damiaco LaFanta Toomy
DeWitt DeWitt Kevi Rumson
Total - 96

ABSENT

Burns Burns LaFonta Thompson
Dartez Dartez Morrell
Hunter Hunter Romero
Total - 7

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

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

Suspension of the Rules

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

HOUSE BILL NO. 954—

BY REPRESENTATIVE LAMBERT

AN ACT

To amend and reenact R.S. 32:408(B)(2)(d), relative to issuance of drivers' licenses; to provide relative to Class "D" Chauffeur's Licenses; to add certain types of vehicles to the list of vehicles authorized to be operated with a Class 'D' Chauffeur's License; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Lambert moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Mr. Speaker Farrar McVea
Alario Alario Durand McDonald
Ansardi Ansardi Frith Morrell
Arnold Arnold Gallot Morris
Badon Badon Gray Odinet
Baldone Baldone Greene Pinac
Barrow Barrow Guillory, E. Pitre
Baudoin Baudoin Guillory, M. Powell, M.
Bayor Bayor Hammett Quezaire
Bruce Bruce Harris Ritchie
Bruneau Bruneau Hebert Richardson
Burns Burns Heaton Robideaux
Burrell Burrell Grey Sculsen
Carter, K. Carter, K. Hunter Smith, G.
Carter, R. Carter, R. Hunter Smith, J.D.–50th
Cayazouy Cayazouy Jackson Smith, J.R.–30th
Crane Crane Johns Smith, J.R.–8th
Cravins Cravins Katz Strain
Curis Curis Kennard Thompson
Damiaco Damiaco LaFanta Toomy
DeWitt DeWitt Kevi Rumson
Total - 96

NAYS

ABSENT
HOUSE BILL NO. 158—
BY REPRESENTATIVE K. CARTER

AN ACT
To repeal R.S. 22:1137(A)(10) and 1139(C)(8) and Part VII of Chapter 2 of Title 22 of the Louisiana Revised Statutes of 1950, comprised of R.S. 22:1751 through 1770, relative to regulation of automobile service clubs by the commissioner of insurance.

Called from the calendar.

Read by title.


ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 103

NAYS

Total - 0

ABSENT

Hopkins  Smith, J.H.—8th  Montgomery

Total - 2

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Suspension of the Rules

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

HOUSE BILL NO. 248—
BY REPRESENTATIVE K. CARTER

AN ACT
To amend and reenact R.S. 22:32(5) and (9), relative to domestic incorporated insurers; to provide for the requirements of articles of incorporation of such insurers; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative K. Carter to Engrossed House Bill No. 248 by Representative K. Carter

AMENDMENT NO. 1

On page 1, line 16, after "and" and before "address" delete "resident" and insert "post office"

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


ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 103

NAYS

Total - 0

ABSENT

Hopkins  Smith, J.H.—8th

Total - 2

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.
The Chair declared the above bill was finally passed.  

The title of the above bill was read and adopted.

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

**Suspension of the Rules**

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

**HOUSE BILL NO. 252—**

By Representative Kirkland, and under a suspension of the rules, the following bill was taken up out of its regular order at this time.

BY REPRESENTATIVE K. CARTER  
AN ACT  
To amend and reenact R.S. 22:2003(B)(5) and (9), relative to health maintenance organizations; to provide for the requirements of articles of incorporation of health maintenance organizations; and to provide for related matters.

Called from the calendar.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Kirkland to Engrossed House Bill No. 252 by Representative Kirkland

**AMENDMENT NO. 1**

On page 1, line 17, after "and" and before "address" delete "resident" and insert "post office".

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


**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker  
Alario  
Alexander  
Ansardi  
Arnold  
Badon  
Baldone  
Barrow  
Dove  
Downs  
Durand  
Erdey  
Fannin  
Baudoin  
Baylor  
Beard  
Bowler  
Bruce  
Bruneau  
Burns  
Burrell  
Carter, K.  
Carter, R.  
Cazayoux  
Chandler  
Crane  
Cravin  
Crowe  
Curtis  
Damico  
Daniel  
Dartez  
DeWitt  
Doerge  
Dorsey  
Dove  
Downs  
Durand  
Erdey  
Fannin  
Baudoin  
Baylor  
Beard  
Bowler  
Bruce  
Bruneau  
Burns  
Burrell  
Carter, K.  
Carter, R.  
Cazayoux  
Chandler  
Crane  
Cravin  
Crowe  
Curtis  
Damico  
Daniel  
Dartez  
DeWitt  
Doerge  
Dorsey  
Dove  
Downs  
Durand  
Erdey  
Fannin  
Mr. Speaker  
Alario  
Alexander  
Ansardi  
Arnold  
Badon  
Barrow  
Mr. Speaker  
Alario  
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Mr. Speaker  
Alario  
Alexander  
Ansardi  
Arnold  
Badon  
Barrow  
Mr. Speaker  
Alario  
Alexander  
Ansardi  
Arnold  
Badon  
Barrow
The Chair declared the above bill was finally passed.
The title of the above bill was read and adopted.
Rep. Karen Carter moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

