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

TWENTY-SEVENTH DAY'S PROCEEDINGS

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

House of Representatives
State Capitol
Baton Rouge, Louisiana

Monday, May 15, 2006

The House of Representatives was called to order at 2:30 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 Alario Alexander Ansardi Arnold Badon Baldone Barrow Baudoin Baylor Beard Bowler Bruce Bruneau Burns Burrell Carter, R. Cazayoux Chandler Crane Cravins Crowe Curtis Damico Daniel Dartez DeWitt Doerge Dorsey Dove


ABSENT

Kennard

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

Prayer

Prayer was offered by Rep. Barrow.

Pledge of Allegiance

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

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

Petitions, Memorials and
Communications

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

Message from the Senate

SENATE BILLS

May 15, 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. 22, 34, 207, 296, and 502

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. 22—
BY SENATOR SMITH

AN ACT
To amend and reenact R.S. 9:4103(A) and 4106(A)(2), relative to
mediators and the Louisiana Mediation Act; to authorize court
ordered mediation at the request of one party; to provide relative
to qualifications of mediators; to provide relative to persons
who served as judges; and to provide for related matters.

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

**SENATE BILL NO. 48**

BY SENATORS FONTENOT, MOUNT AND SCHEDLER

To enact R.S. 40:1238.1, 1238.2, and 1238.3, relative to public health and safety; to prohibit certain acts without a prescription for legend drugs; to prohibit prescriptions in certain circumstances; to provide for exceptions; to provide for penalties; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 78**

BY SENATOR THEUNISSEN

To amend and reenact R.S. 31:11, relative to minerals; to provide relative to mineral rights and ownership of land; to provide relative to reservations of mineral rights; to provide relative to correlative rights; to provide relative to transfers of ownership of land; to provide certain requirements, conditions, and terms; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Civil Law and Procedure.

**SENATE BILL NO. 101**

BY SENATOR MCPHERSON

To amend and reenact R.S. 26:90(I) and (J) and 286(I) and (J), and to enact R.S. 26:90(K) and 286(K), relative to alcoholic beverages; to increase the penalties for selling alcoholic beverages to a minor; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 178**

BY SENATOR KOSTELKA

To enact R.S. 14:95(K), relative to illegal carrying and discharge of weapons; to provide for certain exemptions from the prohibition of carrying concealed weapons for retired justices and judges who are qualified annually by the Council on Peace Officer Standards and Training; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 455**

BY SENATOR MALONE

To amend and reenact Section 6 of Act 169 of the 2005 Regular Session of the Legislature of Louisiana, relative to recordation of documents; to provide relative to mineral rights and certain civil actions; to provide an exemption for certain mineral leases; and to provide for related matters.

Read by title.
Under the rules, the above bill was referred to the Committee on Civil Law and Procedure.

SENATE BILL NO. 583—
BY SENATOR FONTENOT
AN ACT
To enact R.S. 30:2413.1, relative to environmental quality; to require the secretary of the Department of Environmental Quality to develop and implement a comprehensive debris management plan for certain debris generated by natural disasters; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 617—
BY SENATOR MARIONNEAUX
AN ACT
To enact R.S. 37:223, relative to professions and occupations; to provide for definitions, certification, authorized functions, and qualifications; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 682—
BY SENATOR MCPherson
AN ACT
To enact Part I-A of Chapter 11-A of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:1025.1 through 1025.8, relative to licensed nursing facilities and adult residential care providers; to authorize certified medication attendants in licensed nursing facilities and adult residential care providers; to provide for definitions, certification, authorized and prohibited functions, and qualifications; 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. 739—
BY SENATORS BOASSO, BAJOIE, BARHAM, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, B. GAUTREAUX, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MURRAY, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH AND THEUNISSEN AND REPRESENTATIVE SCALISE
AN ACT
To amend and reenact R.S. 39:15.2(A) and to enact R.S. 29:726.1 through 726.7, and Chapter 18 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:1151 through 1157, relative to intergovernmental communications interoperability; to provide for the creation of the office of interoperability; to provide for a communications interoperability director; to establish the Statewide First Responders Interoperability Committee to design, construct, administer, and maintain a state wide shared communications system for first responders; to create the Louisiana Statewide Interoperability Executive Committee to design, construct, administer, and maintain a Statewide Communication Interoperability Plan; to provide for coordination with the chief information officer; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 249—
BY SENATOR NEVERS
AN ACT
To amend and reenact R.S. 23:1371(B), 1372, 1375(B), 1377(C)(1), and (2), and (D)(1), 1378(A)(1), (2), (3)(a)(iii), (b)(ii), and (7), (E), and (F)(30), and 1379, and to enact R.S. 23:1371(D) and 1371.1, relative to workers’ compensation; to provide with respect to the Louisiana Workers’ Compensation Second Injury Fund; to provide for the confidentiality of records; to provide for definitions; to provide for membership to the second injury board; to provide for the personnel of the second injury board; to provide for payment of assessments and penalties to the second injury fund; to provide for prescriptive periods for submission of requests for reimbursement; to provide for required reports to the second injury board; to provide for notice of decisions of the second injury board; to provide for diagnosis of mental retardation in a second injury fund claim; to provide for the annual report of the second injury board; and to provide for related matters.

Called from the calendar.

Read by title.

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

House and House Concurrent Resolutions Reported by Committee

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

HOUSE CONCURRENT RESOLUTION NO. 31—
BY REPRESENTATIVE ROBIDEAUX
A CONCURRENT RESOLUTION
To direct the attorney general to examine the interaction between the applicable provisions of Title 47 of the Louisiana Revised Statutes of 1950 regarding income taxes and the provisions of the Louisiana Election Code and determine what, if any, implications exist if a displaced citizen files a nonresident or part-year resident state income tax form, particularly one listing an out-of-state address, and is registered to vote in Louisiana and votes in Louisiana elections; to design an appropriate notice to displaced citizens which simply and concisely outlines any such implications; and to expeditiously mail such notice to all displaced citizens of Louisiana with an out-of-state address in accordance with the most current list of such persons obtained by the attorney general from the Federal Emergency Management Agency.

Read by title.

Reported by substitute by the Committee on House and Governmental Affairs.

The substitute was read by title as follows:

HOUSE CONCURRENT RESOLUTION NO. 201 (Substitute for House Concurrent Resolution No. 31 by Representative Robideaux)—
BY REPRESENTATIVE ROBIDEAUX
A CONCURRENT RESOLUTION
To direct the secretary of the Department of Revenue to design an appropriate notice to displaced citizens of this state providing information on domicile and residence requirements for filing individual income taxes as provided in Title 47 of the Louisiana Revised Statutes of 1950 and to expeditiously mail such notice to all displaced citizens of Louisiana.

Read by title.
On motion of Rep. Lancaster, the substitute was adopted and became House Concurrent Resolution No. 201 by Rep. Robideaux, on behalf of the Committee on House and Governmental Affairs, as a substitute for House Concurrent Resolution No. 31 by Rep. Robideaux.

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

HOUSE CONCURRENT RESOLUTION NO. 118—
BY REPRESENTATIVE ARNOLD
A CONCURRENT RESOLUTION
To urge and request the nine statewide public retirement systems to direct at least ten percent of certain trades and commissions through broker-dealers who have been incorporated, domiciled, or who have their principal trading operations in Louisiana for at least two years as required by law applicable to the four state retirement systems, provided no additional costs are incurred by the systems.

Read by title.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on Retirement to Original House Concurrent Resolution No. 118 by Representative Arnold

AMENDMENT NO. 1
On page 1, at the end of line 6, delete the period "." and insert a comma "," and "provided no additional costs are incurred by the systems."

AMENDMENT NO. 2
On page 1, after line 20, insert the following:

"WHEREAS, state law mandates that the prudent man rule shall be applied by each public retirement system, fund, or plan and requires each fiduciary of a retirement system and each board of trustees acting collectively on behalf of each system to act with the care, skill, prudence, and diligence under the circumstances prevailing that a prudent institutional investor acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of like character and with like aims; and

WHEREAS, state law requires that all trades be subject to best efforts and best executions as defined by the Securities and Exchange Commission and the National Association of Securities Dealers; and

AMENDMENT NO. 3
On page 2, line 1, after "systems" and before "would" insert "to those required by law for state retirement systems"

AMENDMENT NO. 4
On page 2, at the end of line 8, delete the period "," and insert a comma "," and "provided no additional costs are incurred by the systems."

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

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

Senate Concurrent Resolutions Reported by Committee

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

SENATE CONCURRENT RESOLUTION NO. 76—
BY SENATOR DARDENNE
A CONCURRENT RESOLUTION
To urge and request the Senate Committee on Agriculture, Forestry, Aquaculture and Rural Development and the House Committee on Agriculture, Forestry, Aquaculture and Rural Development to meet and function as a joint committee to study the feasibility of creating a Louisiana agricultural and seafood surplus products purchase program and the creation of a purchasing board to oversee the program; and to report its findings, together with any recommendations for legislation, to the legislature.

Read by title.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

Under the rules, the above resolution was recommitted to the Committee on House and Governmental Affairs.

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. 54—
BY REPRESENTATIVE TOWNSEND
AN ACT
To enact R.S. 44:9(J), relative to expungement or destruction of criminal records; to provide a procedure for the destruction of certain expunged arrest records; to provide for applicability; to provide for the rights of a person having an arrest record destroyed; to provide for retroactive application; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on House and Governmental Affairs to Engrossed House Bill No. 54 by Representative Townsend

AMENDMENT NO. 1
On page 2, line 9, after "agency's" and before "central" insert "or law enforcement office's"

AMENDMENT NO. 2
On page 2, line 12, after "agency" and before "which said" and insert "or law enforcement office"

AMENDMENT NO. 3
On page 2, line 15, after "agency's" and before "files" insert "or law enforcement office's"
On motion of Rep. Lancaster, the amendments were adopted.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 144—**

**By Representatives Hunter, Durand, and Montgomery**

**AN ACT**

To enact Part II of Chapter 6 of Title 23 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 23:661 through 669, relative to payment of wages; to provide for definitions; to provide for prohibited acts constituting unequal pay; to require certain records be kept by employers; to provide for relief; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Labor and Industrial Relations.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Labor and Industrial Relations to Original House Bill No. 144 by Representative Hunter

**AMENDMENT NO. 1**

On page 1, line 3, after "through" change "665" to "669"

**AMENDMENT NO. 2**

On page 1, line 9, delete "to be" and after "through" change "665" to "669"

**AMENDMENT NO. 3**

On page 1, between lines 13 and 14 insert the following:

"§662. Declaration of public policy

The public policy of this state is declared to be that the practice of paying wages to employees of one sex at a lesser rate than the rate paid to employees of the opposite sex for comparable work on jobs which have comparable requirements unjustly discriminates against the person receiving the lesser rate; leads to low worker morale, high turnover, and frequent labor unrest; discourages workers paid at the lesser wage rates from training for higher level jobs; curtails employment opportunities; decreases workers' mobility, and increases labor cost; impairs purchasing power and impairs maintenance of an adequate standard of living by such workers and their families; prevents optimum utilization of the state's available labor resources; threatens the well-being of citizens of this state; and adversely affects the general welfare. It is therefore declared to be the policy of this state through the exercise of its police power to correct and, as rapidly as possible, to eliminate discriminatory wage practices based on sex."

**AMENDMENT NO. 4**

On page 1, line 14, change "§662" to "§663"

**AMENDMENT NO. 5**

On page 1, between lines 16 and 17 insert the following:

"(1) "Commission" means the Louisiana Commission on Human Rights."

**AMENDMENT NO. 6**

On page 1, line 17, change "(1)" to "(2)"

**AMENDMENT NO. 7**

On page 1, line 18, change "(2)" to "(3)"

**AMENDMENT NO. 8**

On page 1, line 19, after "person," insert "labor organization as defined in this Part."

**AMENDMENT NO. 9**

On page 2, line 3, change "(3)" to "(4)"

**AMENDMENT NO. 10**

On page 2, line 7, change "§663" to "§664"

**AMENDMENT NO. 11**

On page 3, between lines 18 and 19 insert the following:

"§665. Enforcement

The commission shall have the power and it shall be its duty to enforce the provisions of this Part.

§666. Complaint procedure

An employee claiming to be aggrieved by a violation of R.S. 23:661 et seq. may file a complaint with the commission requesting an investigation of the complaint pursuant to R.S. 51:2257 et seq.

§667. Liquidated damages

A. An employer who violates the provisions of this Part shall be liable to the affected employees in the amount of their unpaid wages, and an additional amount of one-half of unpaid wages in liquidated damages as well as reasonable attorney fees and cost.

B. In the event that such damages are appropriate, an employer who violates the provisions of this Part shall be liable to the affected employees for employment, reinstatement, promotion, and any benefits lost.

C. The award of monetary relief shall be limited to those violations which have occurred within a thirty-six-month period prior to the filing of a complaint with the commission.

D. The complainant may not be awarded monetary relief for losses incurred between the time of the commission's final determination and the final determination by the district court or higher appellate court, as the case may be.

E. Interim earnings by the employee discriminated against shall operate to reduce the monetary relief otherwise allowable.

F. Nothing in this Part prevents the settlement of a claim by agreement of the employer and employee for a lesser amount.

§668. Limitation of actions

A. Any action to recover unpaid wages and liquidated damages based on a violation of R.S. 23:661 et seq., must be commenced within one year of the date that an employee knows that his employer is in violation of this Part.

B. This one-year period shall be suspended during the pendency of any administrative review conducted by the commission.
AMENDMENT NO. 12
On page 3, delete lines 19 through 22 in their entirety

AMENDMENT NO. 13
On page 3, line 23, change "665" to "669"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 169—
BY REPRESENTATIVE BADON
AN ACT
To amend and reenact R.S. 40:2531(B)(7), relative to investigations of law enforcement officers; to provide for the length of time within which an investigation of certain law enforcement officers must be completed in a parish with a population exceeding four hundred seventy-five thousand; to provide for disciplinary action for failure to timely complete the investigative report; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Original House Bill No. 169 by Representative Badon

AMENDMENT NO. 1
On page 1, line 4, after "completed" and before the semicolon ";" insert "in a parish with a population exceeding four hundred seventy-five thousand"

AMENDMENT NO. 2
On page 1, line 13, immediately after "7" insert "(a)"

AMENDMENT NO. 3
On page 1, line 15, after "within" delete the remainder of the line and insert "sixty days."

AMENDMENT NO. 4
On page 1, delete lines 16 and 17 and on line 18, delete "to receive the report."

AMENDMENT NO. 5
On page 2, line 11, after "activity." delete the remainder of the line in its entirety

AMENDMENT NO. 6
On page 2, delete lines 12 through 14 in their entirety

AMENDMENT NO. 7
On page 2, after line 14, insert the following:

"(b) In a parish with a population exceeding four hundred seventy-five thousand according to the latest federal decennial census, except as otherwise provided in this Subparagraph, each investigation of a law enforcement officer which is conducted under the provisions of this Chapter shall be completed within one hundred twenty days from the date the complaint is made. For purposes of this Subparagraph, "completed" means the date the investigator submits the investigative report to his supervisor or officer designated to receive the report. However, in each municipality which is subject to a Municipal Fire and Police Civil Service law, the municipal police department may petition the Municipal Fire and Police Civil Service Board for an extension of the time within which to complete the investigation. The board shall set the matter for hearing and shall provide notice of the hearing to the officer who is under investigation. The officer who is under investigation shall have the right to attend the hearing and to present evidence and arguments against the extension. If the board finds that the municipal police department has shown good cause for the granting of an extension of time within which to complete the investigation, the board shall grant an extension of up to sixty days. Nothing contained in this Subparagraph shall be construed to prohibit the law enforcement officer under investigation and the appointing authority from entering into a written agreement extending the investigation for up to an additional sixty days. Further, nothing in this Subparagraph shall limit any investigation of alleged criminal activity. If the investigator fails to submit the completed report within the delay provided in this Subparagraph and any extensions granted in accordance with this Paragraph, the investigator shall be subject to disciplinary action in accordance with the rules applicable to his employment."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 347—
BY REPRESENTATIVE FRITH
AN ACT
To amend and reenact R.S. 3:3004(B), relative to impounding livestock found at large; to increase the fee for retrieval of escaped livestock in Vermilion Parish; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Original House Bill No. 347 by Representative Frith

AMENDMENT NO. 1
On page 1, line 20, after "for" and before "He" delete "each head of livestock taken." and insert "the first head of livestock taken and twenty dollars for each head taken thereafter for each call the office receives to secure livestock."

AMENDMENT NO. 2
On page 2, line 2, change "two" to "three"

On motion of Rep. Toomy, the amendments were adopted.
On motion of Rep. Toomy, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 567—
BY REPRESENTATIVES TOOMY AND ANSARDI
AN ACT
To amend and reenact R.S. 15:571.11(A)(1)(a) and to enact R.S. 15:571.11(N), relative to district courts; to provide for the disposition of fines and forfeitures; to provide for the payment of expenses incurred in the defense of indigent persons; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Judiciary.

The substitute was read by title as follows:

HOUSE BILL NO. 1385 (Substitute Bill for House Bill No. 567 by Representative Toomy)—
BY REPRESENTATIVES TOOMY AND ANSARDI
AN ACT
To enact R.S. 15:571.11(N), relative to the Twenty-Fourth Judicial District Court; to provide concerning the operational funds of the court; to provide relative to the Criminal Court Fund; to provide for transcription of indigent felony cases; and to provide for related matters.

Read by title.

On motion of Rep. Toomy, the substitute was adopted and became House Bill No. 1385 by Rep. Toomy, on behalf of the Committee on Judiciary, as a substitute for House Bill No. 567 by Rep. Toomy.

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

HOUSE BILL NO. 705—
BY REPRESENTATIVE WHITE
AN ACT
To enact R.S. 11:1307(F), relative to the State Police Pension and Retirement System; to provide an additional benefit for certain retirees and their surviving spouses, subject to certain limitations; to provide with respect to disability retirees; to provide an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Original House Bill No. 705 by Representative White

AMENDMENT NO. 1

On page 1, line 13, after "F.(1)" delete the remainder of the line and delete lines 14 through 19 and insert the following:

"Notwithstanding any provision of law to the contrary, any retiree of this system who has twenty or more years of service credit in the system and has been retired for at least five years on June 30, 2006, and whose monthly regular retirement benefit provided pursuant to this Section does not exceed one thousand two hundred dollars, shall be paid, in addition to such monthly regular retirement benefit, the sum of three hundred dollars per month provided that such additional monthly benefit shall not cause the retiree's monthly benefit to exceed the sum of one thousand two hundred dollars, and such additional monthly benefit shall be reduced accordingly."

AMENDMENT NO. 2

On page 2, at the end of line 4 insert "For the purposes of this Paragraph, surviving spouse shall mean a person who is married to the retiree at the time of his death."

