

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

FORTY-SIXTH 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

Friday, June 16, 2006

The House of Representatives was called to order at 9:00 A.M., by the Honorable Joe R. Salter, Speaker of the House of Representatives.

Morning Hour

ROLL CALL

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

PRESENT

Mr. Speaker	Farrar	Montgomery
Alario	Faucheux	Morrish
Alexander	Frith	Odinot
Ansardi	Gallot	Pierre
Arnold	Geymann	Pinac
Badon	Glover	Pitre
Baldone	Gray	Powell, M.
Baudoin	Greene	Quezaire
Baylor	Guillory, E.	Richmond
Beard	Guillory, M.	Ritchie
Bowler	Hammett	Robideaux
Bruce	Harris	Romero
Bruneau	Heaton	Scalise
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	Johns	Strain
Crowe	Katz	Thompson
Curtis	Kennard	Toomy
Damico	Kenney	Townsend
Daniel	Kleckley	Trahan
Dartez	McVea	Triche
DeWitt	LaBruzzo	Tucker
Doerge	LaFleur	Waddell
Dorsey	LaFonta	Walker
Dove	Lambert	Walsworth
Downs	Lancaster	White

Durand
Erdey
Fannin
Total - 100

Marchand
Martiny
McDonald

Wooton

ABSENT

Barrow
Jefferson
Total - 4

Powell, T.
Winston

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

Prayer

Prayer was offered by Rep. Durand.

Pledge of Allegiance

Rep. Hill 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. White, the reading of the Journal was dispensed with.

On motion of Rep. Johns, the Journal of June 15, 2006, was adopted.

**Petitions, Memorials and
Communications**

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

Message from the Senate

**ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

June 16, 2006

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

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

Senate Concurrent Resolution No. 134

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Suspension of the Rules

On motion of Rep. DeWitt, the rules were suspended in order to take up and consider Senate Concurrent Resolutions at this time.

Senate Concurrent Resolutions

The following Senate Concurrent Resolutions contained in the message were taken up and acted upon as follows:

**SENATE CONCURRENT RESOLUTION NO. 134—
BY SENATOR MCPHERSON**

A CONCURRENT RESOLUTION

To urge and request the Board of Regents and the nursing boards to work together and study the feasibility of expanding nursing programs in order to alleviate the nursing shortage crisis that exists in Louisiana.

Read by title.

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

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 16, 2006

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

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 134: Senators Lentini, Murray, and Marionneaux.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

**Introduction of Resolutions,
House and House Concurrent**

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

HOUSE RESOLUTION NO. 123—

BY REPRESENTATIVE BALDONE
A RESOLUTION

To urge and request the Louisiana High School Athletic Association to revise its policies relative to varsity athletic eligibility requirements for eighth grade students, especially as it relates to such students in private and parochial schools, and to submit a written report on the status of such revisions to the House Committee on Education prior to the convening of the 2007 Regular Session.

Read by title.

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

HOUSE RESOLUTION NO. 124—

BY REPRESENTATIVE BALDONE
A RESOLUTION

To urge and request the House Committee on House and Governmental Affairs to study issues related to the accessibility of records of criminal convictions through the Louisiana Bureau of Criminal Identification and Information or any law enforcement agency, the propriety of assessing a charge for such records, and potential sources of liability for any law enforcement agency furnishing such records and to report its findings to the House of Representatives not later than March 15, 2007.

Read by title.

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

HOUSE RESOLUTION NO. 125—

BY REPRESENTATIVE GLOVER
A RESOLUTION

To commend Stromile Swift of Shreveport for his outstanding accomplishments.

Read by title.

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

HOUSE RESOLUTION NO. 126—

BY REPRESENTATIVE GLOVER
A RESOLUTION

To commend Pastor Joseph Lindsey of the Mooringsport Church of God in Christ for his outstanding accomplishments.

Read by title.

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

HOUSE RESOLUTION NO. 127—

BY REPRESENTATIVE GLOVER
A RESOLUTION

To commend Marvin Joe Williams, Sr., "Jabber Jaws", of Shreveport for his outstanding accomplishments.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 316—

BY REPRESENTATIVE BALDONE
A CONCURRENT RESOLUTION

To urge and request the Department of Veterans Affairs to encourage the employers of the state of Louisiana to recognize the importance of veterans having days off for the observance of Veteran's Day and Memorial Day.

Read by title.

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

Ordered to the Senate.

Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 136—

BY SENATOR ROMERO
A CONCURRENT RESOLUTION

To continue and expand the purpose of the Atchafalaya Parkway Commission in its study for the need to construct and manage improvements to certain highways in the parishes of St. Martin and St. Landry, by including Iberia Parish in such study; to include representation of the parish government of Iberia on the commission; and to require the commission to make recommendations to the Senate and House committees on transportation, highways and public works prior to the commencement of the 2007 Regular Session.

Read by title.

Motion

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

Reconsideration

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

SENATE BILL NO. 618—

BY SENATORS HINES, ADLEY, DUPLESSIS, KOSTELKA, MALONE,
MICHOT, MOUNT, MURRAY AND NEVERS
AN ACT

To amend and reenact R.S. 47:9 and 337.19(A), R.S. 37:2156(A) and (E), 2156.1(L), 2171.1, 2171.2, and 2175.2(C), to enact R.S. 47:1508(B)(23) and R.S. 37:2156.1(M), 2158(A)(11), and 2186(B)(7), and to repeal R.S. 47:306(D), relative to tax collection; to provide for registration, certification, and required security for taxes from certain contractors; and to provide for related matters.

Read by title.

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

Returned to the calendar under the rules.

SENATE BILL NO. 624—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 28:2(21) and (22), 52(D) and (H)(2)(b), 53(B)(1) and (2), (F), (G)(1), (J)(1) and (2), (K)(1)(a) and (c), and (O)(2), 53.2(A)(5) and (C), 55(I)(1)(a) and (c), 63(A)(1) and (B), 94(B)(2), 96.1(A), (E), and (F), 141, 171(D)(3), (5) and (8), (F), (G), (N) and (P), relative to mental health; to provide for duties and responsibilities of physicians, psychiatrists, and psychologists; to add duties and responsibilities of nurse practitioners and psychiatric mental health nurse practitioners; and to provide for related matters.

Read by title.

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

Returned to the calendar under the rules.

House and House Concurrent Resolutions on Third Reading for Final Consideration

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

HOUSE RESOLUTION NO. 31—

BY REPRESENTATIVE HEBERT

A RESOLUTION

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

Read by title.

Motion

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

HOUSE RESOLUTION NO. 95—

BY REPRESENTATIVE ARNOLD

A RESOLUTION

To amend and readopt House Rule 7.19(E) of the Rules of Order of the House of Representatives to provide that a motion to designate a Senate bill a duplicate is debatable.

Read by title.

Motion

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

HOUSE RESOLUTION NO. 99—

BY REPRESENTATIVE WALKER

A RESOLUTION

To urge and request the House Committee on House and Governmental Affairs to conduct a study and make recommendations concerning designating the Department of Culture, Recreation and Tourism as a charter agency as a pilot program to determine the potential effectiveness and benefits of establishing a charter agency program and the ideal components of such a program.

Read by title.

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

HOUSE RESOLUTION NO. 102—

BY REPRESENTATIVES FANNIN, WALSWORTH, ALARIO,
ALEXANDER, ANSARDI, BALDONE, BAUDOIN, BRUCE, CAZAYOUX,
CHANDLER, CRANE, CURTIS, DAMICO, DANIEL, DARTEZ, DOERGE,
DORSEY, DOVE, DOWNS, DURAND, ERDEY, FARRAR, FAUCHEUX,
FRITH, GALLOT, GRAY, E. GUILLORY, M. GUILLORY, HEBERT, HILL,
HONEY, HUTTER, JOHNS, KATZ, KENNEY, LAFLEUR, MARTINY,
MCDONALD, MONTGOMERY, ODINET, PIERRE, PINAC, PITRE, M.
POWELL, RITCHIE, ROBIDEAUX, SALTER, SMILEY, GARY SMITH,
JANE SMITH, ST. GERMAIN, THOMPSON, TRAHAN, TUCKER,
WADDELL, WALKER, WHITE, AND WOOTON

A RESOLUTION

To urge and request the State Board of Elementary and Secondary Education, relative to the calculation in the minimum foundation program formula of the local school system wealth factor, to develop, adopt, and submit to the legislature for its approval and funding minimum foundation program formulas, beginning with the formula for the 2007-2008 school year, that exclude from the calculation of the local system's property tax revenue capacity and sales tax revenue capacity any such revenues that are the result of a court-ordered settlement agreement until such funds are actually included in the school system's operating budget for any particular year and provide further that only one-third of any such budgeted amount shall be recognized for the purposes of calculating the system's local wealth factor; and to provide for related matters.

Read by title.

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

HOUSE RESOLUTION NO. 103—

BY REPRESENTATIVES FANNIN, BADON, BARROW, CHANDLER,
CROWE, DOWNS, KENNEY, M. POWELL, T. POWELL, RITCHIE,
TRAHAN, WALKER, WALSWORTH, ALARIO, ALEXANDER, ARNOLD,
BALDONE, BAUDOIN, BAYLOR, BRUCE, K. CARTER, CAZAYOUX,
CRANE, CRAVINS, DAMICO, DARTEZ, DOERGE, DOVE, DURAND,
ERDEY, FARRAR, FAUCHEUX, FRITH, GALLOT, GRAY, M. GUILLORY,
HEBERT, HILL, HONEY, HUTTER, KATZ, LAFLEUR, MCDONALD,
MONTGOMERY, QUEZAIRE, ROBIDEAUX, ROMERO, JANE SMITH, ST.
GERMAIN, THOMPSON, TOWNSEND, TUCKER, WADDELL, WHITE,
AND WOOTON

A RESOLUTION

To urge and request the State Board of Elementary and Secondary Education, in considering issues relative to the minimum foundation program formula, especially any considerations relative to the local wealth factor component of the formula, to solicit requests for proposals from a broader field of candidates with expertise in the area of school finance and to submit a written report on the status of such solicitations to the House Committee on Education prior to the convening of the 2007 Regular Session.

Read by title.

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

HOUSE RESOLUTION NO. 105—

BY REPRESENTATIVE BALDONE

A RESOLUTION

To urge and request the House Committee on House and Governmental Affairs to study the feasibility of establishing a standing committee on coastal protection and restoration and, if

it is determined to be feasible, to recommend the subject matter jurisdiction of such committee.

Read by title.

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

HOUSE RESOLUTION NO. 106—
BY REPRESENTATIVE GRAY

A RESOLUTION

To request the House Committee on Municipal, Parochial and Cultural Affairs to study and make recommendations relative to issues related to the use of inclusionary zoning by parishes and municipalities, the effects of inclusionary zoning on the development of affordable housing for low and moderate income families, and the content of ordinances providing for inclusionary zoning and to report its findings to the House of Representatives prior to the 2007 Regular Session.

Read by title.

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

HOUSE RESOLUTION NO. 119—
BY REPRESENTATIVE HEBERT

A RESOLUTION

To urge and request the House Committee on House and Governmental Affairs to study the legislative procedures by which the Capital Outlay Bill is enacted and to make recommendations for improvements to such procedures.

Read by title.

Motion

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

HOUSE RESOLUTION NO. 122—
BY REPRESENTATIVE BEARD

A RESOLUTION

To urge and request the speaker to appoint a special legislative committee to study issues related to cellular technology, cellular regeneration, and somatic cell nuclear transfer.

Read by title.

Motion

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

HOUSE CONCURRENT RESOLUTION NO. 263—
BY REPRESENTATIVES SALTER AND BRUNEAU AND SENATORS HINES AND JONES

A CONCURRENT RESOLUTION

To adopt Joint Rule No. 20 of the Joint Rules of the Senate and House of Representatives relative to the limitations on the filing and consideration of matters intended to have the effect of law and certain amendments thereto during regular sessions held in odd-numbered years.

Called from the calendar.

Read by title.

Motion

On motion of Rep. Lancaster, the resolution was withdrawn from the files of the House.

**Senate Concurrent Resolutions on
Third Reading for Final Consideration**

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

SENATE CONCURRENT RESOLUTION NO. 112—
BY SENATOR LENTINI

A CONCURRENT RESOLUTION

To add the director of the division of long-term supports and services within the Department of Health and Hospitals as a member of the Implementation Team of the Louisiana Commission on Decision-Making of Persons with Cognitive Disabilities and to require a report of such team to the Senate Committee on Judiciary A and the House Committee on Civil Law and Procedure.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 119—
BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To create the Louisiana Task Force on Domestic Violence to study current law, policies, and practices in response to domestic and dating violence and make recommendations for legislation to the Legislature of Louisiana no later than April 1, 2007.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Lancaster to Original Senate Concurrent Resolution No. 119 by Senator Mount

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "to study" delete "create the Louisiana Task Force on Domestic Violence" and insert "request the Senate Committee on Judiciary C and the House Committee on Administration of Criminal Justice to meet and function as a joint committee"

AMENDMENT NO. 2

On page 2, line 2, after "Louisiana" delete the remainder of the line and on line 3 delete "The Louisiana Task Force on Domestic Violence" and insert "does hereby request the Senate Committee on Judiciary C and the House Committee on Administration of Criminal Justice to meet and function as a joint committee"

AMENDMENT NO. 3

On page 2, line 5, after "that the" delete the remainder of the line and delete lines 6 through 30 and delete page 3 in its entirety and on page 4 delete lines 1 through 5 and insert the following:

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

- (1) The executive director, president, and legislative consultant of the Louisiana Coalition Against Domestic Violence, all three to be selected by the chief executive officer of the coalition.

(2) A representative from the formerly Battered Women's Task Force of the Louisiana Coalition Against Domestic Violence to be selected by the chief executive officer of the coalition.

(3) A representative from a local domestic violence program to be selected by the Louisiana Coalition Against Domestic Violence.

(4) The executive director of the Louisiana District Attorneys Association.

(5) The executive director of the Louisiana Commission on Law Enforcement and Administration of Criminal Justice.

(6) The executive director of the office on women's policy in the office of the governor.

(7) The secretary of the Department of Health and Hospitals.

(8) The secretary of the Department of Social Services.

(9) A representative from a batterer's intervention program certified by the Louisiana Coalition Against Domestic Violence to be selected by the director of such program.

(10) A representative from the Louisiana District Judges Association who presides over a predominately civil docket to be selected by the president of that association.

(11) A representative from the Louisiana District Judges Association who presides over a predominately criminal docket to be selected by the president of that association.

(12) A representative of the Louisiana Hearing Officer's Association to be selected by the president of the association.

(13) A representative of the Louisiana Clerks of Court Association to be selected by the president of that association.

(14) The secretary of the Department of Public Safety and Corrections.

(15) A representative from the Louisiana Council of Juvenile and Family Court Judges Association who presides over a juvenile docket to be selected by the president of that association.

(16) A representative from the Louisiana Council of Juvenile and Family Court Judges Association who presides over a family court docket to be selected by the president of that association.

(17) A city court judge who presides over both civil and criminal city dockets to be selected by the president of the Louisiana City Court Judges Association.

(18) The chief justice of the Louisiana Supreme Court.

(19) The judicial administrator of the Louisiana Supreme Court or a representative from the office of the judicial administrator who is familiar with the Louisiana Protective Order Registry.

(20) The executive director of the Louisiana Sheriff's Association.

(21) The executive director of the Louisiana Chiefs of Police Association.

(22) The attorney general, or his designee."

AMENDMENT NO. 4

On page 4, line 6, change "task force" to "joint committee"

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

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

Suspension of the Rules

On motion of Rep. Pinac, 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.

Suspension of the Rules

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage

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

Regular Calendar

SENATE BILL NO. 723—

BY SENATORS MALONE AND ADLEY AND REPRESENTATIVES HOPKINS, MONTGOMERY, JANE SMITH AND WADDELL
AN ACT

To amend and reenact R.S. 34:3158(A) and to enact R.S. 34:3158(D), relative to the Caddo-Bossier Parishes Port Commission; to provide relative to the composition, membership, powers, duties, and functions of the port commission; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Montgomery to Reengrossed Senate Bill No. 723 by Senator Malone

AMENDMENT NO. 1

On page 2, at the end of line 1, after "Shreveport" and before the period "." insert "north of Interstate 20"

AMENDMENT NO. 2

On page 2, at the end of line 2, delete "within" and insert "outside of"

AMENDMENT NO. 3

On page 2, at the end of line 3, after "Shreveport" and before the period "." insert "south of Interstate 20"

AMENDMENT NO. 4

On page 2, line 13, delete "mayor" and insert "governing authority"

AMENDMENT NO. 5

On page 2, at the beginning of line 25, delete "mayor" and insert "governing authority"

Acting Speaker Cazayoux in the Chair

Motion

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

Conference Committee Reports Received

Conference Committee Reports were received for the following legislative instruments:

Senate Bill No. 229

The conference committee reports for the legislative instruments above lie over under the rules.

SENATE BILL NO. 382—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 24:51(2) and R.S. 49:72(5) and to repeal R.S. 42:1123(13), relative to the Code of Governmental Ethics; to repeal provisions relative to an elected official's authorization to accept certain gifts; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Daniel to Engrossed Senate Bill No. 382 by Senator Dardenne

AMENDMENT NO. 1

Delete the set of amendments proposed by the House Committee on House and Governmental Affairs and adopted by the House on June 13, 2006.

Speaker Salter in the Chair

Motion

Rep. DeWitt moved the bill be indefinitely postponed.

Rep. Daniel objected.

By a vote of 49 yeas and 43 nays, the bill was indefinitely postponed.

Conference Committee Reports Received

Conference Committee Reports were received for the following legislative instruments:

House Bill No. 1073

The conference committee reports for the legislative instruments above lie over under the rules.

SENATE BILL NO. 422—
BY SENATOR JACKSON

AN ACT

To enact R.S. 24:515.1, relative to the legislative auditor; to require the legislative auditor to develop a uniform system of reporting all sources of revenue and expenditures relative to judicial district indigent defender boards, funds, and regional defense service centers; to require annual reporting of all major sources of revenues and expenditures through the new audit formats; to provide for uniformity, standardization, and consistency in

terminology and classification for annual audit reports; to provide for compliance and reporting schedules; to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Gallot to Engrossed Senate Bill No. 422 by Senator Jackson

AMENDMENT NO. 1

On page 2, line 24, change "Calendar Year 2007 and Fiscal Year 2007-2008." to "Calendar Year 2007 for such boards on a calendar year schedule, or Fiscal Year 2007-2008 for such boards on a fiscal year schedule."

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

Total - 96

NAYS

Total - 0

ABSENT

Barrow	Hammett	Powell, T.
Erdey	Jefferson	Winston
Glover	Kennard	
Total - 8		

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 687—
BY SENATOR DARDENNE

AN ACT

To enact R.S. 42:1123(37), relative to the Code of Governmental Ethics; to authorize certain insurance producers to serve as a professional insurance advisor or an insurance producer of record to a governmental entity; to provide for payment of compensation under certain circumstances; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Bowler to Engrossed Senate Bill No. 687 by Senator Dardenne

AMENDMENT NO. 1

On page 2, line 11, after "insurance producer" insert "acting as a professional insurance advisor"

AMENDMENT NO. 2

On page 2, line 17, after "insurers" insert a comma ", " and "wholesale brokers, or third party administrators"

AMENDMENT NO. 3

On page 2, at the end of line 20, delete "insurance" and at the beginning of line 21, delete "companies" and insert "insurers, wholesale brokers, or third party administrators"

AMENDMENT NO. 4

On page 2, line 22, after "written" delete the remainder of the line and delete line 23 and insert a period "."

AMENDMENT NO. 5

On page 2, line 28, after "an insurer" and before the comma ", " insert "and its insurance coverage"

Motion

Rep. Hebert moved the bill be recommitted to the Committee on Insurance.

Rep. Hebert withdrew his motion to recommit the bill.

Motion

Rep. Jack Smith moved to indefinitely postpone the bill.

Rep. Toomy objected.

By a vote of 46 yeas and 43 nays, the bill was indefinitely postponed.

SENATE BILL NO. 700—
BY SENATOR JONES

AN ACT

To amend and reenact R.S. 23:642(B) and to enact R.S. 23:643, relative to payment of employees; to provide with respect to the establishment of a state minimum wage; to provide for an increase in the state minimum wage to six dollars and fifteen cents per hour; to provide with respect to the prohibition of a local governmental subdivision setting a minimum wage; to provide for exclusions; to provide for effectiveness; and to provide for related matters.

Read by title.

Motion

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

SENATE BILL NO. 753 (Substitute of Senate Bill No. 650 by Senator Cravins)—
BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 23:992 and to enact R.S. 23:996, relative to employment of certain aliens; to prohibit the hiring of an alien who is not entitled to lawfully reside or work in the United States; to require the filing of an affidavit with a licensing agency; to provide with respect to an agency, department, board or commission of state or a parish agency to notify the attorney general or local district attorney when an employer who operates a business in the state knowingly employs an alien who is not lawfully entitled to reside or work in the United States; to provide for the attorney general or local district attorney to issue a cease and desist order; to provide for penalties; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Cravins to Engrossed Senate Bill No. 753 by Senator Cravins

AMENDMENT NO. 1

Delete Amendments No. 1 and 2 proposed by the House Committee on Labor and Industrial Relations and adopted by the House on June 13, 2006.

AMENDMENT NO. 2

On page 1, line 2, delete "amend and reenact R.S. 23:922 and to"

AMENDMENT NO. 3

On page 1, line 12, delete "R.S. 23:992 is hereby amended and reenacted and"

AMENDMENT NO. 4

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

AMENDMENT NO. 5

On page 2, delete lines 1 through 4 in their entirety

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

Page 8 HOUSE

46th Day's Proceedings - June 16, 2006

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Scalise to Engrossed Senate Bill No. 753 by Senator Cravins

AMENDMENT NO. 1

On page 1, line 2 delete "amend and reenact R.S. 23:992 and to"

AMENDMENT NO. 2

On page 1, line 4, after "United States;" delete the remainder of the line

AMENDMENT NO. 3

On page 1, line 5, at the beginning of the line, delete "agency;"

AMENDMENT NO. 4

On page 1, line 9 after "district attorney to" delete the remainder of the line and insert in lieu thereof the following:

"report notification or knowledge of undocumented aliens to the United States Citizenship and Immigration Service;"

AMENDMENT NO. 5

On page 1, line 10, at the beginning of the line, delete "for penalties;"

AMENDMENT NO. 6

On page 1, line 12, after "Section 1." delete "R.S. 23:992 is hereby amended and reenacted and"

AMENDMENT NO. 7

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

AMENDMENT NO. 8

On page 2, delete lines 1 through 4 in their entirety

AMENDMENT NO. 9

On page 2, line 5, after "§996." delete the remainder of the line and insert in lieu thereof "Reporting of undocumented aliens"

AMENDMENT NO. 10

On page 2, line 14, after "empowered to" delete the remainder of the line and insert in lieu thereof the following:

"report notification or knowledge of the employment of an undocumented alien by a Louisiana business or enterprise to the United States Citizenship and Immigration Services."

AMENDMENT NO. 11

On page 2, delete lines 15 through 29 in their entirety

AMENDMENT NO. 12

On page 3, delete lines 1 through 14 in their entirety

Rep. Scalise moved the adoption of the amendments.

Rep. Cravins objected.

By a vote of 28 yeas and 59 nays, the amendments were rejected.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative LaFonta to Engrossed Senate Bill No. 753 by Senator Cravins

AMENDMENT NO. 1

On page 3, in between lines 13 and 14, insert the following:

"F. The provisions of this Section shall not apply to employers with ten or fewer employees."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 91

NAYS

Alario	DeWitt	Pitre
Bowler	Farrar	

Total - 5

ABSENT

Barrow	Powell, T.	White
Jefferson	Toomy	Winston
Kennard	Waddell	

Total - 8

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 5—
BY SENATOR CAIN

AN ACT

To enact R.S. 51:1425, relative to unfair or deceptive acts or practices; to prohibit certain disclosures by an Internet service provider; to provide for notices; to provide for penalties; and to provide for related matters.

Read by title.

Rep. Pinac moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 90

NAYS

Total - 0

ABSENT

Barrow	Jefferson	Ritchie
Chandler	Kennard	Townsend
Damico	Montgomery	White
Dartez	Odinet	Winston
Harris	Powell, T.	

Total - 14

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 47—
BY SENATORS NEVERS AND AMEDEE
AN ACT

To enact R.S. 14:98(L) and R.S. 47:463.131, relative to motor vehicle license plates; to provide for a special license plate for DWI offenders; to require certain persons convicted of operating a vehicle while intoxicated to obtain and display a special DWI license plate; to provide for its charge; to provide for the distribution and use of the monies; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Tucker to Engrossed Senate Bill No. 47 by Senator Nevers

AMENDMENT NO. 1

Delete Amendment No. 1 proposed by the House Committee on Administration of Criminal Justice and adopted by the House on June 13, 2006.

On motion of Rep. Tucker, 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	Erdey	McDonald
Alario	Fannin	McVea
Alexander	Farrar	Montgomery
Ansardi	Faucheux	Morrish
Arnold	Frith	Odinet
Badon	Gallot	Pierre
Baldone	Geymann	Pinac
Baudoin	Glover	Pitre
Baylor	Gray	Powell, M.
Beard	Greene	Quezaire
Bowler	Guillory, E.	Richmond
Bruce	Guillory, M.	Robideaux
Bruneau	Hammett	Romero
Burns	Harris	Scalise
Burrell	Heaton	Schneider
Carter, K.	Hebert	Smiley
Carter, R.	Hill	Smith, G.
Cazayoux	Honey	Smith, J.D.—50th
Chandler	Hunter	Smith, J.H.—8th
Crane	Hutter	Smith, J.R.—30th
Cravins	Jackson	Strain
Curtis	Johns	Thompson
Damico	Katz	Toomy
Daniel	Kenney	Townsend
Dartez	Kleckley	Trahan
DeWitt	LaBruzzo	Triche
Doerge	LaFleur	Tucker
Dorsey	LaFonta	Walker
Dove	Lambert	Walsworth
Downs	Marchand	White
Durand	Martiny	Wooton

Total - 93

Page 10 HOUSE

46th Day's Proceedings - June 16, 2006

NAYS

Total - 0

ABSENT

Barrow	Kennard	St. Germain
Crowe	Lancaster	Waddell
Hopkins	Powell, T.	Winston
Jefferson	Ritchie	
Total - 11		

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 73—

BY SENATOR LENTINI AND REPRESENTATIVE ANSARDI
AN ACT

To enact R.S. 13:5108.3(D), relative to the legal representation of state employees; to provide for representation and indemnification of officers and employees charged with contempt of court; to provide for exceptions; and to provide for related matters.

Read by title.

Rep. Ansardi moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 96

NAYS

Total - 0

ABSENT

Barrow	Greene	Ritchie
Curtis	Jefferson	Winston
Downs	Powell, T.	
Total - 8		

The Chair declared the above bill was finally passed.

Rep. Ansardi 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.

Conference Committee Reports Received

Conference Committee Reports were received for the following legislative instruments:

House Bill No. 699

Senate Bill No. 568

The conference committee reports for the legislative instruments above lie over under the rules.

SENATE BILL NO. 155—

BY SENATORS MARIONNEAUX, AMEDEE AND FONTENOT
AN ACT

To enact Chapter 27-F of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9039.81 through 9039.86, relative to the creation of the Louisiana Capital Area Economic Development Alliance (LACAEDA) Film Commission; to create the Louisiana Capital Area Economic Development Alliance (LACAEDA) Film Commission; to provide for the purposes, powers, duties, functions, and responsibilities of the commission; to appoint a film commissioner/executive director; to provide relative to employees, funding, and cooperation with state agencies; and to provide for related matters.