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

HOUSE BILL NO. 592—
BY REPRESENTATIVE K. CARTER
AN ACT
To amend and reenact R.S. 22:1214(14)(b) and to enact R.S. 22:1214(14)(p), relative to unfair trade practices in the business of insurance; to provide for unfair claims settlement practices; to provide for time periods within which insurers must take action in certain circumstances; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative K. Carter to Engrossed House Bill No. 592 by Representative K. Carter

AMENDMENT NO. 1
On page 2, line 4, delete "insurers" and insert "insurance issuers"

AMENDMENT NO. 2
On page 2, line 5, after "health" delete "insurers" and insert "insurance issuers"

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

ROLL CALL
The roll was called with the following result:

YEAS
Mr. Speaker Farrar Morrish
Alario Faucheux Odinet
Alexander Frith Pierre
Ansardi Gallot Pitre
Arnold Geymann Powell, M.
Badon Greene Powell, T.
Baldone Guillory, E. Quezaire
Baudoin Guillory, M. Richmond
Baylor Hammett Ritchie
Beard Harris Robideaux
Barker Hester Smiley
Barrell Hopkins Smiley
Carter, K. Hutter Smith, G.
Carter, R. Jackson Smith, J.H.–50th
Chandler Jefferson Smith, J.R.–30th
Crane Johns St. Germain
Cravins Katz Strain
Crowe Kenney Thompson
Curtis Kleckley Toomy
Damico LaBruzio Townsend
Daniel LaFleur Trahan
Dartez LaFonta Triche
DeWitt Lambert Tucker
Doerge Lancaster Waddell
Dorsey Marchand Walker
Dove Martiny Walsworth
Durand McDonald White
Erdey McVea Winston
Fannin Montgomery Wooton
Total - 101
NAYS
Total - 0
ABSENT
Downs Glover Kennard
Total - 3

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

The Chair declared the above bill was finally passed.

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

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

HOUSE BILL NO. 412—
BY REPRESENTATIVE JOHNS
AN ACT
To amend and reenact R.S. 40:1299.41(A)(3), (8), and (9), relative to medical malpractice; to revise the definitions of "patient", "malpractice", and "health care"; to provide for the inclusion of blood donors; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Johns 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>Faucheux</th>
<th>Frith</th>
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<tbody>
<tr>
<td>Alario</td>
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<td>Total - 101</td>
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<td>ABSENT</td>
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</table>

Ansardi | Kennard |
| Bruce   | Wooton  |
| Total - 4 |

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Suspension of the Rules

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

HOUSE BILL NO. 1185—
BY REPRESENTATIVES DOVE, BURRELL, CROWE, FRITH, GEYMANN, T. POWELL, RITCHIE, GARY SMITH, TRAHAN, AND WHITE
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.

Called from the calendar.

Read by title.

Rep. Dove 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>Faucheux</th>
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<tbody>
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<td>Alario</td>
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<td>Farrar</td>
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<td>NAYS</td>
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<tr>
<td>Total - 1</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Ansardi | Kennard |
| Bruce   | Wooton  |
| Total - 4 |

Beard | Total - 1 |
| Total - 3 |

The Chair declared the above bill was finally passed.

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Michael Powell gave notice of his intention to call House Bill No. 669 from the calendar for future action.

Suspension of the Rules

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

HOUSE BILL NO. 1298—
BY REPRESENTATIVES DOVE AND WHITE
AN ACT
To amend and reenact R.S. 40:1730.23(C), relative to enforcement of building codes by third-party providers who contract with a parish or municipality; to provide for limitation of liability; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Dove moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Faucheux Morrell
Alario Frith Odinet
Alexander Gallot Pinac
Ansardi Geymann Pitre
Arnold Gray Powell, M.
Badon Greene Powell, T.
Baldone Guillory, E. Quezaire
Barrow Guillory, M. Richmond
Baudoin Hammett Ritchie
Bowyer Harris Robideaux
Bowel Heaton Romero
Bruneau Hill Schneider
Burns Hill Smiley
Burrell Hopkins Smith, G.
Carter, K. Hunter Smith, J.D.–50th
Carter, R. Hunter Smith, J.H.–8th
Cazayoux Hutter Smith, J.R.–30th
Chandler Jackson St. Germain
Crane Jefferson Strain
Cravins Johns St. Germain
Crowe Kennard Thompson
Curtis Kenney Toomy
Damicco Kleckley Townsend
Daniel LaBruzzo Tahan
Dartez LaFleur Triche
DeWitt LaFonta Tucker
Doerge Lambert Waddell
Dorsey Lancaster Walker
Dove Marchand Walsworth
Durand Martin White
Erdey McDonald Winston
Fannin McVea Wooton
Farrar Montgomery

Total - 101

NAYS

Total - 0

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Suspension of the Rules

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

HOUSE BILL NO. 585—
BY REPRESENTATIVE K. CARTER
AN ACT
To amend and reenact R.S. 22:250.2(E)(2)(a)(iv), (b)(ii), and (c)(iii), relative to health insurance; to provide with respect to group health insurance coverage of a dependent child previously enrolled in Medicaid; and to provide for related matters.