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 775—
BY REPRESENTATIVE HUNTER
AN ACT
To amend and reenact R.S. 23:1235, relative to tutorship; to provide for the direct payment to children who are eighteen years or older; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Labor and Industrial Relations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Labor and Industrial Relations to Original House Bill No. 775 by Representative Hunter

AMENDMENT NO. 1

On page 1, line 17, after "older" insert a comma "," and "except when the dependent is mentally or physically impaired."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 791—
BY REPRESENTATIVES LANCASTER, SMILEY, ALARIO, DEWITT, DORSEY, HAMMETT, JEFFERSON, RICHMOND, RITCHIE, AND SALTER AND SENATORS BAJOIE, HINES, MOUNT, AND NEVERS
AN ACT
To amend and reenact R.S. 17:2047(B) and 2048(C), R.S. 23:1871(O) and (P), R.S. 25:1223(E) and 1224(A)(introductory paragraph) and (13), R.S. 37:1005(B), and R.S. 46:2674(A)(2), to enact R.S. 36:209(H)(3) and 259(D), and to repeal Part X of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, comprised of R.S. 3:551.81 through 551.85, R.S. 23:103 and 103(13) and (1) and (G)(2), R.S. 23:1223(C) and 1223.1, Chapter 30 of Title 25 of the Louisiana Revised Statutes of 1950, comprised of R.S. 25:1261 through 1264, Part I of Chapter 6 of Title 30 of the Louisiana Revised Statutes of 1950, comprised of R.S. 30:401, Chapter 27 of Title 34 of the Louisiana Revised Statutes of 1950, comprised of R.S. 34:2351 through 2357, R.S. 36:109(G)(2), 209(I), (R), (T), and (Y), 239(C), 259(E)(22) and (HH), 309(H), 359(H), 629(E)(2), 744(K), 802.13, 802.20, and 919.5, Subpart C of Part III of Chapter 11 of Title 37 of the Louisiana Revised Statutes of 1950, comprised of R.S. 37:1007, R.S. 38:291(J) and 421(I), Chapter 15 of Title 41 of the Louisiana Revised Statutes of 1950, comprised of R.S. 41:1751
### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 791 by Representative Lancaster

<table>
<thead>
<tr>
<th>AMENDMENT NO. 1</th>
<th>On page 1, line 2, after &quot;reenact&quot; insert &quot;R.S. 17:2047(B) and 2048(C), R.S. 23:1871(O) and (P),&quot;</th>
</tr>
</thead>
<tbody>
<tr>
<td>AMENDMENT NO. 2</td>
<td>On page 1, line 2, after &quot;and (13),&quot; and before &quot;to&quot; insert &quot;R.S. 37:1005(B), and R.S. 46:2674(A)(2),&quot;</td>
</tr>
<tr>
<td>AMENDMENT NO. 3</td>
<td>On page 1, at the end of line 4, after &quot;551.85,&quot; insert &quot;R.S. 23:103 and 1871(C)(13) and (G)(2),&quot;</td>
</tr>
<tr>
<td>AMENDMENT NO. 4</td>
<td>On page 1, line 9, after &quot;R.S. 36:109&quot; delete &quot;(B),&quot; and insert &quot;(G)(2),&quot;</td>
</tr>
<tr>
<td>AMENDMENT NO. 5</td>
<td>On page 1, line 9, after &quot;(R),&quot; and before &quot;359(H),&quot; delete &quot;and (T),&quot; and insert &quot;(T), and (Y), 239(C), 259(E)(22) and (HH), 309(H),&quot;</td>
</tr>
<tr>
<td>AMENDMENT NO. 6</td>
<td>On page 1, line 10, after &quot;744(K),&quot; and before &quot;Part&quot; delete &quot;and 802.13&quot; and insert the following: &quot;802.13, 802.20, and 919.5, Subpart C of Part III of Chapter 11 of Title 37 of the Louisiana Revised Statutes of 1950, comprised of R.S. 37:1007, R.S. 38:291(J) and 421(I), Chapter 15 of Title 41 of the Louisiana Revised Statutes of 1950, comprised of R.S. 41:1751 through 1753, Chapter 5-I of Title 45 of the Louisiana Revised Statutes of 1950, comprised of R.S. 45:484.21 through 844.25, R.S. 46:2675, Chapter 7 of Subtitle III of Title 47 of the Louisiana Revised Statutes of 1950, comprised of R.S. 47:2341 through 2347, Part VI-D of Chapter 1 of Title 48 of the Louisiana Revised Statutes of 1950, comprised of R.S. 48:109.1, R.S. 49:229.1, Chapter 40 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:2401 through 2406, and Act No. 319 of the 1977 Regular Session of the Legislature, relative to boards, commissions, districts, authorities, and like entities; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Pork Promotion Board; to remove references to and provisions for the Louisiana-Mississippi Atchafalaya Trace Advisory Board; to remove references to, provisions for, and the powers, functions, and duties of the Grant Parish Port Commission; to remove references to, provisions for, and the powers, functions, and duties of the Nursing Supply and Demand Commission; to remove references to, provisions for, and the powers, functions, and duties of the North Bossier Levee District; to remove references to, provisions for, and the powers, functions, and duties of the 211 Planning Advisory Board, including certain duties of the Public Service Commission relative to the study of and reports relative to a 211 information and referral system; to remove references to, provisions for, and the powers, functions, and duties of the Department of Culture, Recreation and Tourism; to abolish the Red River Development Council; to remove references to, provisions for, and the powers, functions, and duties of the Atchafalaya Trace Authority; to abolish the Louisiana Unmarked Burial Sites Board and provide that its powers, duties, functions, and responsibilities are transferred to the secretary of the Department of Culture, Recreation and Tourism; to abolish the Rural Health Care Authority and provide that its powers, functions, and duties are transferred to the secretary of the Department of Health and Hospitals; to remove references to, provisions for, and the powers, functions, and duties of the Manchac Parkway and its commission; to remove references to, provisions for, and the powers, functions, and duties of the First Stop Shop Coordinating Council; to remove references to, provisions for, and the powers, functions, and duties of the 211 Planning Advisory Board, including certain duties of the Public Service Commission relative to the study of and reports relative to a 211 information and referral system; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Advisory Committee on Assisted Living; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Biomedical Research Development Park Commission and the Louisiana Litter Reduction and Public Action Commission; to remove references to, provisions for, and the powers, functions, and duties of the Education Facilities Trust Fund District and its board of trustees; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Private Employment Service Advisory Council; to remove references to, provisions for, and the powers, functions, and duties of the North Bossier Levee District; to remove references to, provisions for, and the powers, functions, and duties of the 211 Planning Advisory Board, including certain duties of the Public Service Commission relative to the study of and reports relative to a 211 information and referral system; to remove references to, provisions for, and the powers, functions, and duties of the Department of Culture, Recreation and Tourism; to abolish the Rural Health Care Authority and provide that its powers, functions, and responsibilities are transferred to the secretary of the Department of Health and Hospitals; and to provide for related matters.</td>
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<tr>
<td>AMENDMENT NO. 7</td>
<td>On page 1, line 11, after &quot;R.S. 49:229.1,&quot; delete the remainder of the line and delete line 12 and at the beginning of line 13, delete &quot;978,&quot;</td>
</tr>
<tr>
<td>AMENDMENT NO. 8</td>
<td>On page 1, at the beginning of line 18, insert &quot;Louisiana&quot;</td>
</tr>
<tr>
<td>AMENDMENT NO. 9</td>
<td>On page 2, line 2, after &quot;Commission;&quot; delete the remainder of the line and delete lines 3 and 4 and insert the following: &quot;to remove references to, provisions for, and the powers, functions, and duties of the Nursing Supply and Demand Commission; to remove references to, provisions for, and the powers, functions, and duties of the Nursing Supply and Demand Commission; to remove references to, provisions for, and the powers, functions, and duties of the Manchac Parkway and its commission; to remove references to, provisions for, and the powers, functions, and duties of the First Stop Shop Coordinating Council; to remove references to, provisions for, and the powers, functions, and duties of the 211 Planning Advisory Board, including certain duties of the Public Service Commission relative to the study of and reports relative to a 211 information and referral system; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Advisory Committee on Assisted Living; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Biomedical Research Development Park Commission and the Louisiana Litter Reduction and Public Action Commission; to remove references to, provisions for, and the powers, functions, and duties of the Education Facilities Trust Fund District and its board of trustees; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Private Employment Service Advisory Council; to remove references to, provisions for, and the powers, functions, and duties of the North Bossier Levee District; to remove references to, provisions for, and the powers, functions, and duties of the 211 Planning Advisory Board, including certain duties of the Public Service Commission relative to the study of and reports relative to a 211 information and referral system; to remove references to, provisions for, and the powers, functions, and duties of the Department of Culture, Recreation and Tourism; to abolish the Rural Health Care Authority and provide that its powers, functions, and responsibilities are transferred to the secretary of the Department of Health and Hospitals; and to provide for related matters.</td>
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through 1753, Chapter 8-1 of Title 45 of the Louisiana Revised Statutes of 1950, comprised of R.S. 45:844.21 through 844.25, R.S. 46:2675, Chapter 7 of Subtitle III of Title 47 of the Louisiana Revised Statutes of 1950, comprised of R.S. 47:2341 through 2347, Part VI-D of Chapter 1 of Title 48 of the Louisiana Revised Statutes of 1950, comprised of R.S. 48:109.1, R.S. 49:229.1, Chapter 40 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:2401 through 2406, and Act No. 319 of the 1977 Regular Session of the Legislature, relative to boards, commissions, districts, authorities, and like entities; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Pork Promotion Board; to remove references to and provisions for the Louisiana-Mississippi Atchafalaya Trace Advisory Board; to remove references to, provisions for, and the powers, functions, and duties of the Grant Parish Port Commission; to remove references to, provisions for, and the powers, functions, and duties of the Nursing Supply and Demand Commission; to remove references to, provisions for, and the powers, functions, and duties of the North Bossier Levee District; to remove references to, provisions for, and the powers, functions, and duties of the 211 Planning Advisory Board, including certain duties of the Public Service Commission relative to the study of and reports relative to a 211 information and referral system; to remove references to, provisions for, and the powers, functions, and duties of the Department of Culture, Recreation and Tourism; to abolish the Red River Development Council; to remove references to, provisions for, and the powers, functions, and duties of the Atchafalaya Trace Authority; to abolish the Louisiana Unmarked Burial Sites Board and provide that its powers, duties, functions, and responsibilities are transferred to the secretary of the Department of Culture, Recreation and Tourism; to abolish the Rural Health Care Authority and provide that its powers, functions, and responsibilities are transferred to the secretary of the Department of Health and Hospitals; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:
and Development Park Commission and the Louisiana Litter Reduction and Public Action Commission; to remove references to,

AMENDMENT NO. 10
On page 2, line 10, after "commission;" delete the remainder of the line and delete line 11 and on line 12, delete "Promotion Board;"

AMENDMENT NO. 11
On page 2, line 15, change "provides" to "provide"

AMENDMENT NO. 12
On page 2, between lines 21 and 22, insert the following:

"Section 1. R.S. 17:2047(B) and 2048(C) are hereby amended and reenacted to read as follows:

§2047. Nurse training programs; student demand; documentation; report; authorization to obtain criminal history record information
* * *

B. Such records shall be submitted to the Board of Regents and the postsecondary education management boards on a quarterly basis and shall also be submitted to the Nursing Supply and Demand Commission on whatever schedule they request.
* * *

§2048. Nurse training programs; establishment
* * *

C. Expansion of existing programs or establishment of additional programs shall be sought with due regard for the efficient expenditure of state funds and after consultation with the Nursing Supply and Demand Commission.

Section 2. R.S. 23:1871(O) and (P) are hereby amended and reenacted to read as follows:

§1871. Louisiana Health Works Commission; creation; membership; compensation; staff and facilities; powers and duties; data collection and reporting
* * *

O.(+) The commission shall solicit, accept, and consider any recommendations forwarded by the Nursing Supply and Demand Commission (R.S. 37:1007), and the Medical Education Commission (R.S. 17:1519.8), and the Allied Health Workforce Council. These commissions and the council shall recommend specific and targeted strategies to the Louisiana Health Works Commission for purposes of coordination among various state departments by the Louisiana Health Works Commission.

(2) The Nursing Supply and Demand Commission, the Medical Education Commission, and the Allied Health Workforce Council shall each make initial reports to the commission no later than September 1, 2002.

P. Nothing herein shall dilute the powers of the Nursing Supply and Demand Commission as established by the legislature in R.S. 37:1007 or the Medical Education Commission as established by the legislature in R.S. 17:1519.8, Nothing herein shall allow the Louisiana Health Works Commission the authority to negate recommendations by the Nursing Supply and Demand Commission,

the Medical Education Commission or the Allied Health Workforce Council unless approved jointly by the Senate and House health and welfare committees.

* * *

AMENDMENT NO. 13
On page 2, line 22, change "Section 1." to "Section 3."

AMENDMENT NO. 14
On page 3, line 12, change "Section 2." to "Section 4."

AMENDMENT NO. 15
On page 3, after line 29, insert the following:

"Section 5. R.S. 37:1005(B) is hereby amended and reenacted to read as follows:

$1005. Articulated curricula; duties of the nursing boards; cooperation with educational agencies; cooperation with the Nursing Supply and Demand Commission; report
* * *

B. The Louisiana State Board of Nursing and the Louisiana Board of Practical Nurse Examiners, hereafter referred to as the nursing boards, shall meet together and with the various state education agencies, particularly including the Board of Regents, the college and university management boards, the Nursing Supply and Demand Commission; and the State Board of Elementary and Secondary Education, and with the public and private hospitals to develop and implement nurse training curricula that articulates from one level of nursing to the next.
* * *

Section 6. R.S. 46:2674(A)(2) is hereby amended and reenacted to read as follows:

§2674. Duties of the department; waivers

A. The department shall submit to the Senate Committee on Health and Welfare and the House Committee on Health and Welfare the following reports on the pilot program:
* * *

(2)(a) A final written report on the pilot project shall be submitted no later than January 15, 2005, containing project accomplishments, project problems, a consumer satisfaction survey citing quality of life of residents in the pilot project, a five-year projection of the economic and social impact of the inclusion of the services provided in the pilot project in the continuum of the assisted living service and the effect of such inclusion on state and federal funds and recommendations. The project consultant, the Department of Social Services, and the Office of Elderly Affairs, and the Louisiana Advisory Committee on Assisted Living shall assist in the preparation of the final report.

(b) If a state agency; or the consultants; or the Louisiana Advisory Committee on Assisted Living does not agree with any part of the report, that agency; or consultant; or advisory committee may submit a minority report on that issue.
* * *

AMENDMENT NO. 16
On page 4, line 1, change "Section 3." to "Section 7."
AMENDMENT NO. 17
On page 4, line 2, after "551.85," and before "R.S. 25:1222(C)" insert "R.S. 23:103 and 1871(C)(13) and (G)(2),"

AMENDMENT NO. 18
On page 4, line 6, after "R.S. 36:109" delete "(B)," and insert "(G)(2),"

AMENDMENT NO. 19
On page 4, line 6, after "(R)," and before "359(H)," delete "and (T)," and insert "(T), and (Y), 239(C), 259(E)(22) and (HH), 309(H),"

AMENDMENT NO. 20
On page 4, at the end of line 6, after "744(K)," delete "and"

AMENDMENT NO. 21
On page 4, line 7, after "802.13,", insert the following:
"802.20, and 919.5, Subpart C of Part III of Chapter 11 of Title 37 of the Louisiana Revised Statutes of 1950, comprised of R.S. 37:1007, R.S. 38:291(J) and 421(D), Chapter 15 of Title 41 of the Louisiana Revised Statutes of 1950, comprised of R.S. 41:1751 through 1753, Chapter 8-I of Title 45 of the Louisiana Revised Statutes of 1950, comprised of R.S. 45:844.21 through 844.25, R.S. 46:2675, Chapter 7 of Subtitle III of Title 47 of the Louisiana Revised Statutes of 1950, comprised of R.S. 47:2341 through 2347,"

AMENDMENT NO. 22
On page 4, line 8, after "R.S. 49:229.1, Delete the remainder of the line and on line 9, delete "Revised Statutes of 1950, comprised of R.S. 51:971 through 978,"

AMENDMENT NO. 23
On page 4, line 12, change "Section 4," to "Section 8."

AMENDMENT NO. 24
On page 4, line 14, change "Section 5," to "Section 9."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 808—
BY REPRESENTATIVE HOPKINS
AN ACT
To enact R.S. 14:102.21, relative to animal control agency officers; to provide for appointment by local governing authorities; to provide for qualifications; to provide for enforcement powers; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Judiciary.

The substitute was read by title as follows:

HOUSE BILL NO. 1386 (Substitute for House Bill No. 808 by Representative Hopkins)—
BY REPRESENTATIVE HOPKINS
AN ACT
To enact Part VII of Chapter 17 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:2501, relative to animal control agency officers; to authorize the appointment of certain animal control officers by parish governing authorities in certain parishes; to provide for qualifications; to provide for enforcement powers; to provide for P.O.S.T. certification; to provide for limitations; and to provide for related matters.

Read by title.

On motion of Rep. Toomy, the substitute was adopted and became House Bill No. 1386 by Rep. Hopkins, on behalf of the Committee on Judiciary, as a substitute for House Bill No. 808 by Rep. Hopkins.

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

HOUSE BILL NO. 813—
BY REPRESENTATIVE KENNARD
AN ACT
To amend and reenact R.S. 33:3074(D)(5), relative to the city of Central; to provide for the termination of provisions for the Central Transition District and the levy of a sales tax by the district; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 814—
BY REPRESENTATIVE KENNARD
AN ACT
To enact R.S. 33:9097.3, relative to the Wedgewood Civic Association District; to create and provide with respect to such district, including provisions for the district and its board of commissioners and their powers, duties, functions, and responsibilities; to provide for the imposition and collection of a parcel fee and for the use thereof; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 816—
BY REPRESENTATIVE SALTER
AN ACT
To amend and reenact R.S. 11:62(5)(b), 444(A)(2), and 450(B), relative to Department of Public Safety and Corrections peace officers who are members of the Louisiana State Employees’ Retirement System; to provide for calculation of benefits; to provide for employee contributions; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Original House Bill No. 816 by Representative Salter
To enact R.S. 18:1266, relative to presidential electors; to approve

Hyouse Bill No. 927—

engrossed and passed to its third reading.

and insert "office of state police, other than state troopers, as

On page 3, at the beginning of line 7, delete "11:444(A)(2)(h),

On page 2, line 11, after "Corrections," delete "who are post-certified

on page 2, line 1 delete "safety services of"

On page 2, line 10, after "(b)" delete "Police officers" and insert

"Peace officers, as defined by R.S. 40:2402(1)(a)."