Read by title.

Rep. St. Germain moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Montgomery
Alario	Frith	Morrish
Alexander	Gallot	Odinot
Ansardi	Geymann	Pierre
Arnold	Glover	Pinac
Badon	Gray	Pitre
Baldone	Greene	Powell, M.
Baudoin	Guillory, E.	Quezaire
Baylor	Guillory, M.	Richmond
Beard	Hammett	Ritchie
Bowler	Harris	Robideaux
Bruce	Heaton	Romero
Bruneau	Hill	Scalise
Burns	Honey	Schneider
Burrell	Hopkins	Smiley
Carter, K.	Hunter	Smith, G.
Carter, R.	Hutter	Smith, J.D.—50th
Chandler	Jackson	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Cravins	Katz	St. Germain
Curtis	Kennard	Strain
Damico	Kenney	Thompson

Daniel	Kleckley	Toomy
DeWitt	LaBruzzo	Townsend
Doerge	LaFleur	Trahan
Dorsey	LaFonta	Triche
Dove	Lambert	Tucker
Downs	Lancaster	Waddell
Durand	Marchand	Walker
Erdey	Martiny	Walsworth
Fannin	McDonald	White
Farrar	McVea	Wooton

Total - 96

NAYS

Total - 0

ABSENT

Barrow	Dartez	Powell, T.
Cazayoux	Hebert	Winston
Crowe	Jefferson	

Total - 8

The Chair declared the above bill was finally passed.

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.

SENATE BILL NO. 158—
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 32:61, 63(A), and 141(D), to enact R.S. 32:79(3), and to repeal R.S. 32:62(A), relative to motor vehicles; to provide for removal of vehicles from the roadway following certain accidents and for traffic incident management which emphasizes motor vehicle traffic flow; to provide for the authority of the Department of Transportation and Development to increase or lower certain speed limits; to provide for utilization of the shoulders of certain roadways; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Farrar to Engrossed Senate Bill No. 158 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 2, after "and 141(D)" delete the comma "," and delete "to enact R.S. 32:79(3),"

AMENDMENT NO. 2

On page 3, line 10, after "reenacted" delete the remainder of the line and on line 11 delete "hereby enacted"

AMENDMENT NO. 3

On page 3, delete lines 12 through 25

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Quezaire and Katz to Engrossed Senate Bill No. 158 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 2, after "141(D)," delete "to enact R.S. 32:79(3),"

AMENDMENT NO. 2

On page 1, line 6, after "limits;" delete the remainder of the line and delete line 7 in its entirety and insert "and to provide for"

AMENDMENT NO. 3

On page 3, line 10, after "reenacted" delete the remainder of the line and delete line 11 in its entirety and insert "to read as follows:"

AMENDMENT NO. 4

On page 3, delete lines 12 through 25 in their entirety

AMENDMENT NO. 5

Delete Amendment Nos. 6 and 7 from the set of amendments proposed by the House Transportation, Highways and Public Works Committee and adopted by the House of Representatives on June 14, 2006.

AMENDMENT NO. 6

Delete House Floor Amendment Nos. 1 through 3 proposed by Representative Farrar and adopted by the House on June 16, 2006.

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Daniel to Engrossed Senate Bill No. 158 by Senator McPherson

AMENDMENT NO. 1

On page 2, at the end of line 13, insert the following:

"However, notwithstanding the provisions of this Paragraph, the maximum speed limit on any multi-lane divided highway of this state within a municipality shall not exceed sixty miles per hour."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Daniel to Engrossed Senate Bill No. 158 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 6, after "limits;" insert the following:

"to require the House and Senate Committees on Transportation, Highways and Public Works to approve any speed limit increase prior to implementation by the department;"

AMENDMENT NO. 2

On page 2, at the end of line 20, insert the following:

"However, the House and Senate Committees on Transportation, Highways and Public Works shall approve all speed limit increases prior to implementation by the department."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Burns to Engrossed Senate Bill No. 158 by Senator McPherson

AMENDMENT NO. 1

On page 2, at the end of line 20, insert the following:

"The department shall also consider comparative data regarding accident history and mortality rates for similarly situated highways in other states before increasing the speed limit on any highway of this state."

Rep. Burns moved the adoption of the amendments.

Rep. Farrar objected.

By a vote of 26 yeas and 66 nays, the amendments were rejected.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Crowe to Engrossed Senate Bill No. 158 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 32:61, 63(A)," and before "and 141(D)" insert "73.1(B)"

AMENDMENT NO. 2

On page 1, line 10, after "R.S. 32:61, 63(A)," and before "are" insert "73.1(B)"

AMENDMENT NO. 3

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

"§73.1. Rolling roadblocks prohibited on certain multiple-lane highways; definitions; penalties

* * *

B. A vehicle which remains in the passing lane of a multiple-lane highway as defined in Subsection A of this Section traveling at the same speed as the vehicle in the right lane and impedes the flow of traffic shall be deemed a "rolling roadblock" which shall be prohibited. The provisions of this Subsection shall not apply to vehicles stopped at a traffic signal or traveling at a slower rate due to traffic congestion as long as the vehicle is not causing traffic congestion. The Department of Transportation and Development

shall ensure that signs bearing the words "Left Lane for Passing Only" are erected on all highways which are subject to the prohibitions of this Section.

* * *

Motion

Rep. Martiny moved the previous question be ordered on the entire subject matter.

Rep. Triche objected.

By a vote of 79 yeas and 13 nays, the House agreed to order the previous question on the entire subject matter.

Rep. Crowe moved the adoption of the amendments.

Rep. Farrar objected.

By a vote of 39 yeas and 55 nays, the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of members who voted 'YEAS' in three columns: Mr. Speaker, Ansardi, Arnold, Baldone, Baylor, Burrell, Carter, R., Cazayoux, Damico, Dartez, DeWitt, Doerge, Dorsey, Downs, Durand, Farrar, Frith, Total - 51; Gallot, Greene, Guillory, E., Guillory, M., Hammett, Harris, Heaton, Hebert, Hill, Hopkins, Kenney, LaBruzzo, LaFleur, Lancaster, Martiny, McDonald, Montgomery; Pierre, Pinac, Pitre, Richmond, Ritchie, Robideaux, Romero, Smith, G., Smith, J.D.-50th, Smith, J.H.-8th, Smith, J.R.-30th, Strain, Townsend, Triche, Waddell, Walsworth, Wooton

NAYS

Table listing names of members who voted 'NAYS' in three columns: Alario, Alexander, Badon, Baudoin, Beard, Bowler, Bruce, Bruneau, Burns, Carter, K., Chandler, Crane, Cravins, Crowe, Total - 42; Daniel, Dove, Erdey, Fannin, Faucheux, Geymann, Hutter, Jackson, Johns, Katz, Kennard, Kleckley, Lambert, McVea; Morrish, Odinet, Powell, M., Quezaire, Scalise, Schneider, Smiley, St. Germain, Thompson, Toomy, Trahan, Tucker, Walker, White

ABSENT

Table listing names of members who were 'ABSENT' in three columns: Barrow, Curtis, Glover, Gray, Total - 11; Honey, Hunter, Jefferson, LaFonta; Marchand, Powell, T., Winston

Failed to pass.

Motion to reconsider pending.

SENATE BILL NO. 204—

BY SENATORS CHEEK AND ELLINGTON
AN ACT

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

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Honey to Reengrossed Senate Bill No. 204 by Senator Cheek

AMENDMENT NO. 1

In House Committee Amendment No. 5 of the set of amendments proposed by the House Committee on Municipal, Parochial and Cultural Affairs and adopted by the House on June 14, 2006, on page 1, line 22, after "of" and before "hearing" delete "certain"

AMENDMENT NO. 2

In House Committee Amendment No. 5 of the set of amendments proposed by the House Committee on Municipal, Parochial and Cultural Affairs and adopted by the House on June 14, 2006, on page 1, line 26, after "during" and before "employment" delete "a period of"

AMENDMENT NO. 3

In House Committee Amendment No. 5 of the set of amendments proposed by the House Committee on Municipal, Parochial and Cultural Affairs and adopted by the House on June 14, 2006, on page 1, line 27, after "shall" and before "be classified" insert a comma "," and "for purposes of this Section only."

AMENDMENT NO. 4

In House Committee Amendment No. 5 of the set of amendments proposed by the House Committee on Municipal, Parochial and Cultural Affairs and adopted by the House on June 14, 2006, on page 1, delete line 28 in its entirety, and insert the following:

"employee affected shall be entitled to medical benefits including hearing prosthesis as"

AMENDMENT NO. 5

In House Committee Amendment No. 5 of the set of amendments proposed by the House Committee on Municipal, Parochial and Cultural Affairs and adopted by the House on June 14, 2006, on page 1, at the end of line 33, delete "such loss" and insert "same"

AMENDMENT NO. 6

In House Committee Amendment No. 5 of the set of amendments proposed by the House Committee on Municipal, Parochial and Cultural Affairs and adopted by the House on June 14, 2006, on page 1, at the end of line 34, delete "fire"

Point of Order

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

Ruling of the Chair

The Chair ruled that the above amendments were germane to the subject matter contained in the bill as introduced.

Rep. Honey moved the adoption of the amendments.

Rep. Katz objected.

By a vote of 79 yeas and 11 nays, the amendments were adopted.

Rep. Jack Smith moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Durand	Lambert
Alario	Erdey	Marchand
Ansardi	Farrar	McVea
Arnold	Frith	Montgomery
Badon	Gallot	Odinot
Baldone	Glover	Pierre
Baudoin	Gray	Pinac
Baylor	Guillory, E.	Quezaire
Bruce	Guillory, M.	Richmond
Burrell	Hammett	Ritchie
Carter, K.	Harris	Romero
Carter, R.	Heaton	Smiley
Cazayoux	Hebert	Smith, G.
Cravins	Hill	Smith, J.D.—50th
Curtis	Honey	Smith, J.R.—30th
Damico	Hopkins	St. Germain
Daniel	Hunter	Strain
Dartez	Hutter	Thompson
DeWitt	Jackson	Toomy
Doerge	Kennard	Townsend
Dorsey	LaBruzzo	White
Dove	LaFonta	Wooton
Total - 66		

NAYS

Alexander	Greene	Powell, M.
Beard	Johns	Robideaux
Bowler	Katz	Scalise
Bruneau	Kenney	Schneider
Chandler	Kleckley	Trahan
Crane	LaFleur	Triche
Crowe	Lancaster	Tucker
Downs	Martiny	Walker
Fannin	McDonald	Walsworth
Faucheux	Morrish	
Geymann	Pitre	
Total - 31		

Page 14 HOUSE

46th Day's Proceedings - June 16, 2006

ABSENT

Barrow	Powell, T.	Winston
Burns	Smith, J.H.-8th	
Jefferson	Waddell	
Total - 7		

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 331—
BY SENATOR CAIN

AN ACT

To amend and reenact R.S. 14:95(G)(2) and to enact R.S. 40:1379.3.1(A)(3), relative to retired law enforcement officers; to provide for carrying concealed weapons by such persons; to provide for issuance of retiree identification to certain retired law enforcement officers; to provide for payment of concealed handgun permit fees; and to provide for related matters.

Read by title.

Rep. Martiny moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Erdey	McVea
Alario	Farrar	Montgomery
Alexander	Faucheux	Morrish
Ansardi	Frith	Odinet
Arnold	Gallot	Pierre
Badon	Geymann	Pinac
Baldone	Gray	Pitre
Baudoin	Greene	Powell, M.
Baylor	Guillory, E.	Quezaire
Beard	Guillory, M.	Richmond
Bowler	Hammett	Robideaux
Bruce	Harris	Romero
Bruneau	Heaton	Scalise
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	Johns	Strain
Crowe	Katz	Thompson
Curtis	Kennard	Toomy
Damico	Kenney	Townsend
Daniel	Kleckley	Trahan
Dartez	LaBruzzo	Triche
DeWitt	LaFleur	Tucker
Doerge	LaFonta	Waddell
Dorsey	Lambert	Walker
Dove	Lancaster	Walsworth
Downs	Marchand	White
Durand	Martiny	
Total - 95		

NAYS

Wooton
Total - 1

ABSENT

Barrow	Jefferson	Ritchie
Fannin	McDonald	Winston
Glover	Powell, T.	
Total - 8		

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 496—
BY SENATOR THEUNISSEN

AN ACT

To enact R.S. 29:422(D), relative to military affairs; to provide for enforcement of Servicemembers Civil Relief Act by the attorney general of Louisiana; and to provide for related matters.

Read by title.

Rep. Morrish moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Barrow	Johns	Powell, T.
Glover	LaFleur	Winston
Jefferson	Odinet	
Total - 8		

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 569—
BY SENATOR MURRAY

AN ACT

To enact R.S. 29:725.1, relative to the authority of the attorney general in certain emergencies; to authorize the issuance of cease and desist orders by the attorney general during an emergency; to provide for the power of the attorney general to issue cease and desist orders when immediate action through the normal judicial process is not possible; to provide for proper venue to request a hearing; and to provide for related matters.

Read by title.

Rep. Cravins moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Barrow	Jefferson	Ritchie
Beard	Kennard	Winston
Guillory, E.	Powell, T.	
Total - 8		

The Chair declared the above bill was finally passed.

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

Acting Speaker Tucker in the Chair

SENATE BILL NO. 597—
BY SENATOR DARDENNE

AN ACT

To enact Part III of Chapter 1 of Title 44 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 44:44 through 51, relative to public records; to provide for confidentiality of the addresses of registered voters who are victims of abuse; and to provide for related matters.

Read by title.

Rep. Marchand moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Barrow	Kennard	Winston
Fannin	McDonald	
Jefferson	Powell, T.	
Total - 7		

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 671—

BY SENATOR MARIONNEAUX

AN ACT

To enact Code of Civil Procedure Art. 372(F), relative to civil procedure; to require that an electronic copy of the transcript be provided to party requesting and paying for paper copy of transcript; and to provide for related matters.

Read by title.

Rep. Cravins moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 96

NAYS

Total - 0

ABSENT

Barrow	Jefferson	Powell, T.
Bruce	Kennard	Winston
Fannin	McDonald	

Total - 8

The Chair declared the above bill was finally passed.

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

Speaker Salter in the Chair

SENATE BILL NO. 676—

BY SENATOR HINES AND REPRESENTATIVE WALKER

AN ACT

To amend and reenact R.S. 30:2000.2(1), relative to the Atchafalaya Basin Program; to provide certain definitions; to provide relative to the definition of "Atchafalaya Basin"; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Jack Smith to Engrossed Senate Bill No. 676 by Senator Hines

AMENDMENT NO. 1

On page 2, at the end of line 5, after "Program." insert the following:

"Provided, however, any projects approved prior to July 1, 2006, shall be completed prior to the funding of any project located in areas previously approved in and adjacent to the geographical boundaries of the Atchafalaya Basin as herein defined."

Motion

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

Acting Speaker Tucker in the Chair

SENATE BILL NO. 723—

BY SENATORS MALONE AND ADLEY AND REPRESENTATIVES HOPKINS, MONTGOMERY, JANE SMITH AND WADDELL

AN ACT

To amend and reenact R.S. 34:3158(A) and to enact R.S. 34:3158(D), relative to the Caddo-Bossier Parishes Port Commission; to provide relative to the composition, membership, powers, duties, and functions of the port commission; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Montgomery to Reengrossed Senate Bill No. 723 by Senator Malone

AMENDMENT NO. 1

On page 2, at the end of line 1, after "Shreveport" and before the period " ," insert "north of Interstate 20"

AMENDMENT NO. 2

On page 2, at the end of line 2, delete "within" and insert "outside of"

AMENDMENT NO. 3

On page 2, at the end of line 3, after "Shreveport" and before the period " ," insert "south of Interstate 20"

AMENDMENT NO. 4

On page 2, line 13, delete "mayor" and insert "governing authority"

AMENDMENT NO. 5

On page 2, at the beginning of line 25, delete "mayor" and insert "governing authority"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Glover to Reengrossed Senate Bill No. 723 by Senator Malone

AMENDMENT NO. 1

On page 2, line 13, after "Shreveport" insert a period "." and delete the remainder of the line and delete lines 14 through 23 in their entirety and insert the following:

"(b) Any commissioner appointed pursuant to this Paragraph shall serve a term of six years."

AMENDMENT NO. 2

On page 2, line 25, after "Bossier City" insert a period "." and delete the remainder of the line and delete lines 26 through 29 in their entirety

AMENDMENT NO. 3

On page 3, delete line 7 in its entirety and insert the following:

"of the parish of Caddo whose term would have expired on March 13, 2009, shall expire on such date. His successors shall"

AMENDMENT NO. 4

On page 3, at the end of line 8, change "Item(A)(1)(a)(i)" to "Item(A)(1)(a)(ii)"

AMENDMENT NO. 5

On page 3, line 16, change "Item(A)(3)(a)(iii)" to "Paragraph (A)(3)"

AMENDMENT NO. 6

On page 3, line 19, change "Item(A)(3)(a)(ii)" to "Item(A)(1)(a)(i)"

AMENDMENT NO. 7

On page 3, line 21, change "December 31, 2006" to "such date"

AMENDMENT NO. 8

On page 3, line 22, change "Item(A)(3)(a)(i)" to "Paragraph (A)(3)"

AMENDMENT NO. 9

On page 3, line 25, change "Item(A)(1)(a)(ii)" to "Paragraph (A)(3)"

AMENDMENT NO. 10

On page 3, line 27, after "shall" delete the remainder of the line and insert "expire on such date. His"

AMENDMENT NO. 11

On page 3, line 28, change "(A)(3)(a)(iv)" to "(A)(3)"

AMENDMENT NO. 12

On page 4, line 4, change "(A)(4)(a)(iv)" to "(A)(4)"

AMENDMENT NO. 13

On page 4, line 4, change "(A)(4)(a)(i)" to "(A)(4)"

Rep. Glover moved the adoption of the amendments.

Rep. Michael Powell objected.

By a vote of 63 yeas and 27 nays, the amendments were adopted.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hopkins to Engrossed Senate Bill No. 723 by Senator Malone

AMENDMENT NO. 1

On page 1, line 4, after "port commission;" insert "to change the name of the commission;"

AMENDMENT NO. 2

On page 1, line 11, after "known as the" delete the remainder of the line and on line 12, delete "Parishes Port" and insert "Port of Northwest Louisiana"

AMENDMENT NO. 3

On page 4, after line 7, insert the following:

"Section 2. The Louisiana State Law Institute shall change any occurrence of the words "Caddo-Bossier Parishes Port Commission" to "Port of Northwest Louisiana Commission" in Title 34 and in any other Title of the Louisiana Revised Statutes of 1950 where such words occur."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Erdey	Odinet
Alexander	Fannin	Powell, M.
Baldone	Faucheux	Ritchie
Beard	Greene	Robideaux
Bowler	Hammett	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hutter	Smiley
Burns	Johns	Smith, J.H.—8th
Carter, R.	Katz	Smith, J.R.—30th
Chandler	Kennard	Strain
Crane	Kennedy	Thompson
Crowe	Kleckley	Toomy

Damico	LaBruzzo	Trahan
Daniel	Lambert	Tucker
Doerge	Lancaster	Walsworth
Dove	McDonald	White
Downs	McVea	Wooton
Durand	Montgomery	
Total - 53		

NAYS

Alario	Frith	LaFonta
Ansardi	Gallot	Marchand
Arnold	Geymann	Martiny
Badon	Glover	Morrish
Baudoin	Gray	Pierre
Baylor	Guillory, E.	Pinac
Burrell	Guillory, M.	Quezaire
Carter, K.	Harris	Richmond
Cazayoux	Heaton	Romero
Cravins	Hebert	Smith, G.
Curtis	Hill	Smith, J.D.—50th
Dartez	Honey	St. Germain
DeWitt	Hunter	Townsend
Dorsey	Jackson	Waddell
Farrar	LaFleur	Walker
Total - 45		

ABSENT

Barrow	Pitre	Triche
Jefferson	Powell, T.	Winston
Total - 6		

The Chair declared the above bill was finally passed.

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

Speaker Salter in the Chair

SENATE BILL NO. 695—
BY SENATORS CRAVINS AND N. GAUTREAUX
AN ACT

To amend and reenact R.S. 27:392(C)(2) and to enact R.S. 27:361(B)(4)(d), relative to the Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to further the purposes of the Act by requiring payment of a fixed amount to establish a health and welfare plan for Louisiana jockeys; to provide for the distribution for the Greater New Orleans Sports Foundation Fund; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Jack Smith to Reengrossed Senate Bill No. 695 by Senator Cravins

AMENDMENT NO. 1

In Amendment No. 2 proposed by the House Committee on Appropriations and adopted by the House on June 14, 2006, on page 1, line 6, after "Commission;" delete the remainder of the line and delete line 7.

AMENDMENT NO. 2

Delete Amendment No. 3 proposed by the House Committee on Appropriations and adopted by the House on June 14, 2006.

AMENDMENT NO. 3

In Amendment No. 4 proposed by the House Committee on Appropriations and adopted by the House on June 14, 2006, on page 1, delete lines 12 and 13 in their entirety.

AMENDMENT NO. 4

In Amendment No. 5 proposed by the House Committee on Appropriations and adopted by the House on June 14, 2006, on page 1, delete lines 15 through 17 in their entirety.

AMENDMENT NO. 5

In Amendment No. 5 proposed by the House Committee on Appropriations and adopted by the House on June 14, 2006, on page 1, line 23, delete "(i)"

AMENDMENT NO. 6

In Amendment No. 5 proposed by the House Committee on Appropriations and adopted by the House on June 14, 2006, on page 1, delete lines 32 through 41 and on page 2, delete lines 1 through 14 in their entirety.

AMENDMENT NO. 7

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

"Notwithstanding the provisions of R.S. 4:219, the licensed eligible facility may also use funds attributable to uncashed pari-mutuel tickets to pay the cost of a health and welfare plan for Louisiana jockeys."

On motion of Rep. Jack Smith, the amendments were withdrawn.

Rep. Montgomery moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Pierre
Alario	Gallot	Pinac
Arnold	Gray	Pitre
Badon	Guillory, E.	Quezaire
Baldone	Guillory, M.	Richmond
Baylor	Hammett	Ritchie
Bruce	Hebert	Robideaux
Burrell	Hill	Romero
Carter, R.	Hopkins	Smiley
Chandler	Hunter	Smith, J.H.—8th
Crane	Hutter	Smith, J.R.—30th
Cravins	Jackson	St. Germain
Curtis	Johns	Strain
Damico	LaFleur	Townsend
Daniel	LaFonta	Trahan
Dartez	Lambert	Triche
Doerge	Lancaster	Walker
Dorsey	Marchand	White
Dove	Montgomery	Wooton
Durand	Morrish	
Farrar	Odinot	
Total - 61		

NAYS

Alexander	Fannin	Powell, M.
Baudoin	Faucheux	Scalise
Beard	Geymann	Schneider
Bruneau	Greene	Smith, G.
Burns	Katz	Smith, J.D.—50th
Carter, K.	Kenney	Thompson
Cazayoux	Kleckley	Toomy
Crowe	Martiny	Tucker
DeWitt	McDonald	Walsworth
Downs	McVea	
Total - 29		

ABSENT

Ansardi	Harris	LaBruzzo
Barrow	Heaton	Powell, T.
Bowler	Honey	Waddell
Erdey	Jefferson	Winston
Glover	Kennard	
Total - 14		

The Chair declared the above bill was finally passed.

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.

SENATE BILL NO. 703—
BY SENATORS HEITMEIER AND MOUNT
AN ACT

To amend and reenact R.S. 33:4547.1(B), 4547.2(B) through (E), and 4547.3 and to enact R.S. 33:4547.1(C) and (D), 4547.2(F) through (H) and 4547.4, relative to performance-based energy efficiency contracts; to provide for award of certain performance-based energy efficiency contracts by political subdivisions; to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Cazayoux to Reengrossed Senate Bill No. 703 by Senator Heitmeier

AMENDMENT NO. 1

On page 3, line 7, after "conditions" and before the period "." insert "below recognized acceptable standards"

AMENDMENT NO. 2

On page 3, line 10, after "2006" and before the period "." insert ", or subsequently amended verification protocols or alternative protocols and verification standards and methodologies acceptable to political subdivisions"

AMENDMENT NO. 3

On page 4, line 2, after "include" delete the remainder of the line and on line 3, delete "contractors or companies may include"

AMENDMENT NO. 4

On page 4, line 4, after "management" delete the comma "," and delete the remainder of the line and delete lines 5 through 9 in their entirety and insert "companies, or contractors that specialize in

servicing such energy savings equipment such as mechanical or electrical systems and energy services companies (hereinafter referred to ESCO)."

AMENDMENT NO. 5

On page 4, line 15, after "completed." and before "percent" delete "Price shall not be less than fifty" and insert "Fifty"

AMENDMENT NO. 6

On page 4, line 16, after "proposal" delete the period "." and delete "The most favorable price"

AMENDMENT NO. 7

On page 4, line 17, after "by" and before "shortest" delete "considering"

AMENDMENT NO. 8

On page 5, line 6, after "proposed" and before the period "." insert "and the cost of maintenance, if included in the proposed contract"

AMENDMENT NO. 9

On page 6, line 1, after "subdivision" delete the remainder of the line and delete lines 2 through 10 in their entirety and on line 11, delete "state or governmental unit." and insert "or its designee."

AMENDMENT NO. 10

On page 6, line 15, after "identify" and before "responsibility" delete "the" and insert "any and all"

AMENDMENT NO. 11

On page 6, line 16, after "subdivision" and before "under" insert a comma "," and "if any."

AMENDMENT NO. 12

On page 6, line 16, after "ECM" and before the period "." insert "including, but not limited to, operating hours, maintenance requirements, and operating protocols"

AMENDMENT NO. 13

On page 6, line 22, after "savings" and before the period "." insert a comma "," and "for at least the term of the bonds sold to support the terms of the energy performance contract"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Cazayoux to Reengrossed Senate Bill No. 703 by Senator Heitmeier

AMENDMENT NO. 1

On page 5, line 27, after "maintain." and before "update." insert ", repair."

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

Page 20 HOUSE

46th Day's Proceedings - June 16, 2006

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Cazayoux to Reengrossed Senate Bill No. 703 by Senator Heitmeier

AMENDMENT NO. 1

On page 4, delete lines 20 through 23 in their entirety and insert the following:

"C. Every request for proposals shall include the following mandatory provisions:"

AMENDMENT NO. 2

On page 6, delete lines 19 through 21 and insert the following:

"performance-based energy efficiency contract shall be for a period equal to the lesser of twenty years or the average life of the equipment installed by the performance contractor and shall contain a guarantee of energy"

AMENDMENT NO. 3

On page 6, at the end of line 22, delete the period "." and insert "for at least the term of the bonds sold or financing arrangement of the political subdivision to support the energy performance contract."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Erdey	Montgomery
Alario	Fannin	Morrish
Alexander	Farrar	Odinot
Ansardi	Faucheux	Pierre
Arnold	Frith	Pinac
Badon	Gallot	Pitre
Baldone	Geymann	Powell, M.
Baudoin	Gray	Quezaire
Baylor	Greene	Richmond
Beard	Guillory, E.	Ritchie
Bowler	Guillory, M.	Robideaux
Bruce	Hammett	Romero
Bruneau	Harris	Scalise
Burns	Hebert	Smiley
Burrell	Hill	Smith, G.
Carter, R.	Honey	Smith, J.D.—50th
Cazayoux	Hunter	Smith, J.H.—8th
Chandler	Hutter	St. Germain
Crane	Jackson	Strain
Cravins	Johns	Thompson
Crowe	Katz	Toomy
Curtis	Kenney	Townsend
Damico	Kleckley	Trahan
Daniel	LaBruzzo	Triche
Dartez	LaFleur	Tucker
DeWitt	LaFonta	Waddell
Doerge	Lancaster	Walker
Dorsey	Marchand	Walsworth
Dove	Martiny	White
Downs	McDonald	Wooton
Durand	McVea	
Total - 92		

NAYS

Smith, J.R.—30th
Total - 1

ABSENT

Barrow	Hopkins	Powell, T.
Carter, K.	Jefferson	Schneider
Glover	Kennard	Winston
Heaton	Lambert	
Total - 11		

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 754 (Substitute of Senate Bill No. 100 by Senator Cravins)—
BY SENATOR CRAVINS

AN ACT

To enact Part II-H of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2120.41 through 2120.47, relative to adult day health care providers; to provide for purpose; to provide for definitions; to provide for licensure; to provide for rules, regulations, and licensing standards; to provide for license issuance, application, and onsite inspections; to provide for penalties; and to provide for related matters.