Called from the calendar.

Read by title.


ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Farrar Montgomery
Alario Faucheux Morrell
Alexander Frith Morrish
Ansardi Gallot Odinet
Arnold Geymann Pierre
Badon Glover Pinac
Baldone Gray Pittre
Barrow Greene Powell, M.
Baudoin Guillory, E. Powell, T.
Baylor Guillory, M. Quezaire
Beard Hammett Richmond
Bower Harris Romero
Brueau Heaton Scalse
Burns Hill Schneider
Burrell Hopkins Smith, G.
Carter, K. Hopinks Smith, J.D.–50th
Carter, R. Hunter Smith, J.H.–8th
Cazayoux Hutter Smith, J.R.–30th
Chandler Johns St. Germain
Crane Jefferson Strain
Cravins Johns Thompson
Crowe Kennard Toomy
Curtis Kenney Townsend
Damicco Kleckley Tahan
Daniel LaBruzzo Triche
DeWitt LaFleur Tucker
Doerge Lambert Walker
Dorsey Lancaster Waddell
Dove Marchand Walker
Durand Martin White
Erdey McDonald Winston
Fannin McVea Wooton
Farrar Montgomery

Total - 102
The title of the above bill was read and adopted.

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

**Suspension of the Rules**

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

**HOUSE BILL NO. 792—**

**BY REPRESENTATIVE K. CARTER**

AN ACT

To amend and reenact R.S. 22:213.3, 221(B), 2027(C), and 2059, relative to health and accident insurance policies and health maintenance organization contracts; to provide for a thirty-day grace period prior to cancellation for failure to pay premiums or prepaid charges; to provide for a fifteen-day notice to policyholders, subscribers, or enrollees prior to expiration of the grace period; to provide for applicability; and to provide for related matters.

Called from the calendar.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative K. Carter to Engrossed House Bill No. 792 by Representative K. Carter

**AMENDMENT NO. 1**

On page 2, line 28, after "C." insert the following:

"(1) The notice provisions of Subsections A and B of this Section shall not apply to cancellations due to nonpayment on a timely basis of the prepaid charges."

**AMENDMENT NO. 2**

On page 3, at the beginning of line 1, change "(1)" to "(2)"

**AMENDMENT NO. 3**

On page 3, at the beginning of line 6, change "(2)" to "(3)"

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


**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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<tbody>
<tr>
<td>Alario</td>
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<td>Johns</td>
<td>Smith, J.R.–30th</td>
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<td>Katz</td>
<td>Strain</td>
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**NAYS**

<table>
<thead>
<tr>
<th>Total - 0</th>
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ABSENT

| Durand      | 3 |
| Katz        | 3 |
| Wooton      | 3 |

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**Suspension of the Rules**

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

**HOUSE BILL NO. 1173—**

**BY REPRESENTATIVE CROWE**

AN ACT

To amend and reenact R.S. 48:279(A), 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; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Crowe 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>Faucheux</th>
<th>Morrell</th>
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<tbody>
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<td>Alario</td>
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<td>Doege</td>
<td>Guillory, M.</td>
<td>Tucker</td>
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</table>

**NAYS**

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<tr>
<th>Total - 3</th>
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ABSENT

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<th>Doerge</th>
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The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**Suspension of the Rules**

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

**HOUSE BILL NO. 1173—**

**BY REPRESENTATIVE CROWE**

AN ACT

To amend and reenact R.S. 48:279(A), 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; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Crowe moved the final passage of the bill.
Arnold  glover  pinac
badon  gray  pitre
Baldone  Greene  Powell, M.
Barrow  Guillory, E.  Powell, T.
Baudoin  Guillory, M.  Quezaire
Baylor  Hammitt  Richmond
Beard  Harris  Ritchie
Bowler  Heaton  Robideaux
Bruce  Hebert  Romero
Brouneau  Hill  Scalise
Burns  Honey  Schneider
Burrell  Hopkins  Smiley
Carter, K.  Hunter  Smith, G.
Carter, R.  Hutter  Smith, J.D.–50th
Cazayoux  Jackson  Smith, J.H.–8th
Chandler  Jefferson  Smith, J.R.–30th
Crane  Johns  St. Germain
Cravins  Katz  Strain
Crowe  Kennard  Thompson
Curtis  Kenney  Toomy
Daminco  Kleckley  Townsend
Daniel  LaBruzzi  Trahan
Dartez  LaFleur  Tucker
Doerge  LaFonta  Waddell
Dorsey  Lambert  Walker
Dove  Lancaster  Walksworth
Downs  Marchand  White
Durand  Martiny  Winston
Erdey  McDonald  Wooton
Fannin  McVea
Farrar  Montgomery
Total - 103

NAYS
Total - 0

ABSENT

DeWitt  Triche
Total - 2

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Crowe 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. Quezaire, and under a suspension of the rules, the following bill was taken up out of its regular order at this time.