On page 2, line 10, after "employed by" delete "public" and on page

2, line 1 delete "safety services of"

On page 2, line 1, after "Corrections," delete the remainder of the line

and insert "office of state police, other than state troopers, as

provided in"

On page 2, line 15, after "compensation," delete the remainder of the line

and delete lines 16 through 20

On page 3, line 5, after "Corrections, and" delete "police officers of

public safety" and on line 6 delete "services" and insert "peace

officers"

On page 3, line 6, after "Corrections," delete the remainder of the line

and on page 3, at the beginning of line 7, delete "11:444(A)(2)(b)," and

insert "office of state police, other than state troopers, as

provided in R.S. 11:444(A)(2)(b)."

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

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

Under the rules, placed on the regular calendar.

Hyouse Bill No. 935—

To enact Chapter 42 of Title 33 of the Louisiana Revised Statutes of

1950, to be comprised of R.S. 33:9581, relative to public contracts; to authorize East Baton Rouge Parish to enter into agreements for the maintenance and operation of public facilities related to sewerage and nonpotable water treatment systems; to provide with respect to the content of such contractual agreements; to provide for the disposition and allocation of revenues and assets; to provide for the pledge of revenues; to provide certain immunities from liability; to provide for limitation of liability; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the local and consent calendar.

Hyouse Bill No. 1009—

To amend and reenact R.S. 26:321, 323, 324(A)(1), 325, 326, 327,

and 348(A)(1) and to repeal R.S. 26:322, 324(A)(2) and (B), and

341(A)(5), relative to wine producers in Louisiana; to provide for the "Wine Producers Law"; to provide for definitions; to provide for a wine producer's permit fee; to provide that a wine producer who produces and sells less than a specified quantity of wine is exempt from wholesale distribution of its product for commercial purposes; to require wine producers to post a bond; to repeal provisions related to the "Louisiana Native Wine Law"; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Judiciary.

The substitute was read by title as follows:

Hyouse Bill No. 1387 (Substitute for House Bill No. 1009 by

Representative Toomy)—

To amend and reenact R.S. 26:2(10) and (17), 85, 142, and 359(B),

(C), (D), (E), and (G), to enact R.S. 26:2(21) and (22) and

71(A)(6) and (7), to repeal Part II-A of Chapter 2 of Title 26 of

the Revised Statutes of 1950 comprised of R.S. 26:321 through

327, and to repeal R.S. 26:341(A)(5) and (B), relative to wine

producers under the Alcoholic Beverage Control Law; to provide for definitions; to provide for permits; to authorize a wine producer to sell or serve its product at retail directly to consumers at its winery, at specified other locations, and to directly ship to consumers in Louisiana; to authorize the selling and direct shipment of sparkling or still wine directly to a consumer in Louisiana by a manufacturer or retailer domiciled outside of the state or by a wine producer domiciled inside or

In the House of Representatives, May 15, 2006.

MARCHAND

By Representative Toomy—

AN ACT

To enact R.S. 18:1266, relative to presidential electors; to approve

Hyouse Bill No. 927—

engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

Hyouse Bill No. 935—

To enact Chapter 42 of Title 33 of the Louisiana Revised Statutes of

1950, to be comprised of R.S. 33:9581, relative to public contracts; to authorize East Baton Rouge Parish to enter into agreements for the maintenance and operation of public facilities related to sewerage and nonpotable water treatment systems; to provide with respect to the content of such contractual agreements; to provide for the disposition and allocation of revenues and assets; to provide for the pledge of revenues; to provide certain immunities from liability; to provide for limitation of liability; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the local and consent calendar.

Hyouse Bill No. 1009—

To amend and reenact R.S. 26:321, 323, 324(A)(1), 325, 326, 327,

and 348(A)(1) and to repeal R.S. 26:322, 324(A)(2) and (B), and

341(A)(5), relative to wine producers in Louisiana; to provide for the "Wine Producers Law"; to provide for definitions; to provide for a wine producer's permit fee; to provide that a wine producer who produces and sells less than a specified quantity of wine is exempt from wholesale distribution of its product for commercial purposes; to require wine producers to post a bond; to repeal provisions related to the "Louisiana Native Wine Law"; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Judiciary.

The substitute was read by title as follows:

Hyouse Bill No. 1387 (Substitute for House Bill No. 1009 by

Representative Toomy)—

To amend and reenact R.S. 26:2(10) and (17), 85, 142, and 359(B),

(C), (D), (E), and (G), to enact R.S. 26:2(21) and (22) and

71(A)(6) and (7), to repeal Part II-A of Chapter 2 of Title 26 of

the Revised Statutes of 1950 comprised of R.S. 26:321 through

327, and to repeal R.S. 26:341(A)(5) and (B), relative to wine

producers under the Alcoholic Beverage Control Law; to provide for definitions; to provide for permits; to authorize a wine producer to sell or serve its product at retail directly to consumers at its winery, at specified other locations, and to directly ship to consumers in Louisiana; to authorize the selling and direct shipment of sparkling or still wine directly to a consumer in Louisiana by a manufacturer or retailer domiciled outside of the state or by a wine producer domiciled inside or
outside of the state; to provide for exceptions requiring shipment to a wholesaler; to repeal all provisions of Louisiana's Native Wine law; to repeal provisions providing for an excise or license tax on native wines; to repeal provisions providing for an additional tax on manufacturers or retailers of sparkling wine or still wine domiciled outside the state who directly ship to a consumer within the state; and to provide for related matters.

Read by title.

On motion of Rep. Toomy, the substitute was adopted and became House Bill No. 1387 by Rep. Toomy, on behalf of the Committee on Judiciary, as a substitute for House Bill No. 1009 by Rep. Toomy.

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

HOUSE BILL NO. 1017—
BY REPRESENTATIVE MONTGOMERY
AN ACT
To amend and reenact R.S. 11:403(5)(a) and (b)(i) and 441(B), to enact R.S. 11:421(I), and to repeal R.S. 11:531(A)(1)(b), relative to the Louisiana State Employees' Retirement System; to provide relative to average compensation; to provide relative to computation of service credit; to provide with respect to benefits for part-time employees; to repeal provisions for monthly reports of base pay; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on Retirement to Original House Bill No. 1017 by Representative Montgomery

AMENDMENT NO. 1
On page 1, line 2, after "R.S. 11:403(5)(a)" delete the comma "," and delete ",(b)(i), and (17)," and insert "and (b)(i)"

AMENDMENT NO. 2
On page 1, line 3, after "to repeal" delete "R.S. 11:231(A)(1) and (C)(2) and 531(A)(1)(b)," and insert "R.S. 11:531(A)(1)(b),"

AMENDMENT NO. 3
On page 1, line 5, after "compensation;" delete "to provide for the definition of member;"

AMENDMENT NO. 4
On page 1, line 13, after "R.S. 11:403(5)(a)" delete the comma "," and delete ",(b)(i), and (17)," and insert "and (b)(i)"

AMENDMENT NO. 5
On page 1, line 19, after "(5)(a)" delete "(i)"

AMENDMENT NO. 6
On page 2, delete lines 13 through 19

AMENDMENT NO. 7
On page 3, delete lines 5 through 10

AMENDMENT NO. 8
On page 5, delete lines 16 and 17 and insert the following:

"Section 2.  R.S. 11:531(A)(1)(b) is hereby repealed in its entirety."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1026—
BY REPRESENTATIVE ARNOLD
AN ACT
To amend and reenact R.S. 11:2252(2), 2253(A)(1)(a)(ii), and 2256(A)(4) and to enact R.S. 11:2252(22) and (23), 2254(D), 2271, and 2272, relative to the Firefighters' Retirement System; to provide for compliance with the Internal Revenue Code; to provide relative to definitions, membership, service credit, and benefits; to provide with respect to tax qualification; to provide for an excess benefit plan; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on Retirement to Original House Bill No. 1026 by Representative Arnold

AMENDMENT NO. 1
On page 2, line 26, after "(ii)" insert "However, no person who has attained age fifty or over shall become a member of the system, unless the person becomes a member by reason of a merger or unless the retirement system received his application for membership before he attained the age of fifty."

AMENDMENT NO. 2
On page 3, at the beginning of line 29, delete " However, the " and insert "However, the annual retirement allowance shall not exceed one hundred percent of his average final compensation. The"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1081—
BY REPRESENTATIVE DURAND
AN ACT
To enact R.S. 40:2267.3(D) and 2267.5, relative to the Acadiana Criminalistics Laboratory District and Commission; to provide for the membership; to provide for costs; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

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

Under the rules, placed on the regular calendar.
HOUSE BILL NO. 1083—
BY REPRESENTATIVES THOMPSON, BAYLOR, GLOVER, AND MONTGOMERY
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 the creation of the Stage of Stars Museum in the Department of State; to provide relative to the governing authority of the museum, including its composition, powers, duties, responsibilities, meetings, employees, and officers; to provide for the adoption of rules, regulations, and fees; to provide for receipt and use of funds and property; to provide relative to the authority of the secretary of state and the Department of State with respect to the museum; to provide relative to personnel and budgets of the museum; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Original House Bill No. 1083 by Representative Thompson

AMENDMENT NO. 1
On page 1, line 2, delete "amend and reenact R.S. 25:352(A) and (B)(2)(b), to"

AMENDMENT NO. 2
On page 1, line 4, after "R.S. 36:744(Z) and" delete the remainder of the line and at the beginning of line 5, delete "and 36:209(W)(2)," and insert "801.19,"

AMENDMENT NO. 3
On page 1, line 5, after "relative to the" delete the remainder of the line and delete lines 6 and 7 in their entirety and on line 8 delete "and Tourism to" and insert "the creation of the Stage of Stars Museum in"

AMENDMENT NO. 4
On page 1, line 11, after "of funds" delete the comma "," and the remainder of the line and delete lines 12 through 14 and insert the following:

"and property; to provide relative to the authority of the secretary of state and the Department of State with respect to the museum; to provide relative to personnel and budgets of the museum; and to provide for related matters."

AMENDMENT NO. 5
On page 1, line 16, after "Section 1." delete the remainder of the line

AMENDMENT NO. 6
Delete pages 2 through 9 in their entirety and insert the following:

"CHAPTER 5-O. STAGE OF STARS MUSEUM
§380.121. Establishment and location; purpose and use
A. The Stage of Stars Museum is established as a facility in the parish of Caddo, under the overall jurisdiction of the Department of State as more specifically provided in this Chapter and in R.S. 36:801.19.

B. The Stage of Stars Museum shall be a historical, cultural, and educational institution whose primary purpose shall be to research, collect, preserve, and present, as an educational resource, documents, artifacts, objects of art, and the like that reflect the social, cultural, and economic history of Shreveport's Municipal Auditorium. The museum shall focus on the unique architectural, engineering, and cultural events that have taken place in the auditorium since 1929.

§380.122. Governing board; creation; domicile; appointment and compensation of members
A. The governing board of the Stage of Stars Museum is hereby created in the Department of State.

B. The domicile of the board shall be in the parish of Caddo.

C. The board shall be comprised of eleven members who have a knowledge of and an interest in the preservation and promotion of Shreveport's Municipal Auditorium and who shall be appointed as follows:

(1) Five members shall be appointed by the secretary of state to serve terms concurrent with the appointing authority.

(2) Four members shall be appointed by the five members of the board appointed by the secretary of state. The initial terms of members appointed pursuant to this Paragraph shall terminate on July 1, 2010, and all subsequent terms shall be four years.

(3) Two members shall be appointed by the mayor of Shreveport to serve terms concurrent with the mayor.

D. Each member shall serve until his successor is appointed and takes office.

E. Each appointment made by the secretary of state shall be subject to confirmation by the Senate.

F. Members of the board shall serve without compensation.

§380.123. Duties and powers of the board
A. A majority of the board shall constitute a quorum for the transaction of official business. All official actions of the board shall require the affirmative vote of a majority of the members present and voting.

B. The board shall:

(1) Meet at least once each quarter at the call of the board chairman.

(2)(a) Create an executive committee consisting of the chairman and vice chairman of the board and such other board members as the board may determine.

(b) A majority of the members of the committee shall constitute a quorum for the transaction of business. However, when the board has delegated to the committee full power to act with respect to a matter, affirmative action by a majority of the entire committee membership shall be required.

(c) The committee shall meet at the call of the board chairman.
(d) The committee shall consider such matters as are referred to it by the board. It shall execute such orders and resolutions as shall be assigned to it at any meeting of the board, and it shall also take such action as is necessary when an emergency requiring immediate action arises during the interim between board meetings. All acts of the committee shall be submitted to the board for ratification or rejection at its next meeting except in matters in which the board has delegated to the committee full power to act.

(3) Adopt bylaws and establish policies and procedures for the museum's governance, including but not limited to provisions for the following:

(a) The election and responsibilities of the officers of the board, including a chairman and vice chairman, who shall serve terms of two years.

(b) The selection, term, and responsibilities of advisors to the board. The board may appoint not more than five advisors who shall serve without compensation.

(c) The appointment, duties, and functions of standing and special committees of the board, including the appointment of nonboard members to such committees and their functions.

(4) Establish, in accordance with the Administrative Procedure Act, policies, rules, and regulations for the operation of the museum, including setting and charging admission and tour fees and user or rental fees to any or all museum buildings and exhibits. Such user or rental fees shall reflect the actual costs of maintenance of the space rented and the market rates for comparable space in the locality of the space rented.

(5) Advise the secretary of state on all matters relating to the operations of the Stage of Stars Museum.

(6) Establish and use an identifying seal pertaining to museum business.

(7) Perform such other functions as are otherwise provided by this Chapter and R.S. 36:801.19.

C. The board may:

(1) Individually, or in cooperation with any nonprofit corporation established to support the Stage of Stars Museum, seek funds from any source, public or private, to support programs of the museum and expend such funds for such purpose.

(2) Contract with consulting experts in the fields of museum administration and conservation of artifacts, video recordings, motion picture films, books and papers, and decorative arts, and with appraisers, buying agents, designers, engineers, attorneys, accountants, construction, and financial experts, and other such persons as may be necessary to carry out the purposes of the museum.

(3) Authorize reports and recommendations which include the issuance, publication, or distribution of general information documents or pamphlets which are published on a regular basis and are generally known as newsletters.

§380.124. Operating funds; appropriations by the legislature

A. (1) The Department of State shall include in its annual budget request, required by R.S. 39:32, a request for funds necessary for support of the Stage of Stars Museum. The governor shall include in the executive budget submitted to the legislature sufficient funding for the support of operations of the museum.

B. Funds appropriated by the legislature to the Department of State for operation of the Stage of Stars Museum shall be used solely for that purpose. No administrative costs of any kind shall be charged by the Department of State for any services associated with placement of the museum within the jurisdiction of the department.

§380.125. Donations and loans; disposition of property

A. (1) The Department of State and the board, jointly or separately, may solicit and accept funds, governmental grants, donations, and contributions of lands, buildings, monies, artifacts, relics, video recordings, motion picture films, books and papers, pictures and photographs, documents, works of art, or other property on behalf of and as additions to the Stage of Stars Museum in either the form of loans or in the form of donations inter vivos or mortis causa, and the Department of State may acquire them by purchase, lease, or otherwise, subject to the terms, conditions, or limitations contained in the instrument by which such property is acquired. However, the board may enter into any and all contracts with any person, lender, or donor that it may deem fit, proper, and necessary to accept and receive such lands, buildings, monies, artifacts, relics, video recordings, motion picture films, books and papers, pictures and photographs, documents, works of art, or other property on behalf of and as additions to the Stage of Stars Museum. The museum may serve as the beneficiary of any public trust heretofore or hereafter created for such purpose pursuant to the provisions of R.S. 9:2341 et seq.

(2) The building known as Shreveport's Municipal Auditorium, owned by the city of Shreveport, shall be managed and administered by the Stage of Stars Museum. The museum shall also be responsible for scheduling all programs to be held at such auditorium. However, the city of Shreveport shall maintain responsibility for all major renovations and repairs to the structure and building, including but not limited to roofing, plumbing, and heating, air conditioning, and ventilation systems.

B. The board is granted the authority of deaccession with respect to any collection of the Stage of Stars Museum and, for such purpose, is exempted from the laws relative to the sale or disposal of surplus property. The board shall establish policies and procedures necessary to carry out this authority in an orderly manner.

C. (1) Any property which has been deposited with the Stage of Stars Museum, by loan or otherwise, and which has been held by the museum for more than ten years, and to which no person has made claim shall be deemed to be abandoned and, notwithstanding the provisions of Chapter 1 of Title XII of Book III of the Louisiana Civil Code, shall become the property of the museum, provided that Paragraph (2) of this Subsection has been complied with.

(2) (a) At least once each week for two consecutive weeks, the board shall cause to be published in at least one newspaper of general circulation in the parish of Caddo a notice and listing of the property.

(b) The notice shall contain:

(i) The name and last known address, if any, of the last known owner or depositor of the property.

(ii) A description of the property.

(iii) A statement that if proof of claim is not presented by the claimant to the board and if the claimant's right to receive such
Any collection of the Stage of Stars Museum may, subject to approval of the board, be lent in part. The board shall ensure proper safeguards for its maintenance and return and shall ensure that proper records are kept. The collections shall be available for use in educational projects, subject to the approval of the board.

Section 2. R.S. 36:744(Z) and 801.19 are hereby enacted to read as follows:

§744. Transfer of boards, commissions, and agencies to the Department of State

Z. The Stage of Stars Museum (R.S. 25:380.121 et seq.) and its governing board are placed within the Department of State as provided in R.S. 36:801.19.

§801.19 Governing board of the Stage of Stars Museum

A.(1) The Stage of Stars Museum is hereby placed within the Department of State, subject to the provisions of this Section and Chapter 5-O of Title 25 of the Louisiana Revised Statutes of 1950.

B. The governing board of the Stage of Stars Museum is hereby placed within the Department of State and shall exercise all powers, duties, functions, and responsibilities provided or authorized for it by law which are in the nature of policymaking, rulemaking, regulation, enforcement, or adjudication. The board shall exercise all advisory powers, duties, and functions provided for it by law. The board shall administer and implement all programs provided or authorized by law for it or for the Stage of Stars Museum. The board shall exercise the powers, duties, functions, and responsibilities and shall administer and implement the programs authorized by this Section independently of the secretary, except as otherwise provided in this Section. The board shall be responsible for the performance and administration of its day-to-day operations, except that the secretary of state shall be responsible for those matters which are in the nature of capital outlay, accounting, payroll, budget control, procurement, data processing, and personnel management and shall have the authority to transfer or implement any or all of said functions through the secretary and the department. Except as provided in R.S. 25:380.124(A)(2), the secretary of state shall employ, appoint, fix the compensation of, remove, assign, and promote such personnel as is necessary for the efficient administration of the museum in accordance with civil service laws, rules, and regulations.

B. Nothing in this Section shall authorize monies, property, or personnel budgeted or assigned to the board or to the museum to be transferred to or to be used by the department without prior approval of the board.

C. The board may solicit and accept gifts and donations for the purposes of the Stage of Stars Museum. Any funds so accepted may be expended by the board or by the Department of State as otherwise provided by law.