Read by title.

Rep. Cravins moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Erdey	McVea
Alario	Fannin	Montgomery
Alexander	Faucheux	Odinot
Ansardi	Frith	Pierre
Arnold	Gallot	Pinac
Badon	Geymann	Pitre
Baldone	Glover	Powell, M.
Baudoin	Gray	Quezaire
Baylor	Greene	Richmond
Beard	Guillory, E.	Ritchie
Bowler	Guillory, M.	Robideaux
Bruce	Hammett	Romero
Bruneau	Harris	Scalise
Burns	Hebert	Schneider
Burrell	Hill	Smiley
Carter, K.	Honey	Smith, G.
Carter, R.	Hopkins	Smith, J.D.—50th
Cazayoux	Hutter	Smith, J.H.—8th
Crane	Jackson	Smith, J.R.—30th
Cravins	Johns	St. Germain
Crowe	Katz	Strain
Curtis	Kenney	Thompson
Damico	Kleckley	Toomy
Daniel	LaBruzzo	Townsend
Dartez	LaFleur	Trahan
DeWitt	LaFonta	Triche
Doerge	Lancaster	Waddell
Dorsey	Marchand	Walker
Dove	Martiny	Walsworth
Durand	McDonald	Wooton
Total - 90		

NAYS

Total - 0

ABSENT

Barrow	Hunter	Powell, T.
Chandler	Jefferson	Tucker
Downs	Kennard	White
Farrar	Lambert	Winston
Heaton	Morrish	

Total - 14

The Chair declared the above bill was finally passed.

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

Motion

Rep. Hunter moved to call from the calendar Senate Bill No. 700 at this time.

Rep. Tucker objected.

By a vote of 42 yeas and 53 nays, the House refused to call the bill from the calendar.

Motion

On motion of Rep. Farrar, the rules were suspended to reconsider the vote by which Senate Bill No. 158 failed to pass on the same legislative day.

Reconsideration

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

SENATE BILL NO. 158—
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 32:61, 63(A), and 141(D), to enact R.S. 32:79(3), and to repeal R.S. 32:62(A), relative to motor vehicles; to provide for removal of vehicles from the roadway following certain accidents and for traffic incident management which emphasizes motor vehicle traffic flow; to provide for the authority of the Department of Transportation and Development to increase or lower certain speed limits; to provide for utilization of the shoulders of certain roadways; and to provide for related matters.

Read by title.

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

Returned to the calendar under the rules.

Suspension of the Rules

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

SENATE BILL NO. 455—
BY SENATOR MALONE

AN ACT

To amend and reenact Section 6 of Act 169 of the 2005 Regular Session of the Legislature of Louisiana, relative to recordation of documents in the mortgage and conveyance records and the

consolidation of the laws affecting the 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.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative DeWitt to Engrossed Senate Bill No. 455 by Senator Malone

AMENDMENT NO. 1

Delete House Committee Amendment Nos. 1 and 3 in the set of amendments proposed by the House Committee on Civil Law and Procedure and adopted by the House on June 7, 2006.

AMENDMENT NO. 2

In House Committee Amendment No. 2 proposed by the House Committee on Civil Law and Procedure and adopted by the House on June 7, 2006, line 6, change "§112." to "§104."

AMENDMENT NO. 3

On page 1, line 2, after "reenact" insert "R.S. 44:104(E) which was enacted as R.S. 44:112(E) by"

AMENDMENT NO. 4

On page 1, line 3, after "Louisiana" delete the comma "," and insert "and re-designated by the Louisiana State Law Institute,"

AMENDMENT NO. 5

On page 1, at the end of line 4, delete "to", delete line 5 in its entirety and on line 6, delete "for certain mineral leases;" and insert "to provide relative to notice of certain mineral leases;"

AMENDMENT NO. 6

On page 1, line 8, before "Section 6" insert "R.S. 44:104(E) which was enacted as R.S. 44:112(E) by"

AMENDMENT NO. 7

On page 1, line 9, after "Louisiana" insert "and re-designated by the Louisiana State Law Institute"

AMENDMENT NO. 8

On page 1, delete lines 10 through 17 in their entirety

AMENDMENT NO. 9

On page 2, delete lines 1 through 8 in their entirety

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 94

NAYS

Total - 0

ABSENT

Barrow	Gray	Powell, T.
Carter, K.	Jefferson	Winston
Gallot	Kennard	
Glover	McVe	

Total - 10

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 611—
BY SENATOR ADLEY

AN ACT

To enact R.S. 27:306(A)(6) and (9), relative to the Video Draw Poker Devices Control Law; to provide relative to the licensing of qualified truck stop facilities; to require notice to the public prior to application of a truck stop facility for a license to operate video draw poker devices; to provide for signage and re-zoning requirements; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Martiny to Reengrossed Senate Bill No. 611 by Senator Adley

AMENDMENT NO. 1

On page 2, after line 28, insert the following:

"(e) In addition to the requirements for publication provided for in this Paragraph, any person applying for a license for the placement of video draw poker devices at a truck stop facility shall provide notice to the public of his intention of building a truck stop facility that may qualify for a license to operate video draw poker devices at a qualified truck stop facility in each of the following manners:

(i) Appear on national television on at least one cable television network station and one non cable network station announcing his intention of constructing the truck stop facility.

(ii) Tattoo the forehead of his first born child with a statement which provides "I am going to build a truck stop in _____." If the person does not have a child, the tattoo shall be placed on his forehead or the forehead of his nearest relative.

(iii) Print bumper stickers which announce the intention to build a truck stop in the location which shall be placed on all vehicles within a 20 mile radius of the location where the truck stop will be constructed.

(iv) Employ the services of a hot air balloon which shall contain the advertising information provided for by this Paragraph in a manner which is visible on the balloon from a distance of at least one mile from the balloon. The balloon shall be flown at least twice in the area where the truck stop is to be constructed for a period of not less than one hour for each flight."

AMENDMENT NO. 2

On page 3, at the end of line 6, delete the period "."" and insert "and the applicant can demonstrate that every person living within four hundred miles of the truck stop facility has been personally contacted and informed of the person's intention of construction of the truck stop facility."

AMENDMENT NO. 3

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

"306.1. Gaming regulation addiction; services

A. Notwithstanding any provision of law to the contrary, continued attempts to over-regulate gaming activities and disregard the majority of electors who voted to approve gaming as provided for in R.S. 18:1300.21 can be addictive and the division shall require that signs at licensed premises be posted offering the toll-free number available to provide information and referral services regarding this form of addiction.

B. In addition, any legislator who speaks against the gaming industry shall be prohibited from appearing before any committee of the legislature seeking revenue derived from gaming sources.

C. Licensees shall also post signs which contain the following public service announcement, "if you think you may have a gambling problem please try cockfighting as there is no gambling involved in cockfighting."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Downs	McVea
Alario	Durand	Montgomery
Alexander	Fannin	Morrish
Arnold	Faucheux	Odinot
Badon	Frith	Pierre
Baldone	Gallot	Pinac
Baudoin	Geymann	Powell, M.
Baylor	Gray	Quezaire
Beard	Greene	Ritchie
Bruce	Guillory, E.	Robideaux
Bruneau	Guillory, M.	Scalise
Burns	Hebert	Schneider
Burrell	Honey	Smiley
Carter, K.	Hunter	Smith, J.D.-50th
Cazayoux	Hutter	Smith, J.H.-8th
Chandler	Jackson	Smith, J.R.-30th
Crane	Johns	St. Germain
Crowe	Katz	Strain
Curtis	Kenney	Thompson
Damico	Kleckley	Trahan
Daniel	LaBruzzo	Triche
Dartez	LaFleur	Waddell
DeWitt	LaFonta	Walker
Doerge	Lancaster	Walsworth
Dorsey	Marchand	White
Dove	McDonald	
Total - 77		

NAYS

Bowler	Martiny	Townsend
Cravins	Pitre	Tucker
Farrar	Romero	Wooton
Hill	Smith, G.	
Hopkins	Toomy	
Total - 13		

ABSENT

Ansardi	Hammett	Lambert
Barrow	Harris	Powell, T.
Carter, R.	Heaton	Richmond
Erdey	Jefferson	Winston
Glover	Kennard	
Total - 14		

The Chair declared the above bill was finally passed.

Conference Committee Reports Received

Conference Committee Reports were received for the following legislative instruments:

House Bill No. 134

House Bill No. 992

The conference committee reports for the legislative instruments above lie over under the rules.

Motion

Rep. Martiny moved to call Senate Bill No. 228 from the calendar.

Rep. Walker objected.

By a vote of 68 yeas and 18 nays, the bill was called from the 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.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Martiny to Engrossed Senate Bill No. 228 by Senator Jones

AMENDMENT NO. 1

On page 2, line 10, after "served," and before "the" insert "and with the consent of the district attorney."

On motion of Rep. Martiny, 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	McDonald
Alario	Farrar	McVea
Ansardi	Faucheux	Montgomery
Arnold	Frith	Morrish
Badon	Gallot	Odinot
Baldone	Geymann	Pierre
Baudoin	Glover	Pinac
Baylor	Gray	Pitre
Bowler	Greene	Quezaire
Bruce	Guillory, E.	Richmond
Bruneau	Guillory, M.	Ritchie
Burrell	Hammett	Robideaux
Carter, K.	Harris	Romero
Carter, R.	Heaton	Schneider
Cazayoux	Hebert	Smith, G.
Chandler	Hill	Smith, J.D.-50th
Crane	Honey	Smith, J.R.-30th
Cravins	Hopkins	St. Germain
Curtis	Hunter	Strain
Damico	Hutter	Thompson
Daniel	Jackson	Toomy
Dartez	Kenney	Townsend
DeWitt	Kleckley	Trahan
Doerge	LaFleur	Triche
Dorsey	LaFonta	Walker
Dove	Lancaster	Wooton
Downs	Marchand	
Durand	Martiny	
Total - 82		

NAYS

Alexander	Katz	Waddell
Beard	Lambert	Walsworth
Crowe	Powell, M.	White
Erdey	Smiley	
Total - 11		

ABSENT

Barrow	Kennard	Smith, J.H.-8th
Burns	LaBruzzo	Tucker
Jefferson	Powell, T.	Winston
Johns	Scalise	
Total - 11		

The Chair declared the above bill was finally passed.

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

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 require medical parole consideration of inmates determined to be permanently incapacitated or terminally ill; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

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

SENATE BILL NO. 195—
BY SENATORS MCPHERSON, CHEEK, ELLINGTON, FIELDS, B. GAUTREAUX, HEITMEIER, JACKSON, JONES AND ULLO

AN ACT

To amend and reenact R.S. 47:1061(B) and to enact R.S. 47:1061(C), relative to the telecommunications tax for the deaf; to provide for the use of monies in the Telecommunications for the Deaf Fund; to provide for an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

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

Motion

Rep. Robideaux moved to call Senate Bill No. 207 from the calendar.

Rep. Hammett objected.

By a vote of 61 yeas and 34 nays, the bill was called from the calendar.

SENATE BILL NO. 207—

BY SENATORS MICHOT, BOASSO, DUPLESSIS, HOLLIS, MOUNT, QUINN AND SCHEDLER

AN ACT

To enact R.S. 51:1783(10) and 1787(K), relative to the Louisiana Enterprise Zone Act; to define the term "residential type development"; to provide for additional business enterprises eligible for participation in the Louisiana Enterprise Zone Act; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Robideaux to Reengrossed Senate Bill No. 207 by Senator Michot

AMENDMENT NO. 1

Delete the set of House Floor Amendments proposed by Rep. Robideaux and adopted by the House of Representatives on May 16, 2006.

AMENDMENT NO. 2

On page 2, line 10, change "Consists" to "Consist"

AMENDMENT NO. 3

On page 2, line 11, change "Creates" to "Create"

AMENDMENT NO. 4

On page 2, line 17, change "December 31, 2011." to "December 31, 2008."

Rep. Hammett moved the bill be recommitted to the Committee on Ways and Means.

Rep. Walsworth objected.

By a vote of 50 yeas and 37 nays, the bill was recommitted to the Committee on Ways and Means.

Motion

Rep. White moved to call Senate Bill No. 251 from the calendar.

Rep. Romero objected.

By a vote of 42 yeas and 39 nays, the bill was called from the calendar.

SENATE BILL NO. 251—

BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 37:583(B)(2), 585(A), 586(A)(1), 601, 604(A), and 605(B), and to enact R.S. 37:392(C), relative to barbers and cosmetologists; to provide for qualifications to teach cosmetology, esthetics, or manicuring; to provide for conducting of examinations; to provide for inspections and citations issued by the Board of Barber Examiners; to provide for fines and penalties; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative White to Engrossed Senate Bill No. 251 by Senator Fontenot

AMENDMENT NO. 1

On page 1, line 2, after "586(A)(1)," delete "601,"

AMENDMENT NO. 2

On page 1, line 2, after "and 605(B)," delete "and" and on line 3 delete "to enact R.S. 37:392(C),"

AMENDMENT NO. 3

On page 1, line 3, after "relative to" delete "barbers and"

AMENDMENT NO. 4

On page 1, line 5, after "examinations;" delete the remainder of the line and on line 6 delete "Board of Barber Examiners;"

AMENDMENT NO. 5

Delete House Floor Amendment No. 3 proposed by Representative White and adopted by the House of Representatives on May 1, 2006

AMENDMENT NO. 6

On page 1, delete lines 9 through 17 in their entirety and insert the following:

"Section 1. R.S. 37:583(B)(2), 585(A), 586(A)(1), 604(A), and 605(B) are hereby amended and reenacted to read as follows:"

AMENDMENT NO. 7

In House Floor Amendment No. 5 proposed by Representative White and adopted by the House of Representatives on May 1, 2006, on page 1, line 13, after "in their entirety" delete the remainder of the line.

AMENDMENT NO. 8

On page 2, delete lines 26 through 29 in their entirety and on page 3, delete lines 1 through 3 in their entirety

AMENDMENT NO. 9

On page 3, at the end of line 7, insert the following:

"Upon proof of a second or subsequent violation of the provisions of this Chapter or of any rule promulgated by the board, the board may order the payment of up to five hundred dollars per violation, not to exceed a total of ten thousand dollars."

Rep. White moved the adoption of the amendments.

Rep. Romero objected.

By a vote of 71 yeas and 19 nays, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Erdey	McDonald
Alario	Fannin	Morrish
Alexander	Frith	Odinot
Arnold	Geymann	Pierre
Badon	Guillory, E.	Pinac
Baldone	Guillory, M.	Quezaire
Baylor	Hammett	Ritchie
Bruce	Hebert	Smiley
Bruneau	Hunter	Smith, J.D.-50th
Burrell	Jackson	St. Germain
Cazayoux	Johns	Townsend
Crane	Kleckley	Trahan
Damico	LaBruzzo	Walker
Daniel	LaFleur	White
Dartez	Lambert	Wooton
Doerge	Lancaster	
Downs	Martiny	
Total - 49		

NAYS

Baudoin	Glover	Robideaux
Beard	Gray	Romero
Bowler	Greene	Schneider
Carter, K.	Harris	Smith, G.
Carter, R.	Hill	Smith, J.H.-8th
Cravins	Katz	Smith, J.R.-30th
Crowe	Kenney	Strain
Curtis	LaFonta	Thompson
DeWitt	Marchand	Triche
Dorsey	McVea	Tucker
Dove	Montgomery	Waddell
Durand	Pitre	Walsworth
Faucheux	Powell, M.	
Gallot	Richmond	
Total - 40		

ABSENT

Ansardi	Heaton	Kennard
Barrow	Honey	Powell, T.
Burns	Hopkins	Scalise
Chandler	Hutter	Toomy
Farrar	Jefferson	Winston
Total - 15		

The Chair declared the above bill failed to pass.

SENATE BILL NO. 375—

BY SENATOR ADLEY

AN ACT

To enact R.S. 29:732.1, relative to contractual relationships; to provide for certain contracts or agreements executed during, or as a result of, a declared state disaster or emergency; to provide certain terms and conditions; to provide for violations of contractual provisions; to provide for an effective date; to provide for certain retroactive application; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hebert to Reengrossed Senate Bill No. 375 by Senator Adley

AMENDMENT NO. 1

Delete Amendments Nos. 1 and 2 proposed by the House Committee on Civil Law and Procedure and adopted by the House on May 30, 2006.

Motion

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

SENATE BILL NO. 38—

BY SENATOR B. GAUTREAUX

AN ACT

To amend and reenact R.S. 11:2253(A)(2), relative to membership in the Firefighters' Retirement System; to prohibit membership in the system of a person receiving a disability pension from another public retirement system or pension fund; to provide for an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Arnold moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. Speaker, Alario, Alexander, Ansardi, Arnold, Badon, Baldone, Baudoin, Baylor, Beard, Bruneau, Burns, Burrell, Carter, K., Carter, R., Cazayoux, Chandler, Crane, Cravins, Crowe, Curtis, Damico, Daniel, DeWitt, Doerge, Dorsey, Dove, Downs, Durand, Erdey, Fannin, Farrar, Faucheux, Frith, Gallot, Geymann, Glover, Gray, Greene, Guillory, M., Hammett, Harris, Heaton, Hill, Honey, Hunter, Jackson, Johns, Katz, Kenney, Kleckley, LaBruzzo, LaFleur, LaFonta, Lambert, Lancaster, Marchand, McDonald, Montgomery, Morrish, Odinet, Pierre, Pinac, Pitre, Powell, M., Quezair, Richmond, Ritchie, Robideaux, Romero, Scalise, Schneider, Smiley, Smith, G., Smith, J.D.—50th, Smith, J.H.—8th, Smith, J.R.—30th, St. Germain, Strain, Thompson, Toomy, Trahan, Tucker, Waddell, Walker, Walsworth, Wooton

Total - 87

NAYS

Total - 0

ABSENT

Table with 3 columns of names: Barrow, Bowler, Bruce, Dartez, Guillory, E., Hebert, Hopkins, Hutter, Jefferson, Kennard, Martiny, McVea, Powell, T., Townsend, Triche, White, Winston

Total - 17

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 39—

BY SENATOR B. GAUTREAUX

AN ACT

To amend and reenact R.S. 11:2258(C), relative to the Firefighters' Retirement System; to provide for survivor's benefits; to provide for continuation of benefits for a surviving spouse of a disability retiree; to provide for an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Arnold to Engrossed Senate Bill No. 39 by Senator B. Gautreaux

AMENDMENT NO. 1

On page 1, line 2, after "relative to" delete the remainder of the line and insert "benefits of certain retirement systems; to"

AMENDMENT NO. 2

On page 1, line 3, after "benefits" delete the semi-colon ";" and delete "to provide" and insert "of the Firefighters' Retirement System, including provisions"

AMENDMENT NO. 3

On page 1, line 4, after "retiree;" and before "and to provide" delete "to provide for an effective date;" and insert "to provide with respect to cost-of-living adjustments for judges who did not opt to become members of the Louisiana State Employees' Retirement System and who are in the judges' noncontributory plan and for surviving spouses of such judges; to provide the procedures for determining the amount of such adjustments; to provide effective dates;"

AMENDMENT NO. 4

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

"Section 2. R.S. 11:1386 is hereby amended and reenacted to read as follows:

§1386. Cost-of-living adjustments

A. The retirement benefits payable under the provisions of this Chapter to any surviving spouse of any justice or judge shall be increased by two percent as a cost-of-living adjustment on July 1, 2005; four percent for the fiscal years beginning on July 1, 2006, and

on July 1, 2007, and by a cost-of-living adjustment annually on July first of every year thereafter in an amount equal to two percent or, if the annual percentage increase in the Consumer Price Index for all Urban Consumers for the preceding year is less than two percent, then the cost-of-living adjustment shall be a percentage equal to the annual percentage increase in the Consumer Price Index for all Urban Consumers for the preceding year, if any.

B. The percentage as determined by Subsection A of this Section shall be applied to the total annual benefit being paid to each recipient on the effective date of the increase."

AMENDMENT NO. 5

On page 2, at the beginning of line 5, delete "Section 2. This Act" and insert:

"Section 3.(A) Sections 1 and 3 of this Act"

AMENDMENT NO. 6

On page 2, line 8, after "legislature," and before "this Act" insert "Sections 1 and 3 of"

AMENDMENT NO. 7

On page 2, below line 9, insert:

"(B) Section 2 of this Act shall become effective on July 1, 2006; if this Act is vetoed by the governor and subsequently approved by the legislature, Section 2 of this Act shall become effective on July 1, 2006, or on the day following such approval by the legislature, whichever is later."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative White to Engrossed Senate Bill No. 39 by Senator B. Gautreaux

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 11:2258(C)" delete the comma "," and delete the remainder of the line and insert "and to enact R.S. 11:1307(F), relative to benefits of certain retirement systems; to"

AMENDMENT NO. 2

On page 1, line 3, after "benefits" delete the semi-colon ";" and insert "of the Firefighters' Retirement System, including provisions"

AMENDMENT NO. 3

On page 1, line 4, after "retiree;" insert "to provide for an additional benefit for certain retirees of the State Police Pension and Retirement System and their surviving spouses, subject to certain limitations, including provisions with respect to disability retirees and funding;"

AMENDMENT NO. 4

On page 1, line 5, delete "an effective date;" and insert "for effectiveness;"

AMENDMENT NO. 5

On page 1, line 8, after "reenacted " insert "and R.S. 11:1307(F) is hereby enacted"

AMENDMENT NO. 6

On page 1, between lines 8 and 9, insert:

"§1307. Persons eligible to retire on basis of service and age; retirement salaries

* * *

F.(1) 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.

(2) Subject to the provisions of R.S. 11:1321, the surviving spouse of a retiree who would have been eligible pursuant to this Subsection shall receive a pension in an amount equal to the monthly benefit that would have been payable to the retiree had he lived. For the purposes of this Paragraph, surviving spouse shall mean a person who is married to the retiree at the time of his death.

(3) This Subsection shall apply to disability retirees without regard to minimum years of service credit or minimum years retired.

(4)(i) As soon as is practicable after June 30, 2006, the Public Retirement Systems' Actuarial Committee shall convene to determine the amount of any liability to the system that will result from the implementation of the provisions of this Subsection and the resulting increase in required employer contributions. Such additional liability shall be amortized as a separate liability and shall be assessed as an additional employer contribution to be paid by the office of state police as part of its employer contributions. The amortization payments required by this item shall be determined by the Public Retirement Systems' Actuarial Committee and shall be in addition to the actuarially required contributions provided in R.S. 11:102.

(ii) The employer contributions required by this Subsection shall be funded from monies appropriated to the office of state police from the Riverboat Gaming Enforcement Fund. The additional monthly benefit provided by this Subsection shall only be paid in any fiscal year in which monies appropriated to the office of state police from the Riverboat Gaming Enforcement Fund are sufficient to fully fund such increase in employer contributions resulting from the additional monthly benefit provided in this Subsection.

* * *

Point of Order

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

Ruling of the Chair

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

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Erdey	Morrish
Alario	Fannin	Odinot
Alexander	Farrar	Pierre
Ansardi	Faucheux	Pinac
Arnold	Frith	Pitre
Badon	Gallot	Powell, M.
Baldone	Geymann	Quezairé
Baudoin	Gray	Richmond
Baylor	Guillory, E.	Ritchie
Beard	Guillory, M.	Robideaux
Bowler	Hammett	Romero
Bruce	Harris	Scalise
Bruneau	Hebert	Schneider
Burns	Hill	Smiley
Burrell	Honey	Smith, G.
Carter, K.	Hopkins	Smith, J.D.—50th
Carter, R.	Hunter	Smith, J.H.—8th
Cazayoux	Jackson	Smith, J.R.—30th
Chandler	Johns	St. Germain
Crane	Katz	Strain
Cravins	Kenney	Thompson
Crowe	Kleckley	Toomy
Damico	LaBruzzo	Townsend
Daniel	LaFleur	Trahan
Dartez	Lambert	Triche
DeWitt	Lancaster	Tucker
Doerge	Marchand	Waddell
Dorsey	Martiny	Walker
Dove	McDonald	Walsworth
Downs	McVea	Wooton
Durand	Montgomery	
Total - 92		

NAYS

Greene
Total - 1

ABSENT

Barrow	Hutter	Powell, T.
Curtis	Jefferson	White
Glover	Kennard	Winston
Heaton	LaFonta	
Total - 11		

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 63—
BY SENATOR B. GAUTREAUX

AN ACT

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

Called from the calendar.

Read by title.

Rep. Arnold moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	Montgomery
Alario	Farrar	Morrish
Alexander	Faucheux	Odinot
Arnold	Frith	Pierre
Badon	Gallot	Pinac
Baldone	Geymann	Pitre
Baudoin	Glover	Powell, M.
Beard	Gray	Quezairé
Bowler	Greene	Richmond
Bruce	Guillory, E.	Ritchie
Bruneau	Guillory, M.	Robideaux
Burns	Hammett	Romero
Burrell	Harris	Scalise
Carter, K.	Hebert	Schneider
Carter, R.	Hill	Smiley
Cazayoux	Honey	Smith, G.
Chandler	Hopkins	Smith, J.D.—50th
Crane	Hunter	Smith, J.H.—8th
Cravins	Jackson	Smith, J.R.—30th
Crowe	Johns	St. Germain
Curtis	Katz	Strain
Damico	Kenney	Thompson
Daniel	Kleckley	Toomy
Dartez	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	LaFonta	Tucker
Dorsey	Lambert	Waddell
Dove	Lancaster	Walker
Downs	Marchand	Walsworth
Durand	McDonald	White
Erdey	McVea	Wooton
Total - 93		

NAYS

Total - 0

ABSENT

Ansardi	Hutter	Powell, T.
Barrow	Jefferson	Townsend
Baylor	Kennard	Winston
Heaton	Martiny	
Total - 11		

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 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.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hebert to Reengrossed Senate Bill No. 22 by Senator Smith

AMENDMENT NO. 1

On page 1, line 2, after "(4106(A)(2)," insert "and to enact R.S. 9:4107 (C),"

AMENDMENT NO. 2

On page 1, line 7, after "reenacted" insert "and R.S. 9:4107(C) is hereby enacted"

AMENDMENT NO. 3

On page 2, after line 3 insert the following:

"§4107. Standard of conduct; disclosure

* * *

C. (1) No state agency which sponsors mediation shall encourage an individual or party to forego representation by an attorney. No state agency shall encourage an attorney to violate the Rules of Professional Responsibility by penalizing that attorney if he is adversarial to the desires or wishes of his or her opponent or the agency.