HOUSE BILL NO. 1294—
BY REPRESENTATIVES QUEZAIRE, BEARD, AND DANIEL
AN ACT
To amend and reenact R.S. 48:2073 and to enact R.S. 48:2072(C) and (D) and 2084 through 2084.15, relative to the Louisiana Transportation Authority; to provide relative to legislative findings; to authorize the Louisiana Transportation Authority to enter into public-private partnership agreements for the construction of certain transportation facility projects; to provide relative to definitions; to authorize the submission of transportation facility proposals by certain entities; to require the submission of certain proposals to the House and Senate Transportation, Highways and Public Works Committees; to provide for the requirements of transportation facility proposals; to provide relative to the adoption of certain guidelines; to provide relative to the powers and duties of private entities; to provide relative to the requirements of a comprehensive agreement; to authorize certain funding sources; to provide relative to material defaults under certain circumstances and remedies for such defaults; to provide authority for the acquisition of certain property; to provide relative to police powers; to provide relative to utility crossings; to provide for procurement guidelines and requirements; to provide relative to multimodal transportation facilities; and to provide for related matters.

Called from the calendar.

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. 1294 by Representative Quezaire

AMENDMENT NO. 1
On page 2, line 19, change “chapter” to “Chapter”

AMENDMENT NO. 2
On page 6, line 23, after “Chapter” change “must” to “shall”

AMENDMENT NO. 3
On page 10, line 20, after “consideration” and before “determined” insert “as”

AMENDMENT NO. 4
On page 13, line 22, after “conditions and” delete “which will” and insert “shall”

AMENDMENT NO. 5
On page 17, line 20, change “2084.7” to “2084.8”

AMENDMENT NO. 6
On page 20, line 21, after “Chapter is” insert “to be”

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Quezaire to Engrossed House Bill No. 1294 by Representative Quezaire

AMENDMENT NO. 1
On page 6, line 12, after “port facility,” delete “vehicle parking facility.”

AMENDMENT NO. 2
On page 7, line 5, after “approval.” insert the following:

“The authority shall advertise any unsolicited proposal submitted by a private entity for the purposes of receiving competitive proposals for the same proposed qualifying transportation facility. Competitors shall have ninety days from the date of advertisement to submit competitive proposals to the authority.”

AMENDMENT NO. 3
On page 8, line 9, after “C.” delete “The” and insert “In the case of solicited proposals, the”

AMENDMENT NO. 4
On page 8, line 15, change “may” to “shall”
On motion of Rep. Quezaire, the amendments were adopted.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Daniel to Engrossed House Bill No. 1294 by Representative Quezaire

**AMENDMENT NO. 1**

On page 19, line 16, after "residents," insert "the party submitting the original proposal for the qualifying transportation facility.

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Tucker to Engrossed House Bill No. 1294 by Representative Quezaire

**AMENDMENT NO. 1**

On page 6, at the end of line 15, insert "A transportation facility under the provisions of this Chapter shall be limited to projects on the statewide transportation plan.

**AMENDMENT NO. 2**

On page 6, at the end of line 26, before the period "." insert "for approval"

Rep. Tucker moved the adoption of the amendments.


By a vote of 25 yeas and 66 nays, the amendments were rejected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker Faucheux Morrell
Alario Frith Morrish
Alexander Gallot Odinet
Ansardi Geymann Pierre
Arnold Glover Pinac
Badon Gray Pitre
Baldone Greene Powell, M.
Baudoin Guillory, E. Powell, M.
Baudoin Guillory, M. Powell, T.
Baylor Hammett Quezaire
Beard Harris Ritchie
Bruce Hebert Robideaux
Bruneau Hill Romero
Burrell Honey Scalise
Carter, K. Hopkins Schneider
Carter, R. Hunter Smiley
Carayoux Hutter Smith, G.
Chandler Jackson Smith, J.D.–50th
Crane Jefferson Smith, J.H.–8th
Cravins Johns Smith, J.R.–30th
Crowe Katz St. Germain
Curtis Kenard Strain
Damico Kenney Thompson
Daniel Kleckley Toomy
Dartez LaBruzio Townsend
DeWitt LaFleur Trahan
Dorsey LaFonta Triche

Dove Lambert Waddell
Downs Marchand Walsworth
Durand Martiny White
Erdey McDonald Winston
Famin McVea Wooton
Farrar Montgomery

**NAYS**

Bowler Doerge Tucker

**ABSENT**

Burns Lancaster
Heaton Walker

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. 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.

**Suspension of the Rules**

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

**Notice of Intention to Call**

Pursuant to House Rule No. 8.26(A), Rep. Ansardi gave notice of his intention to call House Bill No. 30 from the calendar for future action.