D.(1) The provisions of R.S. 36:810 and 811 shall be applicable to the museum and its governing board placed within the Department of State by this Section.

(2) No records, books, or papers stored in the museum vault or on museum premises shall be removed or transferred from the museum without the approval of the governing board.

Section 3.A. No action shall be taken under the provisions of this Act until all debts or other obligations which are secured by or otherwise encumber any property to be transferred to the Department of State have been paid or otherwise removed from such property.

B. If the conditions provided in Subsection A of this Section are not met within four years after the effective date of this Act, this Act shall be null and void and of no effect.

Section 4. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1191—
BY REPRESENTATIVES THOMPSON, SALTER, DORSEY, TOOMY, ALARIO, K. CARTER, DEWITT, HAMMETT, JEFFERSON, RICHMOND, AND RITCHIE AND SENATORS BARHAM, HINES, BAJOJE, MOUNT, AND NEVERS

AN ACT
To amend and reenact R.S. 29:723 (4), (5), and (6), 724(C)(2), 725(E) through (H), 726(E) through (M) through (25), 727(B) through (E) through (H), 728(A), 729(C), 730(A), and 730.1(A) and R.S. 49:191(3), to enact R.S. 723(2)(C), 723(7) and (8), 724(D)(10) and (11) and (H), 725(1), 725(1) through (21) through (25), 727(1) through (L), 727.1, and 729(E) through (14) and (C), and to repeal R.S. 29:723(3.1) and 726(F) and Section 10 of Act No. 35 of the 2006 First Extraordinary Session of the Legislature of Louisiana, relative to governmental powers, functions, and responsibilities regarding homeland security and emergency preparedness; to provide for definitions; to provide for the powers, duties, and functions of the Governor's Office of Homeland Security and Emergency Preparedness; to provide for a director of such office; to provide for a deputy director, assistant deputy directors, directors, legal counsel, regional coordinators and assistant coordinators, and parish directors, some being full time, and their duties, functions, and responsibilities; to authorize the establishment of homeland security and emergency preparedness regions; to provide for appointment of statewide regional advisory committees and their duties; to provide for duties of the office and to delete certain duties; to provide for elements of the emergency operations plan and to delete certain components of the plan; to provide for powers of the parish president; to require the establishment of a unified joint incident command structure within each parish; to provide for the orderly succession of parish government officials; to provide for requirements for the parish emergency operations plans; to provide for sunset provisions for the office; to repeal provisions for the office; to repeal provisions terminating Act No. 35 of the First Extraordinary Session of the Louisiana Legislature in 2006; and to provide for related matters.

Read by title.
Reported by substitute by the Committee on Judiciary.

The substitute was read by title as follows:

HOUSE BILL NO. 1388  (Substitute for House Bill No. 1191 by Representative Thompson)—
BY REPRESENTATIVES THOMPSON, SALTER, DORSEY, TOOMY, ALARIO, K. CARTER, DEWITT, HAMMETT, JEFFERSOON, RICHMOND, AND RITCHIE AND SENATORS BARIAM, HINES, BAJOIE, MOUNT, AND NEVERS
AN ACT
To amend and reenact R.S. 29:725(E) through (H) and R.S. 49:191(3), to enact R.S. 29:722(C), 725.1, and 726(E)(21) through (24), and to repeal Section 10 of Act No. 35 of the 2006 First Extraordinary Session of the Legislature of Louisiana, relative to the purpose of the Louisiana Homeland Security and Emergency Assistance and Disaster Act and policy of the state; provide for application of the principles of the National Incident Management System; to provide for the powers, duties, and functions of the Governor's Office of Homeland Security and Emergency Preparedness, to provide for appointment of a deputy director, assistant deputy directors, legal counsel, regional coordinators and assistant coordinators, and their duties, functions, and responsibilities and employment status of all agency employees, to authorize the establishment of homeland security and emergency preparedness regions; to provide for appointment of statewide regional advisory committees and their duties, to provide for additional duties of the office, to provide for sunset provisions for the office; to repeal provisions terminating Act No. 35 of the First Extraordinary Session of the Louisiana Legislature in 2006; and to provide for related matters.

Read by title.

On motion of Rep. Toomy, the substitute was adopted and became House Bill No. 1388 by Rep. Thompson, on behalf of the Committee on Judiciary, as a substitute for House Bill No. 1191 by Rep. Thompson.

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

HOUSE BILL NO. 1225—
BY REPRESENTATIVE DOVE
AN ACT
To enact Subpart B-36 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.721, relative to certain economic development authorities; to provide relative to the membership of the governing board of any such authority; to provide relative to the qualifications of governing board members; to provide relative to the adoption of an annual budget by the authority; and to provide for related matters.

Read by title.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1267—
BY REPRESENTATIVE GARY SMITH
AN ACT
To enact R.S. 3:3370(A)(4), relative to contracts for the treatment of termites; to provide relative to initial treatments for termites; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Agriculture, Forestry, Aquaculture, and Rural Development to Original House Bill No. 1267 by Representative Gary Smith

AMENDMENT NO. 1

On page 1, line 12, after “treatment” delete the period “.” and insert “unless there is evidence of termite activity.”

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1274—
BY REPRESENTATIVE TOOMY
AN ACT
To amend and reenact R.S. 1:55(E)(1)(b), relative to holidays for the clerk of court’s office of a district court, parish court, and city court; to authorize a clerk of court to close his office when an emergency has been declared by either the governor or the local governing authority; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1275—
BY REPRESENTATIVE TOOMY
AN ACT
To enact R.S. 15:85(3)(d), relative to bond forfeitures; to require a defendant to reimburse the clerk of court for postage and expenses associated with mailing out required notices; and to provide for related matters.

Reported with amendments by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Agriculture, Forestry, Aquaculture, and Rural Development to Original House Bill No. 1275 by Representative Toomy

AMENDMENT NO. 1

On page 1, line 14, after “Paragraph” insert a period “.” and delete the remainder of the line in its entirety

AMENDMENT NO. 2

On page 1, delete line 15 in its entirety

On motion of Rep. Toomy, the amendments were adopted.
On motion of Rep. Toomy, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1276—**
BY REPRESENTATIVE TOOMY
AN ACT
To enact R.S. 13:995.1(E), relative to the service charge on filings in civil cases and the security charge imposed in criminal cases as an additional fee in the Twenty-Fourth Judicial District Court; to provide for termination of the service charges upon completion of certain conditions; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1281—**
BY REPRESENTATIVE DORSEY
AN ACT
To enact R.S. 33:9038.1, relative to tax increment financing; to specify those taxes which may be levied and the increments of which may be pledged and dedicated in tax increment financing; to provide relative to the effect of the invalidity of any tax or tax increment on other taxes or tax increments; to provide for legislative intent; to provide for redesignation of certain statutes by the Louisiana State Law Institute; to provide for an effective date; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1285—**
BY REPRESENTATIVES ODIET, BARROW, BAUDOIN, BAYLOR, DOVE, GRAY, JEFFERSON, KATZ, AND MARCHAND
AN ACT
To enact R.S. 33:4882, relative to building and zoning regulations in parishes and municipalities affected by Hurricane Katrina or Hurricane Rita; to require that the governing authority of any municipality or parish affected by Hurricane Katrina or Hurricane Rita and any agency of any such municipality or parish shall not allow and shall not cause any building or land to lose nonconforming use status by reason of vacancy or cessation of normal operations as a result of damage caused by Hurricane Katrina or Hurricane Rita during a specified time period; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Original House Bill No. 1285 by Representative Odinet

**AMENDMENT NO. 1**
On page 1, line 7, after “operations” and before “during” insert “as a result of damage caused by Hurricane Katrina or Hurricane Rita”

**AMENDMENT NO. 2**
On page 1, line 17, after “because” delete the remainder of the line and delete lines 18 through 20 and insert a comma “,” and “during all or part of the period of August 29, 2005, through August 28, 2007, as a result of damage caused by Hurricane Katrina or Hurricane Rita, it is temporarily vacant or operations normally carried on in such building or on such land have been temporarily discontinued.”

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1288—**
BY REPRESENTATIVE GRAY
AN ACT
To amend and reenact R.S. 33:4175(A), (C)(introductory paragraph), (2), and (3)(b), (E)(2), and (H), relative to public power authorities; to provide relative to the powers granted to certain public power authorities; and to provide for related matters.

Read by title.

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

The substitute was read by title as follows:

**HOUSE BILL NO. 1389  (Substitute for House Bill No. 1288 by Representative Gray)—**
BY REPRESENTATIVE GRAY
AN ACT
To amend and reenact R.S. 33:4175, relative to public power authorities; to provide relative to the purpose and governing board of certain public power authorities; to provide relative to the powers granted to such authorities; and to provide for related matters.

Read by title.

On motion of Rep. Baylor, the substitute was adopted and became House Bill No. 1389 by Rep. Gray, on behalf of the Committee on Municipal, Parochial and Cultural Affairs, as a substitute for House Bill No. 1288 by Rep. Gray.

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

**HOUSE BILL NO. 1291—**
BY REPRESENTATIVES ERDEY, R. CARTER, FAUCHEUX, AND WHITE
AN ACT
To enact R.S. 49:155.6, relative to state symbols; to provide the state cajun poem to be “I Am Louisiana” by Paul Ott; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

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

Under the rules, placed on the regular calendar.
HOUSE BILL NO. 1340—
BY REPRESENTATIVE GRAY
AN ACT
To amend and reenact R.S. 18:401.3(A) and (C), relative to early voting in other parishes; to extend the conduct of elections in an emergency or disaster to vote during early voting at offices of the registrars in certain other parishes for any election in an area affected by a gubernatorially declared state of emergency; to remove language making provision applicable only for those elections for which the secretary of state has submitted and has approved by the legislature an emergency plan for the conduct of the election; to extend the effectiveness of the provisions; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on House and Governmental Affairs.

The substitute was read by title as follows:

HOUSE BILL NO. 1390 (Substitute for House Bill No. 1340 by
Representative Gray)—
BY REPRESENTATIVE GRAY
AN ACT
To amend and reenact R.S. 18:401.3(B), relative to the conduct of early voting in certain parishes for certain elections; to authorize the secretary of state to include the conduct of early voting in certain parishes in an emergency plan developed by the secretary of state for the conduct of an election in an area affected by a gubernatorially declared state of emergency; to provide relative to the conduct of such early voting; and to provide for related matters.

Read by title.

On motion of Rep. Lancaster, the substitute was adopted and became House Bill No. 1390 by Rep. Gray, on behalf of the Committee on House and Governmental Affairs, as a substitute for House Bill No. 1340 by Rep. Gray.

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

HOUSE BILL NO. 1341—
BY REPRESENTATIVE FAUCHEUX
AN ACT
To amend and reenact R.S. 40:2268.2, relative to the Southeast Regional Criminalistics Laboratory Commission; to provide relative to the domicile of the commission; to authorize the commission to contract with an existing public or private laboratory; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Original House Bill No. 1341 by Representative Fauchéux

AMENDMENT NO. 1

On page 1, at the end of line 14, delete the period "." and add "for the provision of criminalistics services and is authorized to impose; receive, or collect any and all fees or charges authorized by law for the purpose of establishing, funding, or operating a commission criminalistics laboratory;"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1354—
BY REPRESENTATIVES GRAY AND K. CARTER
AN ACT
To enact Chapter 32 of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:1301 through 1307, and R.S. 36:4(B)(1)(g), relative to the Hurricane Katrina Memorial Commission; to create and provide for the membership, powers, and duties of the commission; to provide for donations and grants; to provide for a commission report and termination of the commission; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1381 (Substitute for House Bill No. 421 by
Representative Burrell)—
BY REPRESENTATIVES BURRELL, BRUCE, LAFLEUR, MARTINY, JANE SMITH, TRICHE, AND WHITE
AN ACT
To enact R.S. 14:91.14, relative to offenses affecting the health and morals of minors; to provide for penalties; and to provide for related matters.

Read by title.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1382 (Substitute for House Bill No. 582 by
Representative Crowe)—
BY REPRESENTATIVE CROWE
AN ACT
To amend and reenact R.S. 40:1299.35.6(C)(1)(a) and to enact R.S. 40:1299.35.6(A)(5)(d) and (B)(1)(g), relative to the performance of abortions; to provide for informed consent requirements; to provide for publication of materials by the Department of Health and Hospitals; and to provide for related matters.

Read by title.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1383 (Substitute for House Bill No. 875 by
Representative Townsend)—
BY REPRESENTATIVE TOWNSEND
AN ACT
To enact R.S. 40:4(A)(1)(c), relative to retail food establishments; to provide for rules and regulations; and to provide for related matters.

Read by title.
On motion of Rep. Durand, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1384 (Substitute for House Bill No. 928 by Representative K. Carter)—BY REPRESENTATIVE K. CARTER

AN ACT

To enact Part XXV-F of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1210.71 through 1210.88, and to repeal R.S. 22:1476, relative to insurance adjusters; to provide for the qualification and license requirements of public adjusters; to provide for definitions; to provide for the requirement of a license; to provide for the application for license; to provide for resident and nonresident licenses; to provide for examinations and exemptions; to provide for reciprocity; to provide for denial, nonrenewal, or revocation of a license; to provide for evidence of financial responsibility; to provide for continuing education; to provide for limitations on contracts between public adjusters and insureds; to provide for retention of records; to provide for standards of conduct; to provide for penalties; to provide for powers of the commissioner of insurance; to provide for regulations; and to provide for related matters.

Read by title.

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

Under the rules, placed on the regular calendar.

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

The following Senate Instruments on second reading, returned from the Legislative Bureau, were taken up and acted upon as follows:

**SENATE BILL NO. 2—**BY SENATORS N. GAUTREAUX, CHAISON, AMEDEE, BROOME, CAIN, DUPLESSIS, ELLINGTON, HOLLIS, JACKSON, MICHOT, MOUNT, NEVERS, ROMERO, SCHEDLER, SMITH, ADLEY, BIAJOIE, BAHAM, BOASSO, CHEEK, CRAVINS, DARDENNE, DUPRE, B. GAUTREAUX, JONES, LENTINI, MCPHERSON, MURRAY, QUINN, THEUNISSEN AND ULLO

AN ACT

To amend and reenact R.S. 14:43.1(C), 43.2(C), 43.3(C), 78.1(D), 81(C), and 81.1(E), and to enact R.S. 14:81.2(E), relative to certain offenses involving juveniles; to increase criminal penalties for certain offenses involving persons under the age of thirteen; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 2 by Senator N. Gautreaux

**AMENDMENT NO. 2**

On page 1, at the end of line 4, insert "to provide relative to the electronic monitoring of offenders;"

**AMENDMENT NO. 3**

On page 1, line 7, delete "78.1(D)."

**AMENDMENT NO. 4**

On page 1, delete lines 14 through 17 in their entirety

**AMENDMENT NO. 5**

On page 2, delete lines 1 through 6 in their entirety and insert the following:

"(2) Whoever commits the crime of sexual battery on a victim under the age of thirteen years when the offender is over the age of seventeen years, shall be punished by imprisonment at hard labor for not less than twenty-five years nor more than life imprisonment. At least twenty-five years of the sentence imposed shall be served without benefit of parole, probation, or suspension of sentence.

(3) Upon completion of the term of imprisonment imposed in accordance with Paragraph (2) of this Subsection, the offender shall be monitored by the Department of Public Safety and Corrections through the use of electronic monitoring equipment for the remainder of his natural life.

(4) Unless it is determined by the Department of Public Safety and Corrections, pursuant to rules adopted in accordance with the provisions of this Subsection, that a sexual offender is unable to pay all or any portion of such costs, each sexual offender to be electronically monitored shall pay the cost of such monitoring.

(5) The costs attributable to the electronic monitoring of an offender who has been determined unable to pay shall be borne by the department if, and only to the degree that sufficient funds are made available for such purpose whether by appropriation of state funds or from any other source.

(6) The Department of Public Safety and Corrections shall develop, adopt, and promulgate rules in the manner provided in the Administrative Procedure Act, that provide for the payment of such costs. Such rules shall contain specific guidelines which shall be used to determine the ability of the offender to pay the required costs and shall establish the reasonable costs to be charged. Such rules may provide for a sliding scale of payment so that an offender who is able to pay a portion, but not all of such costs may be required to pay such portion.

**AMENDMENT NO. 6**

On page 2, delete lines 12 through 21 in their entirety and insert the following:

"(2) Whoever commits the crime of second degree sexual battery on a victim under the age of thirteen years when the offender is over the age of seventeen years, shall be punished by imprisonment at hard labor for not less than twenty-five years nor more than life imprisonment. At least twenty-five years of the sentence imposed shall be served without benefit of parole, probation, or suspension of sentence.

(3) Upon completion of the term of imprisonment imposed in accordance with Paragraph (2) of this Subsection, the offender shall be monitored by the Department of Public Safety and Corrections through the use of electronic monitoring equipment for the remainder of his natural life.

(4) Unless it is determined by the Department of Public Safety and Corrections, pursuant to rules adopted in accordance with the provisions of this Subsection, that a sexual offender is unable to pay all or any portion of such costs, each sexual offender to be electronically monitored shall pay the cost of such monitoring.

(5) The costs attributable to the electronic monitoring of an offender who has been determined unable to pay shall be borne by the department if, and only to the degree that sufficient funds are made available for such purpose whether by appropriation of state funds or from any other source.

(6) The Department of Public Safety and Corrections shall develop, adopt, and promulgate rules in the manner provided in the Administrative Procedure Act, that provide for the payment of such costs. Such rules shall contain specific guidelines which shall be used to determine the ability of the offender to pay the required costs and shall establish the reasonable costs to be charged. Such rules may provide for a sliding scale of payment so that an offender who is able to pay a portion, but not all of such costs may be required to pay such portion."
through the use of electronic monitoring equipment for the remainder of his natural life.

(4) Unless it is determined by the Department of Public Safety and Corrections, pursuant to rules adopted in accordance with the provisions of this Subsection, that a sexual offender is unable to pay all or any portion of such costs, each sexual offender to be electronically monitored shall pay the cost of such monitoring.

(5) The costs attributable to the electronic monitoring of an offender who has been determined unable to pay shall be borne by the department if, and only to the degree that sufficient funds are made available for such purpose whether by appropriation of state funds or from any other source.

(6) The Department of Public Safety and Corrections shall develop, adopt, and promulgate rules in the manner provided in the Administrative Procedure Act, that provide for the payment of such costs. Such rules shall contain specific guidelines which shall be used to determine the ability of the offender to pay the required costs and shall establish the reasonable costs to be charged. Such rules may provide for a sliding scale of payment so that an offender who is able to pay a portion, but not all of such costs may be required to pay such portion.