(2) The department or mediator shall advise, in writing, that the individual or party may retain counsel to represent them at the mediation. The department or mediator shall attach the advisory to the notice of mediation which is mailed or transmitted to the individual or party.

(3). Any mediator who conducts or a mediation sponsored by any state agency shall disclose, in writing, as follows:

(a) The agency's attorney represents the agency and does not represent the individual or party participating in the mediation.

(b) The individual or party has the right to retain his or her own attorney to represent him or her at the mediation."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative LaFleur to Reengrossed Senate Bill No. 22 by Senator Smith

AMENDMENT NO. 1

On page 1, line 17, delete "city, parish."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Erdey	Montgomery
Alario	Fannin	Morrish
Alexander	Farrar	Odinot

Ansardi	Faucheux	Pierre
Arnold	Frith	Pinac
Badon	Geymann	Pitre
Baldone	Glover	Powell, M.
Baudoin	Greene	Quezaire
Baylor	Guillory, E.	Richmond
Beard	Guillory, M.	Ritchie
Bowler	Hammett	Robideaux
Bruce	Harris	Scalise
Bruneau	Hebert	Schneider
Burns	Hill	Smiley
Burrell	Honey	Smith, G.
Carter, K.	Hunter	Smith, J.D.-50th
Carter, R.	Hutter	Smith, J.H.-8th
Cazayoux	Jackson	Smith, J.R.-30th
Chandler	Johns	St. Germain
Crane	Katz	Strain
Cravins	Kenney	Thompson
Crowe	Kleckley	Toomy
Damico	LaBruzzo	Townsend
Daniel	LaFleur	Trahan
Dartez	LaFonta	Triche
DeWitt	Lancaster	Tucker
Dorsey	Marchand	Walker
Dove	Martiny	Walsworth
Downs	McDonald	White
Durand	McVea	Wooton

Total - 90

NAYS

Curtis
Total - 1

ABSENT

Barrow	Hopkins	Romero
Doerge	Jefferson	Waddell
Gallot	Kennard	Winston
Gray	Lambert	
Heaton	Powell, T.	

Total - 13

The Chair declared the above bill was finally passed.

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.

Motion

Rep. Martiny moved to call Senate Bill No. 528 from the calendar.

Rep. Bruneau objected.

By a vote of 33 yeas and 49 nays, the House refused to call the bill from the calendar.

SENATE BILL NO. 41—
BY SENATOR B. GAUTREAUX
AN ACT

To amend and reenact R.S. 11:1152(J)(4), relative to the Louisiana School Employees' Retirement System; to provide with respect to the Deferred Retirement Option Plan; to provide for calculation of benefits upon termination of plan participation and employment; to provide for an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Schneider to Engrossed Senate Bill No. 41 by Senator B. Gautreaux

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete "R.S. 11:1152(J)(4)," and insert "R.S. 11:1002(6), 1141.2(B)(10), and 1152(J)(3) and (4), and to enact R.S. 11:231(C)(3)"

AMENDMENT NO. 2

On page 1, at the beginning of line 4, insert "to provide for definitions; to provide for calculation of average compensation;"

AMENDMENT NO. 3

On page 1, line 8, after "Section 1." delete "R.S. 11:1152(J)(4) is hereby amended and reenacted" and insert "R.S. 11:1002(6), 1141.2(B)(10), 1152(J)(3) and (4) are hereby amended and reenacted and R.S. 11:231(C)(3) is hereby enacted"

AMENDMENT NO. 4

On page 1, delete lines 9 through 17 and on page 2, delete lines 1 through 4 and insert the following:

"§231. Average compensation

* * *

C.

* * *

(3) This Section shall not apply to members of the Louisiana School Employees' Retirement System whose first employment making them eligible for system membership began on or after July 1, 2006.

* * *

§1002. Definitions

As used in this Chapter, the following words and phrases shall have the meaning ascribed to them in this Section unless a different meaning is plainly required by the context:

* * *

(6)(a) "Average compensation", for a member whose first employment making him eligible for membership in the system began on or before June 30, 2006, shall be based on the thirty-six highest successive months of employment, or on the highest thirty-six successive joined months of employment where interruption of service occurred; however, the average compensation amount to be considered for the first through the twelfth month shall not exceed the compensation for the immediately preceding twelve months by more than ten percent. The amount for the thirteenth through the twenty-fourth month shall not exceed the lesser of the maximum allowable compensation amount or the actual compensation amount for the first through the twelfth month by more than ten percent. The amount for the twenty-fifth through the thirty-sixth month shall not exceed the lesser of the maximum allowable compensation amount or the actual compensation amount for the thirteenth through the twenty-fourth month by more than ten percent. The limitations on the computation of average compensation in this Paragraph shall not apply to any of the twelve-month periods where compensation increased by more than

one hundred and ten percent over the previous twelve-month period solely because of an increase in compensation by legislative act or by a city/parish system-wide salary increase.

(b) "Average compensation", for a member whose first employment making him eligible for membership in the system began on or after July 1, 2006, shall be based on the sixty highest successive months of employment, or on the highest sixty successive joined months of employment where interruption of service occurred; however, the average compensation amount for the thirteenth through the twenty-fourth month shall not exceed the actual compensation amount for the first through the twelfth month by more than ten percent. The amount for the twenty-fifth through the thirty-sixth month shall not exceed the lesser of the maximum allowable compensation amount or the actual compensation amount for the thirteenth through the twenty-fourth month by more than ten percent. The amount for the thirty-seventh through the forty-eighth month shall not exceed the lesser of the maximum allowable compensation amount or the actual compensation amount for the twenty-fifth through the thirty-sixth month by more than ten percent. The amount for the forty-ninth through the sixtieth month shall not exceed the lesser of the maximum allowable compensation amount or the actual compensation amount for the thirty-seventh through the forty-eighth month by more than ten percent. The limitations on the computation of average compensation contained in this Paragraph shall not apply to any twelve-month period during which compensation increased by more than one hundred ten percent over the previous twelve-month period solely because of an increase in compensation by legislative act or by a city/parish system-wide salary increase.

* * *

§1141.2. Computation of retirement benefits

* * *

B. The annual retirement benefit of any member of the retirement system who is not a qualified participant, as defined by Paragraph (2) of Subsection A of this Section, and which is not attributable to the member's after-tax employee contribution, cannot exceed the lesser of ninety thousand dollars or one hundred percent of such member's average compensation. For purposes of determining whether a member's benefit exceeds those limitations, the following shall apply:

* * *

(10) Average compensation:—For for the purposes of this Subsection the term shall have the following meaning:

(a) "Compensation" "Average compensation", for a member whose first employment making him eligible for membership in the system began on or before June 30, 2006, shall mean the average compensation earned by a member for the period of three consecutive years during which the member was an active member of the retirement system and had the greatest aggregate compensation from the employer. "Compensation" shall mean the total compensation reportable by the state of Louisiana, its agencies, or its political subdivisions as income to the member for the year. Compensation shall not include deferred compensation which is not reportable as income in the current year. Average compensation shall specifically exclude amounts not includable in the member's gross income for federal tax purposes by reason of Internal Revenue Code Sections 125 and 414(h) and any other provision of federal law; such amounts shall not be excluded, however, for any other purposes of this Title.

(b) "Average compensation", for a member whose first employment making him eligible for membership in the system began on or after July 1, 2006, shall mean the average compensation earned by a member for the period of six consecutive years, or for the highest sixty successive joined months where interruption of service

occurred, during which the member was an active member of the retirement system and had the greatest aggregate compensation from the employer. "Compensation" shall mean the total compensation reportable by the state of Louisiana, its agencies, or its political subdivisions as income to the member for the year. Compensation shall not include deferred compensation which is not reportable as income in the current year. Average compensation shall specifically exclude amounts not includable in the member's gross income for federal tax purposes by reason of Internal Revenue Code Sections 125 and 414(h) and any other provision of federal law; such amounts shall not be excluded, however, for any other purposes of this Title.

* * *

§1152. Deferred Retirement Option Plan

* * *

J. Monthly retirement benefits payable to a participant after termination of participation in the plan and employment shall be calculated as follows:

* * *

(3)(a) If the participant, whose first employment making him eligible for membership in the system began on or before June 30, 2006, continues employment after termination of participation in the plan for a period of less than thirty-six months, his monthly retirement benefit shall equal his base benefit plus an amount based upon the service credit for the additional employment, together with conversion of the net amount of sick and annual leave accumulated during that period of employment, based upon the final average compensation used to calculate the monthly credit.

(b) If the participant, whose first employment making him eligible for membership in the system began on or after July 1, 2006, continues employment after termination of participation in the plan for a period of less than sixty months, his monthly retirement benefit shall equal his base benefit plus an amount based upon the service credit for the additional employment, together with conversion of the net amount of sick and annual leave accumulated during that period of employment, based upon the final average compensation used to calculate the monthly credit.

(4)(a) If the participant, whose first employment making him eligible for membership in the system began on or before June 30, 2006, continues employment after termination of participation in the plan for a period of thirty-six months or more, his monthly retirement benefit shall equal his base benefit plus an amount based upon the service credit for the additional employment, together with conversion of the net amount of sick and annual leave accumulated during that period of employment, based upon the higher of the final average compensation when the member entered the plan or for the period of employment after termination of participation in the plan.

(b) If the participant, whose first employment making him eligible for membership in the system began on or after July 1, 2006, continues employment after termination of participation in the plan for a period of sixty months or more, his monthly retirement benefit shall equal his base benefit plus an amount based upon the service credit for the additional employment, together with conversion of the net amount of sick and annual leave accumulated during that period of employment, based upon the higher of the final average compensation when the member entered the plan or for the period of employment after termination of participation in the plan.

* * *

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Alario to Engrossed Senate Bill No. 41 by Senator B. Gautreaux

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 11:1152(J)(4)" delete the comma "," and insert "and to enact "R.S. 11:1152(M),"

AMENDMENT NO. 2

On page 1, line 5, after "employment;" insert "to provide for recession of election to participate subject to certain limitations; to provide for a rescinding members' return to active status upon payment of employee contributions, interest, or other actuarial costs, and forfeiture of plan benefits; to provide for rulemaking;"

AMENDMENT NO. 3

On page 1, line 8, after "reenacted" insert "and R.S. 11:1152(M) is hereby enacted"

AMENDMENT NO. 4

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

"M.(1) Notwithstanding any other provision of this Section or any other law to the contrary, any participant in the Deferred Retirement Option Plan who satisfies all of the following requirements may make a one-time, irrevocable election to rescind all of his accumulated benefits and participation period in the plan and return to active, contributing membership in the system subject to Paragraph (2) of this Subsection:

(a) The member has completed his selected Deferred Retirement Option Plan participation period.

(b) The member's Deferred Retirement Option Plan participation period did not exceed two years.

(c) The member has not separated from service.

(d) The member has not taken a distribution from the plan account.

(e) The member has seventeen thousand dollars or less in his Deferred Retirement Option Plan Account.

(f) The member has thirty-four or more years of service credit in the system.

(g) The member's application to rescind Deferred Retirement Option Plan participation is received by the system on or before September 30, 2006.

(2) A person who rescinds plan participation as provided in this Subsection shall forfeit all accumulated plan benefits attributable to the participation period rescinded. On or before September 30, 2008, or retirement, whichever occurs first, the member shall pay to the system an amount equal to the cost calculated in accordance with the actuarial cost provisions of R.S. 11:158 resulting from such rescission. After he pays to the plan the required amount, the person shall be credited with service as if he had remained in active service continuously and had not participated in the plan during the rescinded participation period. The member's benefit shall be calculated using the accrual rate applicable at the time of the member's entry into the Deferred Retirement Option Plan. The board may adopt uniform rules for the implementation of this Subsection in accordance with

the Administrative Procedure Act. The rescinding participant shall be required to contractually hold the system harmless in the event that a spouse, former spouse, or any other person ever successfully asserts a property right relative to the rescission of plan participation which has any adverse effect upon the fund."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 96

NAYS

Total - 0

ABSENT

Barrow	Jefferson	Triche
Bowler	Kennard	Winston
Hopkins	Powell, T.	

Total - 8

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 43—
BY SENATOR B. GAUTREUX

AN ACT

To amend and reenact R.S. 11:779(C), 780(A), and 783(I)(1)(a), relative to the Teachers' Retirement System of Louisiana; to provide with respect to benefits; to provide for disability

retirement; to provide for benefits for a survivor of a disability retiree; to provide for reexamination; to provide an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Alario to Engrossed Senate Bill No. 43 by Senator B. Gautreaux

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 783(I)(1)(a)" delete the comma "," and insert "and to enact "R.S. 11:1152(M),

AMENDMENT NO. 2

On page 1, line 5, after "reexamination;" insert "to provide relative to the Deferred Retirement Option Plan of such system; to provide for recession of election to participate subject to certain limitations; to provide for a rescinding members' return to active status upon payment of employee contributions, interest, or other actuarial costs, and forfeiture of plan benefits; to provide for rulemaking;"

AMENDMENT NO. 3

On page 1, line 10, after "reenacted" insert "and R.S. 11:1152(M) is hereby enacted"

AMENDMENT NO. 4

On page 3, between lines 9 and 10, insert the following:

"§1152. Deferred Retirement Option Plan

* * *

M.(1) Notwithstanding any other provision of this Section or any other law to the contrary, any participant in the Deferred Retirement Option Plan who satisfies all of the following requirements may make a one-time, irrevocable election to rescind all of his accumulated benefits and participation period in the plan and return to active, contributing membership in the system subject to Paragraph (2) of this Subsection:

(a) The member has completed his selected Deferred Retirement Option Plan participation period.

(b) The member's Deferred Retirement Option Plan participation period did not exceed two years.

(c) The member has not separated from service.

(d) The member has not taken a distribution from the plan account.

(e) The member has seventeen thousand dollars or less in his Deferred Retirement Option Plan Account.

(f) The member has thirty-four or more years of service credit in the system.

(g) The member's application to rescind Deferred Retirement Option Plan participation is received by the system on or before September 30, 2006.

(2) A person who rescinds plan participation as provided in this Subsection shall forfeit all accumulated plan benefits attributable to the participation period rescinded. On or before September 30, 2008, or retirement, whichever occurs first, the member shall pay to the system an amount equal to the cost calculated in accordance with the actuarial cost provisions of R.S. 11:158 resulting from such rescission. After he pays to the plan the required amount, the person shall be credited with service as if he had remained in active service continuously and had not participated in the plan during the rescinded participation period. The member's benefit shall be calculated using the accrual rate applicable at the time of the member's entry into the Deferred Retirement Option Plan. The board may adopt uniform rules for the implementation of this Subsection in accordance with the Administrative Procedure Act. The rescinding participant shall be required to contractually hold the system harmless in the event that a spouse, former spouse, or any other person ever successfully asserts a property right relative to the rescission of plan participation which has any adverse effect upon the fund."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Daniel to Engrossed Senate Bill No. 43 by Senator B. Gautreaux

AMENDMENT NO. 1

On page 1, line 2, after "783(I)(1)(a)" delete the comma "," and insert "and to enact R.S. 11:710(E),"

AMENDMENT NO. 2

On page 1, line 3, after "Louisiana;" and before "to" insert "to provide for the employment of certain retirees who were employed by a Louisiana public postsecondary education institution subject to certain limitations; to provide for the forfeiture of employer and employee contributions;"

AMENDMENT NO. 3

On page 1, line 10, after "reenacted" and before "to" insert "and R.S. 11:710(E) is hereby enacted"

AMENDMENT NO. 4

On page 1, between lines 10 and 11, insert the following:

"§710. Employment of retirees

* * *

E.(1) As an alternative to returning to service pursuant to Paragraph (1) of Subsection A of this Section, any member employed by a Louisiana public postsecondary education institution who retires with thirty or more years of creditable service at any age, or with twenty-five or more years of creditable service and who has attained age fifty-five, or with ten or more years of creditable service and who has attained age sixty, exclusive of unused accumulated sick leave and unused accumulated annual leave, may be reemployed pursuant to this Subsection by such institution immediately following the effective date of his retirement for a period not to exceed thirty-six months, as further provided in this Subsection; however, during any fiscal year of reemployment pursuant to this Subsection, the retiree shall not receive more than fifty percent of his retirement benefit from the system and his earnings in such employment shall not exceed fifty percent of his final average compensation adjusted by the annual percentage increase or decrease in the Consumer Price

Index, U.S. City Average for All Urban Consumers for the preceding calendar year. Should his earnings from such employment in any fiscal year exceed fifty percent of his final average compensation, the retiree shall reimburse the system one-half of the amount earned in excess of fifty percent of his final average compensation. The employing institution shall be responsible for collecting any such reimbursements from the employee and remitting them to the system.

(2) The provisions of this Subsection shall apply only to teaching and research faculty members whose job responsibilities upon reemployment are no more than one half of the job responsibilities that would be required of a full-time employee in the same position.

(3) The actuarial costs of the provisions of this Subsection shall be amortized over fifteen years and paid exclusively by the Louisiana public postsecondary education institutions who are defined in R.S. 11:701(11) as "employers".

(4) The provisions of Subsection A of this Section shall be applicable to any retiree reemployed pursuant to this Subsection who remains reemployed after completion of the thirty-six-month period immediately following retirement.

(5) This Subsection shall not apply to anyone whose initial reemployment following retirement is on or after July 1, 2008.

* * *

Motion

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

SENATE BILL NO. 88—

BY SENATOR B. GAUTREAUX

AN ACT

To amend and reenact R.S. 11:1006(A)(1) and (B), relative to the Louisiana School Employees' Retirement System; to provide with respect to reemployment of retirees; to provide for limitation on earnings; to provide for payment to the system of amounts in excess of such limitation; to provide for an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Schneider to Engrossed Senate Bill No. 88 by Senator B. Gautreaux

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete "R.S. 11:1006(A)(1) and (B)," and insert "R.S. 11:1002(6), 1006(A)(1) and (B), 1141.2(B)(10), 1152(J)(3) and (4) and to enact R.S. 11:231(C)(3),"

AMENDMENT NO. 2

On page 1, line 3, after "System;" insert "to provide for definitions;"

AMENDMENT NO. 3

On page 1, line 5, after "limitation;" insert "to provide for calculation of average compensation; to provide for the calculation of benefits after participation in the Deferred Retirement Option Plan;"

AMENDMENT NO. 4

On page 1, line 9, after "Section 1." delete the remainder of the line and insert "R.S. 11:1002(6), 1006(A)(1) and (B), 1141.2(B)(10), 1152(J)(3) and (4) are hereby amended and reenacted and R.S. 11:231(C)(3) is hereby enacted to read as"

AMENDMENT NO. 5

On page 1, between lines 10 and 11, insert the following:

"§231. Average compensation

* * *

C.

* * *

(3) This Section shall not apply to members of the Louisiana School Employees' Retirement System whose first employment making them eligible for system membership began on or after July 1, 2006.

* * *

§1002. Definitions

As used in this Chapter, the following words and phrases shall have the meaning ascribed to them in this Section unless a different meaning is plainly required by the context:

* * *

(6)(a) "Average compensation", for a member whose first employment making him eligible for membership in the system began on or before June 30, 2006, shall be based on the thirty-six highest successive months of employment, or on the highest thirty-six successive joined months of employment where interruption of service occurred; however, the average compensation amount to be considered for the first through the twelfth month shall not exceed the compensation for the immediately preceding twelve months by more than ten percent. The amount for the thirteenth through the twenty-fourth month shall not exceed the lesser of the maximum allowable compensation amount or the actual compensation amount for the first through the twelfth month by more than ten percent. The amount for the twenty-fifth through the thirty-sixth month shall not exceed the lesser of the maximum allowable compensation amount or the actual compensation amount for the thirteenth through the twenty-fourth month by more than ten percent. The limitations on the computation of average compensation in this Paragraph shall not apply to any of the twelve-month periods where compensation increased by more than one hundred and ten percent over the previous twelve-month period solely because of an increase in compensation by legislative act or by a city/parish system-wide salary increase.

(b) "Average compensation", for a member whose first employment making him eligible for membership in the system began on or after July 1, 2006, shall be based on the sixty highest successive months of employment, or on the highest sixty successive joined months of employment where interruption of service occurred; however, the average compensation amount for the thirteenth through the twenty-fourth month shall not exceed the actual compensation amount for the first through the twelfth month by more than ten percent. The amount for the twenty-fifth through the thirty-sixth month shall not exceed the lesser of the maximum allowable compensation amount or the actual compensation amount for the thirteenth through the twenty-fourth month by more than ten percent. The amount for the thirty-seventh through the forty-eighth month shall not exceed the lesser of the maximum allowable compensation

amount or the actual compensation amount for the twenty-fifth through the thirty-sixth month by more than ten percent. The amount for the forty-ninth through the sixtieth month shall not exceed the lesser of the maximum allowable compensation amount or the actual compensation amount for the thirty-seventh through the forty-eighth month by more than ten percent. The limitations on the computation of average compensation contained in this Paragraph shall not apply to any twelve-month period during which compensation increased by more than one hundred ten percent over the previous twelve-month period solely because of an increase in compensation by legislative act or by a city/parish system-wide salary increase.

* * *

AMENDMENT NO. 6

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

"§1141.2. Computation of retirement benefits

* * *

B. The annual retirement benefit of any member of the retirement system who is not a qualified participant, as defined by Paragraph (2) of Subsection A of this Section, and which is not attributable to the member's after-tax employee contribution, cannot exceed the lesser of ninety thousand dollars or one hundred percent of such member's average compensation. For purposes of determining whether a member's benefit exceeds those limitations, the following shall apply:

* * *

(10) Average compensation: For the purposes of this Subsection the term shall have the following meaning:

(a) "Compensation" "Average compensation", for a member whose first employment making him eligible for membership in the system began on or before June 30, 2006, shall mean the average compensation earned by a member for the period of three consecutive years during which the member was an active member of the retirement system and had the greatest aggregate compensation from the employer. "Compensation" shall mean the total compensation reportable by the state of Louisiana, its agencies, or its political subdivisions as income to the member for the year. Compensation shall not include deferred compensation which is not reportable as income in the current year. Average compensation shall specifically exclude amounts not includable in the member's gross income for federal tax purposes by reason of Internal Revenue Code Sections 125 and 414(h) and any other provision of federal law; such amounts shall not be excluded, however, for any other purposes of this Title.

(b) "Average compensation", for a member whose first employment making him eligible for membership in the system began on or after July 1, 2006, shall mean the average compensation earned by a member for the period of six consecutive years, or for the highest sixty successive joined months where interruption of service occurred, during which the member was an active member of the retirement system and had the greatest aggregate compensation from the employer. "Compensation" shall mean the total compensation reportable by the state of Louisiana, its agencies, or its political subdivisions as income to the member for the year. Compensation shall not include deferred compensation which is not reportable as income in the current year. Average compensation shall specifically exclude amounts not includable in the member's gross income for federal tax purposes by reason of Internal Revenue Code Sections 125 and 414(h) and any other provision of federal law; such amounts shall not be excluded, however, for any other purposes of this Title.

* * *

§1152. Deferred Retirement Option Plan

* * *

J. Monthly retirement benefits payable to a participant after termination of participation in the plan and employment shall be calculated as follows:

* * *

(3)(a) If the participant, whose first employment making him eligible for membership in the system began on or before June 30, 2006, continues employment after termination of participation in the plan for a period of less than thirty-six months, his monthly retirement benefit shall equal his base benefit plus an amount based upon the service credit for the additional employment, together with conversion of the net amount of sick and annual leave accumulated during that period of employment, based upon the final average compensation used to calculate the monthly credit.

(b) If the participant, whose first employment making him eligible for membership in the system began on or after July 1, 2006, continues employment after termination of participation in the plan for a period of less than sixty months, his monthly retirement benefit shall equal his base benefit plus an amount based upon the service credit for the additional employment, together with conversion of the net amount of sick and annual leave accumulated during that period of employment, based upon the final average compensation used to calculate the monthly credit.

(4)(a) If the participant, whose first employment making him eligible for membership in the system began on or before June 30, 2006, continues employment after termination of participation in the plan for a period of thirty-six months or more, his monthly retirement benefit shall equal his base benefit plus an amount based upon the service credit for the additional employment, together with conversion of the net amount of sick and annual leave accumulated during that period of employment, based upon the higher of the final average compensation when the member entered the plan or for the period of employment after termination of participation in the plan.

(b) If the participant, whose first employment making him eligible for membership in the system began on or after July 1, 2006, continues employment after termination of participation in the plan for a period of sixty months or more, his monthly retirement benefit shall equal his base benefit plus an amount based upon the service credit for the additional employment, together with conversion of the net amount of sick and annual leave accumulated during that period of employment, based upon the higher of the final average compensation when the member entered the plan or for the period of employment after termination of participation in the plan.

* * *

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

Rep. Schneider 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	Morrish
Alexander	Faucheux	Odinet
Arnold	Frith	Pierre
Badon	Gallot	Pinac
Baldone	Geymann	Pitre
Baudoin	Glover	Powell, M.

Baylor	Gray	Quezaire
Beard	Greene	Ritchie
Bowler	Guillory, E.	Robideaux
Bruce	Guillory, M.	Romero
Bruneau	Hammett	Scalise
Burns	Harris	Schneider
Burrell	Heaton	Smiley
Carter, K.	Hebert	Smith, G.
Carter, R.	Hill	Smith, J.D.--50th
Cazayoux	Honey	Smith, J.H.--8th
Chandler	Hunter	Smith, J.R.--30th
Crane	Hutter	St. Germain
Cravins	Jackson	Strain
Crowe	Johns	Thompson
Curtis	Katz	Toomy
Damico	Kenney	Townsend
Daniel	Kleckley	Trahan
Dartez	LaBruzzio	Triche
DeWitt	LaFleur	Tucker
Doerge	LaFonta	Waddell
Dorsey	Lambert	Walker
Dove	Lancaster	Walsworth
Downs	Marchand	White
Durand	Martiny	Wooton
Erdey	McVea	

Total - 95

NAYS

Total - 0

ABSENT

Ansardi	Jefferson	Powell, T.
Barrow	Kennard	Richmond
Hopkins	McDonald	Winston
Total - 9		

The Chair declared the above bill was finally passed.

Rep. Schneider 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.

Conference Committee Reports for Consideration

The following Conference Committee Reports were taken up and acted upon as follows:

HOUSE BILL NO. 676—
BY REPRESENTATIVE BALDONE
AN ACT

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

Read by title.

The Conference Committee Report for House Bill No. 676 was withdrawn from the files of the House in lieu of consideration of a revised report.

Conference Committee Reports Received

Conference Committee Reports were received for the following legislative instruments:

House Bill No. 676
Senate Bill No. 548

The conference committee reports for the legislative instruments above lie over under the rules.

SENATE BILL NO. 222—
BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 32:402(B)(1)(a) and (c), 416, 417(A), and 427(A)(1), and to enact R.S. 14:92.2(A)(4) and (B)(3) and R.S. 32:417(D) and (E), relative to motor vehicles; to increase the penalties for any unlicensed person who operates a motor vehicle; to increase the penalties for any person who allows an unlicensed minor to operate a motor vehicle; to provide for penalties when an unlicensed person is involved in an accident which results in the serious injury or death of another person; to provide for the improper supervision of a minor by a parent or legal custodian; to provide for exceptions; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Johns to Reengrossed Senate Bill No. 222 by Senator Mount

AMENDMENT NO. 1

On page 1, line 7, change "serious injury" to "serious bodily injury"

AMENDMENT NO. 2

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

"results in the serious bodily injury or death of another person. For purposes of this Paragraph, "serious bodily injury" means a bodily injury which involves unconsciousness, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty, or a substantial risk of death."