**Suspension of the Rules**

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

**HOUSE BILL NO. 1306—**

BY REPRESENTATIVE QUEZAIRE AND SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 48:250.3, relative to design-build contracts let by the Department of Transportation and Development; to provide relative to qualifications of competing firms; to provide relative to procedures for evaluation and selection of a design-builder; to provide relative to the compensation of competing firms for their proposals; to provide relative to hearings on final decisions; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Quezaire moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker Faucheux Morrish
Alario Frith Odinet
Alexander Gallot Pierre
Arnold Geymann Pinac
Badon Glover Pitre
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.

Suspension of the Rules

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

HOUSE BILL NO. 733—
BY REPRESENTATIVE CAZAYOUX
AN ACT
To amend and reenact Children's Code Article 615(E)(1) and to enact Children's Code Articles 615(E)(4), 615.1, and 616.2, relative to a child in need of care; to provide for child abuse reporting and investigating; to provide a procedure for reporting to the district attorney; to create a central registry for reports of child sexual abuse; to authorize access to the registry; to provide for confidentiality; to require preservation of certain reports; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Cazayoux to Engrossed House Bill No. 733 by Representative Cazayoux

AMENDMENT NO. 1
On page 2, line 7, after "seq."
and before "admissible"
delete "They"
and insert "If a court determines that the files, records, and information are"

AMENDMENT NO. 2
On page 2, line 8, after "children"
and before "but"
delete "but"
and insert "those files, records, and information shall be"

AMENDMENT NO. 3
On page 3, line 15, after "sexual"
and before "and"
delete "and"
and physical"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Farrar
Alario Faucheux
Alexander Frith
Ansardi Gallot
Arnold Geymann
Badon Glover
Baldone Gray
Barrow Greene
Baudoin Guillory, E.
Baylor Harris
Beard Heaton
Bowler Hebert
Bruce Hill
Bruneau Honey
Burns Hopkins
Burrell Hunter
Carter, K. Hunter
Carter, R. Hutter
Cazayoux Jackson
Chandler Jefferson
Crane Johns
Crowe Kennard
Curtis Kenney
Damico Kleckley
Daniel LaBruzzo
Dartez LaFleur
DeWitt LaFonta
Doerge Lambert
Dorsey Lancaster
Dove Marchand
Downs Martiny
Durand McDonald
Erdey McVea
Fannin Montgomery
Farrar Morrell
Total - 103

NAYS

Total - 0

ABSENT

Anansardi Heaton

Total - 2

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.

Suspension of the Rules

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

HOUSE BILL NO. 733—
BY REPRESENTATIVE CAZAYOUX
AN ACT
To amend and reenact Children's Code Article 615(E)(1) and to enact Children's Code Articles 615(E)(4), 615.1, and 616.2, relative to a child in need of care; to provide for child abuse reporting and investigating; to provide a procedure for reporting to the district attorney; to create a central registry for reports of child sexual abuse; to authorize access to the registry; to provide for confidentiality; to require preservation of certain reports; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Cazayoux to Engrossed House Bill No. 733 by Representative Cazayoux

AMENDMENT NO. 1
On page 2, line 7, after "seq."
and before "admissible"
delete "They"
and insert "If a court determines that the files, records, and information are"

AMENDMENT NO. 2
On page 2, line 8, after "children"
and before "but"
delete "but"
and insert "those files, records, and information shall be"

AMENDMENT NO. 3
On page 3, line 15, after "sexual"
and before "and"
delete "and"
and physical"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Farrar
Alario Faucheux
Alexander Frith
Ansardi Gallot
Arnold Geymann
Badon Glover
Baldone Gray
Barrow Greene
Baudoin Guillory, E.
Baylor Harris
Beard Heaton
Bowler Hebert
Bruce Hill
Bruneau Honey
Burns Hopkins
Burrell Hunter
Carter, K. Hunter
Carter, R. Hutter
Cazayoux Jackson
Chandler Jefferson
Crane Johns
Crowe Kennard
Curtis Kenney
Damico Kleckley
Daniel LaBruzzo
Dartez LaFleur
DeWitt LaFonta
Doerge Lambert
Dorsey Lancaster
Dove Marchand
Downs Martiny
Durand McDonald
Erdey McVea
Fannin Montgomery
Farrar Morrell
Total - 103

NAYS

Total - 0

ABSENT

Anansardi Heaton

Total - 2

The Chair declared the above bill was finally passed.
The title of the above bill was read and adopted.

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

**Suspension of the Rules**

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

**Petitions, Memorials, and Communications**

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

**Message from the Senate**

**DISAGREEMENT TO SENATE BILL**

May 10, 2006

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

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 507 by Sen. Heitmeier, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

**Message from the Senate**

**APPOINTMENT OF CONFERENCE COMMITTEE**

May 10, 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 appointed the following committee to serve with a like committee from the House to confer on the disagreement to Senate Bill No. 507: Senators Mount, Heitmeier, and Adley.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

**Conference Committee Appointment**

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to Senate Bill No. 507: Reps. Alario, DeWitt, and Montgomery.