AMENDMENT NO. 7
On page 2, delete lines 27 through 29 in their entirety

AMENDMENT NO. 8
On page 3, delete lines 1 through 7 in their entirety and insert the following:

"(2) Whoever commits the crime of oral sexual battery on a victim under the age of thirteen years when the offender is over the age of seventeen years, shall be punished by imprisonment at hard labor for not less than twenty-five years nor more than life imprisonment. At least twenty-five years of the sentence imposed shall be served without benefit of parole, probation, or suspension of sentence.

(3) Upon completion of the term of imprisonment imposed in accordance with Paragraph (2) of this Subsection, the offender shall be monitored by the Department of Public Safety and Corrections through the use of electronic monitoring equipment for the remainder of his natural life.

(4) Unless it is determined by the Department of Public Safety and Corrections, pursuant to rules adopted in accordance with the provisions of this Subsection, that a sexual offender is unable to pay all or any portion of such costs, each sexual offender to be electronically monitored shall pay the cost of such monitoring.

(5) The costs attributable to the electronic monitoring of an offender who has been determined unable to pay shall be borne by the department if, and only to the degree that sufficient funds are made available for such purpose whether by appropriation of state funds or from any other source.

(6) The Department of Public Safety and Corrections shall develop, adopt, and promulgate rules in the manner provided in the Administrative Procedure Act, that provide for the payment of such costs. Such rules shall contain specific guidelines which shall be used to determine the ability of the offender to pay the required costs and shall establish the reasonable costs to be charged. Such rules may provide for a sliding scale of payment so that an offender who is able to pay a portion, but not all of such costs may be required to pay such portion.

AMENDMENT NO. 9
On page 3, delete lines 9 through 24 in their entirety

AMENDMENT NO. 10
On page 4, line 5, after "than" delete the remainder of the line and delete line 6 in its entirety and insert "two nor more than twenty-five years. At least two years of the"

AMENDMENT NO. 11
On page 4, line 8, after "sentence," delete the remainder of the line and delete lines 9 through 12 in their entirety

AMENDMENT NO. 12
On page 4, delete lines 15 through 29 in their entirety

AMENDMENT NO. 13
On page 5, delete lines 1 through 3 in their entirety and insert the following:

"E. (1) Whoever commits the crime of pornography involving juveniles shall be fined not more than ten thousand dollars and be imprisoned at hard labor for not less than two years or more than ten years, without benefit of parole, probation, or suspension of sentence.

(2) Whoever commits the crime of pornography involving juveniles by violating the provisions of Paragraph (A)(2) of this Section on a victim under the age of thirteen years when the offender is over the age of seventeen years, shall be shall be punished by imprisonment at hard labor for not less than twenty-five years nor more than life imprisonment. At least twenty-five years of the sentence imposed shall be served without benefit of parole, probation, or suspension of sentence.

(3) Upon completion of the term of imprisonment imposed in accordance with Paragraph (2) of this Subsection, the offender shall be monitored by the Department of Public Safety and Corrections through the use of electronic monitoring equipment for the remainder of his natural life.

(4) Unless it is determined by the Department of Public Safety and Corrections, pursuant to rules adopted in accordance with the provisions of this Subsection, that a sexual offender is unable to pay all or any portion of such costs, each sexual offender to be electronically monitored shall pay the cost of such monitoring.

(5) The costs attributable to the electronic monitoring of an offender who has been determined unable to pay shall be borne by the department if, and only to the degree that sufficient funds are made available for such purpose whether by appropriation of state funds or from any other source.

(6) The Department of Public Safety and Corrections shall develop, adopt, and promulgate rules in the manner provided in the Administrative Procedure Act, that provide for the payment of such costs. Such rules shall contain specific guidelines which shall be used to determine the ability of the offender to pay the required costs and shall establish the reasonable costs to be charged. Such rules may provide for a sliding scale of payment so that an offender who is able to pay a portion, but not all of such costs may be required to pay such portion.

*          *          *

AMENDMENT NO. 14
On page 5, delete lines 6 through 14 in their entirety and insert the following:
"E.(1) Whoever commits the crime of molestation of a juvenile when the victim is under the age of thirteen years shall be imprisoned at hard labor for not less than twenty-five years nor more than life imprisonment. At least twenty-five years of the sentence imposed shall be served without benefit of probation, parole, or suspension of sentence.

(2) Upon completion of the term of imprisonment imposed in accordance with Paragraph (1) of this Subsection, the offender shall be monitored by the Department of Public Safety and Corrections through the use of electronic monitoring equipment for the remainder of his natural life.

(3) Unless it is determined by the Department of Public Safety and Corrections, pursuant to rules adopted in accordance with the provisions of this Subsection, that a sexual offender is unable to pay all or any portion of such costs, each sexual offender to be electronically monitored shall pay the cost of such monitoring.

(4) The costs attributable to the electronic monitoring of an offender who has been determined unable to pay shall be borne by the department if, and only to the degree that sufficient funds are made available for such purpose whether by appropriation of state funds or from any other source.

(5) The Department of Public Safety and Corrections shall develop, adopt, and promulgate rules in the manner provided in the Administrative Procedure Act, that provide for the payment of such costs. Such rules shall contain specific guidelines which shall be used to determine the ability of the offender to pay the required costs and shall establish the reasonable costs to be charged. Such rules may provide for a sliding scale of payment so that an offender who is able to pay a portion, but not all of such costs may be required to pay such portion.

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 26—
BY SENATOR DUPRE
To enact R.S. 49:213.1(E) and 213.4(A)(7), to repeal that portion of Section 3 of Act No. 1 of the 2006 First Extraordinary Session of the Legislature enacting R.S. 49:213.1(E) and 213.4(A)(7), relative to the Coastal Protection and Restoration Authority; to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Reengrossed Senate Bill No. 26 by Senator Dupre

AMENDMENT NO. 1
On page 1, line 2, after "repeal" delete the remainder of the line and delete line 3 in its entirety and insert in lieu thereof: "R.S. 49:213.1(E) and 213.4(A)(7) as enacted by Act No. 1 of the 2006 First Extraordinary Session of the Legislature;"

AMENDMENT NO. 2
On page 1, line 4, delete "49:213.1(E) and 213.4(A)(7),"

AMENDMENT NO. 3
On page 2, line 18, after "Section 2.,” delete the remainder of the line and delete lines 19 and 20 in their entirety and insert in lieu thereof: "R.S. 49:213.1(E) and 213.4(A)(7) as enacted by Act No. 1 of the 2006 First Extraordinary Session of the Legislature are hereby repealed in their entirety."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 85—
BY SENATOR MCPHERSON
AN ACT
To enact R.S. 15:833.1, relative to persons in the custody of the Department of Public Safety and Corrections; to authorize the implementation of community resource centers for certain inmates to participate in disaster and emergency relief; to require the secretary to establish rules, regulations and procedures for such centers; to provide for eligibility; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 146—
BY SENATOR MCPHERSON
AN ACT
To amend and reenact R.S. 56:116.4(A)(3), to provide relative to hurricane protection and flood control projects; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Engrossed Senate Bill No. 146 by Senator McPherson
AMENDMENT NO. 1
On page 2, line 16, after "than" delete the remainder of the line and at the beginning of line 17, delete "twenty" and insert in lieu thereof "three hundred"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 162—
BY SENATOR ELLINGTON
AN ACT
To repeal R.S. 56:320(A)(5), relative to wire nets; to repeal the provision that a wire net shall only be used for the taking of legal size catfish; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 180—
BY SENATOR JONES
AN ACT
To amend and reenact Code of Criminal Procedure Art. 900(A)(5) and to enact R.S. 15:574.9(B)(3), relative to probation and parole; to provide for revocation of probation and parole; to limit incarceration period for technical violations; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 180 by Senator Jones

AMENDMENT NO. 1
On page 1, line 2, after "and" delete "to enact" and on page 1, line 3 after ")'(B)' delete ")'3)" and on page 2, line 18 after ")'(B)' delete ")'3)" and change "enacted" to "amended and reenacted" and on page 2, line 23, following "B." and before "The" insert "(1)"

AMENDMENT NO. 2
On page 2, line 24, change " * * * * " to "(a) The parolee has failed, without a satisfactory excuse, to comply with a condition of his parole; and (b) The violation of condition involves the commission of another felony, or misconduct including a substantial risk that the parolee will commit another felony, or misconduct indicating that the parolee is unwilling to comply with proper conditions of parole."

AMENDMENT NO. 3
On page 2, line 25, at the beginning of the line and before "(a)" change "(3)" to "(2)"

AMENDMENT NO. 4
On page 2, line 25, following "of" and before "of this" change "Paragraphs (1) and (2)" to "Paragraph (1)"

AMENDMENT NO. 5
On page 3, line 3, following "this" and before "shall" change "Subsection" to "Paragraph"

AMENDMENT NO. 6
On page 3, line 5, following "this" and before "of this" change "Subparagraph" to "Paragraph"

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 228—
BY SENATOR JONES
AN ACT
To amend and reenact Code of Criminal Procedure Art. 893, relative to suspension and deferral of sentence and probation in felony cases; to provide for suspension of sentence for certain third convictions; to require participation in a drug program; to provide for the period of probation upon completion of participation in a drug program; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 253—
BY SENATORS N. GAUTREAUX, CHAISSON, AMEDEE, KOSTELKA, NEVERS AND SMITH
AN ACT
To amend and reenact R.S. 14:44.2(A), relative to aggravated kidnapping of a child; increases the child's age requirement; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.
SENATE BILL NO. 289—
BY SENATOR FIELDS
AN ACT
To amend and reenact R.S. 15:574.20(A), relative to parole; to provide with respect to medical parole; to provide medical parole consideration of inmates determined to be permanently incapacitated or terminally ill; and to provide for related matters.

Read by title.
Reported favorably by the Committee on Administration of Criminal Justice.
Reported without amendments by the Legislative Bureau.
On motion of Rep. Martiny, the bill was ordered passed to its third reading.
Under the rules, placed on the regular calendar.

SENATE BILL NO. 477—
BY SENATOR CAIN
AN ACT
To amend and reenact Code of Criminal Procedure Article 578 and to enact Code of Criminal Procedure Article 572(C), relative to bail; to provide for the expiration of bail bonds when the time for prosecuting certain offenses has lapsed; and to provide for related matters.

Read by title.
Reported favorably by the Committee on Administration of Criminal Justice.
Reported without amendments by the Legislative Bureau.
On motion of Rep. Martiny, the bill was ordered passed to its third reading.
Under the rules, placed on the regular calendar.

SENATE BILL NO. 547—
BY SENATOR MURRAY
AN ACT
To enact R.S. 15:572.9, relative to pardons; to provide that a person convicted of violating a state law or municipal ordinance the purpose of which was to maintain or enforce racial separation or discrimination shall be granted a pardon of the conviction upon application; to provide for a hearing if the state objects to the granting of the pardon; and to provide for related matters.

Read by title.
Reported favorably by the Committee on Administration of Criminal Justice.
Reported without amendments by the Legislative Bureau.
On motion of Rep. Martiny, the bill was ordered passed to its third reading.
Under the rules, placed on the regular calendar.

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.

Read by title.
Reported without amendments by the Legislative Bureau.
Rep. Tank Powell moved the bill be ordered passed to its third reading.
As a substitute motion, Rep. Lancaster moved that the bill otherwise be committed to the Committee on House and Governmental Affairs.
By a vote of 43 yea's and 48 nays, the House refused to commit the bill to the Committee on House and Governmental Affairs.
On motion of Rep. Tank Powell, the bill was ordered passed to its third reading.
Under the rules, placed on the regular calendar.

SENATE BILL NO. 692—
BY SENATOR ADLEY
AN ACT
To authorize the state of Louisiana, acting through the Military Department, and the secretary of the Department of Wildlife and Fisheries to sell, convey, transfer, assign, and deliver to each other certain state property located in Webster Parish.

Read by title.
Reported favorably by the Committee on Natural Resources.
Reported without amendments by the Legislative Bureau.
On motion of Rep. Pierre, the bill was ordered passed to its third reading.
Under the rules, placed on the regular calendar.

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

SENATE BILL NO. 7—
BY SENATOR NEVERS
AN ACT
To amend and reenact Part XIV-A of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:557.21 and 557.22, relative to agricultural and seafood products; to require state agencies to assist the Department of Economic Development in the development, registration, and licensing of any trademark or label for use in promoting Louisiana agricultural and seafood products; to authorize the Department of Economic Development to sell licenses for such trademarks or labels; to create the Agricultural and Seafood Products Support Fund; to provide for the use of monies in the fund; to require the promulgation of rules and regulations; and to provide for related matters.

Read by title.
Reported with amendments by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.
The committee amendments were read as follows:

## HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Agriculture, Forestry, Aquaculture, and Rural Development to Engrossed Senate Bill No. 7 by Senator Nevers

### AMENDMENT NO. 1

On page 2, line 26, after "label" insert "developed and registered by the department"

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

Under the rules, the bill, as amended, was recommitted to the Committee on Appropriations.

### Suspension of the Rules

On motion of Rep. Scalise, 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. 570—**

BY REPRESENTATIVES SCALISE, ALEXANDER, GALLOT, E. GUIRLLORY, HUNTER, AND WALKER

AN ACT

To enact Chapter 22 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:2151 through 2163, relative to qui tam actions; to create the Hurricane Relief Funds Integrity Act; to prohibit false or fraudulent claims or false or misleading statements in relation to obtaining funds, property, or other compensation from hurricane relief programs; to provide for civil actions by the attorney general or by other persons to recover hurricane relief program funds; to provide for damages, fines, penalties, and interest; to create the Hurricane Relief Programs Fraud Detection Fund; to provide for an awards program for information on violations; to provide for protection for certain persons against reprisals by certain persons; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Scalise moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

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<th>YEAS</th>
<th>NAYS</th>
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Total - 104

Total - 0

Kennard

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. Scalise 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. Katz gave notice of her intention to call House Bill No. 1328 from the calendar for future action.

**Suspension of the Rules**

On motion of Rep. Kleckley, the rules were suspended to limit the author or proponent handling the legislative instrument to ten minutes for opening remarks and all subsequent speakers on the instrument to five minutes.

**HOUSE BILL NO. 190—**

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 40:1796, relative to the preemption of state law over local governmental ordinances regarding the sale, purchase, possession, ownership, transfer, transportation, license, or registration of firearms or ammunition; to provide for an exception in cases of emergency or disaster; to provide for applicability in high-risk areas; to provide for definitions; and to provide for related matters.

Read by title.

**Motion**

On motion of Rep. Ansardi, the bill was returned to the calendar.
HOUSE BILL NO. 254—
BY REPRESENTATIVE CROWE
AN ACT
To amend and reenact R.S. 14:91.11(B) and to enact R.S. 14:91.11(A)(4), relative to offenses affecting the health and morals of minors; to provide with respect to the sale, exhibition, or distribution of material harmful to minors; to provide for definitions; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 369—
BY REPRESENTATIVE DURAND
AN ACT
To amend and reenact R.S. 40:32(1) and 34(B)(1)(a)(viii), (h)(v), (i), and (j), relative to biological parents; to provide for definitions regarding surrogate pregnancies; to expand the definition of surrogate to include a person related by affinity; to provide for retroactivity; and to provide for related matters.

Read by title.

Rep. Durand moved the final passage of the bill.

ROLL CALL
The roll was called with the following result:

YEAS

Mr. Speaker
Alario
Alexander
Arnold
Badon
Baldone
Barrow
Baudoin
Baylor
Beard
Bowler
Bruce
Bruneau
Burns
Burrell
Carter, K.
Carter, R.
Chandler
Crane
Cravins
Crowe
Curtis
Damico
Daniel
Dartez
Doerge
Dorsey
Dove
Downs
Durand
Erdey
Fannin
Farrar

Faucheux
Fritth
Geymann
Glover
Gray
Guillory, E.
Hammett
Harris
Henton
Hebert
Hill
Honey
Hopkins
Hunter
Hutter
Jackson
Jefferson
Johns
Katz
Kenney
Kleckley
LaBruzzi
LaFleur
LaFonta
Lambert
Lancaster
Marchand
McDonal
McVea
Montgomery
Morrell
Morrish
Odinet
Pierre
Pinac
Pitre
Powell, M.
Powell, T.
Quezaire
Richmond
Ritchie
Robideaux
Romero
Scalese
Schneider
Smiley
Smith, G.
Smith, J.D.–50th
Smith, J.H.–8th
Smith, J.R.–30th
St. Germain
Strain
Thompson
Toomy
Townsend
Trahan
Truich
Tucker
Waddell
Walker
Walsh
White
Winston
Wooton

Total - 97

NAYS

Total - 0

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 517—
BY REPRESENTATIVE K. CARTER
AN ACT
To enact R.S. 22:1078(B)(22), relative to fees collected by the commissioner of insurance; to provide for a fee for the acceptance of service of process when appointed as agent for a nonresident licensee or a foreign or alien entity; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 520—
BY REPRESENTATIVE K. CARTER
AN ACT
To enact R.S. 22:1078(B)(22), relative to fees collected by the commissioner of insurance; to provide for licensing fees for public adjusters; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 626—
BY REPRESENTATIVE BALDONE
AN ACT
To amend and reenact R.S. 28:382.2(C) and R.S. 39:1533(A) and to enact R.S. 28:771(G) and Chapter 18 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:871 through 876, and R.S. 36:254(J) and 258(J), relative to human services; to create the South Central Louisiana Human Services Authority and provide for the powers, duties, and functions of the authority; to create a governing board and provide for membership, powers, duties, and functions; to provide for the transfer of certain powers, duties, and functions from the Department of Health and Hospitals to the authority; to provide for transfer of employees; to provide for an effective date; and to provide for related matters.

Read by title.

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

Amendments proposed by Representative Baldone to Engrossed House Bill No. 626 by Representative Baldone

AMENDMENT NO. 1
On page 10, delete lines 14 through 19 in their entirety
AMENDMENT NO. 2
On page 10, line 20, change "Section 5." to "Section 4."

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

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

ROLL CALL
The roll was called with the following result:

YEAS

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

Total - 97
NAYS

Total - 0
ABSENT

Carter, K.  Hopkins  Richmond
Glover  Hunter  Waddell
Harris  Kennard

Total - 8

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. 702—
BY REPRESENTATIVE ODINET

AN ACT
To amend and reenact R.S. 56:433(B)(1) and (C), relative to harvest of oysters; to provide for season opening and closing dates for harvest from the public seed grounds; and to provide for related matters.

Read by title.

Rep. Odinet moved the final passage of the bill.