AMENDMENT NO. 3

On page 2, at the end of line 22, before the period "." insert the following:

"or to a minor who is participating in a driver education course or a preclicensing training course approved and certified by the Department of Public Safety and Corrections or the Department of Education"

AMENDMENT NO. 4

On page 3, line 3, change "serious injury" to "serious bodily injury"

AMENDMENT NO. 5

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

"For purposes of this Item, "serious bodily injury" means a bodily injury which involves unconsciousness, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty, or a substantial risk of death."

AMENDMENT NO. 6

On page 3, at the end of line 18, insert the following:

"However, the provisions of this Section shall not apply to a minor who is participating in a driver education course or a preclicensing training course approved and certified by the Department of Public Safety and Corrections or the Department of Education."

AMENDMENT NO. 7

On page 3, at the end of line 27, insert the following:

"However, the provisions of this Subsection shall not apply to a minor who is participating in a driver education course or a preclicensing training course approved and certified by the Department of Public Safety and Corrections or the Department of Education."

AMENDMENT NO. 8

On page 4, line 13, change "serious injury" to "serious bodily injury"

AMENDMENT NO. 9

On page 4, at the end of line 14, insert the following:

"For purposes of this Paragraph, "serious bodily injury" means a bodily injury which involves unconsciousness, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty, or a substantial risk of death."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Gallot to Reengrossed Senate Bill No. 222 by Senator Mount

AMENDMENT NO. 1

On page 3, line 14, delete "eighteen" and insert "seventeen"

AMENDMENT NO. 2

On page 3, line 17, delete "eighteen" and insert "seventeen"

AMENDMENT NO. 3

On page 3, line 22, delete "eighteen" and insert "seventeen"

AMENDMENT NO. 4

On page 3, line 24, delete "eighteen" and insert "seventeen"

AMENDMENT NO. 5

On page 4, line 3, after "minor" insert "under the age of seventeen"

AMENDMENT NO. 6

On page 4, line 5, after "minor" insert "under the age of seventeen"

AMENDMENT NO. 7

On page 4, line 12, after "However" delete "if the unlicensed minor" and insert "if an unlicensed minor under the age of seventeen"

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

Motion

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

Motion

Rep. Schneider moved to call Senate Bill No. 258 from the calendar.

Rep. Curtis objected.

By a vote of 76 yeas and 8 nays, the bill was called from the calendar.

SENATE BILL NO. 258—

BY SENATORS BOASSO, BARHAM, DARDENNE, B. GAUTREUX, HOLLIS, SHEPHERD AND THEUNISSEN
A JOINT RESOLUTION

Proposing to amend Article X, Section 29(E)(4) and (5) of the Constitution of Louisiana, relative to retirement and survivor's benefits; to limit creation of additional unfunded accrued liabilities for state retirement systems; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Schneider to Engrossed Senate Bill No. 258 by Senator Boasso

AMENDMENT NO. 1

On page 1, line 3, after "benefits;" delete the remainder of the line and on line 4 delete "accrued liabilities for" and insert "to provide limitations on increases in unfunded accrued liability and retirement benefits of"

AMENDMENT NO. 2

On page 2, delete lines 11 through 15, and insert the following:

"(b) The governing authority of a state retirement system shall take no action which increases the system's unfunded accrued liability unless it identifies a funding source sufficient to amortize such liability and such action and funding source are approved by the favorable vote of a majority of the elected members of each house of the legislature. This Subsubparagraph shall be implemented as provided by law and shall not be applicable to normal business operating expenses of the retirement system, cost-of-living increases, and any other action provided by law."

AMENDMENT NO. 3

On page 2, line 25, after "enactment;" delete the remainder of the line and delete lines 26 through 29 and on page 3, delete lines 1 and 2 and insert:

"however, unless approved by the favorable vote of two-thirds of the elected members of each house of the legislature, no legislative instrument that increases a retirement benefit of members of a state retirement system that has an actuarial cost shall be approved by the legislature unless the instrument identifies a funding source sufficient

to amortize such actuarial cost, all as provided by law. This Subsubparagraph shall not apply to cost-of-living increases."

AMENDMENT NO. 4

On page 3, between lines 3 and 4, insert:

"Section 2. Be it further resolved that this proposed amendment shall become effective on January 1, 2008."

AMENDMENT NO. 5

On page 3, line 11, after "To provide" delete the remainder of the line and delete lines 12 through 21 and insert:

"that the governing authority of a state retirement system shall take no action which increases the system's unfunded accrued liability unless it identifies a funding source sufficient to amortize such liability and the action and funding source are approved by the legislature and that, unless approved by the favorable vote of two-thirds of the legislature, no legislative instrument shall increase a retirement benefit of members of a state retirement system if it has an actuarial cost unless it identifies a funding source sufficient to amortize the cost, and to provide for exceptions and implementation. (Amends Article X, Section 29(E)(4) and (5)) (Effective January 1, 2008)"

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

Rep. Schneider 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	Morrish
Alexander	Faucheux	Odinet
Ansardi	Frith	Pierre
Arnold	Gallot	Pinac
Badon	Geymann	Pitre
Baldone	Glover	Powell, M.
Baudoin	Gray	Quezaire
Baylor	Greene	Richmond
Beard	Guillory, E.	Ritchie
Bowler	Guillory, M.	Robideaux
Bruce	Harris	Romero
Bruneau	Heaton	Scalise
Burns	Hill	Schneider
Burrell	Honey	Smiley
Carter, K.	Hunter	Smith, G.
Carter, R.	Hutter	Smith, J.D.—50th
Cazayoux	Jackson	Smith, J.R.—30th
Chandler	Johns	St. Germain
Crane	Katz	Strain
Cravins	Kenney	Thompson
Crowe	Kleckley	Toomy
Damico	LaBruzzo	Townsend
Daniel	LaFleur	Trahan
DeWitt	LaFonta	Triche
Doerge	Lambert	Tucker
Dorsey	Lancaster	Waddell
Dove	Marchand	Walsworth
Downs	Martiny	White
Durand	McDonald	
Erdey	McVea	
Total - 91		

NAYS

Curtis
Total - 1

ABSENT

Barrow	Hopkins	Smith, J.H.-8th
Dartez	Jefferson	Walker
Hammett	Kennard	Winston
Hebert	Powell, T.	Wooton
Total - 12		

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

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

Suspension of the Rules

On motion of Rep. Martiny, the rules were suspended in order to call from the calendar Senate Bill No. 129 at this time.

SENATE BILL NO. 129—
BY SENATOR JONES

AN ACT

To amend and reenact R.S. 15:571.3(B), relative to execution of sentence; to provide for diminution and commutation of sentence for good behavior; to provide for an increase in the rate of good time earned every thirty days in certain circumstances; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

Rep. Schneider moved that the bill be returned to the calendar.

Rep. Martiny objected.

By a vote of 32 yeas and 64 nays, the House refused to return the bill to the calendar.

Rep. Martiny moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Ansardi	Geymann	Morrish
Arnold	Glover	Odinet
Badon	Gray	Pierre
Baldone	Guillory, E.	Pinac
Baylor	Hammett	Quezaire
Bowler	Harris	Richmond
Burrell	Heaton	Ritchie
Carter, K.	Honey	Romero
Cazayoux	Hunter	Smith, G.
Cravins	Jackson	Smith, J.D.-50th
Curtis	Johns	Toomy
Damico	Kleckley	Townsend
Daniel	LaFleur	Trahan
Dartez	LaFonta	Tucker
Dorsey	Lancaster	Walker
Durand	Marchand	White
Faucheux	Martiny	Wooton
Gallot	McVea	
Total - 53		

NAYS

Mr. Speaker	Dove	Pitre
Alario	Erdey	Powell, M.
Alexander	Fannin	Robideaux
Baudoin	Farrar	Scalise
Beard	Frith	Schneider
Bruce	Greene	Smiley
Bruneau	Guillory, M.	Smith, J.H.-8th
Burns	Hebert	Smith, J.R.-30th
Carter, R.	Hill	Strain
Chandler	Kenney	Thompson
Crane	LaBruzzo	Triche
Crowe	Lambert	Waddell
DeWitt	McDonald	Walsworth
Doerge	Montgomery	
Total - 41		

ABSENT

Barrow	Jefferson	St. Germain
Downs	Katz	Winston
Hopkins	Kennard	
Hutter	Powell, T.	
Total - 10		

The Chair declared the above bill was finally passed.

Suspension of the Rules

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

SENATE BILL NO. 222—
BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 32:402(B)(1)(a) and (c), 416, 417(A), and 427(A)(1), and to enact R.S. 14:92.2(A)(4) and (B)(3) and R.S. 32:417(D) and (E), relative to motor vehicles; to increase the penalties for any unlicensed person who operates a motor vehicle; to increase the penalties for any person who allows an unlicensed minor to operate a motor vehicle; to provide for penalties when an unlicensed person is involved in an accident which results in the serious injury or death of another person; to provide for the improper supervision of a minor by a parent or legal custodian; to provide for exceptions; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Cazayoux to Reengrossed Senate Bill No. 222 by Senator Mount

AMENDMENT NO. 1

In House Floor Amendment No. 3 proposed by Representative Johns and adopted by the House on June 16, 2006, on page 1, at the end of line 14, insert a comma "," and add "or to a minor who is driving with a parent or guardian in the vehicle who holds a valid drivers license"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Durand	Morrish
Alario	Erdey	Odinet
Alexander	Frith	Pierre
Ansardi	Gallot	Pinac
Arnold	Geymann	Pitre
Badon	Glover	Powell, M.
Baldone	Gray	Quezaire
Baudoin	Greene	Richmond
Baylor	Guillory, E.	Ritchie
Beard	Guillory, M.	Robideaux
Bruce	Hammett	Scalise
Bruneau	Hill	Schneider
Burns	Honey	Smiley
Burrell	Hopkins	Smith, J.D.-50th
Carter, K.	Hunter	Smith, J.H.-8th
Carter, R.	Hutter	Smith, J.R.-30th
Cazayoux	Jackson	St. Germain
Chandler	Johns	Strain
Crane	Katz	Thompson
Cravins	Kenney	Toomy
Crowe	Kleckley	Townsend
Curtis	LaBruzzo	Trahan
Damico	LaFleur	Triche
Daniel	LaFonta	Tucker
Dartez	Lambert	Waddell
DeWitt	Lancaster	Walker
Doerge	Marchand	Walsworth
Dorsey	Martiny	White
Dove	McDonald	Wooton
Downs	McVea	
Total - 89		

NAYS

Bowler	Faucheux	Smith, G.
Farrar	Hebert	
Total - 5		

ABSENT

Barrow	Jefferson	Romero
Fannin	Kennard	Winston
Harris	Montgomery	
Heaton	Powell, T.	
Total - 10		

The Chair declared the above bill was finally passed.

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

Motion

Rep. Daniel moved to call Senate Bill No. 285 from the calendar.

Rep. Bruneau objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Badon	Gallot	Morrish
Baldone	Geymann	Odinet
Beard	Glover	Pinac
Burns	Gray	Powell, M.
Carter, K.	Greene	Smiley
Carter, R.	Hammett	Smith, G.
Cazayoux	Hebert	Smith, J.D.-50th
Chandler	Hunter	St. Germain
Cravins	Jackson	Strain
Daniel	Johns	Toomy
Dorsey	Katz	Townsend
Downs	Kleckley	Tucker
Erdey	LaFonta	Walker
Farrar	Lambert	Walsworth
Faucheux	Marchand	White
Total - 45		

NAYS

Mr. Speaker	DeWitt	Montgomery
Alario	Doerge	Pierre
Alexander	Durand	Pitre
Arnold	Frith	Ritchie
Baudoin	Guillory, E.	Robideaux
Baylor	Guillory, M.	Scalise
Bowler	Hill	Schneider
Bruce	Kenney	Smith, J.H.-8th
Bruneau	LaBruzzo	Smith, J.R.-30th
Burrell	LaFleur	Triche
Crane	Lancaster	Waddell
Damico	McDonald	Wooton
Total - 36		

ABSENT

Ansardi	Heaton	Powell, T.
Barrow	Honey	Quezaire
Crowe	Hopkins	Richmond
Curtis	Hutter	Romero
Dartez	Jefferson	Thompson
Dove	Kennard	Trahan
Fannin	Martiny	Winston
Harris	McVea	
Total - 23		

The House agreed to call the bill from the calendar.

SENATE BILL NO. 285—

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 4:61(B) and (C), 63, 64, 65(A), (B), and (C)(3), (4), and (5), 67(A) and (C)(1), 70, 72, 73, 75, 76, 79, 81, 82, 83, and 85 and to enact R.S. 4:61(F), 82.1, and 82.2, relative to the boxing commission; to provide for authority; to provide for domicile; to provide for exemption from civil liability; to provide for duties of secretary; to provide for bond requirements; to provide for license fees and taxes; to provide for physicians; to provide for seating for the commission; to provide for sham contests; to provide relative to events coordinators, referees, and judges; to provide for criminal penalties and injunctions; to provide for definitions; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Daniel to Reengrossed Senate Bill No. 285 by Senator Marionneaux

AMENDMENT NO. 1

On page 2, line 12, after "in and" delete "~~shall may~~" and insert "shall"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Bruneau to Reengrossed Senate Bill No. 285 by Senator Marionneaux

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete "R.S. 4:61(B) and (C)," and insert "R.S. 4:61(A), (B), and (C),"

AMENDMENT NO. 2

On page 1, line 12, after "Section 1." delete "R.S. 4:61(B) and (C)," and insert "R.S. 4:61(A), (B), and (C),"

AMENDMENT NO. 3

On page 1, delete line 16 in its entirety and insert the following"

"§61. State Boxing and Wrestling Commission; domicile; authority

A. (1) There is hereby created a State Boxing and Wrestling Commission within the office of the governor. It shall consist of seven members, all of whom shall be appointed by the governor to serve at the pleasure of the governor making the appointment. Five members appointed by the governor shall be appointed, one from each Public Service Commission district and two from the state at large. Each appointment by the governor shall be submitted to the Senate for confirmation. The governor shall designate one member as chairman, one member as secretary, and one member as vice chairman. The secretary shall execute a bond of five thousand dollars, in favor of the state treasurer, for the faithful performance of the duties of his office. The premium of this bond shall be paid out of the commission funds.

(2) All commission members appointed under this Chapter shall have demonstrated expertise in the fields of boxing or wrestling."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Alexander	Geymann	Morrish
Badon	Gray	Pierre
Baldone	Guillory, E.	Pinac
Bear	Guillory, M.	Powell, M.
Bowler	Hammett	Quezaire
Carter, K.	Hebert	Smiley
Carter, R.	Honey	Smith, G.
Cazayoux	Jackson	Smith, J.D.-50th
Chandler	Johns	St. Germain

Crowe	Katz	Townsend
Daniel	Kleckley	Trahan
Downs	LaBruzzo	Walker
Erdey	LaFleur	Walsworth
Fannin	Lambert	White
Farrar	Marchand	Wooton
Gallot	McDonald	

Total - 47

NAYS

Mr. Speaker	Dorsey	Ritchie
Alario	Durand	Robideaux
Arnold	Faucheux	Romero
Baudoin	Frith	Scalise
Baylor	Hill	Schneider
Bruce	Kenney	Smith, J.H.-8th
Bruneau	LaFonta	Smith, J.R.-30th
Burrell	Lancaster	Strain
Crane	McVea	Thompson
Cravins	Montgomery	Triche
Damico	Odinet	Tucker
DeWitt	Pitre	Waddell
Doerge	Richmond	

Total - 38

ABSENT

Ansardi	Greene	Kennard
Barrow	Harris	Martiny
Burns	Heaton	Powell, T.
Curtis	Hopkins	Toomy
Dartez	Hunter	Winston
Dove	Hutter	
Glover	Jefferson	

Total - 19

Failed to pass.

Motion to reconsider pending.

Suspension of the Rules

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

SENATE BILL NO. 445—
BY SENATOR JACKSON

AN ACT

To enact R.S. 40:600.26(G) and (H), relative to the Louisiana Housing Trust Fund Act of 2003; to provide for housing needs in declared disaster areas as a result of hurricanes Katrina and Rita; to provide for the priority of housing citizens who were displaced in a declared disaster area as a result of hurricanes Katrina and Rita; to provide for an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Richmond to Engrossed Senate Bill No. 445 by Senator Jackson

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "enact" insert "amend and reenact R.S. 40:600.6(A)(22) and to" and change "R.S. 40:600.26(G) and (H)" to "R.S. 40:600.26(D)(5) and (G) and Chapter 3-C of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:600.31 through 600.38"

AMENDMENT NO. 2

On page 1, line 3, after "2003" and the semicolon ";" and before "to provide" insert "to provide for a nonprofit corporation to address housing needs as defined in the Road Home Program"

AMENDMENT NO. 3

On page 1, line 8, after "Section 1" and the period "." change "R.S. 40:600.26(G) and (H)" to "R.S. 40:600.6(A)(22) is hereby amended and reenacted and R.S. 40:600.26(D)(5) and (G) and Chapter 3-C of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:600.31 through 600.38,"

AMENDMENT NO. 4

On page 1, between lines 8 and 9, insert the following:

"§600.6. Powers and duties of the agency

A. The agency shall have the powers necessary or convenient to carry out and effectuate the purposes and provisions of this Chapter, including the following powers in addition to all other powers granted by other provisions of this Chapter:

* * *

(22) Notwithstanding anything stated in this Chapter or in any other law to the contrary, particularly R.S. 12:202.1, to create or cause to be created such nonprofit corporations as may be necessary or expedient to participate in housing programs of the federal government or its agencies and instrumentalities, including the creation of a nonprofit corporation to address the needs of the Road Home Program, as more specifically described in R.S. 40:600.31, et seq.

* * *

AMENDMENT NO. 5

On page 1, between lines 10 and 11, insert the following:

"D. The trust fund shall receive monies in the following manner:

* * *

(5) Monies appropriated or otherwise made available to the trust fund, from income derived under the Road Home Housing Program from the sale of real property, acquired by the state, or its agent, under the program and sold for purposes of redevelopment of housing or from the repayment of loans, grants, or any other agreement wherein the state provided financial assistance to an individual for rehabilitation or buyout of a home under the program, but only in such amounts as are approved by the Louisiana Recovery Authority and the division of administration and provided that such monies shall be subject to budgetary control and authority of the division of administration."

AMENDMENT NO. 6

On page 1, delete lines 15 through 17 in their entirety and on page 2, delete lines 1 through 9 in their entirety.

AMENDMENT NO. 7

On page 2, between lines 9 and 10, insert the following:

"* * *

CHAPTER 3-C. LOUISIANA ROAD HOME HOUSING CORPORATION ACT

§600.31. Short Title

This Chapter shall be known and may be cited as the "Louisiana Road Home Housing Corporation Act".

§600.32. Definitions

As used in this Chapter, the following words and terms shall have the following meanings, unless the context clearly indicates or requires another or different meaning or intent:

(1) "Road Home Corporation" means the nonprofit corporation authorized to be formed by this Chapter, or any corporation succeeding to the principal functions thereof or to which the powers conferred upon the corporation by this Chapter shall be given by law. It is further declared that any such corporation shall not constitute a state agency, board, or commission.

(2) "Division of administration" means the division of administration created within the office of the governor by Title 39 of the Louisiana Revised Statutes of 1950.

(3) "Project" collectively means the acquisition, disposition, purchase, renovation, improvement, leasing, or expansion of housing stock, including but not limited to housing stock as described in The Road Home, for the purposes set forth therein, as such action plan may hereafter be amended, supplemented, or otherwise modified, by the corporation. The project may be financed with funds provided in whole or in part from the U.S. Department of Housing and Urban Development's Community Development Block Grant Program, as administered by the Louisiana office of community development of the division of administration.

(5) "State" means the state of Louisiana or any agency or instrumentality thereof.

§600.33. Functions of Road Home Corporation

There is hereby authorized the formation and incorporation of a nonprofit corporation, the purpose of which shall be the acquisition, disposition, purchase, renovation, improvement, leasing, or expansion of housing stock, including but not limited to housing stock as described in The Road Home, for the purposes set forth therein, as such action plan hereafter may be amended, supplemented, or otherwise modified. To the extent that the provisions of this Chapter are inconsistent with the provisions of R.S. 12:202.1 or any other provisions of any general statute or special act or parts thereof, the provisions of this Chapter shall be deemed to be controlling.

§600.34. Membership of the board of directors; vacancies; compensation; expenses

A. The governor shall appoint seven persons to serve as the directors and members of this corporation, with one member appointed from a list of three persons nominated by the President of the Senate and with one member appointed from a list of three persons nominated by the Speaker of the House of Representatives. No less than three of such members shall be a domiciliary of any of the parishes in the area most affected by Hurricanes Katrina and Rita. At least five of the members, including the members nominated by the President of the Senate and the Speaker of the House of Representatives, shall have education, training, or experience in banking, mortgage financing, housing development, environmental remediation, land use, or urban planning.

B. Members of the board of directors shall serve without compensation, but the Road Home corporation may reimburse such members for necessary expenses incurred in the discharge of their duties.

§600.35. Applicable laws to Road Home Corporation

The Road Home corporation shall be subject to the Public Records Law, the Open Meetings Law, and the Code of Governmental Ethics.

§600.36. Powers of the Road Home Corporation

A. In addition to the powers granted it by the General Nonprofit Corporation Law, Title 12 of the Louisiana Revised Statutes of 1950, as amended, the Road Home corporation shall have the power to undertake any project, in adherence to the policy guidelines for rebuilding, recovery, and land use management set forth by the Louisiana Recovery Authority, to provide for the financing thereof as administered by the office of community development, and in connection therewith:

(1) To receive and accept from any agency of the United States or any agency of the state of Louisiana or any municipality, parish, or other political subdivision thereof, of from any individual, association, or corporation, gifts, grants, or donations of monies or other property for achieving any other purposes of this Chapter.

(2) To finance, own, lease as lessee or lessor, sell, exchange, donate, or otherwise hold or transfer a property interest in housing stock damaged by Hurricane Katrina or Hurricane Rita, including contracts for the acquisition, purchase, construction, disposition, sale, exchange, donate, renovation, improvement, or expansion such housing stock property interest by the Road Home corporation.

(3) To receive and accept from any source, loans, contributions, or grants for or in aid of project, or the financing thereof in either money, property, labor, or other things of value.

(4) To mortgage all or any portion of its interest in a project and the property on which any such project is located, whether owned or thereafter acquired, including the granting of a security interest in any property, corporeal or incorporeal, and to assign or pledge all of any portion of its interest in property, corporeal or incorporeal and the revenues therefrom.

(5) To obtain, or aid in obtaining, from any department or agency of the United States or the state or any private company, any insurance or guarantee as to, or of, or for the payment or repayment of, interest or principal, or both, or any part thereof, on any lease or obligation or any instrument evidencing or securing the same, made or entered into pursuant to the provisions of this Chapter and to assign any such insurance or guarantee as security.

(6) To enter into any and all agreements or contracts, execute any and all instruments, and do and perform any and all acts or things necessary, convenient, or desirable for the purpose of the Road Home corporation or to carry out any power expressly given in this Chapter.

§600.37. Excess Earnings

Any net earnings of the Road Home corporation beyond that necessary for the Road Home corporation to implement the purposes of this Chapter shall inure to the benefit of The Road Home Program.

§600.38. Dissolution of the Road Home Corporation: Title to property to vest in successor

Upon dissolution of the Road Home corporation, title to all property owned by the Road Home corporation shall vest in the successor corporation created by the legislature, if any. If no such successor corporation is so created, title to such property shall vest in the state of Louisiana."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hebert to Engrossed Senate Bill No. 445 by Senator Jackson

AMENDMENT NO. 1

In House Floor Amendment No. 7 proposed by Representatives Richmond and Tucker and adopted by the House of Representatives on June 16, 2006, on page 3, delete lines 11 through 12 in their entirety and insert the following:

"No less than three of such members shall be a domiciliary of one of the parishes most affected by Hurricane Katrina and no less than three members shall be a domiciliary of one of the parishes most affected by Hurricane Rita. Any domiciliary selected under this Subsection shall have been domiciled in their respective parish for at least one year prior to August 29, 2005."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 96

NAYS

Total - 0

ABSENT

Barrow	Kennard	Robideaux
Curtis	Lambert	Winston
Jefferson	Powell, T.	
Total - 8		

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 709—
BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 33:4720.55(D), (E), (F)(1), 4720.57(F), 4720.71(1) through (21) and to enact R.S. 33:4720.57(G), 4720.71(22) through (30), and 4720.71.1, relative to the composition of the board of commissioners of the New Orleans Redevelopment Authority; to provide for the number of commissioners; to provide for the method of appointment of commissioners; to provide for the terms of commissioners; to provide for an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Gray to Reengrossed Senate Bill No. 709 by Senator Murray

AMENDMENT NO. 1

On page 2, at the end of line 17, insert the following:

"However, the mayor shall not appoint two or more nominees submitted by the same legislator to serve as commissioners at the same time."

AMENDMENT NO. 2

On page 3, line 17, delete "The authority may pay and its" and delete lines 18 and 19 in their entirety and on line 20, delete "to exceed two meetings per month."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	McVea
Alario	Farrar	Montgomery
Alexander	Faucheux	Morrish
Ansardi	Frith	Odinot
Arnold	Gallot	Pierre
Badon	Geymann	Pinac
Baldone	Glover	Pitre
Baudoin	Gray	Powell, M.
Baylor	Guillory, E.	Quezaire
Beard	Guillory, M.	Richmond
Bowler	Hammett	Ritchie
Bruce	Harris	Romero
Bruneau	Heaton	Scalise
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	Johns	Strain
Crowe	Katz	Thompson
Damico	Kenney	Toomy
Daniel	Kleckley	Townsend
Dartez	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	LaFonta	Tucker
Dorsey	Lambert	Waddell
Dove	Lancaster	Walker
Downs	Marchand	Walsworth
Durand	Martiny	White
Erdey	McDonald	Wooton

Total - 96

NAYS

Total - 0

ABSENT

Barrow	Jefferson	Robideaux
Curtis	Kennard	Winston
Greene	Powell, T.	

Total - 8

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 19—

BY SENATOR MCPHERSON AND REPRESENTATIVE WALKER
AN ACT

To amend and reenact R.S. 37:1226.2(B)(1) and (2) and to enact R.S. 37:1226.2(F), (G), and (H), relative to the donation of prescription drugs to free pharmacies; to require free pharmacies to accept certain prescription drugs; to allow dispensing at the discretion of the pharmacist; to provide for mandatory donation of certain prescription drugs to charitable pharmacies under certain circumstances; to provide for a deduction of any such charges when unopened prescription drugs are returned, unused to a pharmacy; and to provide for related matters.

Called from the calendar.

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	Durand	McVea
Alario	Erdey	Montgomery
Alexander	Fannin	Morrish
Ansardi	Farrar	Odinot
Arnold	Frith	Pierre
Badon	Gallot	Pinac
Baldone	Geymann	Pitre
Baudoin	Glover	Powell, M.
Baylor	Gray	Quezaire
Beard	Guillory, E.	Ritchie
Bowler	Guillory, M.	Romero
Bruce	Hammett	Scalise
Bruneau	Hebert	Schneider
Burns	Hill	Smiley
Burrell	Honey	Smith, G.
Carter, K.	Hopkins	Smith, J.D.—50th

Page 44 HOUSE

46th Day's Proceedings - June 16, 2006

Carter, R.	Hunter	Smith, J.H.—8th
Cazayoux	Hutter	Smith, J.R.—30th
Chandler	Jackson	St. Germain
Crane	Johns	Strain
Cravins	Katz	Thompson
Crowe	Kenney	Toomy
Curtis	Kleckley	Townsend
Damico	LaBruzzo	Trahan
Daniel	LaFleur	Triche
Dartez	LaFonta	Tucker
DeWitt	Lambert	Waddell
Doerge	Lancaster	Walker
Dorsey	Marchand	Walsworth
Dove	Martiny	White
Downs	McDonald	Wooton
Total - 93		

NAYS

Total - 0

ABSENT

Barrow	Heaton	Richmond
Faucheux	Jefferson	Robideaux
Greene	Kennard	Winston
Harris	Powell, T.	
Total - 11		

The Chair declared the above bill was finally passed.