**Message from the Senate**

**HOUSE CONCURRENT RESOLUTIONS**

May 10, 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. 70
Returned without amendments

House Concurrent Resolution No. 170
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

**Message from the Senate**

**SENATE BILLS**

May 10, 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 Nos. 63, 183, 318, 453, 490, 539, 601, 623, 656, and 659

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. 63**

**BY SENATOR B. GAUTREAUX**

**AN ACT**

To amend and reenact R.S. 11:2257(F)(2)(b)(introductory paragraph) and to enact R.S. 11:2257(F)(2)(d), relative to the Firefighters' Retirement System; to provide with respect to the Deferred Retirement Option Plan; to provide for payment of interest on plan accounts; to provide for an effective date; and to provide for related matters.

Read by title.

**SENATE BILL NO. 183**

**BY SENATOR B. GAUTREAUX**

**AN ACT**

To amend and reenact R.S. 11:204(B) and 1147(B)(3) and (C), relative to the Louisiana School Employees' Retirement System; to provide with respect to disability benefits; to provide for eligibility and calculation of such benefits for persons who become members of the system on or after July 1, 2006; to provide for an effective date; and to provide for related matters.

Read by title.

**SENATE BILL NO. 318**

**BY SENATOR B. GAUTREAUX**

**AN ACT**

To amend and reenact R.S. 11:2257(F)(2)(b), relative to the Firefighters' Retirement System; to provide with respect to disability; to reauthorize conversion of regular retirement to disability retirement; to provide for an effective date; and to provide for related matters.

Read by title.
SENATE BILL NO. 453—
BY SENATOR MALONE
AN ACT
To amend and reenact R.S. 38:2212(A)(1)(d)(iv), relative to public contracts; to provide limitations; to provide for related matters.
Read by title.

SENATE BILL NO. 490—
BY SENATOR BARHAM
AN ACT
To amend and reenact R.S. 33:2337(D), relative to municipalities and parishes; to provide for mutual aid between local law enforcement agencies responding to a disaster; and to provide for related matters.
Read by title.

SENATE BILL NO. 539—
BY SENATOR ULLO
AN ACT
To enact R.S. 17:84.2, relative to school board business managers or chief financial officers; to require the State Board of Elementary and Secondary Education to promulgate rules establishing qualifications for financial officers employed by school boards; to provide for a period in which business managers or chief financial officers may acquire certain qualifications; to authorize school systems to share certain officers and employees; and to provide for related matters.
Read by title.

SENATE BILL NO. 601—
BY SENATOR N. GAUTREAUX
AN ACT
To enact Chapter 5-O of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:380.121 through 380.126, and R.S. 36:744(Z) and 801.19, relative to museums; to establish the Louisiana Military Hall of Fame and Museum in the Department of State; to provide for location of the facility; to provide for a governing board, membership, appointment, and compensation; to provide for duties and powers of the board; to provide for operating funds and appropriations by the legislature; to provide for donations, loans, disposition of property, and use of collections; to provide relative to the authority of the secretary of state with respect to the museum; to provide relative to personnel and budgets of the museum; and to provide for related matters.
Read by title.

SENATE BILL NO. 623—
BY SENATOR BOASSO
AN ACT
To enact R.S. 38:2212(A)(1)(d)(iv), relative to public contracts; to increase the contract limit for certain projects to repair hurricane or storm-related damage to public buildings caused by Hurricane Katrina or Hurricane Rita; to provide for applicability of certain laws governing the advertising and letting of contracts; to provide limitations; to provide for effectiveness; and to provide for related matters.
Read by title.

SENATE BILL NO. 659—
BY SENATOR BARHAM
AN ACT
To amend and reenact R.S. 33:130.105(A), relative to the Morehouse Economic Development District; to increase the maximum rate of ad valorem tax which the district is authorized to levy; and to provide for related matters.
Read by title.

Message from the Senate

SIGNED SENATE CONCURRENT RESOLUTIONS

May 10, 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. 74, 77, 78, 79, and 81 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.

Message from the Senate

SIGNED SENATE BILLS AND JOINT RESOLUTIONS

May 10, 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 Bills:

Senate Bill Nos. 12, 107, 126, 153, and 563 and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

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

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. 191—
BY REPRESENTATIVE PITRE
A CONCURRENT RESOLUTION
To suspend until sixty days after final adjournment of the 2006 Regular Session of the Legislature of Louisiana that portion of Act No. 57 of the 2005 Regular Session of the Louisiana Legislature that delineates the coordinates of the approximately five acres to be used by the Grand Isle Port Commission for off-bottom oyster culture.
Read by title.
Lies over under the rules.
HOUSE CONCURRENT RESOLUTION NO. 192—
BY REPRESENTATIVES QUEZAIRE, HONEY, KENNARD, AND WHITE
A CONCURRENT RESOLUTION
To urge and request the Department of Transportation and Development to study the feasibility of widening Harding Boulevard, Louisiana Highway 408, from Southern University Agricultural and Mechanical College on its western end to Central, Louisiana and on its eastern end and to submit a written report on its findings and recommendations to the House and Senate Committees on Transportation, Highways and Public Works prior to the convening of the 2007 Regular Session.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 193—
BY REPRESENTATIVE PITRE AND SENATOR DUPRE
A CONCURRENT RESOLUTION
To approve the Fiscal Year 2006-2007 Coastal Wetlands Protection and Restoration Plan as adopted by the Coastal Protection and Restoration Authority (authority).