ROLL CALL
The roll was called with the following result:

YEAS

Mr. Speaker  Fannin  Montgomery
Alario  Farrar  Morrell
Alexander  Faucheux  Morrish
Ansardi  Frith  Odinet
Arnold  Gallot  Pierre
Badon  Geymann  Pinac
Baldone  Gray  Pitre
Barrow  Greene  Powell, M.
Baudoin  Guilory, E.  Powell, T.
Bayor  Guilory, M.  Quezaire
Beard  Hammett  Ritchie
Bruce  Heaton  Robideaux
Burns  Honey  Romero
Burrell  Hutter  Scalise
Carter, K.  Hunter  Schneider
Carter, R.  Jackson  Smiley
Cazayoux  Jefferson  Smith, G.
Chandler  Johns  Smith, J.H.–50th
Crane  Katz  Smith, J.D.–50th
Cravins  Kenney  St. Germain
Crowe  Kleckley  Toomy
Curtis  LaBruzzo  Townsend
Damicco  LaFleur  Trahan
Daniel  LaFonta  Triche
Dartez  Lambert  Tucker
DeWitt  Lancaster  Walker
Doerge  Marchand  Walsworth
Dorsey  Martiny  White
Dove  McDonald  Winston
Downs  McVea  Wooton
Durand  Montgomery  Erdey
Morrell

Total - 99
NAYS

Total - 0
ABSENT

Carter, K.  Hopkins  Strain
Glover  Hunter  Waddell
Harris  Kennard

Total - 6

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Odinet 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. 802—
BY REPRESENTATIVE FRITH
AN ACT
To amend and reenact R.S. 56:435.1(F) and 435.1.1(A), (C), and (D),
to enact R.S. 56:435.1(H), and to repeal R.S. 56:435.2, relative
to the oyster harvest in Calcasieu Lake and Sabine Lake; to
provide for the use of mechanical dredges; to authorize the
Wildlife and Fisheries Commission to set closing dates and
harvest limits; to provide for limited transplanting of oysters and
cultch in Vermilion Bay; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS
Amendments proposed by Representative Frith to Engrossed House
Bill No. 802 by Representative Frith

AMENDMENT NO. 1
On page 1, line 2, change "R.S. 56:435.1(F)" to "R.S. 56:435.1(A),
(F), and (G)"

AMENDMENT NO. 2
On page 1, line 9, change "R.S. 56:435.1(F)" to "R.S. 56:435.1(A),
(F), and (G)"

AMENDMENT NO. 3
On page 1, line 11, delete "prohibition on use of dredges and
scrapers;" and insert "methods of harvest;"

AMENDMENT NO. 4
On page 1, line 12, after "oysters" delete the remainder of the line
and delete line 13 in its entirety

AMENDMENT NO. 5
On page 1, between lines 13 and 14, insert the following:
"A.(1) No one shall use dredges or scrapers to take oysters from
the natural oyster reefs in Sabine Lake, which the legislature finds are
in danger of being destroyed because of dredging and scraping.
(2) Whoever violates the provisions of this Subsection and rules
and regulations of the department shall, upon conviction thereof in
any court of competent jurisdiction:

(a) For the first offense, be fined not less than five hundred
dollars or imprisoned for not more than one hundred twenty days, or
both;

(b) For a second offense, be fined not less than seven hundred
fifty dollars and not more than three thousand dollars and be
imprisoned not less than ninety nor more than one hundred eighty
days;

(c) For the third and all subsequent offenses, he be fined not less
than one thousand dollars nor more than five thousand dollars and be
imprisoned not less than one hundred eighty days nor more than two
years;

(2) In addition to the above fines and jail sentences, the license
under which said violation occurred may be revoked and may not be
reinstated at any time during the period for which it was issued and
for one year thereafter, and shall include forfeiture to the department
of anything seized in connection with the violation. Oysters may be
harvested in Sabine Lake using tongs, a hand dredge, a single dredge
with mechanical assist that has a tooth bar no more than thirty-six
inches long, or a single scraper with mechanical assist with a flat bar
length of no more than thirty-six inches.

AMENDMENT NO. 6
On page 1, delete lines 18 through 20 in their entirety and on page 2,
delete lines 1 through 7 in their entirety and insert in lieu thereof the
following:
"G. The commission shall fix the open season for oyster
tonging in Sabine Lake, which shall begin on November fifteenth and
shall end on April thirtieth. However, the commission may open or
close the season as biological data indicate a need. Open season
dates and harvest limits shall be set by the commission after
consideration of recommendations by the Louisiana Oyster Task
Force. In addition, recreational fishermen may harvest oysters as
provided in R.S. 56:424(C).

H. Any violation of this Section shall be considered a class four
violation subject to the penalties contained in R.S. 56:34.

AMENDMENT NO. 7
On page 3, line 6, delete "or "closed""

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

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

ROLL CALL
The roll was called with the following result:

YEAS

Mr. Speaker Farrar Morrish
Alario Faucheux Odinet
Alexander Frith Pierre
Ansardi Gallot Pinac
Arnold Geymann Pitre
Badon Glover Powell, M.
Baldone Gray Powell, T.
Barrow Greene Quezaire
Baudoin Guillory, E. Richmond
Baylor Guillory, M. Ritchie
Beard Hammett Robideaux
Bowler Harris Romero
Bruce Heathon Scalice
Bruneau Hill Schneider
Burns Honey Smiley
Burrell Hunter Smith, G.
Carter, K. Hutter Smith, J.H.–8th
Carter, R. Jackson Smith, J.R.–30th
Cayzayoux Jefferson St. Germain
Chandler Johns St. Germain
Crane Katz Strain
Cravins Kenney Thompson
Crowe Kleckley Toomy
Curtis LaFleur Townsend
Damico LaFonta Trahan
Daniel Lambert Tucker
DeWitt Marchand Walker
Doerge Martiny Walsworth
Dorsey McDonald White
Downs McVea Winston
Durand Montgomery Wooton
Fannin Morrell
Total - 95
The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Frith 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. 817—

BY REPRESENTATIVE HOPKINS

AN ACT

To enact R.S. 27:326, relative to the Video Draw Poker Devices Control Law; to provide with respect to promoting and encouraging the play of video draw poker devices; to provide for a restriction on the offering of food or beverages free of charge; to provide for applicability; to limit the value of the promotion; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 838—

BY REPRESENTATIVES ST. GERMAIN, PIERRE, LAMBERT, AND JACK SMITH AND SENATORS MALONE AND MCPHERSON

AN ACT

To amend and reenact R.S. 56:328(B), (C), and (D) and to enact R.S. 56:328(E), relative to invasive, noxious aquatic plants; to require the Department of Wildlife and Fisheries to maintain and promulgate a list of prohibited noxious aquatic plants; to require the department to take necessary steps to control and eradicate such plants; and to provide for related matters.

Read by title.


ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 96

NAYS

Carter, R. Hutter Smiley
Erdey McVea White
Fannin Montgomery Winston

Total - 0

ABSENT

Arnold Downs Hopkins
Barrow Hammett Kennard

Total - 9

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. St. Germain 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. 839—

BY REPRESENTATIVES ST. GERMAIN, LAMBERT, AND JACK SMITH AND SENATOR N. GAUTREAUX

AN ACT

To amend and reenact R.S. 56:306(A)(2)(a), 306.2(A)(3), 306.6(A), and 332(K) and to repeal Subpart I of Part VI of Chapter 1 of Title 56 of the Louisiana Revised Statutes of 1950, comprised of R.S. 56:309 through 309.4, relative to soft shell crab shedders license; to eliminate the soft shell crab shedders license; and to provide for related matters.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. St. Germain gave notice of her intention to call House Bill No. 839 from the calendar for future action.

HOUSE BILL NO. 914—

BY REPRESENTATIVE TOOMY

AN ACT

To amend and reenact R.S. 22:658(A)(1), relative to payment and adjustment of claims; to provide for the payment of claims; to provide for the notification of insurance producers; and to provide for related matters.

Read by title.
Rep. Toomy sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Toomy to Engrossed House Bill No. 914 by Representative Toomy

**AMENDMENT NO. 1**

On page 1, line 15, after "payments" insert "for property damage claims"

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker Fannin Montgomery
Alario Farrar Morrell
Alexander Faucheux Morrish
Ansardi Frith Odinet
Arnold Gallot Pierre
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 Heaton Romero
Burns Hill Scalise
Burrell Honey Schneider
Carter, K. Hunter Smiley
Carter, R. Hutter Smith, G.
Cazayoux Jackson Smith, J.D.–50th
Chandler Jefferson Smith, J.H.–8th
Crane Johns Smith, J.R.–30th
Cravins Katz St. Germain
Crowe Kenney Strain
Curtis Kleckley Thompson
Damico LaBruzzo Toomy
Daniel LaFleur Townsend
Dartez LaFonta Truhan
DeWitt Lambert Triche
Doerge Lancaster Tucker
Dorsey Marchand Walsworth
Dove Martiny White
Durand McDonald Winston
Erdey McVea Wooton
Total - 99

**NAYS**

Total - 0

**ABSENT**

Downs Hopkins Waddell
Hebert Kennard Walker
Total - 6

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.

**HOUSE BILL NO. 916—**

**BY REPRESENTATIVE ANSARDI**

AN ACT

To amend and reenact R.S. 17:1990(B)(4)(b)(i) and to enact R.S. 17:1990(B)(4)(b)(iv) and R.S. 41:901, relative to the disposition of certain unused school property; to provide relative to the Recovery School District; to authorize the school district and certain city, parish, or other local public school boards to sell, exchange, or lease land or buildings over which it has the rights and responsibility of ownership to certain entities; to provide with regard to the nature of such property transfer; to provide with regard to the applicability of certain laws; 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. 916 by Representative Ansardi

**AMENDMENT NO. 1**

On page 3, line 20, following "student" and before "of" change "membership" to "enrollment"

**AMENDMENT NO. 2**

On page 3, line 21, following "first" and before "count" change "membership" to "enrollment"

**AMENDMENT NO. 3**

On page 4, line 6, following "this" and before "shall" change "item" to "section"

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

**Motion**

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

**HOUSE BILL NO. 1082—**

**BY REPRESENTATIVE WALSWORTH**

AN ACT

To enact R.S. 17:81.9, relative to local public school boards; to require each city, parish, and other local public school board to develop and adopt certain policies with regard to hiring school employees, including certain contractors and other persons; to require applicants for employment to sign certain statements; to provide relative to the disclosure of certain information about such applicants; to prohibit certain disclosure of such information and to provide that violation of such prohibition shall be a misdemeanor offense; to provide for the use of such information by local public school boards; to provide an effective date; and to provide for related matters.

Read by title.

Rep. Walsworth sent up floor amendments which were read as follows:
HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Walsworth to Engrossed House Bill No. 1082 by Representative Walsworth

AMENDMENT NO. 1
On page 1, line 2, after "To" and before "enact" insert "amend and reenact R.S. 44:4.1(B)(8) and to"

AMENDMENT NO. 2
On page 1, line 6, after "applicants;" and before "to" insert "to exempt such disclosure from the public records law;"

AMENDMENT NO. 3
On page 1, line 8, after "offense;" and before "to" insert "to provide for penalties;"

AMENDMENT NO. 4
On page 1, line 14, after "employee" delete the remainder of the line and on line 15, delete "or other similar services on public school grounds," and insert a comma "

AMENDMENT NO. 5
On page 3, at the end of line 13, delete the period "." and add "and shall be fined not more than five hundred dollars or imprisoned for not more than six months, or both."

AMENDMENT NO. 6
On page 3, between lines 23 and 24, insert the following:

"Section 2. R.S. 44:4.1(B)(8) is hereby amended and reenacted to read as follows:

§4.1. Exceptions
* * * *
B. The legislature further recognizes that there exist exceptions, exemptions, and limitations to the laws pertaining to public records throughout the revised statutes and codes of this state. Therefore, the following exceptions, exemptions, and limitations are hereby continued in effect by incorporation into this Chapter by citation:
* * * *
* * * *

AMENDMENT NO. 7
On page 3, at the beginning of line 24, change "Section 2." to "Section 3."

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Fannin
Alario Farrar
Alexander Faucheux
Ansardi Frith
Arnold Gallot
Badon Geymann
Baldone Glover
Barrow Gray
Baudoin Greene
Baylor Guillory, E.
Beard Guillory, M.
Bowler Hammett
Bruce Harris
Bruneau Heath
Burns Hill
Burrell Honey
Carter, K. Hopkins
Carter, R. Hutter
Cazayoux Jackson
Chandler Jefferson
Crane Katz
Cravins Kenney
Crowe Kleckley
Curtis LaBruzio
Damico LaFleur
Daniel LaFonta
Dartez Lambert
DeWitt Lancaster
Doerge Marchand
Dorsey Martin
Dove McDonald
Downs McVeA
Durand Montgomery
Erdey Morrell

Total - 101

NAYS

Total - 0

ABSENT

Hebert Johns
Hunter Kennard

Total - 4

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

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

HOUSE BILL NO. 190—
BY REPRESENTATIVE MARTINY
AN ACT
To amend and reenact R.S. 40:1796, relative to the preemption of state law over local governmental ordinances regarding the sale, purchase, possession, ownership, transfer, transportation, license, or registration of firearms or ammunition; to provide for an exception in cases of emergency or disaster; to provide for applicability in high-risk areas; to provide for definitions; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative McDonald on behalf of the Legislative Bureau to Engrossed House Bill No. 190 by Representative Martiny

1022
AMENDMENT NO. 1
On page 2, line 5, following "shall" and before "to" change "only be released" to "be released only"

AMENDMENT NO. 2
On page 2, line 15, before the "," change "Vermillion" to "Vermilion"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 102

NAYS

Total - 0

ABSENT

Johns                          Kennard                  Scalise

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.

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.

Acting Speaker John Smith in the Chair

HOUSE BILL NO. 1141—
BY REPRESENTATIVES HEBERT AND SCALISE

AN ACT
To amend and reenact R.S. 22:1430.12(A)(1), relative to insurance rates for certain policies; to exempt certain coverages from certain requirements for rates for policies offered by the Louisiana Citizens Property Insurance Corporation; and to provide for related matters.

Read by title.

Rep. Hebert moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 104

NAYS

Total - 0

ABSENT

Johns                          Kennard                  Scalise

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

Rep. Hebert 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. 1161—
BY REPRESENTATIVE ST. GERMAIN
AN ACT
To enact R.S. 56:322.2(I), relative to taking of shad; to authorize the use of unattended nets overnight during the open season in Lake Palourde and Lake Verret; to provide for certain restrictions; and to provide for related matters.

Read by title.


ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 99

NAYS

Total - 0

ABSENT

Mr. Speaker  Barrow  LaFleur
Ansardi  Kennard  Smith, J.R.–30th
Total - 6

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

Rep. St. Germain 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. 1199—
BY REPRESENTATIVE CROWE
AN ACT
To amend and reenact R.S. 15:542(B)(introductory paragraph) and (D) and to enact R.S. 15:542(B)(7), relative to registration of sex offenders; to provide for registration of sex offenders ten days prior to release from confinement from a state correctional facility; to provide for the offender's photograph to be placed on the office of state police’s website; to provide for the initial payment of the registration fee upon release from confinement; and to provide for related matters.

Read by title.

Rep. Crowe moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker  Fannin  Morrell
Alario  Farrar  Morrish
Alexander  Faucheux  Odnine
Ansardi  Frith  Pierre
Arnold  Gallot  Powell, M.
Badon  Geymann  Powell, T.
Baldone  Glover  Quezaire
Barrow  Gray  Richmond
Baudoin  Greene  Ritchie
Baylor  Guillory, E.  Robideaux
Beard  Guillory, M.  Romero
Bowler  Hammett  Scalise
Bruce  Harris  Schneider
Bruneau  Hutter  Smith
Burns  Hill  Smith, G.
Burrell  Hopkins  Smith, J.D.–50th
Carter, K.  Hopkins  Smith, J.R.–30th
Cazayoux  Jackson  Smith, J.H.–8th
Chandler  Jefferson  Toomy
Crane  Johns  Townsend
Cravins  Johns  Trahan
Crowe  Kenney  Tucker
Curtis  Kleckley  Walker
Damiaco  LaBruzzo  Walker
Doerge  LaFonta  Waddell
Dorsey  Lambert  Walsworth
Dove  Martin  White
Erdey  McDonald  Winston
Fannin  McVea  Wooton
Farrar  Montgomery

Total - 100

NAYS

Total - 0

ABSENT

Heaton  Lambert  Pitre
Kennard  Pinac
Total - 5
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.

HOUSE BILL NO. 1231—
BY REPRESENTATIVE WALKER
AN ACT
To amend and reenact R.S. 56:643(B)(2), relative to hunting and fishing licenses; to provide that members of the Louisiana National Guard not currently on active duty shall be eligible for a resident Louisiana National Guard license; to provide that the same residency requirements as well as any additional qualifications and limitations apply to the resident Louisiana National Guard license as for the resident active military license; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS
Amendments proposed by Representative Walker to Engrossed House Bill No. 1231 by Representative Walker

AMENDMENT NO. 1
On page 1, line 4, after “to provide” delete the remainder of the line and insert “for residency requirements;”

AMENDMENT NO. 2
On page 1, delete lines 5 and 6 in their entirety and on line 7, delete “license;”

AMENDMENT NO. 3
On page 2, line 12, after “who” delete the remainder of the line and delete line 13 in its entirety and insert in lieu thereof “submits proof of his status as a member in good standing of the Louisiana National Guard,”

AMENDMENT NO. 4
On page 2, at the beginning of line 14, delete “Guard.”

AMENDMENT NO. 5
On page 2, line 19, after “shall” delete the remainder of the line and on line 20, delete “identification card” and insert in lieu thereof “carry proof of his status as a member of the Louisiana National Guard”

AMENDMENT NO. 6
On page 2, line 24, after “who” delete the remainder of the line and delete lines 25 through 27 in their entirety and insert in lieu thereof:

“is registered to vote in Louisiana, has filed a Louisiana state income tax return, or is licensed to drive a motor vehicle in Louisiana. A copy of the prior year’s income tax return, a copy of the applicant’s voter registration card, or the actual driver’s license shall constitute sufficient proof of residence.”