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.

Motion

Rep. Alario moved the House consider Senate Bill No. 185 on third reading and final passage after 6:00 P.M., on the eighty-second calendar day of the session.

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Fannin	Marchand
Arnold	Gallot	McDonald
Badon	Gray	Odinot
Baldone	Greene	Pinac
Baylor	Guillory, E.	Powell, M.
Bruce	Hammett	Quezaire
Burns	Hill	Richmond
Burrell	Honey	Ritchie
Carter, K.	Hopkins	Smith, G.
Carter, R.	Hunter	Smith, J.H.—8th
Cazayoux	Jackson	Strain
Chandler	LaBruzzo	Toomy
Daniel	LaFleur	Townsend
DeWitt	LaFonta	White
Doerge	Lambert	Wooton
Durand	Lancaster	
Total - 47		

NAYS

Mr. Speaker	Frith	Schneider
Baudoin	Geymann	Smiley
Beard	Katz	Smith, J.R.—30th
Bruneau	Kenney	Trahan
Crane	Kleckley	Triche
Damico	McVea	Tucker
Downs	Montgomery	Waddell

Erdey	Morrish	Walker
Farrar	Pitre	Walsworth
Faucheux	Scalise	
Total - 29		

ABSENT

Alexander	Glover	Pierre
Ansardi	Guillory, M.	Powell, T.
Barrow	Harris	Robideaux
Bowler	Heaton	Romero
Cravins	Hebert	Smith, J.D.—50th
Crowe	Hutter	St. Germain
Curtis	Jefferson	Thompson
Dartez	Johns	Winston
Dorsey	Kennard	
Dove	Martiny	
Total - 28		

The motion to consider not having received a two-thirds vote of the elected members, was rejected.

Motion

Rep. Burns moved the House consider Senate Bill No. 545 on third reading and final passage after 6:00 P.M., on the eighty-second calendar day of the session.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Odinot
Alario	Geymann	Pierre
Alexander	Greene	Pinac
Badon	Guillory, E.	Pitre
Baldone	Guillory, M.	Powell, M.
Baudoin	Hammett	Quezaire
Baylor	Hebert	Richmond
Beard	Hill	Ritchie
Bruce	Honey	Scalise
Bruneau	Hopkins	Schneider
Burns	Hunter	Smiley
Cazayoux	Johns	Smith, G.
Chandler	Katz	Smith, J.H.—8th
Crane	Kenney	Smith, J.R.—30th
Crowe	Kleckley	St. Germain
Curtis	LaBruzzo	Strain
Damico	LaFleur	Toomy
Doerge	LaFonta	Trahan
Dorsey	Lambert	Triche
Dove	Lancaster	Tucker
Downs	Marchand	Waddell
Durand	Martiny	Walker
Erdey	McDonald	Walsworth
Fannin	McVea	White
Farrar	Montgomery	Wooton
Faucheux	Morrish	
Total - 77		

NAYS

Ansardi	Daniel	Gray
Carter, K.	DeWitt	Jackson
Cravins	Gallot	
Total - 8		

ABSENT

Arnold	Harris	Romero
Barrow	Heaton	Smith, J.D.-50th
Bowler	Hutter	Thompson
Burrell	Jefferson	Townsend
Carter, R.	Kennard	Winston
Dartez	Powell, T.	
Glover	Robideaux	
Total - 19		

The motion to consider, having received a two-thirds vote of the elected members, was adopted.

Motion

Rep. Hebert moved the House consider Senate Bill No. 732 on third reading and final passage after 6:00 P.M., on the eighty-second calendar day of the session.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Odinet
Baldone	Geymann	Pinac
Baudoin	Greene	Powell, M.
Baylor	Guillory, E.	Quezaire
Bruce	Guillory, M.	Ritchie
Bruneau	Hebert	Scalise
Burns	Hill	Schneider
Burrell	Hopkins	Smith, G.
Carter, R.	Hunter	Smith, J.H.-8th
Cazayoux	Johns	Smith, J.R.-30th
Damico	Kenney	St. Germain
Daniel	LaBruzzo	Strain
Doerge	LaFleur	Toomy
Dorsey	Lambert	Triche
Durand	Lancaster	White
Farrar	McDonald	
Frith	Montgomery	
Total - 49		

NAYS

Alario	Fannin	McVea
Badon	Faucheux	Morrish
Beard	Gray	Pitre
Carter, K.	Hammett	Smiley
Chandler	Honey	Townsend
Crane	Jackson	Trahan
Cravins	Katz	Tucker
Curtis	Kleckley	Waddell
DeWitt	LaFonta	Walker
Downs	Marchand	Walsworth
Erdey	Martiny	Wooton
Total - 33		

ABSENT

Alexander	Glover	Richmond
Ansardi	Harris	Robideaux
Arnold	Heaton	Romero
Barrow	Hutter	Smith, J.D.-50th
Bowler	Jefferson	Thompson
Crowe	Kennard	Winston
Dartez	Pierre	
Dove	Powell, T.	
Total - 22		

The motion to consider, not having received a two-thirds vote of the elected members, was rejected.

Motion

Rep. Hebert moved the House consider Senate Bill No. 375 on third reading and final passage after 6:00 P.M., on the eighty-second calendar day of the session.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Durand	Lancaster
Baldone	Farrar	Martiny
Baudoin	Frith	McDonald
Beard	Gallot	Montgomery
Bruce	Geymann	Pitre
Burns	Greene	Ritchie
Burrell	Guillory, M.	Scalise
Carter, R.	Hebert	Smith, G.
Cazayoux	Hill	Smith, J.H.-8th
Damico	Hopkins	Smith, J.R.-30th
Daniel	Kenney	St. Germain
Doerge	Kleckley	Strain
Dorsey	LaBruzzo	Toomy
Downs	Lambert	Triche
Total - 42		

NAYS

Alario	Gray	Powell, M.
Alexander	Guillory, E.	Quezaire
Arnold	Hammett	Schneider
Badon	Honey	Smiley
Baylor	Jackson	Smith, J.D.-50th
Bruneau	Johns	Townsend
Carter, K.	Katz	Trahan
Chandler	LaFleur	Tucker
Crane	LaFonta	Waddell
Cravins	Marchand	Walker
DeWitt	McVea	Walsworth
Erdey	Morrish	White
Fannin	Odinet	
Faucheux	Pinac	
Total - 40		

ABSENT

Ansardi	Harris	Richmond
Barrow	Heaton	Robideaux
Bowler	Hunter	Romero
Crowe	Hutter	Thompson
Curtis	Jefferson	Winston
Dartez	Kennard	Wooton
Dove	Pierre	
Glover	Powell, T.	
Total - 22		

The motion to consider, not having received a two-thirds vote of the elected members, was rejected.

Motion

Rep. Richmond moved the House consider Senate Bill No. 128 on third reading and final passage after 6:00 P.M., on the eighty-second calendar day of the session.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Downs	Lambert
Badon	Durand	Lancaster
Baldone	Farrar	Marchand
Baylor	Frith	Martiny
Bruce	Gallot	Odinet
Bruneau	Gray	Pinac
Burns	Guillory, E.	Quezairé
Burrell	Guillory, M.	Richmond
Carter, K.	Hebert	Ritchie
Carter, R.	Hill	Smith, G.
Cazayoux	Honey	Smith, J.D.-50th
Cravins	Hunter	St. Germain
Curtis	Jackson	Toomy
Damico	LaBruzzo	Townsend
Daniel	LaFleur	Walker
Dorsey	LaFonta	White
Total - 48		

NAYS

Alario	Greene	Scalise
Alexander	Hammett	Schneider
Baudoin	Hopkins	Smiley
Beard	Johns	Smith, J.H.-8th
Chandler	Katz	Smith, J.R.-30th
Crane	Kenney	Strain
DeWitt	Kleckley	Trahan
Doerge	McDonald	Triche
Erdey	McVea	Tucker
Fannin	Morrish	Waddell
Faucheux	Pitre	Walsworth
Geymann	Powell, M.	Wooton
Total - 36		

ABSENT

Ansardi	Glover	Pierre
Arnold	Harris	Powell, T.
Barrow	Heaton	Robideaux
Bowler	Hutter	Romero
Crowe	Jefferson	Thompson
Dartez	Kennard	Winston
Dove	Montgomery	
Total - 20		

The motion to consider, not having received a two-thirds vote of the elected members, was rejected.

Motion

Rep. Richmond moved the House consider Senate Bill No. 684 on third reading and final passage after 6:00 P.M. on the eighty-second calendar day of the session.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Montgomery
Alexander	Faucheux	Morrish
Badon	Frith	Pierre
Baldone	Gallot	Pinac
Baudoin	Gray	Quezairé
Baylor	Greene	Richmond
Beard	Guillory, E.	Ritchie

Bruce	Hebert	Scalise
Bruneau	Hill	Smith, G.
Burns	Honey	Smith, J.D.-50th
Carter, K.	Hopkins	Smith, J.R.-30th
Carter, R.	Kenney	St. Germain
Cazayoux	LaBruzzo	Toomy
Damico	Lambert	Trahan
Daniel	Lancaster	Triche
Doerge	Martiny	Walker
Durand	McDonald	White
Fannin	McVea	Wooton
Total - 54		

NAYS

Alario	Geymann	Pitre
Arnold	Hammett	Powell, M.
Chandler	Hunter	Schneider
Crane	Jackson	Smiley
Cravins	Johns	Smith, J.H.-8th
Crowe	Katz	Strain
Curtis	Kleckley	Townsend
DeWitt	LaFleur	Tucker
Dorsey	LaFonta	Waddell
Downs	Marchand	Walsworth
Erdey	Odinet	
Total - 32		

ABSENT

Ansardi	Glover	Kennard
Barrow	Guillory, M.	Powell, T.
Bowler	Harris	Robideaux
Burrell	Heaton	Romero
Dartez	Hutter	Thompson
Dove	Jefferson	Winston
Total - 18		

The motion to consider, not having received a two-thirds vote of the elected members, was rejected.

Motion

Rep. Farrar moved the House consider Senate Bill No. 158 on third reading and final passage after 6:00 P.M., on the eighty-second calendar day of the session.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Montgomery
Arnold	Faucheux	Morrish
Badon	Frith	Odinet
Baldone	Gallot	Pierre
Baylor	Gray	Pinac
Bruce	Greene	Pitre
Bruneau	Guillory, E.	Ritchie
Burrell	Guillory, M.	Smith, G.
Carter, K.	Hammett	Smith, J.D.-50th
Carter, R.	Hebert	Smith, J.R.-30th
Cazayoux	Hill	St. Germain
Chandler	Hopkins	Strain
Crowe	Kenney	Toomy
Damico	LaBruzzo	Triche
Daniel	Lambert	Waddell
Doerge	Lancaster	Walker
Downs	Martiny	Walsworth
Durand	McVea	White
Total - 54		

NAYS

Alario	Fannin	Powell, M.
Alexander	Geymann	Quezaire
Baudoin	Honey	Richmond
Beard	Jackson	Scalise
Burns	Johns	Smiley
Crane	Katz	Smith, J.H.-8th
Cravins	Kleckley	Townsend
Curtis	LaFleur	Trahan
DeWitt	LaFonta	Tucker
Dorsey	Marchand	Wooton
Erdey	McDonald	
Total - 32		

ABSENT

Ansardi	Harris	Powell, T.
Barrow	Heaton	Robideaux
Bowler	Hunter	Romero
Dartez	Hutter	Schneider
Dove	Jefferson	Thompson
Glover	Kennard	Winston
Total - 18		

The motion to consider, not having received a two-thirds vote of the elected members, was rejected.

Motion

Rep. Durand moved the House consider Senate Bill No. 624 on third reading and final passage after 6:00 P.M., on the eighty-second calendar day of the session.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Montgomery
Alexander	Faucheux	Morrish
Arnold	Frith	Odinot
Badon	Gallot	Pierre
Baldone	Geymann	Pinac
Baudoin	Gray	Quezaire
Baylor	Greene	Richmond
Bruce	Guillory, E.	Ritchie
Bruneau	Guillory, M.	Scalise
Burns	Hebert	Smith, G.
Burrell	Hill	Smith, J.D.-50th
Carter, K.	Honey	Smith, J.H.-8th
Carter, R.	Hopkins	Smith, J.R.-30th
Cazayoux	Jackson	St. Germain
Chandler	Johns	Strain
Cravins	Kenney	Toomy
Curtis	LaBruzzo	Trahan
Damico	LaFleur	Waddell
Daniel	LaFonta	Walker
Doerge	Lambert	White
Dorsey	Marchand	Wooton
Downs	Martiny	
Durand	McDonald	
Total - 67		

NAYS

Alario	Hammett	Schneider
Bowler	Katz	Smiley
Crane	Kleckley	Townsend
DeWitt	McVea	Tucker
Erdey	Pitre	Walsworth

Fannin
Total - 17

Powell, M.

ABSENT

Ansardi	Harris	Powell, T.
Barrow	Heaton	Robideaux
Beard	Hunter	Romero
Crowe	Hutter	Thompson
Dartez	Jefferson	Triche
Dove	Kennard	Winston
Glover	Lancaster	
Total - 20		

The motion to consider, not having received a two-thirds vote of the elected members, was rejected.

Motion

Rep. Townsend moved the House consider Senate Bill No. 687 on third reading and final passage after 6:00 P.M., on the eighty-second calendar day of the session.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Geymann	Pitre
Baldone	Greene	Powell, M.
Baylor	Guillory, M.	Ritchie
Beard	Hebert	Scalise
Bruce	Hopkins	Smiley
Bruneau	Johns	Smith, G.
Burns	Katz	Smith, J.H.-8th
Burrell	Kleckley	Smith, J.R.-30th
Carter, R.	LaBruzzo	St. Germain
Cazayoux	Lambert	Toomy
Daniel	McVea	Townsend
Dorsey	Montgomery	Tucker
Downs	Morrish	Walker
Durand	Odinot	White
Erdey	Pierre	
Frith	Pinac	
Total - 46		

NAYS

Alario	Doerge	LaFonta
Alexander	Fannin	Lancaster
Arnold	Farrar	Marchand
Badon	Faucheux	Martiny
Baudoin	Gallot	Quezaire
Bowler	Gray	Richmond
Carter, K.	Guillory, E.	Schneider
Chandler	Hammett	Smith, J.D.-50th
Crane	Hill	Strain
Cravins	Honey	Triche
Crowe	Jackson	Waddell
Curtis	Kenney	Walsworth
Damico	LaFleur	Wooton
Total - 39		

ABSENT

Ansardi	Heaton	Robideaux
Barrow	Hunter	Romero
Dartez	Hutter	Thompson
DeWitt	Jefferson	Trahan
Dove	Kennard	Winston
Glover	McDonald	
Harris	Powell, T.	
Total - 19		

The motion to consider, not having received a two-thirds vote of the elected members, was rejected.

Motion

Rep. Richmond moved to reconsider the vote by which the motion to consider Senate Bill No. 545 on third reading and final passage after 6:00 P.M., on the eighty-second calendar day was adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Durand	LaFleur
Arnold	Erdey	LaFonta
Badon	Farrar	Marchand
Baudoin	Faucheux	Morrish
Baylor	Frith	Pierre
Burrell	Gallot	Pinac
Carter, K.	Gray	Quezaire
Carter, R.	Guillory, M.	Richmond
Cazayoux	Hammett	Smith, G.
Cravins	Hebert	Smith, J.D.—50th
Curtis	Honey	St. Germain
Damico	Hopkins	Townsend
DeWitt	Jackson	Waddell
Dorsey	Kenney	White
Total - 42		

NAYS

Mr. Speaker	Geymann	Powell, M.
Alexander	Greene	Ritchie
Baldone	Guillory, E.	Scalise
Beard	Johns	Schneider
Bowler	Katz	Smiley
Bruce	Kleckley	Smith, J.H.—8th
Bruneau	LaBruzzo	Smith, J.R.—30th
Burns	Lambert	Strain
Chandler	Lancaster	Toomy
Crane	Martiny	Triche
Crowe	McDonald	Tucker
Daniel	McVea	Walker
Doerge	Montgomery	Walsworth
Downs	Odinet	Wooton
Fannin	Pitre	
Total - 44		

ABSENT

Ansardi	Heaton	Powell, T.
Barrow	Hill	Robideaux
Dartez	Hunter	Romero
Dove	Hutter	Thompson
Glover	Jefferson	Trahan
Harris	Kennard	Winston
Total - 18		

The motion failed to pass.

Suspension of the Rules

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

Suspension of the Rules

On motion of Rep. Mickey Guillory, 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

RELATIVE TO CONSIDERATION AFTER THE 82nd CALENDAR DAY

June 16, 2006

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

I am directed to inform your honorable body that the Senate, by a record vote of two-thirds of its elected members, has adopted a motion to consider House Bill No. 1404 on third reading and final passage after the 82nd calendar day and ask the House of Representatives to concur in the same.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Motion

Rep. Mickey Guillory moved to concur with the Senate to permit consideration of House Bill No. 1404 after 6:00 P.M., on the eighty-second calendar day.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Erdey	Montgomery
Alario	Fannin	Morrish
Alexander	Farrar	Odinet
Arnold	Faucheux	Pierre
Badon	Frith	Pinac
Baldone	Gallot	Pitre
Baudoin	Geymann	Powell, M.
Baylor	Glover	Quezaire
Beard	Gray	Richmond
Bowler	Guillory, E.	Ritchie
Bruce	Guillory, M.	Romero
Bruneau	Hammett	Scalise
Burns	Harris	Schneider
Burrell	Heaton	Smiley
Carter, K.	Hebert	Smith, G.
Carter, R.	Hill	Smith, J.D.—50th
Cazayoux	Honey	Smith, J.H.—8th
Chandler	Hunter	Smith, J.R.—30th
Crane	Jackson	St. Germain
Cravins	Johns	Strain
Crowe	Katz	Toomy
Curtis	Kenney	Townsend
Damico	Kleckley	Trahan
Daniel	LaFleur	Triche
DeWitt	LaFonta	Tucker
Doerge	Lambert	Waddell
Dorsey	Lancaster	Walker

Dove	Marchand	Walsworth
Downs	McDonald	White
Durand	McVea	Wooton
Total - 90		

NAYS

Total - 0

ABSENT

Ansardi	Hutter	Powell, T.
Barrow	Jefferson	Robideaux
Dartez	Kennard	Thompson
Greene	LaBruzzo	Winston
Hopkins	Martiny	
Total - 14		

The House agreed that the Senate consider the bill.

**House Bills and Joint Resolutions
Returned from the Senate with Amendments**

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

HOUSE BILL NO. 829—
BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact Civil Code Article 665, relative to legal public servitudes; to provide that public servitudes exist for the making and repairing of certain levees; and to provide for related matters.

Read by title.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 829 by Representative Baldone

AMENDMENT NO. 1

On page 1, delete lines 2 and 3, and insert the following:

"To amend and reenact Civil Code Article 665 and R.S. 38:291(R)(2), 330.1(B), 330.3(A)(1)(a), and 330.5(B) as amended and enacted by Act 1 of the First Extraordinary Session of 2006, and Section 5 of Act No. 1 of the First Extraordinary Session of 2006, relative to legal public servitudes and flood protection; to provide that public servitudes exist for the making and repairing of certain levees; to provide relative to the board of certain flood protection authorities; to provide relative to the date of termination of such district; to provide relative to the terms of the boards of commissioners; to extend such date; and to"

AMENDMENT NO. 2

On page 1, line 12, after "exist on" delete the remainder of the line and delete line 13, and insert:

"property necessary for the building of levees and other water control structures on the alignment approved by the U.S. Army Corps of Engineers as provided by law, including the repairing of hurricane protection levees."

AMENDMENT NO. 3

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

"Section 2. R.S. 38:291(R)(2), 330.1(B), 330.3(A)(1)(a), and 330.5(B), as amended and enacted by Act No. 1 of the First Extraordinary Session of 2006, are hereby amended and reenacted to read as follows:

§291. Naming; limits of districts; composition of boards

* * *

R. West Jefferson Levee District. (1)

* * *

(2) On and after ~~January 1, 2007~~ December 1, 2007, the district shall be governed by the board of commissioners of the Southeast Louisiana Flood Protection Authority-West Bank pursuant to authority granted by Article VI, Sections 38 and 38.1 of the Constitution of Louisiana and as provided in this Chapter.

* * *

§330.1. Southeast Louisiana Flood Protection Authority-East and Southeast Louisiana Flood Protection Authority-West Bank; territorial jurisdiction; board of commissioners; appointments; terms; compensation; vacancy; officers; meetings; domicile

* * *

B. On and after January 1, 2007, the Southeast Louisiana Flood Protection Authority-East Bank, and on and after December 1, 2007, the Southeast Louisiana Flood Protection Authority-West Bank, each flood protection authority, through its board through their boards of commissioners as provided for in this Section, shall exercise all authority over and have management, oversight, and control of the following territories as provided by law for the boards of commissioners of such levee districts to which the authority is a successor and to the extent provided for in this Part:

* * *

§330.3. Levee district and board reorganization; transfer of authority; obligations; taxes; lands

A.(1)(a) Any legal proceeding to which the East Jefferson Levee District, Lake Borgne Basin Levee District, or Orleans Levee District, ~~or West Jefferson Levee District~~ is a party and which is filed, initiated, or pending before any court on January 1, 2007, and any legal proceeding to which the West Jefferson Levee District is a party and which is filed, initiated, or pending before any court on December 1, 2007, and all documents involved in or affected by said legal proceeding, shall retain its effectiveness and shall be continued in the name of the district. Other than the district or districts originally named as party to the proceedings, neither an authority or district within the territorial jurisdiction of the authority shall have any liability for actions pending or claims arising prior to the effective date of this Section.

* * *

§330.5. Employees

* * *

B. Any person employed by the East Jefferson Levee District, the Lake Borgne Basin Levee District, or the Orleans Levee District on January 1, 2007, or the West Jefferson Levee District on January 1, 2007, December 1, 2007, may, insofar as practicable, continue as an employee of the levee district at the pleasure of the flood protection authority created in this Part and may, insofar as practicable, retain all rights, privileges, and benefits.

Section 3. Section 5 of Act No.1 of the First Extraordinary Session of 2006 is hereby amended and reenacted to read as follows:

"Section 5. Notwithstanding the provisions of Section 5 of Act 1 of the First 2006 Extraordinary Session, the terms of the boards of commissioners of the East Jefferson Levee District, the Lake Borgne Basin Levee District and the Orleans Levee District, and the West Jefferson Levee District serving on December 31, 2006 and the West Jefferson Levee District serving on November 29, 2007, shall terminate on that date."

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 829 by Representative Baldone

AMENDMENT NO. 1

In Senate Committee Amendment No. 1 proposed by the Senate Committee on Judiciary A and adopted by the Senate on June 7, 2006, on page 1, line 3, following "330.1(B)" and before the ", " insert "(introductory paragraph)"

AMENDMENT NO. 2

In Senate Committee Amendment No.3 proposed by the Senate Committee on Judiciary A and adopted by the Senate on June 7, 2006, on page 1, line 20, following "330.1(B)" and before the ", " insert "(introductory paragraph)"

AMENDMENT NO. 3

In Senate Committee Amendment No. 3 proposed by the Senate Committee on Judiciary A and adopted by the Senate on June 7, 2006, on page 2, line 35, following "Section 5." delete the remainder of the line and on line 36, change "2006 Extraordinary Session, the" to "The"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dupre to Engrossed House Bill No. 829 by Representative Baldone

AMENDMENT NO. 1

Delete Senate Committee Amendments Nos. 1 and 3 proposed by the Senate Committee on Judiciary A and adopted by the Senate on June 7, 2006.

AMENDMENT NO. 2

Delete Legislative Bureau Amendments Nos. 1, 2, and 3 proposed by the Legislative Bureau and adopted by the Senate on June 8, 2006.

AMENDMENT NO. 3

On page 1, line 3, after "levees;" and before "and" insert "to provide that such servitudes also exist for certain purposes relative to the building and repairing of certain levees and other water control structures;"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Shepherd to Engrossed House Bill No. 829 by Representative Baldone

AMENDMENT NO. 1

On page 1, line 2, after "relative to" and before "legal public" insert "levees, levee districts, and"

AMENDMENT NO. 2

On page 1, after line 15, insert:

"Section 2. Notwithstanding any provision of law to the contrary, personnel employed by a levee district to perform law enforcement functions on its behalf on the effective date of this Act shall be continued in such employment and function if consolidation of such district into the Southeast Louisiana Flood Protection Authority - East Bank thereafter occurs as provided by law. The Authority may provide for the transfer of such personnel to other public entities for the purposes of performing the same functions. The provisions of this Section shall supersede and control to the extent of conflict with any other provision of law."

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. Speaker, Farrar, Montgomery, Alario, Faucheux, Morrish, Alexander, Frith, Odinet, Arnold, Gallot, Pierre, Badon, Geymann, Pinac, Baldone, Glover, Pitre, Baudoin, Gray, Powell, M., Baylor, Greene, Quezaira, Beard, Guillory, E., Ritchie, Bowler, Guillory, M., Romero, Bruce, Hammett, Scalise, Burns, Harris, Schneider, Burrell, Heaton, Smiley, Carter, K., Hebert, Smith, G., Carter, R., Hill, Smith, J.D.-50th, Cazayoux, Honey, Smith, J.H.-8th, Chandler, Hopkins, Smith, J.R.-30th, Crane, Hunter, St. Germain, Cravins, Jackson, Strain, Crowe, Johns, Toomy, Curtis, Katz, Townsend, Damico, Kenney, Trahan, Daniel, Kleckley, Triche, DeWitt, LaFleur, Tucker, Doerge, LaFonta, Waddell, Dorsey, Lambert, Walker, Dove, Lancaster, Walsworth, Downs, Marchand, White, Durand, McDonald, Wooton, Fannin, McVea

Total - 89

NAYS

Total - 0

ABSENT

Ansardi	Hutter	Powell, T.
Barrow	Jefferson	Richmond
Bruneau	Kennard	Robideaux
Dartez	LaBruzzo	Thompson
Erdey	Martiny	Winston
Total - 15		

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

HOUSE BILL NO. 922—

BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 11:1002(6), 1141.2(B)(10), 1152(J)(3) and (4), 1402(6), 1422, 1503(7), 1732(15), 1763(J)(1) and (2), 1902(14), 2031(5), and 2178(B)(1)(b) and (C)(1)(c) and to enact R.S. 11:231(C)(3), relative to benefits of the state and statewide retirement systems of Louisiana; to provide for definitions; to provide for calculation of average compensation; to provide for the calculation of benefits after participation in the Deferred Retirement Option Plan; to provide for applicability and effectiveness; and to provide for related matters.

Read by title.

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

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 922 by Representative Schneider

AMENDMENT NO. 1

On page 1, line 4, following "(C)(3)," and before "relative" insert "(4), and (5)."