Read by title.

Lies over under the rules.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Administration of Criminal Justice

May 10, 2006

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Administration of Criminal Justice to submit the following report:

House Concurrent Resolution No. 151, by Martiny
Reported favorably. (10-0)

House Bill No. 190, by Martiny
Reported with amendments. (10-0) (Regular)

House Bill No. 254, by Crowe
Reported with amendments. (9-0) (Regular)

House Bill No. 421, by Burrell
Reported by substitute. (8-0) (Regular)

House Bill No. 817, by Hopkins
Reported with amendments. (5-2-1) (Regular)

House Bill No. 1199, by Crowe
Reported with amendments. (8-0) (Regular)

Senate Concurrent Resolution No. 17, by Murray
Reported favorably. (12-0)

Senate Concurrent Resolution No. 33, by Murray
Reported with amendments. (10-0)

Senate Bill No. 2, by Gautreaux, N.
Reported with amendments. (8-0) (Regular)

Senate Bill No. 85, by Jones
Reported favorably. (8-0) (Regular)

Senate Bill No. 180, by Jones
Reported favorably. (8-0) (Regular)

Senate Bill No. 228, by Jones
Reported favorably. (8-0) (Regular)

Senate Bill No. 253, by Gautreaux, N.
Reported favorably. (8-0) (Regular)

Senate Bill No. 289, by Fields
Reported favorably. (12-0) (Regular)

Senate Bill No. 477, by Cain
Reported favorably. (10-0) (Regular)

Senate Bill No. 547, by Murray
Reported favorably. (12-0) (Regular)

DANIEL MARTINY
Chairman

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

Report of the Committee on Education

May 10, 2006

To the Speaker and Members of the House of Representatives:

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

House Bill No. 916, by Ansardi
Reported with amendments. (13-0) (Regular)

House Bill No. 1082, by Walsworth
Reported with amendments. (13-0) (Regular)

House Bill No. 1287, by Gray
Reported with amendments with recommendation to recommit the bill to the Committee on Appropriations. (13-0)

CARL CRANE
Chairman

Report of the Committee on Health and Welfare

May 10, 2006

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Health and Welfare to submit the following report:

House Bill No. 369, by Damico
Reported with amendments. (12-0) (Regular)

House Bill No. 582, by Crowe
Reported by substitute. (14-0) (Regular)

House Bill No. 626, by Baldone
Reported with amendments. (14-0) (Regular)

House Bill No. 875, by Townsend
Reported by substitute. (12-0) (Regular)

House Bill No. 1255, by Durand
Reported with amendments. (12-0) (Regular)

SYDNIE MAE DURAND
Chairman
Report of the Committee on Insurance
May 10, 2006
To the Speaker and Members of the House of Representatives:

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

House Bill No. 517, by K. Carter
Reported with amendments. (11-0) (Regular)

House Bill No. 520, by K. Carter
Reported with amendments. (15-0) (Regular)

House Bill No. 914, by Toomy
Reported with amendments. (14-0) (Regular)

House Bill No. 928, by K. Carter
Reported by substitute. (9-1-1) (Regular)

House Bill No. 1141, by Hebert
Reported with amendments. (14-0) (Regular)

House Bill No. 1289, by Morrell
Reported with amendments. (10-5-1) (Regular)

KAREN CARTER
Chairman

Report of the Committee on Natural Resources
May 10, 2006
To the Speaker and Members of the House of Representatives:

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

House Concurrent Resolution No. 29, by Odinet
Reported with amendments. (11-0)

House Bill No. 702, by Odinet
Reported with amendments. (11-0) (Regular)

House Bill No. 802, by Frith
Reported with amendments. (11-0) (Regular)

House Bill No. 838, by St. Germain
Reported favorably. (10-0) (Regular)

House Bill No. 839, by St. Germain
Reported favorably. (9-0) (Regular)

House Bill No. 1161, by St. Germain
Reported favorably. (9-0) (Regular)

House Bill No. 1231, by Walker
Reported favorably. (9-0) (Regular)

House Bill No. 1249, by Odinet
Reported favorably. (9-0) (Regular)

Senate Bill No. 26, by Dupre
Reported with amendments. (10-0) (Regular)

Senate Bill No. 146, by McPherson
Reported with amendments. (9-0) (Regular)

Senate Bill No. 162, by Ellington
Reported favorably. (9-0) (Regular)

Senate Bill No. 692, by Adley
Reported favorably. (9-0) (Regular)

WILFRED PIERRE
Chairman

Privileged Report of the Legislative Bureau
May 10, 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. 173
Reported without amendments.