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

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

ROLL CALL
The roll was called with the following result:

YEAS
Alario  Frith  Morrell
Alexander  Gallot  Odinet
Ansardi  Geymann  Pierre
Arnold  Glover  Pinac
Badon  Gray  Pitre
Baldone  Greene  Powell, M.
Barrow  Guillory, E.  Powell, T.
Baudoin  Guillory, M.
Baylor  Hammett  Quezaire
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  St. Germain
Cravins  Johns  Strain
Crowe  Katz  Thompson
Curse  Kenney  Toomy
Damicco  Kleckley  Townsend
Daniel  LaBrizzo  Trahan
Dartez  LaFleur  Triche
DeWitt  LaFonta  Tucker
Dorsey  Lambert  Waddell
Downs  Lancaster  Walker
Dudley  Marchand  Walsworth
Erdley  Martiny  White
Fannin  McDonald  Winston
Faucheux  McVeah  Wooten
Total - 98

NAYS
Total - 0

ABSENT
Mr. Speaker  Dove  Smith, J.R.–30th
Beard  Kenndy  Smith, J.R.–30th
Doerge  Morrish
Total - 7

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1249—
BY REPRESENTATIVES ODINET AND BALDONE AND SENATOR DUPRE
AN ACT
To amend and reenact R.S. 56:423(A) and (B)(1), 424(H), 425(A) and (C), 427.1, 428(A) and (B), 429, and 432.1, to enact R.S. 56:424(I), 425(E), and 432.2, and to repeal R.S. 56:428.1, 428.2, 428.3, and 430.1, relative to oyster leases; to authorize the acquisition by the state of oyster leases directly impacted by coastal protection, conservation, or restoration projects; to establish a hierarchy of rights; to establish limitations on actions...
against the state, its political subdivision, or the United States; to provide for lease terms; to establish a lease acquisition and compensation program in the Department of Natural Resources; to provide for annual reports; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Odinet to Engrossed House Bill No. 1249 by Representative Odinet

**AMENDMENT NO. 1**

On page 4, line 13, change "Part" to "Subpart"

**AMENDMENT NO. 2**

On page 4, lines 16 and 17, change "bottoms" to "bottom"

**AMENDMENT NO. 3**

On page 4, line 18, delete "the secretary, the" and insert "either secretary, either"

**AMENDMENT NO. 4**

On page 15, at the end of line 2, change "practicable" to "practical"

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Durand to Engrossed House Bill No. 1255 by Representative Durand

**AMENDMENT NO. 1**

On page 2, line 2, after "(D)" and before "and" insert a comma ','

**AMENDMENT NO. 2**

On page 10, line 27, after "days" and before "notify" insert a comma ','

The roll was called with the following result:

**YEAS**

Mr. Speaker
Alario
Alexander
Ansardi
Arnold
Badon
Baldone
Barrow
Baudoin
Baylor
Beard
Bowler
Bruce

Farrar
Faucheux
Frith
Gallot
Geymann
Glover
Gray
Greene
Guilory, E.
Guilory, M.
Hammett
Harris
Heaton

Montgomery
Morrell
Odinet
Pierre
Pinac
Pitre
Powell, M.
Powell, T.
Quezaire
Richmond
Ritchie
Robideaux
Romero

Total - 102

**NAYS**

Total - 0

**ABSENT**

Curtis
Kennard
Morrish

Total - 3

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Odinet 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. 1255—**

**BY REPRESENTATIVE DURAND**

**AN ACT**

To amend and reenact R.S. 37:3386.1(3), (10), and (14), 3387.1(A) and (E)(2), 3387.2(A) and (E)(1), 3388.2(A), (B), and (D), and 3389 to enact R.S. 36:259(E)(24) and R.S. 37:3387.10 through 3387.14, and to repeal R.S. 37:3386.1(13) and R.S. 37:3387.7 through 3387.9, relative to the Addictive Disorders Practice Act; to provide transitional authority for the Addictive Disorder Regulatory Authority; to provide for definitions; to provide for licensed prevention professionals, certified prevention professionals, registered prevention professionals, prevention services assistants, and certified prevention supervisors; to provide for the Addictive Disorder Regulatory Authority; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Durand to Engrossed House Bill No. 1255 by Representative Durand

**AMENDMENT NO. 1**

On page 2, line 2, after "(D)" and before "and" insert a comma ','

**AMENDMENT NO. 2**

On page 10, line 27, after "days" and before "notify" insert a comma ','
AMENDMENT NO. 3
On page 17, line 5, after "described in" and before "Subsection" insert "this"

AMENDMENT NO. 4
On page 17, line 6, delete "D of this Section"

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

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

ROLL CALL
The roll was called with the following result:

YEAS

<table>
<thead>
<tr>
<th>Name</th>
<th>Party</th>
<th>District</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Speaker Durand</td>
<td>Marchand</td>
<td></td>
</tr>
<tr>
<td>Alario</td>
<td>Erdey</td>
<td>Martiny</td>
</tr>
<tr>
<td>Alexander</td>
<td>Fannin</td>
<td>McDonald</td>
</tr>
<tr>
<td>Ansardi</td>
<td>Farrar</td>
<td>McVea</td>
</tr>
<tr>
<td>Arnold</td>
<td>Faucheux</td>
<td>Montgomery</td>
</tr>
<tr>
<td>Badon</td>
<td>Frith</td>
<td>Morrell</td>
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<tr>
<td>Baldone</td>
<td>Guillot</td>
<td>Odinet</td>
</tr>
<tr>
<td>Barrow</td>
<td>Geymann</td>
<td>Pierre</td>
</tr>
<tr>
<td>Baudoin</td>
<td>Glover</td>
<td>Pinac</td>
</tr>
<tr>
<td>Baylor</td>
<td>Gray</td>
<td>Pitre</td>
</tr>
<tr>
<td>Beard</td>
<td>Guillory, E.</td>
<td>Powell, T.</td>
</tr>
<tr>
<td>Bowler</td>
<td>Guillory, M.</td>
<td>Quezaire</td>
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<td>Bruce</td>
<td>Hammett</td>
<td>Richmond</td>
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<td>Bruneau</td>
<td>Harris</td>
<td>Ritchie</td>
</tr>
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<td>Burns</td>
<td>Heaton</td>
<td>Romero</td>
</tr>
<tr>
<td>Burrell</td>
<td>Hebert</td>
<td>Smith, G.</td>
</tr>
<tr>
<td>Carter, K.</td>
<td>Hill</td>
<td>Smith, J.D.–50th</td>
</tr>
<tr>
<td>Carter, R.</td>
<td>Honey</td>
<td>Smith, J.H.–8th</td>
</tr>
<tr>
<td>Cazayoux</td>
<td>Hopkins</td>
<td>Smith, J.R.–30th</td>
</tr>
<tr>
<td>Chandler</td>
<td>Hunter</td>
<td>St. Germain</td>
</tr>
<tr>
<td>Crane</td>
<td>Hutter</td>
<td>Strain</td>
</tr>
<tr>
<td>Crowe</td>
<td>Jackson</td>
<td>Thompson</td>
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<tr>
<td>Curtis</td>
<td>Jefferson</td>
<td>Toomy</td>
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<tr>
<td>Damico</td>
<td>Johns</td>
<td>Townsend</td>
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<tr>
<td>Daniel</td>
<td>Kenney</td>
<td>Trahan</td>
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<tr>
<td>Daruez</td>
<td>Kleckley</td>
<td>Triche</td>
</tr>
<tr>
<td>DeWitt</td>
<td>LaBruzio</td>
<td>Waddell</td>
</tr>
<tr>
<td>Doerge</td>
<td>LaFleur</td>
<td>Walker</td>
</tr>
<tr>
<td>Dorsey</td>
<td>LaFonta</td>
<td>White</td>
</tr>
<tr>
<td>Dove</td>
<td>Lambert</td>
<td>Winston</td>
</tr>
<tr>
<td>Downs</td>
<td>Lancaster</td>
<td>Wooton</td>
</tr>
<tr>
<td>Total - 93</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

NAYS

<table>
<thead>
<tr>
<th>Name</th>
<th>Party</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greene</td>
<td>Scalise</td>
</tr>
<tr>
<td>Powell, M.</td>
<td>Schneider</td>
</tr>
<tr>
<td>Robideaux</td>
<td>Smiley</td>
</tr>
<tr>
<td>Total - 7</td>
<td></td>
</tr>
</tbody>
</table>

ABSENT

<table>
<thead>
<tr>
<th>Name</th>
<th>Party</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cravins</td>
<td>Kennard</td>
</tr>
<tr>
<td>Katz</td>
<td>Morrish</td>
</tr>
<tr>
<td>Total - 5</td>
<td></td>
</tr>
</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. Durand moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1289—
BY REPRESENTATIVES MORRELL, ANSARDI, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BURNS, BURRELL, K. CARTER, DANIEL, DARUEZ, DORSEY, FARRAR, FAUCHEUX, FRITH, GLOVER, GRAY, E. GUILLOIR, HARRIS, HEATON, HEBERT, HILL, HONEY, HUNTER, JACKSON, JEFFERSON, LAFONTA, MARCHAND, MCDONALD, ODINET, PIERRE, QUEZAIRE, RICHMOND, ROMERO, SCHNEIDER, JANE SMITH, ST. GERMAIN, AND TRAHAN -- AN ACT.

To enact R.S. 22:629(A)(4), relative to insurance contracts; to prohibit the inclusion of certain time limitations on actions on claims for damages arising from a gubernatorially declared disaster, namely Hurricanes Katrina and Rita; to authorize declaratory judgment to determine constitutionality of Act; to provide for an emergency effective date; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Morrell to Engrossed House Bill No. 1289 by Representative Morrell

AMENDMENT NO. 1
On page 1, delete line 2, and insert in lieu thereof “To amend and reenact R.S. 22:629 and to enact R.S. 22:658.3, relative to insurance claims; to provide relative to”

AMENDMENT NO. 2
On page 1, line 3, after “limitations on” delete the remainder of the line and delete lines 4 and 5 in their entirety and insert the following: “actions; to extend the time for filing certain insurance claims for damages arising from hurricane activity; to provide for an”

AMENDMENT NO. 3
On page 1, line 8, after “R.S. 22:629” delete “(A)(4)” and insert “is hereby amended and reenacted and R.S. 22:658.3”

AMENDMENT NO. 4
On page 1, line 8, after "R.S. 22:629" delete "(A)(4)" and insert "is hereby amended and reenacted and R.S. 22:658.3"

"(1) Requiring it to be construed according to the laws of any other state or country except as necessary to meet the requirements of the motor vehicle financial responsibility laws of such other state or country; or"

"(2) Depriving the courts of this state of the jurisdiction of action against the insurer; or"

B. No insurance contract delivered or issued for delivery in this state and covering subjects located, resident, or to be performed in this state, or any group health and accident policy insuring a resident of this state regardless of where made or delivered, shall contain any condition, stipulation, or agreement limiting the right of action against the insurer to a period of less than twelve months next after the inception of the loss when the claim arises under any insurance classified and defined in R.S. 22:6(10), (11), (12), and (13), or to a period of less than one year from the time when the cause of action accrues in connection with all other insurance unless otherwise specifically provided in this Code."
Any such condition, stipulation, or agreement in violation of this Section shall be void, but such voiding shall not affect the validity of the other provisions of the contract.

AMENDMENT NO. 5

On page 2, delete lines 1 through 14 in their entirety and insert the following:

§658.3. Filing claims; extension for claims arising from hurricane activity

A. Notwithstanding any other provision of this Title to the contrary, any person or entity having a claim for damages pursuant to a homeowners' insurance policy, personal property insurance policy, tenant homeowners' insurance policy, condominium owners' insurance policy, or commercial property insurance policy, and resulting from Hurricane Katrina shall have through September 1, 2007, within which to file a claim with their insurer for damages, unless a greater time period to file such claim is otherwise provided by law or by contract.

B. Notwithstanding any other provision of this Title to the contrary, any person or entity having a claim for damages pursuant to a homeowners' insurance policy, personal property insurance policy, tenant homeowners' insurance policy, condominium owners' insurance policy, or commercial property insurance policy, and resulting from Hurricane Rita shall have through October 1, 2007, within which to file a claim with their insurer for damages, unless a greater time period to file such claim is otherwise provided by law or by contract.

Rep. Morrell moved the adoption of the amendments.


By a vote of 76 yeas and 22 nays, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker  Alario  Alexander  Ansardi  Arnold  Badon  Baldwin  Barrow  Baudoin  Baylor  Beard  Bruce  Bruneau  Burns  Burrell  Carter, K.  Carter, R.  Cazayoux  Chandler  Crane  Cravins  Crowe  Curtis  Damico  Daniel  Dartez  DeWitt  Doerge  Dorsey  Dove  Downs  Durand

LaBruzzo  LaFleur  LaFonta  Lambert  Lancaster  Marchand  Martiny  McDonald  McVea  LaBran  Trahan  Tuche  Walker  White  Wooton  Katz  Powell, M.  Powell, T.

Bowler  Erdey  Johns  Hopkins  Kennard

Total - 95

NAYS

Bowler  Katz  Walsworth  Erdey  Powell, M.  Winston  Johns  Powell, T.

Total - 8

ABSENT

Hopkins  Kennard

Total - 2

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Speaker Salter in the Chair

HOUSE BILL NO. 1376 (Substitute for House Bill No. 407 by Representative Richmond)—BY REPRESENTATIVE RICHMOND

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.

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. 1376 by Representative Richmond

AMENDMENT NO. 1

On page 2, line 11, following "will" and before "to" change "only apply" to "apply only"

AMENDMENT NO. 2

On page 3, line 9, following "shall" and before "be" delete "only" and on line 11, at the beginning of the line and before "if" insert "only"

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

Motion

On motion of Rep. Richmond, the bill, as amended, was returned to the calendar.
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 injunctions; 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 water-damaged vehicles; to provide for prohibition of black market sales; to provide for licensing requirements for dismantlers, parts recyclers, used parts dealers, and motor vehicle crushers; to provide for suspension of licenses; 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 requirements for recreational product dealers and manufacturers; to provide for unlawful acts and suspension of license; to provide for indemnity requirements; to provide for areas of responsibility; to provide for repurchase requirements; and to provide for related matters.

Read by title.

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

Notice of Intention to Call
Pursuant to House Rule No. 8.26(A), Rep. Pinac gave notice of his intention to call House Bill No. 1377 from the calendar for future action.

HOUSE BILL NO. 1378 (Substitute for House Bill No. 559 by Representative Hebert)—
BY REPRESENTATIVE HEBERT
AN ACT
To amend and reenact Children's Code Article 638, relative to children in need of care; to provide for service of the petition; and to provide for related matters.

Read by title.

Rep. Hebert moved the final passage of the bill.

ROLL CALL
The roll was called with the following result:

YEAS
Beard  Hammett  Robideaux
Bowler  Harris  Romero
Bruce  Heathon  Scalise
Bruneau  Hebert  Schneider
Burns  Hill  Smiley
Burrell  Honey  Smith, G.
Carter, K.  Hopkins  Smith, J.D.—50th
Carter, R.  Hutter  Smith, J.H.—8th
Cazayoux  Jackson  Smith, J.R.—30th
Chandler  Jefferson  St. Germain
Crane  Johns  Strain
Cravins  Katz  Thompson
Crowe  Kenney  Toomy
Curtis  Kleckley  Townsend
Damico  LaBruzio  Trahan
Daniel  LaFleur  Triche
Doerge  LaFonta  Tucker
Dorsey  Lambert  Waddell
Dove  Lancaster  Walker
Downs  Martiny  Walsworth
Durand  McDonald  White
Erdey  McVea  Winston
Fannin  Montgomery  Wooton
Total - 99

NAYS
Total - 0

ABSENT

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Hebert 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. 1379 (Substitute for House Bill No. 860 by Representative Alexander)—
BY REPRESENTATIVE ALEXANDER
AN ACT
To amend and reenact Civil Code Articles 102 and 103(1) and Code of Civil Procedure Articles 3952, 3953(introductory paragraph) and (1) and (2) and 3956(introductory paragraph) and (5) and R.S.13:3491(A)(introductory paragraph) and (5)(a) and (B) and 3492(A)(introductory paragraph) and (6)(b) and (B) and to enact Civil Code Article 103.1, relative to divorce; to provide for the granting of divorce when there are minor children of the marriage; to provide for nullity of judgments; and to provide for related matters.

Read by title.

Rep. Alexander moved the final passage of the bill.

ROLL CALL
The roll was called with the following result:

YEAS
Mr. Speaker  Fannin  Morrish
Alario  Fauchex  Odet
Alexander  Frith  Pierre
Ansardi  Gallot  Pinac
Arnold  Geymann  Pitre
Badon  Glover  Powell, M.
Baldone  Gray  Powell, T.
Barrow  Grene  Quezaire
Baudoin  Guiliory, E.  Richmond
Baylor  Guiliory, M.  Ritchie
Beard  Hammett  Robideaux
Bowler  Harris  Romero
Bruce  Heathon  Scalise
Bruneau  Hebert  Schneider
Burns  Hill  Smiley
Burrell  Honey  Smith, G.
Carter, K.  Hopkins  Smith, J.D.—50th
Carter, R.  Hutter  Smith, J.H.—8th
Cazayoux  Jackson  Smith, J.R.—30th
Chandler  Jefferson  St. Germain
Crane  Johns  Strain
Cravins  Katz  Thompson
Crowe  Kenney  Toomy
Curtis  Kleckley  Townsend
Damico  LaBruzio  Trahan
Daniel  LaFleur  Triche
Doerge  LaFonta  Tucker
Dorsey  Lambert  Waddell
Dove  Lancaster  Walker
Downs  Martiny  Walsworth
Durand  McDonald  White
Erdey  McVea  Winston
Fannin  Montgomery  Wooton
Total - 49

NAYS
Total - 0

ABSENT

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Alexander 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.
AMENDMENT NO. 3
On page 1, line 3, after "exceptions;" insert "to provide for a civil action;"

AMENDMENT NO. 4
On page 1, line 6, after "R.S. 8:655(C)" delete "is" and insert "and (D) are"

AMENDMENT NO. 5
On page 1, delete lines 9 through 14 in their entirety and insert the following:
"C. Unless other specific directions given by the deceased in the form of a written and notarized declaration provide to the contrary, no person that controls interment as provided for in this Section who views the remains of the deceased, shall prevent a child of a deceased parent from viewing the body prior to its transfer to the cemetery or crematory.

D. A person who controls the right of interment shall be liable to a child of the deceased for any damages, including but not limited to mental anguish, for failure to comply with the provisions of Subsection C of this Section.

AMENDMENT NO. 6
On page 1, line 15, after "R.S. 37:876(F)" delete "is" and insert "and (G) are"

AMENDMENT NO. 7
On page 1, delete lines 18 and 19 in their entirety and on page 2, delete lines 1 and 2 in their entirety and insert the following:
"F. Unless other specific directions given by the deceased in the form of a written and notarized declaration provide to the contrary, no person that serves as an authorizing agent as provided for in this Section who views the remains of the deceased, shall prevent a child of a deceased parent from viewing the body prior to its transfer to the crematory.

G. A person that serves as an authorizing agent shall be liable to a child of the deceased for any damages, including but not limited to mental anguish, for failure to comply with the provisions of Subsection F of this Section.

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker
Alario
Alexander
Ansardi
Badon
Baldone
Barrow
Baudoin
Baylor
Beard
Brother

FAucheux
Gallot
Geymann
Glover
Greene
Guillory, E.
Guillory, M.
Hammett
Hebert

Odinet
Pierre
Pascal
Pitre
Powell, M.
Powell, T.
Quezaire
Ritchie
Robideaux
Scalise
Schneider
The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Suspension of the Rules

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

HOUSE BILL NO. 1270—
BY REPRESENTATIVE RITCHIE

To amend and reenact R.S. 51:710(A) and to enact R.S. 51:710.1, relative to securities; to provide for the powers and authority of the commissioner of securities; to provide additional powers for the commissioner during a declared state of emergency; to authorize the assessment of certain fees; to authorize the commissioner to assess certain civil monetary penalties; and to provide for related matters.

Called from the calendar.