AMENDMENT NO. 2

On page 1, line 15, following "(C)(3)" and before "hereby" change "is" to ", (4), and (5) are"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator B. Gautreaux to Reengrossed House Bill No. 922 by Representative Schneider

AMENDMENT NO. 1

On page 1, line 2 after "R.S." delete the remainder of the line and insert in lieu thereof "11:1402(6), 1422,"

AMENDMENT NO. 2

On page 1, line 13, after "R.S." delete the remainder of the line and insert in lieu thereof "11:1402(6), 1422,"

AMENDMENT NO. 3

On page 2, delete line 5 in its entirety

AMENDMENT NO. 4

On page 2, line 6 change "(c)" to "(b)"

AMENDMENT NO. 5

On page 2, line 7 change "(d)" to "(c)"

AMENDMENT NO. 6

On page 2, line 8 change "(e)" to "(d)" and delete lines 16 through 29 in their entirety and delete pages 3, 4, and 5 in their entirety, and on page 6 delete lines 1 through 22 in their entirety

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Montgomery
Alario	Faucheux	Morrish
Arnold	Frith	Odinot
Badon	Gallot	Pierre
Baldone	Geymann	Pinac
Baudoin	Glover	Pitre
Baylor	Gray	Powell, M.
Beard	Greene	Quezaire
Bowler	Guillory, E.	Richmond
Bruce	Guillory, M.	Ritchie
Bruneau	Hammett	Robideaux
Burns	Harris	Romero
Burrell	Heaton	Scalise
Carter, K.	Hebert	Schneider
Carter, R.	Hill	Smiley
Cazayoux	Honey	Smith, G.
Chandler	Hopkins	Smith, J.D.—50th
Crane	Hunter	Smith, J.H.—8th
Cravins	Jackson	Smith, J.R.—30th
Crowe	Johns	St. Germain
Curtis	Katz	Strain
Damico	Kenney	Thompson
Daniel	Kleckley	Toomy
DeWitt	LaBruzzo	Townsend
Doerge	LaFleur	Trahan
Dorsey	LaFonta	Triche
Dove	Lambert	Tucker
Downs	Lancaster	Waddell
Durand	Marchand	Walker
Erdey	McDonald	Walsworth
Fannin	McVea	White
Total - 93		

NAYS

Total - 0

ABSENT

Alexander	Hutter	Powell, T.
Ansardi	Jefferson	Winston
Barrow	Kennard	Wooton
Dartez	Martiny	
Total - 11		

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

HOUSE BILL NO. 970—

BY REPRESENTATIVE JACK SMITH
AN ACT

To amend and reenact R.S. 30:2189(A) and R.S. 45:163(A), relative to transportation of hazardous waste; to provide for exemptions from permitting requirements for transporting hazardous waste in certain circumstances; and to provide for related matters.

Read by title.

Page 52 HOUSE

46th Day's Proceedings - June 16, 2006

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Environmental Quality to Reengrossed House Bill No. 970 by Representative Jack Smith

AMENDMENT NO. 1

On page 1, line 13, after "waste" insert ", unless such waste meets the definition of hazardous material as provided in 49 CFR 171.8, incidental to and"

AMENDMENT NO. 2

On page 1, delete line 14 and insert "demolition debris generated by Hurricane Katrina or Hurricane Rita pursuant to a contract"

AMENDMENT NO. 3

On page 2, delete line 7, and insert "guideline for transporting hazardous waste , unless such waste meets the definition of hazardous material as provided in 49 CFR 171.8, incidental to and commingled with only demolition debris generated by Hurricane"

AMENDMENT NO. 4

On page 2, line 8, delete "and Rita construction or demolition debris" and insert "or Hurricane Rita"

AMENDMENT NO. 5

On page 3, at the end of line 14, insert "Sections 1 and 2 of this Act shall cease to be effective on February 28, 2007."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fontenot to Reengrossed House Bill No. 970 by Representative Jack Smith

AMENDMENT NO. 1

Delete Senate Committee Amendments No.1, 2, and 5 proposed by the Senate Committee on Environmental Quality and adopted by the Senate on June 7, 2006

AMENDMENT NO. 2

On page 1, line 2, after "reenact" delete "R.S. 30:2189(A) and"

AMENDMENT NO. 3

On page 1, delete lines 7 through 18

AMENDMENT NO. 4

On page 1, line 19, after "Section" delete "2" and insert "1"

AMENDMENT NO. 5

On page 2, delete lines 12 through 22

AMENDMENT NO. 6

On page 2, line 23, after "Section" delete "4" and insert "2"

AMENDMENT NO. 7

On page 3, at the beginning of line 9, delete "Section 5. This Section and Sections 1, 2, and 6" and insert "Section 3. This Section and Sections 1 and 4"

AMENDMENT NO. 8

On page 3, line 13, after "1" delete ", 2, and 6" and insert "and 4"

AMENDMENT NO. 9

On page 3, delete line 15 and insert "Section 4. Section 2 of this Act shall become effective December 31, 2007."

Rep. Jack Smith moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Erdey	Pierre
Alario	Fannin	Pinac
Alexander	Farrar	Pitre
Arnold	Faucheux	Powell, M.
Badon	Frith	Quezaire
Baldone	Gallot	Richmond
Baudoin	Geymann	Ritchie
Baylor	Glover	Robideaux
Beard	Gray	Romero
Bruce	Greene	Scalise
Bruneau	Guillory, E.	Schneider
Burns	Hammitt	Smiley
Burrell	Hebert	Smith, G.
Carter, K.	Hill	Smith, J.D.--50th
Carter, R.	Honey	Smith, J.H.--8th
Cazayoux	Hopkins	Smith, J.R.--30th
Chandler	Hunter	St. Germain
Crane	Jackson	Strain
Cravins	Johns	Thompson
Crowe	Katz	Toomy
Curtis	Kenney	Townsend
Damico	Kleckley	Trahan
Daniel	LaFleur	Triche
Dartez	LaFonta	Tucker
DeWitt	Marchand	Waddell
Doerge	McDonald	Walker
Dorsey	McVea	Walsworth
Dove	Montgomery	White
Downs	Morrish	Wooton
Durand	Odinot	
Total - 89		

NAYS

Total - 0

ABSENT

Ansardi	Heaton	Lambert
Barrow	Hutter	Lancaster
Bowler	Jefferson	Martiny
Guillory, M.	Kennard	Powell, T.
Harris	LaBruzzo	Winston
Total - 15		

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 1168—

BY REPRESENTATIVE JACK SMITH
AN ACT

To enact R.S. 33:2002(A)(3) and 2218.2(A)(3), relative to certain firemen and law enforcement officers; to authorize enhancement of the first-year salary of certain firemen and law enforcement officers; to require written disclosure of the temporary nature of such enhancement; to provide relative to reducing the salary of any fireman or law enforcement officer after a year; and to provide for related matters.

Read by title.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Engrossed House Bill No. 1168 by Representative Jack Smith

AMENDMENT NO. 1

On page 1, line 2 after "To" and before "enact" insert "amend and reenact R.S. 33:2218.2(B)(2) and to"

AMENDMENT NO. 2

On page 1, line 8 after "Section 1." and before "R.S." insert "R.S.33:2218.2(B)(2) is hereby amended and reenacted and"

AMENDMENT NO. 3

On page 2, line 29 after "reducing" and before "of any" delete "the salary" and insert "the portion of the salary that represents the state supplemental pay"

AMENDMENT NO. 4

On page 3 between lines 4 and 5 insert the following:

"B.

* * *

(2) In computing the period of service required for the payment of extra compensation to a commissioned deputy sheriff pursuant to the provisions of R.S. 33:2218.8, service as a full-time commissioned deputy sheriff shall include prior service as a full-time police officer receiving extra compensation under the provisions of Subsection A, shall also include prior service as a full-time post-certified enforcement agent of the Department of Wildlife and Fisheries, and shall include prior service of retired state police officers who received extra compensation under the provisions of R.S. 40:1457.

* * *"

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Erdey	Montgomery
Alario	Fannin	Morrish
Alexander	Farrar	Odinot
Arnold	Faucheux	Pierre
Badon	Frith	Pinac

Baldone	Gallot	Pitre
Baudoin	Geymann	Powell, M.
Baylor	Glover	Quezaire
Beard	Gray	Richmond
Bowler	Greene	Ritchie
Bruce	Guillory, E.	Robideaux
Bruneau	Guillory, M.	Romero
Burns	Harris	Scalise
Burrell	Hebert	Schneider
Carter, K.	Hill	Smiley
Carter, R.	Honey	Smith, G.
Cazayoux	Hopkins	Smith, J.D.—50th
Chandler	Hunter	Smith, J.H.—8th
Crane	Hutter	Smith, J.R.—30th
Cravins	Jackson	Strain
Crowe	Johns	Thompson
Curtis	Katz	Toomy
Damico	Kenney	Townsend
Daniel	Kleckley	Trahan
Dartez	LaFleur	Triche
DeWitt	LaFonta	Tucker
Doerge	Lambert	Waddell
Dorsey	Lancaster	Walker
Dove	Marchand	Walsworth
Downs	McDonald	White
Durand	McVea	Wooton

Total - 93

NAYS

Total - 0

ABSENT

Ansardi	Jefferson	Powell, T.
Barrow	Kennard	St. Germain
Hammett	LaBruzzo	Winston
Heaton	Martiny	

Total - 11

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

HOUSE BILL NO. 1213—

BY REPRESENTATIVE M. POWELL
AN ACT

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

Read by title.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 1213 by Representative M. Powell

AMENDMENT NO. 1

On page 1, line 10, after "person" delete the remainder of the line

AMENDMENT NO. 2

On page 1, line 12, after "or" insert "who is a validly appointed notary public in and for any parish in this state and"

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	Morrish
Alario	Farrar	Odinot
Alexander	Faucheux	Pierre
Arnold	Frith	Pinac
Badon	Gallot	Pitre
Baldone	Geymann	Powell, M.
Baudoin	Glover	Quezaire
Baylor	Greene	Richmond
Beard	Guillory, E.	Ritchie
Bowler	Guillory, M.	Robideaux
Bruce	Hammett	Romero
Bruneau	Harris	Scalise
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	Johns	Strain
Crowe	Katz	Thompson
Curtis	Kenney	Toomy
Damico	Kleckley	Townsend
Daniel	LaFleur	Trahan
DeWitt	LaFonta	Triche
Doerge	Lambert	Tucker
Dorsey	Lancaster	Waddell
Dove	Marchand	Walker
Downs	McDonald	Walsworth
Durand	McVea	White
Erdey	Montgomery	Wooton

Total - 93

NAYS

Total - 0

ABSENT

Ansardi	Heaton	Martiny
Barrow	Jefferson	Powell, T.
Dartez	Kennard	Winston
Gray	LaBruzzo	

Total - 11

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

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.

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fields to Engrossed House Bill No. 1281 by Representative Dorsey

AMENDMENT NO. 1

On page 3, line 15, change "2005 La. Lexis 2092" to "908 So. 2d 623"

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 97

NAYS

Total - 0

ABSENT

Ansardi	Kennard	Winston
Barrow	Martiny	
Jefferson	Powell, T.	

Total - 7

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 13—
BY REPRESENTATIVES GREENE AND TOOMY
A JOINT RESOLUTION

Proposing to amend Article V, Section 24 of the Constitution of Louisiana, to provide for the qualifications of office for judges; to provide for submission of the proposed amendment to the electors; to provide for an effective date; to provide for applicability; and to provide for related matters.

Read by title.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Re-Reengrossed House Bill No. 13 by Representative Greene

AMENDMENT NO. 1

On page 1, delete lines 12 through 19 and insert "family court, parish court, or court having solely juvenile jurisdiction shall have been admitted to the practice of law in this state for at least ~~five~~ ten years prior to his election and shall have been domiciled in the respective district, circuit, or parish for ~~the two years~~ one year preceding election."

AMENDMENT NO. 2

On page 2, delete lines 1 and 2

AMENDMENT NO. 3

On page 2, at the end of line 8, change "November 7," to "September 30,"

AMENDMENT NO. 4

On page 2, line 14, after "of" insert "ten"

AMENDMENT NO. 5

On page 2, line 15, after "judge" change "on certain courts" to "to the supreme court, court of appeal, district court, family court, parish court, or court having solely juvenile jurisdiction"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Smith to Re-Reengrossed House Bill No. 13 by Representative Greene

AMENDMENT NO. 1

In Senate Floor Amendment No. 6 proposed by Senator Kostelka and adopted in the Senate on June 13, 2006, change "2007" to "2008"

AMENDMENT NO. 2

In Senate Floor Amendment No. 8 proposed by Senator Kostelka and adopted in the Senate on June 13, 2006, change "2007" to "2008"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator N. Gautreaux to Re-Reengrossed House Bill No. 13 by Representative Greene

AMENDMENT NO. 1

On page 1, line 11, after "(A)" insert "(1)"

AMENDMENT NO. 2

In Senate Committee Amendment No. 1 proposed by the Senate Committee on Judiciary A and adopted by the Senate on May 24, 2006, after "election." insert the following:

"(2) The provisions of Paragraph (1) this Section shall not apply to any person who has served as a judge in any court of competent jurisdiction for five years or more."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Kostelka to Re-Reengrossed House Bill No. 13 by Representative Greene

AMENDMENT NO. 1

On page 1, line 11, after "Section 24." delete "(A)"

AMENDMENT NO. 2

On page 2, line 3, delete "(B)"

AMENDMENT NO. 3

On page 2, delete lines 4 through 6 in their entirety

AMENDMENT NO. 4

Delete Senate Committee Amendment Nos. 4 and 5 proposed by the Senate Committee on Judiciary A and adopted by the Senate on May 24, 2006.

AMENDMENT NO. 5

On page 2, delete lines 14 and 15 and insert:

"To provide relative to qualification of judges of the supreme court, court of appeal, district court, family court, parish court, or court having solely juvenile jurisdiction, to increase from five to ten years the minimum number of years for admission to the practice of law in this state prior to election, and to decrease the domiciliary requirement from two years to one year preceding election. Effective"

AMENDMENT NO. 6

On page 2, line 16, after "person" delete the remainder of the line and add "who is elected to the office of judge on and after January 1, 2007. (Amends"

AMENDMENT NO. 7

On page 2, delete line 17 in its entirety

AMENDMENT NO. 8

On page 2, line 20, after "person" delete the remainder of the line and add "who is elected to the office of judge on and after January 1, 2007."

AMENDMENT NO. 9

On page 2, delete line 21 in its entirety

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini to Re-Reengrossed House Bill No. 13 by Representative Greene

AMENDMENT NO. 1

On page 2, line 14, after "provide" and before "that" delete "for the minimum number of years"

AMENDMENT NO. 2

On page 2, line 15, after "law" and before "before" insert "for ten years"

Page 56 HOUSE

46th Day's Proceedings - June 16, 2006

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

As a substitute motion, Rep. Richmond moved that the amendments proposed by the Senate be rejected.

The vote recurred on the substitute motion.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Morrish
Alario	Faucheux	Pierre
Arnold	Gallot	Pinac
Badon	Gray	Quezaire
Baldone	Guillory, E.	Richmond
Baylor	Guillory, M.	Ritchie
Bowler	Hammett	Smith, G.
Burrell	Hebert	Smith, J.D.—50th
Carter, K.	Honey	Smith, J.R.—30th
Cravins	Jackson	St. Germain
Damico	LaFleur	Townsend
DeWitt	LaFonta	
Dorsey	Marchand	
Total - 37		

NAYS

Alexander	Erdey	Pitre
Baudoin	Fannin	Powell, M.
Beard	Frith	Scalise
Bruce	Geymann	Schneider
Bruneau	Greene	Smiley
Burns	Hill	Smith, J.H.—8th
Carter, R.	Hopkins	Strain
Cazayoux	Johns	Toomy
Chandler	Katz	Trahan
Crane	Kenney	Triche
Crowe	Lancaster	Tucker
Curtis	Martiny	Waddell
Daniel	McDonald	Walker
Doerge	McVea	Walsworth
Downs	Montgomery	White
Durand	Odinot	Wooton
Total - 48		

ABSENT

Ansardi	Hunter	Powell, T.
Barrow	Hutter	Robideaux
Dartez	Jefferson	Romero
Dove	Kennard	Thompson
Glover	Kleckley	Winston
Harris	LaBruzzo	
Heaton	Lambert	
Total - 19		

The House refused to reject the amendments.

Rep. Greene insisted on his motion that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Alexander	Fannin	Pitre
Baudoin	Frith	Powell, M.

Beard	Geymann	Scalise
Bruce	Greene	Schneider
Bruneau	Hill	Smiley
Burns	Hopkins	Smith, J.H.—8th
Carter, R.	Johns	St. Germain
Cazayoux	Katz	Strain
Chandler	Kenney	Toomy
Crane	LaBruzzo	Trahan
Crowe	LaFleur	Triche
Daniel	Lancaster	Tucker
DeWitt	Martiny	Waddell
Doerge	McDonald	Walker
Downs	McVea	Walsworth
Durand	Montgomery	White
Erdey	Odinot	Wooton
Total - 51		

NAYS

Mr. Speaker	Dorsey	Marchand
Alario	Farrar	Pierre
Arnold	Faucheux	Pinac
Badon	Gallot	Quezaire
Baldone	Gray	Richmond
Baylor	Guillory, E.	Ritchie
Bowler	Guillory, M.	Smith, G.
Burrell	Hammett	Smith, J.D.—50th
Carter, K.	Hebert	Smith, J.R.—30th
Cravins	Honey	Townsend
Curtis	Jackson	
Damico	LaFonta	
Total - 34		

ABSENT

Ansardi	Hunter	Powell, T.
Barrow	Hutter	Robideaux
Dartez	Jefferson	Romero
Dove	Kennard	Thompson
Glover	Kleckley	Winston
Harris	Lambert	
Heaton	Morrish	
Total - 19		

The amendments proposed by the Senate, failing to receive a two-thirds vote of the elected members, were not concurred in by the House.

Conference Committee appointment pending.

HOUSE BILL NO. 128—
BY REPRESENTATIVE GREENE
AN ACT

To amend and reenact Civil Code Articles 111 and 112, relative to an award of final spousal support; to require necessitous circumstances; and to provide for related matters.

Read by title.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 128 by Representative Greene

AMENDMENT NO. 1

On page 2, delete lines 11 through 18

AMENDMENT NO. 2

On page 2, line 19, change "Section 4" to "Section 2"

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Barrow	Jackson	Powell, T.
Farrar	Jefferson	Winston
Hutter	Kennard	
Total - 8		

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 439—
BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact R.S. 1:13 and R.S. 13:3712(A) and to enact R.S. 13:3711 and R.S. 24:177, relative to legislation; to specifically provide that certain elements of a bill are not law; to provide with respect to legislative journals; to provide with respect to audio and video recordings of legislative proceedings; to provide with respect to legislative intent; to define the extent to which certain elements of a bill are considered to determine legislative intent; and to provide for related matters.

Read by title.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Engrossed House Bill No. 439 by Representative Townsend

AMENDMENT NO. 1

On page 1, line 14, between "one-liner," and "abstract" insert "summary and adjoining information."

AMENDMENT NO. 2

On page 2, line 15, between "proceeding" and the period "." insert "contained on the recording or image"

AMENDMENT NO. 3

On page 3, line 12, delete "(a)" and between, "one-liner." and "abstract" insert "summary and adjoining information."

AMENDMENT NO. 4

On page 3, line 15, between "bill" and the period "." insert "and are not subject to amendment by the legislature or any committee of the legislature and shall not constitute proof or indicia of legislative intent"

AMENDMENT NO. 5

On page 3, line 16, change "(b)" to "(2)" and change "context" to "content of the bill." and delete line 17

AMENDMENT NO. 6

On page 3, line 18, change "(c)" to "(3)"

AMENDMENT NO. 7

On page 3, line 20, between "note" and the period "." insert "and shall not constitute proof or indicia of legislative intent"

AMENDMENT NO. 8

On page 3, line 21, change "(d)" to "(4)" and at the end of the line insert "and shall not constitute proof or indicia of legislative intent." and delete lines 22 and 23

AMENDMENT NO. 9

On page 3, delete lines 24 through 28.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Chaisson to Engrossed House Bill No. 439 by Representative Townsend

AMENDMENT NO. 1

On page 3, at the beginning of line 8, change "(D)" to "D."

AMENDMENT NO. 2

On page 3, delete lines 16 and 17 in their entirety

AMENDMENT NO. 3

Delete Amendment No. 5 proposed by the Senate Committee on Senate and Governmental Affairs and adopted by the Senate on June 8, 2006.

Page 58 HOUSE

46th Day's Proceedings - June 16, 2006

AMENDMENT NO. 4

In Amendment No. 6 proposed by the Senate Committee on Senate and Governmental Affairs and adopted by the Senate on June 8, 2006, on page 1, line 18, change "(3)" to "(2)"

AMENDMENT NO. 5

In Amendment No. 8 proposed by the Senate Committee on Senate and Governmental Affairs and adopted by the Senate on June 8, 2006, on page 1, line 23, change "(4)" to "(3)"

AMENDMENT NO. 6

On page 3, between lines 23 and 24 insert the following:

"(4) Words and phrases not constituting the substance of an amendment or the recommendations of a conference committee report, and any other legislative staff documents which are not subject to amendment by the legislature or any committee of the legislature, shall not constitute proof or indicia of legislative intent."

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Montgomery
Alario	Faucheux	Odinet
Alexander	Frith	Pierre
Ansardi	Gallot	Pinac
Arnold	Geymann	Pitre
Badon	Glover	Powell, M.
Baldone	Gray	Quezaire
Baudoin	Greene	Richmond
Baylor	Guillory, E.	Ritchie
Beard	Guillory, M.	Robideaux
Bowler	Hammett	Romero
Bruce	Harris	Scalise
Bruneau	Heaton	Schneider
Burns	Hebert	Smiley
Carter, R.	Hill	Smith, G.
Cazayoux	Honey	Smith, J.D.-50th
Chandler	Hopkins	Smith, J.H.-8th
Crane	Hunter	Smith, J.R.-30th
Cravins	Jackson	St. Germain
Crowe	Johns	Strain
Curtis	Katz	Thompson
Damico	Kenney	Toomy
Daniel	Kleckley	Townsend
Dartez	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	LaFonta	Tucker
Dorsey	Lambert	Waddell
Dove	Lancaster	Walker
Downs	Marchand	Walsworth
Durand	Martiny	White
Erdey	McDonald	Wooton
Fannin	McVea	
Total - 95		

NAYS

Total - 0

ABSENT

Barrow	Hutter	Morrish
Burrell	Jefferson	Powell, T.
Carter, K.	Kennard	Winston
Total - 9		

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

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 128: Reps. Greene, Ansardi, and Robideaux.

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.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Engrossed House Bill No. 520 by Representative K. Carter

AMENDMENT NO. 1

On page 1, line 13 change "\$75.00" to "\$55.00"

AMENDMENT NO. 2

On page 1, line 16 change "\$75.00" to "\$55.00"

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Montgomery
Alario	Frith	Odinet
Ansardi	Gallot	Pierre
Arnold	Geymann	Pinac
Badon	Glover	Pitre
Baldone	Gray	Powell, M.
Baylor	Greene	Quezaire
Bruce	Guillory, E.	Richmond
Bruneau	Guillory, M.	Ritchie
Burns	Hammett	Robideaux
Burrell	Harris	Romero
Carter, K.	Hebert	Smith, G.
Carter, R.	Hill	Smith, J.D.-50th
Cazayoux	Honey	Smith, J.H.-8th
Chandler	Hopkins	Smith, J.R.-30th
Crane	Hunter	St. Germain
Cravins	Kenney	Strain
Curtis	Kleckley	Thompson
Damico	LaBruzzo	Toomy
DeWitt	LaFleur	Townsend
Doerge	LaFonta	Trahan
Dorsey	Lambert	Triche
Dove	Lancaster	Tucker
Downs	Marchand	Waddell
Durand	Martiny	Walker
Fannin	McDonald	White
Farrar	McVea	Wooton
Total - 81		

NAYS

Alexander	Erdey	Smiley
Beard	Katz	Walsworth
Bowler	Scalise	
Crowe	Schneider	
Total - 10		

ABSENT

Barrow	Hutter	Morrish
Baudoin	Jackson	Powell, T.
Daniel	Jefferson	Winston
Dartez	Johns	
Heaton	Kennard	
Total - 13		

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

HOUSE BILL NO. 669—
BY REPRESENTATIVE M. POWELL
AN ACT

To amend and reenact R.S. 18:1284(C), relative to proposition elections; to provide for the content of the proposition; and to provide for related matters.

Read by title.

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Malone to Reengrossed House Bill No. 669 by Representative M. Powell

AMENDMENT NO. 1

On page 1, line 15, after "on" delete the remainder of the line and delete lines 16 and 17 and insert "January 1, 2007."

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Odinot
Alario	Frith	Pierre
Alexander	Gallot	Pinac
Ansardi	Geymann	Pitre
Arnold	Glover	Powell, M.
Badon	Greene	Quezaire
Baldone	Guillory, E.	Richmond
Baudoin	Guillory, M.	Ritchie
Baylor	Hammett	Robideaux
Beard	Harris	Romero
Bowler	Hebert	Scalise
Bruce	Hill	Schneider
Bruneau	Honey	Smiley
Burns	Hopkins	Smith, G.
Carter, R.	Hunter	Smith, J.D.—50th
Cazayoux	Jackson	Smith, J.H.—8th
Chandler	Johns	Smith, J.R.—30th
Crane	Katz	St. Germain
Cravins	Kenney	Strain
Crowe	Kleckley	Thompson

Curtis	LaBruzzo	Toomy
Damico	LaFleur	Townsend
Daniel	LaFonta	Trahan
DeWitt	Lambert	Triche
Doerge	Lancaster	Tucker
Dorsey	Marchand	Waddell
Downs	Martiny	Walker
Durand	McDonald	Walsworth
Erdey	McVea	White
Fannin	Montgomery	Wooton
Farrar	Morrish	
Total - 92		

NAYS

Carter, K.	Gray
Total - 2	

ABSENT

Barrow	Heaton	Powell, T.
Burrell	Hutter	Winston
Dartez	Jefferson	
Dove	Kennard	
Total - 10		

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

HOUSE BILL NO. 675—
BY REPRESENTATIVE MCVEA
AN ACT

To enact R.S. 42:1119(B)(2)(a)(v) and (E), relative to nepotism; to allow certain immediate family members of school board members and of superintendents to be promoted to administrative positions in parishes with a population of twenty thousand or less; to allow an immediate family member of an athletic director at a school to be employed as a coach at such school; and to provide for related matters.

Read by title.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Reengrossed House Bill No. 675 by Representative McVea

AMENDMENT NO. 1

On page 1, line 4 after "twenty" insert "-six"

AMENDMENT NO. 2

On page 1, line 16 after "twenty" insert "-six"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator B. Gautreaux to Reengrossed House Bill No. 675 by Representative McVea

AMENDMENT NO. 1

On page 1, line 2 after "To" insert "amend and reenact R.S. 42:1119(B)(2)(a)(i) and"

AMENDMENT NO. 2

On page 1, line 8 after "R.S." insert "42:1119(B)(2)(a)(i)" is hereby amended and reenacted and R.S."

Page 60 HOUSE

46th Day's Proceedings - June 16, 2006

AMENDMENT NO. 3

On page 1, delete line 14 and insert the following:

"(a)(i) Any local school board may employ any member of the immediate family of any board member or of the superintendent as a classroom teacher or teacher's assistant provided that such family member is certified. ~~to teach.~~ Any school board member or superintendent whose immediate family member is employed by the school board shall recuse himself from any decision involving the promotion or assignment of teaching location of such employee."