Senate Bill No. 250
Reported without amendments.

Respectfully submitted,
CHARLES MCDONALD
Chairman

Privileged Report of the Committee on Enrollment
May 10, 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. 59—
BY REPRESENTATIVES CRANE AND DORSEY
A RESOLUTION
To commend and congratulate April Burkholder, the 2006 National Collegiate Athletic Association balance beam champion, for her outstanding accomplishments, to recognize her achievements and contributions as a renowned gymnast, and to extend to her best wishes in her future endeavors.

HOUSE RESOLUTION NO. 60—
BY REPRESENTATIVES CRANE AND DORSEY
A RESOLUTION
To commend and congratulate April Burkholder, Kelly Lea, and Terin Martinjak, the seniors on the 2006 Louisiana State University gymnastics team, upon their astounding contributions and achievements.

HOUSE RESOLUTION NO. 61—
BY REPRESENTATIVE QUEZAIRE
A RESOLUTION
To direct the Clerk of the House of Representatives to prepare a re-enrolled version of House Concurrent Resolution No. 126 of the 2006 Regular Session of the Legislature of Louisiana.

HOUSE RESOLUTION NO. 62—
BY REPRESENTATIVE KLECKLEY
A RESOLUTION
To commend the Band of Blue of Alfred M. Barbe High School of Lake Charles.

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

May 10, 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. 169—**
BY REPRESENTATIVES SCALISE, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUENEAU, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUS, CHANDLER, CRANE, CRAVINS, CROWE, CURTIS, D AMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOW GYMMANN, GLOVER, GRAY, GREENE, E. GUILLOIR Y, M. GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCaster, MARCHAND, MARTINy, McDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, O'DINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JAN SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADELL, WALKER, WALSWORTH, WHITE, WINTSON, and WOOTON
A CONCURRENT RESOLUTION

To commend DynMcDermott Petroleum Operations Company for being selected as a 2005 recipient of the Malcolm Baldrige National Quality Award for management excellence.

**HOUSE CONCURRENT RESOLUTION NO. 171—**
BY REPRESENTATIVE BARROW AND SENATORS BROOME AND FIELDS
A CONCURRENT RESOLUTION

To commend the Glen Oaks High School Security Dads.

**HOUSE CONCURRENT RESOLUTION NO. 172—**
BY REPRESENTATIVE BARROW AND SENATORS BROOME AND FIELDS
A CONCURRENT RESOLUTION

To commend the Glen Oaks High School Lady Panthers basketball team upon winning the Class 4A state championship.

**HOUSE CONCURRENT RESOLUTION NO. 173—**
BY REPRESENTATIVE BARROW AND SENATOR BROOME
A CONCURRENT RESOLUTION

To commend Mrs. Connecticut Todd for her outstanding achievements and for her steadfast dedication to foster parenting.

**HOUSE CONCURRENT RESOLUTION NO. 174—**
BY REPRESENTATIVE BADON
A CONCURRENT RESOLUTION

To commend and congratulate Paul John Tagliabue on his retirement after sixteen years of service as commissioner of the National Football League.

**HOUSE CONCURRENT RESOLUTION NO. 175—**
BY REPRESENTATIVE LABRUZZO
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to make the widening of Interstate 10 from New Orleans, Louisiana, to Baton Rouge, Louisiana, a high priority project and to include funding for this project as part of the state's request for funding from the federal government to address critical infrastructure needs as a result of the devastation caused by Hurricanes Katrina and Rita during the 2005 hurricane season.

**HOUSE CONCURRENT RESOLUTION NO. 176—**
BY REPRESENTATIVE WALKER AND SENATOR HINES
A CONCURRENT RESOLUTION

To commend Earl J. Barby, Sr., chairman of the Tunica-Biloxi Tribe of Louisiana, upon being honored as a 2006 Louisiana Legend by Friends of Louisiana Public Broadcasting and to recognize his singular achievements and contributions.

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. Thompson, the rules were suspended to permit the Committee on Agriculture, Forestry, Aquaculture, and Rural Development to consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

- Senate Bill No. 196
- Senate Concurrent Resolution No. 76

Suspension of the Rules

On motion of Rep. Baylor, the rules were suspended to permit the Committee on Municipal, Parochial and Cultural Affairs to consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

- House Bill No. 935

Suspension of the Rules

On motion of Rep. Schneider, the rules were suspended to permit the Committee on Retirement to consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

- House Bill Nos. 705, 766, 816, 1017, and 1026
- House Concurrent Resolution No. 118

Adjournment

On motion of Rep. Kenney, at 6:48 P.M., the House agreed to adjourn until Thursday, May 11, 2006, at 1:00 P.M.

The Speaker of the House declared the House adjourned until 1:00 P.M., Thursday, May 11, 2006.

ALFRED W. SPEER
Clerk of the House