Roll by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Ritchie to Engrossed House Bill No. 1270 by Representative Ritchie

AMENDMENT NO. 1

On page 1, at the end of line 4, delete "to" and at the beginning of line 5, delete "authorize the assessment of certain fees;"

AMENDMENT NO. 2

On page 2, delete lines 8 through 10

AMENDMENT NO. 3

On page 2, at the beginning of line 11, delete "(iii)"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Durand Morrell
Alario Erdey Morris
Alexander Fannin Odinet
Ansardi Farrar Pierre
Arnold Faucheux Pinac
Badon Frith Pitre
Baldone Gallot Powell, M.
Barrow Geymann Powell, T.
Baudoin Glover Quezaire
Baylor Gray Ritchie
Beard Guillory, E. Robideaux
Bowler Guillory, M. Scalise
Bruce Hammett Schneider
Bruneau Hebert Smiley
Burns Hill Smith, G.
Burrell Honey Smith, J.D.–50th
Carter, K. Hopkins Smith, J.H.–8th
Carter, R. Hunter Smith, J.R.–30th
Cazayoux Hutter St. Germain
Chandler Jackson Strain
Cone Jefferson Thompson
Cravins Johns Townsend
Crowe Katz Trahan
Curtis Kenney Toomy
Damicco Kleckley Triche
Daniel LaFleur Tucker
DeWitt Lambert Waddell
Doerge Marchand Walker
Dorsey McDonald Walsworth
Dove McVea Winston
Downs Montgomery Wooton
Total - 96

NAYS

Total - 0

ABSENT

Greene Kennard Martiny
Harris LaBruzzo Richmond
Heaton Lancaster Romero
Total - 9

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.
Rep. Ritchie 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. Tucker, and under a suspension of the rules, the following bill was taken up out of its regular order at this time.

**HOUSE BILL NO. 310—**

*BY REPRESENTATIVE TUCKER*

To repeal R.S. 17:10.6(C) and (D), relative to school and district accountability; to repeal certain provisions relative to a local public school system that is academically in crisis and the powers of the school board and superintendent of such system.

Called from the calendar.

Read by title.

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

Total - 102

**NAYS**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>Curtis</td>
<td>Total - 1</td>
</tr>
<tr>
<td>Kennard</td>
<td>Total - 2</td>
</tr>
</tbody>
</table>

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 699—**

*BY REPRESENTATIVE MONTGOMERY*

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.

Called from the calendar.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Greene to Engrossed House Bill No. 699 by Representative Montgomery

**AMENDMENT NO. 1**

On page 1, line 3, after "through" change "1368" to "1361"

**AMENDMENT NO. 2**

On page 1, delete lines 5 thorough 11, and insert the following:

"video services; to provide for add-on cable service providers; to authorize negotiation of cable franchises with local governmental subdivisions; and to provide for related"

**AMENDMENT NO. 3**

On page 1, line 15, after "through" change "1368" to "1361"

**AMENDMENT NO. 4**

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

"The term "cable service" shall include video programming, which means programming provided by, or generally considered comparable to programming provided by, a television broadcast station. The term "cable service" shall include video service, which means video programming services provided by wireline facilities
located at least in part in the public rights-of-way without regard to
delivery technology, including Internet protocol technology.

AMENDMENT NO. 5
On page 2, at the end of line 14, insert the following:
"The term "cable service provider" includes any provider of video
programming or video service.

AMENDMENT NO. 6
On page 3, delete lines 3 through 8 in their entirety

AMENDMENT NO. 7
On page 3, at the beginning of line 9, delete "(6)" and insert "(4)"

AMENDMENT NO. 8
On page 3, at the beginning of line 15, delete "(7)" and insert "(5)"

AMENDMENT NO. 9
On page 3, at the beginning of line 17, delete "(8)" and insert "(6)"

AMENDMENT NO. 10
On page 3, delete line 19 through 29, and on page 4, delete lines 1
through 23

AMENDMENT NO. 11
On page 4, at the beginning of line 24, delete "(11)" and insert "(7)"

AMENDMENT NO. 12
On page 4, delete lines 25 through 29

AMENDMENT NO. 13
On page 5, delete lines 10 through 29, delete pages 6 through 14, and
on page 15, delete lines 1 through 20 and insert the following:

"§1359. Cable Franchising

A. Any person or entity seeking to operate a cable system
utilizing the public rights-of-way of any local governmental
subdivision that does not have an incumbent cable service provider
may negotiate a franchise with the local governmental subdivision.

B. (1) Any person or entity seeking to operate a cable system
utilizing the public rights-of-way of any local governmental
subdivision that does have an incumbent cable service provider shall
be entitled to operate pursuant to the franchise to which the local
governmental subdivision and the incumbent cable service provider
are both parties.

(2) Such person or entity shall be deemed an "add-on cable
service provider."

§1360. Add-on cable service provider; requirements to adopt
franchise

A. Any add-on cable service provider opting to provide cable
service under the provisions of this Part shall abide by the provisions
of this Section.

B. (1) The add-on cable service provider shall notify the local
governing authority of its intent to adopt the franchise applicable to
the incumbent service provider.

(2) The notice shall be written and hand delivered or delivered
by certified mail and shall include:

(a) Name and address of the add-on cable service provider
(b) A statement of intent to adopt the franchise applicable to the
incumbent cable service provider
(c) Address to which the franchise document is to be sent

C. Within ten days of the receipt of a notice of intent pursuant
to this Section the local governmental subdivision shall deliver to the
add-on cable service provider, at the address in the notice of intent,
a copy of the documents setting forth the terms and conditions of the
franchise applicable to the incumbent cable service provider.

D. (1) In order to finalize acceptance of the franchise the
add-on cable service provider shall provide a written statement of
agreement to all terms and conditions of the franchise.

(2) The statement of agreement shall be signed by a person
authorized to contractually bind the add-on cable service provider
and shall be hand delivered or delivered by certified mail.

E. Within thirty days of receipt of the statement of agreement
the local governmental subdivision shall notify the add-on cable
service provider of the date on which the franchise shall become
effective, which date shall be no later than sixty days from the receipt
of the statement of agreement.

§1361. Exception

Nothing in this Part shall prohibit any person or entity from
negotiating a unique franchise with a local governmental subdivision,
separate and distinct from the franchise applicable to an incumbent
cable service provider.

Rep. Greene moved the adoption of the amendments.
A record vote was asked for and ordered by the House.

ROLL CALL

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>NAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alexander Erdey McVea</td>
<td>Mr. Speaker Frith Pierre</td>
</tr>
<tr>
<td>Ansardi Gray Morrish</td>
<td>Alario Gallot Pinac</td>
</tr>
<tr>
<td>Barrow Greene Smiley</td>
<td>Arnold Geymann Pitre</td>
</tr>
<tr>
<td>Baudoin Guillory, M.</td>
<td>Badon Glover Powell, M.</td>
</tr>
<tr>
<td>Burrell Hebert St. Germain</td>
<td>Baldone Guillory, E. Powell, T.</td>
</tr>
<tr>
<td>Cazayoux Hutter Toomy</td>
<td>Bowler Hammett Quezaire</td>
</tr>
<tr>
<td>Crowe Kleckley Walker</td>
<td>Bruce Heaton Richmond</td>
</tr>
<tr>
<td>DeWitt LaFleur White</td>
<td>Bruneau Hill Ritchie</td>
</tr>
<tr>
<td>Dorsey Martiny Wooton</td>
<td>Burns Honey Robideaux</td>
</tr>
<tr>
<td>Total - 27</td>
<td>Carter, R. Hunter Scalise</td>
</tr>
<tr>
<td></td>
<td>Chandler Jackson Schneider</td>
</tr>
</tbody>
</table>
The amendments were rejected.

Rep. Montgomery moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>NAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Speaker Glover Pierre</td>
<td></td>
</tr>
<tr>
<td>Alario Guilory, E. Pinac</td>
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<tr>
<td>Arnold Hammett Pite</td>
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<tr>
<td>Badon Heaton Powell, M.</td>
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<tr>
<td>Baldone Hebert Powell, T.</td>
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<td>Bowler Hill Quezaire</td>
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<td>Bruce Honey Richmond</td>
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<td>Bruneau Hopkins Ritchie</td>
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</tr>
<tr>
<td>Burns Hunter Robideaux</td>
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<tr>
<td>Carter, R. Hutter Romero</td>
<td></td>
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<tr>
<td>Chandler Jackson Scalise</td>
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<tr>
<td>Crane Jefferson Schneider</td>
<td></td>
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<tr>
<td>Cravins Katz Smith, J.H.–8th</td>
<td></td>
</tr>
<tr>
<td>Curtis Kenney Strain</td>
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<tr>
<td>Damico LaBruzzo Smith, J.R.–30th</td>
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<tr>
<td>Doerge Lambert Thompson</td>
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<td>Dove Lancaster Townsend</td>
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<td>Downs Marchand Triche</td>
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<tr>
<td>Durand McDonald Tucker</td>
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<td>Fannin Montgomery Waddell</td>
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<tr>
<td>Farrar Morell Walsworth</td>
<td></td>
</tr>
<tr>
<td>Faucheux Odinet Winston</td>
<td></td>
</tr>
<tr>
<td>Total - 72</td>
<td></td>
</tr>
</tbody>
</table>

| ABSENT |  |
| Beard Doerge Smith, J.D.–50th |  |
| Carter, K. Harris |  |
| Daniel Kennard |  |
| Total - 7 |  |

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**Suspension of the Rules**

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

**Petitions, Memorials and Communications**

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

**Message from the Senate**

**HOUSE CONCURRENT RESOLUTIONS**

May 15, 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. 192 Returned without amendments
House Concurrent Resolution No. 195 Returned without amendments
House Concurrent Resolution No. 196 Returned without amendments
House Concurrent Resolution No. 197 Returned without amendments
House Concurrent Resolution No. 199 Returned without amendments
House Concurrent Resolution No. 200 Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

**Message from the Senate**

**ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS**

May 15, 2006

To the Honorable Speaker and Members of the House of Representatives:
I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution Nos. 84 and 86

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

SENATE BILLS

May 15, 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. 382, 471, 642, 684, and 687

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. 382—
BY REPRESENTATIVE DORSEY
A RESOLUTION
To express sincere and heartfelt condolences upon the death of Dorsey Hawkins.

Read by title.

HOUSE RESOLUTION NO. 65—
BY REPRESENTATIVE DOVE
A RESOLUTION
To recognize May of 2006 as Woodmen of the World, Lodge 308, Month and to encourage the state's citizens to acknowledge the numerous contributions of the Woodmen of the World organization during the centennial celebration of Lodge 308.

Read by title.
HOUSE RESOLUTION NO. 67—
BY REPRESENTATIVE DOVE
A RESOLUTION
To commend Gerald J. Collins, a member of Woodmen of the World/Omaha Life Insurance Society, Woodmen Lodge 308 in Houma, upon being recognized as a Fraternal MVP (Most Valuable Participant) by the National Fraternal Congress of America.

Read by title.

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

HOUSE RESOLUTION NO. 68—
BY REPRESENTATIVE DORSEY
A RESOLUTION
To commend the Magnolia Baptist Church of Baton Rouge upon the occasion of its one hundred thirtieth anniversary.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 202—
BY REPRESENTATIVES GALLOT AND DOWNS AND SENATOR KOSTELKA
A CONCURRENT RESOLUTION
To commend Richard I. Durrett, P. E. upon his retirement as parish administrator/engineer for the Lincoln Parish Police Jury and to recognize his achievements and contributions.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 203—
BY REPRESENTATIVES SCALISE AND SALTER
A CONCURRENT RESOLUTION
To memorialize the United States Congress to take such actions as are necessary to require a minimum time period for a business to refund an unauthorized overcharge on a debit card.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 204—
BY REPRESENTATIVE DOWNS
A CONCURRENT RESOLUTION
To urge and request the Department of Transportation and Development to study speed limits and their enforcement on state and U.S. highways within municipalities, to urge and request the legislative auditor to study excessive speed limit enforcement in at least one municipality as part of the department's study, and to request that the department report its findings 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. Downs, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 205—
BY REPRESENTATIVE RICHMOND
A CONCURRENT RESOLUTION
To memorialize the United States Congress to take such actions as are necessary to extend Louisiana's seaward boundary in the Gulf of Mexico to twelve geographical miles.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 206—
BY REPRESENTATIVE MARTINY
A CONCURRENT RESOLUTION
To continue and provide for the Louisiana Task Force on Indigent Defense Services.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 207—
BY REPRESENTATIVES SCHNEIDER AND TRICHE
A CONCURRENT RESOLUTION
To memorialize the United States Congress to take such actions as are necessary to require a minimum time period for a business to refund an unauthorized overcharge on a debit card.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 208—
BY REPRESENTATIVE BALDONE
A CONCURRENT RESOLUTION
To express condolences upon the death of Joseph Dickson Dorroh, Jr. of Lake Charles.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 209—
BY REPRESENTATIVE KLECKLEY
A CONCURRENT RESOLUTION
To express condolences upon the death of Joseph Dickson Dorroh, Jr. of Lake Charles.

Read by title.

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

Ordered to the Senate.

Reports of Committees
The following reports of committees were received and read:

Report of the Committee on Appropriations
May 15, 2006
To the Speaker and Members of the House of Representatives:
I am directed by your Committee on Appropriations to submit the following report:

- **House Concurrent Resolution No. 119**, by Morrish
  Reported favorably. (10-0)

- **House Bill No. 269**, by Pinac
  Reported with amendments. (10-0) (Regular)

- **House Bill No. 308**, by Kleckley
  Reported with amendments. (10-0) (Regular)

- **House Bill No. 436**, by Greene
  Reported favorably. (10-0) (Regular)

- **House Bill No. 979**, by E. Guillory
  Reported with amendments. (10-0) (Regular)

- **House Bill No. 1001**, by Dorsey
  Reported by substitute. (10-0) (Regular)

- **House Bill No. 1020**, by Dorsey
  Reported with amendments. (10-0) (Regular)

- **House Bill No. 1029**, by Dorsey
  Reported with amendments. (11-0) (Regular)

- **House Bill No. 1172**, by Tucker
  Reported favorably. (10-0) (Regular)

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JOHN A. ALARIO, JR.
Chairman

**Report of the Committee on Civil Law and Procedure**

May 15, 2006

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Civil Law and Procedure to submit the following report:

- **House Bill No. 892**, by K. Carter
  Reported with amendments. (8-0) (Regular)

- **House Bill No. 1163**, by Ansardi
  Reported by substitute. (8-0) (Regular)

- **House Bill No. 1222**, by Gallot
  Reported with amendments. (8-0) (Regular)

- **House Bill No. 1250**, by Pinac
  Reported favorably. (6-1-1) (Regular)

- **House Bill No. 1266**, by G. Smith
  Reported favorably. (8-0) (Regular)

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GLENN ANSARDI
Chairman

**Report of the Committee on Commerce**

May 15, 2006

To the Speaker and Members of the House of Representatives:

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

- **House Bill No. 540**, by Burns
  Reported favorably. (13-4) (Regular)

- **House Bill No. 619**, by Burns
  Reported with amendments. (12-4) (Regular)

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House Bill No. 742, by Pinac
Reported with amendments. (13-0) (Regular)

House Bill No. 1087, by Glover
Reported with amendments. (9-4) (Regular)

GIL J. PINAC
Chairman

**Privileged Report of the Legislative Bureau**

May 15, 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. 9**
  Reported without amendments.

- **Senate Bill No. 196**
  Reported without amendments.

- **Senate Bill No. 216**
  Reported without amendments.

- **Senate Bill No. 525**
  Reported without amendments.

Respectfully submitted,

CHARLES MCDONALD
Chairman

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

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

**Motion**

On motion of Rep. Ansardi, the Committee on Education was discharged from further consideration of Senate Bill No. 308.

**SENATE BILL NO. 308—**

BY SENATORS MURRAY AND HEITMEIER AND REPRESENTATIVE ANSARDI

AN ACT

To amend and reenact R.S. 17:1990(B)(4)(b)(i) and to enact R.S. 17:1990(B)(4)(b)(iv), and R.S. 41:901, relative to the disposition of certain unused school property; to provide relative to the Recovery School District; to authorize the school district and certain city, parish, or other local public school boards to sell, exchange, or lease land or buildings over which it has the rights and responsibility of ownership to certain entities; to provide with regard to the disposition of such property transfer; to provide relative to the applicability of certain laws; and to provide for related matters.

Read by title.

**Motion**

Rep. Ansardi moved that Senate Bill No. 308 be designated as a duplicate of House Bill No. 916.

Which motion was agreed to.
Motion

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

Privileged Report of the Committee on Enrollment

May 15, 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. 63—
BY REPRESENTATIVES MORRELL, BADON, BARROW, BAYLOR, BURRELL, K. CARTER, CRAVINS, CURTIS, DORSEY, GALLOW, GLOVER, GRAY, E. GUILLORY, HARRIS, HONEY, HUNTER, JACKSON, JEFFERSON, LAFONTA, MARCHAND, PIERRE, QUEZAO, AND RICHMOND
A RESOLUTION
To commend Scott Wells for his commitment to the citizens of Louisiana in the restoration and rebuilding efforts after Hurricanes Katrina and Rita.

HOUSE RESOLUTION NO. 64—
BY REPRESENTATIVE DORSEY
A RESOLUTION
To express sincere and heartfelt condolences upon the death of Lee Esther "Bae Bae" Barrow of Baton Rouge.

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 15, 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. 178—
BY REPRESENTATIVE MORRELL
A CONCURRENT RESOLUTION
To urge and request the Federal Emergency Management Agency (FEMA) to provide cellular telephones for limited use in FEMA-issued trailers when telephone service is otherwise unavailable.

HOUSE CONCURRENT RESOLUTION NO. 182—
BY REPRESENTATIVES DOVE AND BALDONE AND SENATOR DUPRE
A CONCURRENT RESOLUTION
To memorialize the United States Congress to take such actions as necessary to provide hurricane tidal flood protection to south Louisiana, including requiring the United States Army Corps of Engineers to evaluate both federal and nonfederal tidal levees in south Louisiana, to consider adding nonfederal tidal levees into the federal program, and to fully fund upgrading hurricane tidal flood protection in south Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 189—
BY REPRESENTATIVE E. GUILLORY
A CONCURRENT RESOLUTION
To urge and request the State Board of Elementary and Secondary Education to study the feasibility of implementing an online student information system for the parents of public high school students to access and to report the study findings and recommendations, in writing, to the House Committee on Education and the Senate Committee on Education prior to the convening of the 2007 Regular Session.

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.

Leave of Absence

Rep. Kennard - 1 day

Adjournment

On motion of Rep. Kenney, at 6:57 P.M., the House agreed to adjourn until Tuesday, May 16, 2006, at 2:00 P.M.

The Speaker of the House declared the House adjourned until 2:00 P.M., Tuesday, May 16, 2006.

ALFRED W. SPEER
Clerk of the House