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	Odinot
Alario	Farrar	Pierre
Alexander	Faucheux	Pinac
Ansardi	Frith	Pitre
Arnold	Geymann	Powell, M.
Badon	Glover	Quezaire
Baldone	Gray	Richmond
Baudoin	Greene	Ritchie
Baylor	Guillory, E.	Robideaux
Beard	Guillory, M.	Romero
Bowler	Hammett	Scalise
Bruce	Harris	Schneider
Bruneau	Heaton	Smiley
Burns	Hill	Smith, G.
Burrell	Honey	Smith, J.D.-50th
Carter, K.	Hunter	Smith, J.H.-8th
Carter, R.	Hutter	Smith, J.R.-30th
Cazayoux	Jackson	St. Germain
Chandler	Johns	Strain
Crane	Katz	Thompson
Cravins	Kenney	Toomy
Crowe	Kleckley	Townsend
Curtis	LaBruzzo	Trahan
Damico	LaFonta	Triche
Daniel	Lambert	Tucker
DeWitt	Lancaster	Waddell
Doerge	Marchand	Walker
Dorsey	Martiny	Walsworth
Dove	McDonald	White
Downs	McVea	Wooton
Durand	Montgomery	
Erdey	Morrish	
Total - 94		

NAYS

Total - 0

ABSENT

Barrow	Hopkins	Powell, T.
Dartez	Jefferson	Winston
Gallot	Kennard	
Hebert	LaFleur	
Total - 10		

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 793—

BY REPRESENTATIVE FRITH

AN ACT

To enact R.S. 42:1111(C)(4), relative to completion of certain contracts by an elected official; to provide for an exception to the prohibition against payments for services rendered by a public servant from a prohibited source; to allow an elected official to receive payment for the completion of certain contracts that commenced prior to his initial election to office; to require notice of such contract to the elected official's governmental entity and the Board of Ethics; and to provide for related matters.

Read by title.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Engrossed House Bill No. 793 by Representative Frith

AMENDMENT NO. 1

On page 1, line 6, after "office" insert "for a limited period of time"

AMENDMENT NO. 2

On page 1, line 15, after "prohibited" insert "for a period of not more than ninety days following the first day of his initial term of office"

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Odinot
Alario	Faucheux	Pierre
Alexander	Frith	Pinac
Ansardi	Gallot	Pitre
Arnold	Geymann	Powell, M.
Baldone	Glover	Quezaire
Baudoin	Gray	Richmond
Baylor	Guillory, M.	Ritchie
Bowler	Hammett	Robideaux
Bruce	Harris	Romero
Burns	Heaton	Smiley
Burrell	Hebert	Smith, G.
Carter, K.	Hill	Smith, J.D.-50th
Carter, R.	Honey	Smith, J.H.-8th
Cazayoux	Hopkins	Smith, J.R.-30th
Chandler	Hunter	St. Germain
Crane	Jackson	Strain
Cravins	Johns	Thompson
Curtis	Kenney	Toomy
Damico	LaBruzzo	Townsend
Daniel	LaFonta	Trahan
DeWitt	Lancaster	Triche
Doerge	Marchand	Waddell
Dorsey	Martiny	Walker
Dove	McDonald	White
Durand	McVea	Wooton
Erdey	Montgomery	
Fannin	Morrish	
Total - 82		

NAYS

Beard	Katz	Tucker
Bruneau	Scalise	Walsworth
Crowe	Schneider	
Total - 8		

ABSENT

Badon	Guillory, E.	LaFleur
Barrow	Hutter	Lambert
Dartez	Jefferson	Powell, T.
Downs	Kennard	Winston
Greene	Kleckley	
Total - 14		

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

HOUSE BILL NO. 1044—

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

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

Read by title.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Engrossed House Bill No. 1044 by Representative Harris

AMENDMENT NO. 1

On page 1, line 12, after "days" delete the remainder of the line and on line 13, delete "of such service" and insert "past the deadlines otherwise required by law"

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Montgomery
Alario	Faucheux	Morrish
Alexander	Frith	Odinot
Ansardi	Gallot	Pierre
Arnold	Geymann	Pinac
Badon	Glover	Pitre
Baldone	Gray	Powell, M.
Baudoin	Greene	Quezaire
Baylor	Guillory, E.	Ritchie
Beard	Guillory, M.	Robideaux
Bowler	Hammett	Romero
Bruce	Harris	Schneider
Bruneau	Heaton	Smiley
Burns	Hebert	Smith, G.
Burrell	Hill	Smith, J.D.—50th
Carter, K.	Honey	Smith, J.H.—8th
Carter, R.	Hopkins	Smith, J.R.—30th
Cazayoux	Hunter	St. Germain

Chandler	Hutter	Strain
Crane	Jackson	Thompson
Cravins	Johns	Toomy
Crowe	Katz	Townsend
Curtis	Kenney	Trahan
Damico	Kleckley	Triche
Daniel	LaBruzzo	Tucker
DeWitt	LaFonta	Waddell
Doerge	Lambert	Walker
Dorsey	Lancaster	Walsworth
Dove	Marchand	White
Durand	Martiny	Wooton
Erdey	McDonald	
Fannin	McVea	
Total - 94		

NAYS

Total - 0

ABSENT

Barrow	Kennard	Scalise
Dartez	LaFleur	Winston
Downs	Powell, T.	
Jefferson	Richmond	
Total - 10		

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

HOUSE BILL NO. 1056—

BY REPRESENTATIVE FARRAR AND SENATOR MURRAY
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 1210.87, relative to the licensure of claims adjusters; to provide for definitions; to provide for a license; to provide for a license application; to provide for resident and nonresident licenses; to provide for limited licenses; to provide for catastrophe or emergency registration; to provide for examinations and exemptions; to provide for reciprocity; to provide for denial, nonrenewal, or revocation of a license; to provide for continuing education; to provide for referrals by insurers; 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.

Motion

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

HOUSE BILL NO. 479—

BY REPRESENTATIVE FARRAR
AN ACT

To amend and reenact R.S. 22:1410(A)(1) and 2092.2(17)(b)(vi) and to enact R.S. 22:1409(G)(2)(e) and 2092.5.1, relative to title insurance; to provide for contents of title opinions; to authorize a certain organization to make filings for their members; to provide title insurers the ability to seek permission to file a deviation from certain rates; and to provide for related matters.

Called from the calendar.

Read by title.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Reengrossed House Bill No. 479 by Representative Farrar

AMENDMENT NO. 1

On page 3, at the beginning of line 15, insert "A."

AMENDMENT NO. 2

On page 3, after line 22, insert the following:

"B. Notwithstanding any provision of law to the contrary, title insurers and title insurance rating organizations shall not be required to file with the commissioner of insurance, the Louisiana Insurance Rating Commission, or any other entity, individual loss, or expense information for any purpose other than statistical reporting associated with a statistical plan."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Duplessis to Reengrossed House Bill No. 479 by Representative Farrar

AMENDMENT NO. 1

In Senate Committee Amendment No. 2, proposed by the Senate Committee on Insurance and adopted by the Senate on June 1, 2006, on page 1, line 8 after "purpose" insert "associated with ratemaking"

AMENDMENT NO. 2

In Senate Committee Amendment No. 2, proposed by the Senate Committee on Insurance and adopted by the Senate on June 1, 2006, on page 1, at the end of line 9, after "plan." add the following:

"Notwithstanding the foregoing, nothing in this Section shall be construed to constrain access to the books and records of any title insurer doing business in the state of Louisiana by the commissioner of the Department of Insurance."

AMENDMENT NO. 3

On page 3, line 18, after "discriminatory." delete the remainder of the line and delete lines 19 through 22 in their entirety.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of members who voted 'YEAS', including Mr. Speaker, Alario, Alexander, Ansardi, Arnold, Badon, Baldone, Baudoin, Baylor, Beard, Bowler, Bruce, Bruneau, Burns, Burrell, Fannin, Farrar, Faucheux, Frith, Gallot, Badon, Glover, Gray, Greene, Guillory, E., Guillory, M., Hammett, Harris, Heaton, Hebert, McVea, Montgomery, Morrish, Odinet, Pierre, Pinac, Pitre, Powell, M., Quezaire, Richmond, Ritchie, Robideaux, Romero, Scalise, and Schneider.

Table listing names of members who voted 'NAYS' and 'ABSENT', including Carter, K., Carter, R., Cazayoux, Crane, Cravins, Crowe, Curtis, Damico, Daniel, Dartez, DeWitt, Doerge, Dorsey, Dove, Downs, Durand, Erdey, Hill, Honey, Hopkins, Hunter, Hutter, Jackson, Johns, Katz, Kenney, Kleckley, LaBruzzo, LaFleur, Lambert, Lancaster, Marchand, Martiny, McDonald, Smith, G., Smith, J.D.-50th, Smith, J.H.-8th, Smith, J.R.-30th, St. Germain, Strain, Thompson, Toomy, Townsend, Triche, Tucker, Waddell, Walsworth, White, and Wooton.

Total - 94

NAYS

Total - 0

ABSENT

Table listing names of members who voted 'ABSENT', including Barrow, Chandler, Jefferson, Kennard, LaFonta, Powell, T., Smiley, Trahan, Walker, and Winston.

Total - 10

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 870—

BY REPRESENTATIVES DAMICO AND SALTER AN ACT

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

Called from the calendar.

Read by title.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Environmental Quality to Reengrossed House Bill No. 870 by Representative Damico

AMENDMENT NO. 1

On page 1, delete lines 10 through 14

AMENDMENT NO. 2

On page 1, line 15, change "B." to "A."

AMENDMENT NO. 3

On page 1, line 20, change "C." to "B."

AMENDMENT NO. 4

On page 2, between lines 3 and 4, insert "Section 2. This Act shall become effective if and when Senate Bill No. 292 of this 2006 Regular Session is enacted and becomes effective."

AMENDMENT NO. 5

On page 2, line 4, change "Section 2." to "Section 3."

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Geymann	Montgomery
Alario	Glover	Morrish
Ansardi	Gray	Odinot
Arnold	Guillory, E.	Pierre
Badon	Guillory, M.	Pinac
Baldone	Hammitt	Pitre
Baylor	Harris	Quezaire
Bruce	Heaton	Richmond
Bruneau	Hebert	Ritchie
Burns	Hill	Robideaux
Burrell	Honey	Romero
Carter, K.	Hopkins	Smith, G.
Carter, R.	Hunter	Smith, J.D.-50th
Cazayoux	Hutter	Smith, J.H.-8th
Crane	Jackson	Smith, J.R.-30th
Curtis	Johns	St. Germain
Damico	Kenney	Thompson
Daniel	Kleckley	Toomy
DeWitt	LaBruzzo	Townsend
Doerge	LaFleur	Trahan
Dorsey	LaFonta	Triche
Dove	Lambert	Tucker
Durand	Lancaster	Waddell
Fannin	Marchand	Walker
Farrar	Martiny	Wooton
Frith	McDonald	
Gallot	McVea	

Total - 79

NAYS

Alexander	Crowe	Schneider
Baudoin	Erdey	Smiley
Beard	Greene	Strain
Bowler	Katz	Walsworth
Cravins	Powell, M.	White

Total - 15

ABSENT

Barrow	Faucheux	Scalise
Chandler	Jefferson	Winston
Dartez	Kennard	
Downs	Powell, T.	

Total - 10

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

HOUSE BILL NO. 1094—

BY REPRESENTATIVE M. POWELL
AN ACT

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

Read by title.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Engrossed House Bill No. 1094 by Representative M. Powell

AMENDMENT NO. 1

On page 1, lines 2 and 6, after "R.S. 48:250.3" delete "(D)(2)"

AMENDMENT NO. 2

On page 1, line 8, after "letters of interest;" insert "statement of qualifications;"

AMENDMENT NO. 3

On page 1, delete lines 11 through 15 and insert as follows:

" A. Definition. "Design-builder" means the entity contractually responsible for delivering the project design and construction.

~~A. B. Design-builder licensing. To qualify for design-build contracting with the department, a single legal entity shall possess professional engineering design capability and qualified construction contracting capability. Each design-builder shall be, employ, or have as a partner, member, co-venturer, or subcontractor, persons or a firm with persons who are duly licensed and registered to provide the services required to complete the project and do business in this state. The standard professional engineer and land surveyor qualifications as provided for in R.S. 37:681 et seq., the rules and regulations of the Louisiana Professional Engineering and Land Surveying Board, and the department's standard technical qualification requirements for firms providing professional engineering and land surveying services as provided for in R.S. 48:290 shall apply to the components providing design services, and the standard contractor qualifications as provided for in R.S. 37:2150 et seq., and the current rules and regulations of the State Licensing Board for Contractors shall apply to the component providing construction services utilized by the design-build entity design-builder, based upon the applicable categories for the specific project. All licenses for each component shall be issued obtained prior to the closing date for submittal of letters of interest to or concurrent with award of the project to the selected design-builder by the department.~~

~~B. C. Letter of interest. (1) A notice of intent to select a single legal entity for design-build services and to request letters of interest and statements of qualifications from qualified firms or teams for a design-build project shall be distributed by the department through advertisement in the Daily Journal of Commerce, the Baton Rouge Advocate, by appearance on the Department of Transportation and Development's internet home page, and by other means to ensure adequate response, including newspapers, trade journals, and other forms of media which may be appropriate for specialty services. All notices of intent shall be advertised a minimum of thirty days prior to the deadline for receipt of responses and shall contain a brief description of the project, the required scope of services, and sufficient information for design-build entities a design builder to determine their its interest and to enable them it to submit a letter of~~

interest and statement of qualifications. The department may readvertise the notice of intent using additional media or publications in an attempt to solicit additional responses if the number of responses received by the department is inadequate.

(2)(a) The department may use a private design professional to develop the description of the project and the required scope of services; however, if the department uses a private design professional, the private design professional shall be selected in accordance with the provisions of R.S. 48:291(A).

(b) The description of the project and the required scope of services shall include design criteria, analyses, reports, and cost estimates for the design-build project as prepared by a private design professional or the department.

~~(c) The design-build entity shall include a registered design professional who shall be independent from the department's private design professional and shall be named in the design-build entity's proposal.~~

~~E. D. Request for Qualifications. The department shall provide a request for qualifications package to any design-builder who submits a letter of interest. The department shall identify all required information in the notice of intent request for qualifications package and in the standard response forms provided by the department. The notice of intent response to a request for qualifications package shall include statements of qualification by credentials and experience of design component members for the areas of expertise specific to the project and statements of qualification by experience and resources of the construction team component. The completed response form and any other required information shall be transmitted to the department by the responding entity prior to design-builder by the deadline to submit such forms and information as provided in the notice of intent request for qualifications package. Any response failing to meet all of the requirements contained in the notice of intent request for qualifications package shall not be considered by the department. False or misrepresented information furnished in response to a notice of intent request for qualifications shall be grounds for rejection by the department.~~

~~D. E. (1) A primary design-build evaluation committee, whose membership is provided for in R.S. 48:291(A), shall evaluate the responses to the notice of intent request for qualifications received by the department. The following general criteria used by the primary evaluation committee in evaluating responses to the notice of intent request for qualifications for design-build services shall apply to both the design and construction components of any responding entity:~~

~~(a) Experience of both the design and construction entity components and of key personnel as related to the project under consideration.~~

~~(b) Past performance on department projects.~~

~~(c) Any project-specific criteria as may apply to project needs.~~

~~(2) The primary evaluation committee shall evaluate the letters of interest from qualifications of responding entities on the basis of the criteria set forth in this Subsection and"~~

AMENDMENT NO. 4

On page 1, line 17, after "three" delete the remainder of the line and insert "responses"

AMENDMENT NO. 5

On page 2, delete line 6 and insert the following:

~~E. F. (1) Depending upon the complexity of the project and the degree of flexibility in the approach to design and construction methods, the specific requirements of the technical proposal shall be identified by the department to the entities making the short list by means of a "Scope of Services Package." Generally, the technical proposal shall include discussions of design strategy and preliminary design concepts, construction sequencing, techniques, materials, and methods, the schedule for commencement and completion of all phases of work, and a lump sum cost for all services in fulfillment of the requirements and within the constraints of the "Scope of Services Package."~~

~~(2) For more complex projects and projects with scopes which permit flexibility and innovation in the design and construction approach, the department shall compensate ~~at~~ unsuccessful and responsive short-listed entities for the expense of preparing the technical proposal. The amount of compensation to be paid for the technical proposal shall be predetermined by the department and shall be revealed to the entity at the time the entity is notified of its selection to the short list included in the department's scope of services package. The department may use concepts submitted by any paid short-listed entity to design and construct the project.~~

~~F. G. The chief engineer, with concurrence of the secretary, shall establish a technical review committee for evaluation of design-build proposals. The technical review committee shall include representatives from the construction, road design, bridge design, and planning sections of the department. The chief engineer, with concurrence of the secretary, shall assign a project manager, who shall become the chairman of the technical review committee for the project. The technical review committee, including the project manager, shall identify specific technical elements of the project, depending on the characteristics of the project, to be included in the technical score. Additionally, the chief engineer, with concurrence of the secretary, may select additional department engineering and technical experts, and nationally recognized design-build experts to serve as committee members to score each technical element of the project. Members of the technical review committee shall not have served as members of the primary evaluation committee. Each member of the technical review committee shall make his scoring of assigned elements available for public review. Such scores shall be considered public record.~~

~~G. H. (1) An adjusted score approach shall be used by the department in determining the winning proposal. An adjusted score shall be determined using the following three components:~~

~~(a)(i) The technical score determined by the technical review committee. Weighing factors may be assigned to each element depending on its relative magnitude or significance to the overall project. Each technical review committee member shall rate his assigned element of the proposal from each of the entities on the short list and shall submit such scores to the chairman of the technical review committee. The schedule and price bid shall not be made known to the technical review committee during the scoring process. The chairman of the technical review committee shall adjust the scores for any applicable weighing factors and shall determine the total technical score for each proposal.~~

~~(ii) Prior to determining the adjusted score, the chairman of the technical review committee shall notify each design-build proposer, in writing, of each proposer's final total technical score. A proposer may request, in writing, not later than ten business days from the date of the chairman's notice, a review of its final total technical score by the chief engineer or his designated representative. If any proposer requests a review of its total technical score, the chief engineer shall hold a hearing to review such within a reasonable time after the request has been received by the chief engineer. The chief engineer shall give the requesting proposer reasonable notice of the time and place of such hearing. The requesting proposer may appear at the~~

hearing and present facts and arguments in support of the request for review of its final total technical score.

(iii) The chief engineer shall present his findings from the hearing to the secretary. The secretary shall determine what action shall be taken regarding the proposer's request to review its final total technical score. Except as provided for in R.S. 48:250.2(D), the secretary's decision shall be final and not subject to appeal by any legal process.

(b) The time value, consisting of the product of the proposed contract time expressed in calendar days multiplied by the value-per-calendar-day expressed in dollars established by the department and included in the "Scope of Services Package."

(c) The price proposal.

(2) The winning proposal shall be the proposal with the lowest adjusted score. The adjusted score for each entity's design-build proposal shall be determined by the following formula: Adjusted Score = (Price Bid + Time Value) divided by Technical Score. If the Time Value is not used, the Adjusted Score shall be determined by the following formula: Adjusted Score = Price Bid divided by Technical Score."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ellington to Engrossed House Bill No. 1094 by Representative M. Powell

AMENDMENT NO. 1

Delete Senate Committee Amendment No. 1, proposed by the Senate Committee on Transportation, Highways and Public Works and adopted by the Senate on May 1, 2006

AMENDMENT NO. 2

In Senate Committee Amendment No. 3, proposed by the Senate Committee on Transportation, Highways and Public Works and adopted by the Senate on May 1, 2006, on page 1, line 31, after "Advocate," insert "the Shreveport Times."

AMENDMENT NO. 3

On page 1, line 2, after "reenact" delete "R.S. 48:250.3(D)(2)" and insert "R.S. 48:250.2(C) and 250.3"

AMENDMENT NO. 4

On page 1, line 4, after "proposals;" insert "to provide relative to qualifications of competing firms; to provide relative to procedures for evaluation and selection of a design-builder; to provide relative to the compensation of competing firms for their proposals; to provide relative to hearings on final decisions; to include a specified project in a pilot program using a design-build method implemented by the department;"

AMENDMENT NO. 5

On page 1, line 6, after "Section 1." delete "R.S. 48:250.3(D)(2) is" and insert "R.S. 48:250.2(C) and 250.3 are"

AMENDMENT NO. 6

On page 1, between lines 6 and 7, insert as follows:

"§250.2. Design-build contracts; administration

* * *

C. This pilot program shall be limited in duration to allow use of the design-build method to construct the new Mississippi River Bridge at St. Francisville (connection to US 61) including approach structures and connecting roadways, which project is included in the Transportation Infrastructure Model for Economic Development program, and Interstate 49 North from Interstate 20 in the city of Shreveport to the Louisiana/Arkansas border, or any portion thereof. Additionally, the secretary may also select an additional project to utilize the design-build method; however, the cost of the additional project shall not exceed five million dollars.

* * *

AMENDMENT NO. 7

On page 2, after line 6, insert as follows:

"Section 2. The provisions of this Act shall supercede the provisions of the Act which originated as House Bill No. 1306 of the 2006 Regular Session of the Legislature.

Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ellington to Engrossed House Bill No. 1094 by Representative M. Powell

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 48:250.3(D)(2)" delete the remainder of the line and insert "and 443(A), relative to the"

AMENDMENT NO. 2

On page 1, line 3, after "Development;" insert "to provide for design-build contracts let by the department;"

AMENDMENT NO. 3

On page 1, line 4, after "proposals;" insert "to provide relative to the number of persons making real estate estimates for the department when expropriating property under certain circumstances; to provide relative to the persons authorized to make such estimates;"

AMENDMENT NO. 4

On page 1, line 6, change "is" to "and 443(A) are"

AMENDMENT NO. 5

On page 2, after line 6 insert as follows:

"§443. Appointment of estimators; restrictions in selection

A. The real estate administrator shall select ~~two~~ one or more persons to make the estimate, ~~but two of them must be right-of-way appraisers or agents who are of just compensation except when the estimate is expected to exceed the amount of thirty thousand dollars in which case he shall select two or more persons. However, when the department cannot amicably acquire clear title to property solely for reasons unrelated to the amount of just compensation to be paid such as unopened successions, absentee defendants, or partial interests, one person shall be selected to make the estimate regardless of the amount. The estimate shall be performed by either a real estate~~

appraiser or real estate specialist in the regular employ of the department or a designated appraiser or a candidate for designation by a national appraisal organization or a licensed Louisiana appraiser certified pursuant to the Louisiana Real Estate Appraisers Law, ~~who are~~ The person performing the estimate shall be familiar with land values in the vicinity of the property to be taken and shall conduct the appraisal in accordance with real estate appraisal guidelines.

* * *

Rep. Michael Powell moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Odinet
Alario	Faucheux	Pierre
Alexander	Frith	Pinac
Ansardi	Gallot	Pitre
Badon	Geymann	Powell, M.
Baldone	Glover	Richmond
Baudoin	Greene	Ritchie
Baylor	Guillory, E.	Robideaux
Beard	Guillory, M.	Romero
Bowler	Hammett	Scalise
Bruce	Harris	Schneider
Bruneau	Hebert	Smiley
Burns	Honey	Smith, G.
Burrell	Hopkins	Smith, J.D.—50th
Carter, R.	Hutter	Smith, J.H.—8th
Cazayoux	Jackson	Smith, J.R.—30th
Chandler	Johns	St. Germain
Crane	Katz	Strain
Cravins	Kenney	Thompson
Crowe	Kleckley	Toomy
Curtis	LaBruzzo	Trahan
Daniel	LaFleur	Triche
DeWitt	LaFonta	Tucker
Doerge	Lambert	Waddell
Dorsey	Lancaster	Walker
Dove	Martiny	Walsworth
Durand	McDonald	White
Erdey	Montgomery	Wooton
Fannin	Morrish	
Total - 86		

NAYS

Arnold	Hunter
Carter, K.	Marchand
Total - 4	

ABSENT

Barrow	Heaton	Powell, T.
Damico	Hill	Quezaire
Dartez	Jefferson	Townsend
Downs	Kennard	Winston
Gray	McVe	
Total - 14		

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 1217—

BY REPRESENTATIVES K. CARTER, ALEXANDER, ANSARDI, BOWLER, AND WALKER

AN ACT

To enact Chapter 4 of Code Title XIX of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:4241 through 4276, relative to arbitration; to provide for the International Commercial Arbitration Act; to provide for definitions; to provide for court intervention; to provide for arbitration agreements; to provide for the arbitral tribunal; to provide for jurisdiction; to provide procedures; to provide for the making of awards; to provide for settlements; to provide for recourse; to provide for recognition; to provide for enforcement; and to provide for related matters.

Read by title.

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

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 1217 by Representative K. Carter

AMENDMENT NO. 1

On page 10, line 27, following "R.S.9:" and before "the arbitral" change "4266(A)." to "4263(A)."

AMENDMENT NO. 2

On page 11, line 2, following "R.S.9:" and before "the arbitral" change "4266(A)." to "4263(A)."

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Durand	Lancaster	Walker
Erdey	Marchand	Walsworth
Fannin	Martiny	Wooton
Total - 93		

NAYS

Total - 0

ABSENT

Barrow	Jefferson	Townsend
Burrell	Kennard	White
Curtis	McVea	Winston
Dartez	Powell, T.	
Total - 11		

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

HOUSE BILL NO. 1240—

BY REPRESENTATIVE FRITH

AN ACT

To enact R.S. 47:6024, relative to ad valorem or personal property taxes imposed by political subdivisions; to exempt cooperative endeavors and joint ventures owned or controlled by rural hospital service districts; to provide for an effective date; and to provide for related matters.

Read by title.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 1240 by Representative Frith

AMENDMENT NO. 1

On page 1, change "enact R.S. 47:6024" to "amend and reenact R.S. 47:1837.1(F) and to enact R.S. 47:1837.1(G) and 6024"

AMENDMENT NO. 2

On page 1, line 4, between "date;" and "and" insert the following:

"to authorize the Louisiana Tax Commission to convey or transfer certain historical information;"

AMENDMENT NO. 3

On page 2, between lines 9 and 10 insert the following:

"Section 2. R.S. 47:1837.1(F) is hereby amended and reenacted and R.S. 47:1837.1(G) is hereby enacted to read as follows:

§1837.1. Program for a statewide ad valorem tax assessment database; creation

* * *

F. The Louisiana Tax Commission shall not sell, lease, rent, or otherwise convey or transfer to any individual or other entity for use in a business any ~~of the current year~~ information received by it pursuant to the provisions of this Section.

G. Upon request, the Louisiana Tax Commission may convey or transfer to any taxpayer, in electronic form, historical information held by the commission pursuant to the provisions of this Section and

viewable from the commission's web site, if the information is at least one year old at the time of the request."

AMENDMENT NO. 4

On page 2, line 10, change "Section 2." to "Section 3."

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Montgomery
Alario	Faucheux	Odinot
Alexander	Frith	Pierre
Ansardi	Gallot	Pinac
Arnold	Geymann	Pitre
Badon	Glover	Powell, M.
Baldone	Gray	Quezaire
Baudoin	Greene	Richmond
Baylor	Guillory, E.	Ritchie
Beard	Guillory, M.	Robideaux
Bowler	Hammett	Romero
Bruneau	Heaton	Scalise
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
Crowe	Johns	Strain
Damico	Katz	Thompson
Daniel	Kenney	Toomy
DeWitt	Kleckley	Townsend
Doerge	LaBruzzo	Trahan
Dorsey	LaFleur	Triche
Dove	LaFonta	Tucker
Downs	Lambert	Waddell
Durand	Marchand	Walker
Erdey	Martiny	White
Fannin	McDonald	Wooton
Total - 90		

NAYS

Total - 0

ABSENT

Barrow	Harris	Morrish
Bruce	Jefferson	Powell, T.
Cravins	Kennard	Walsworth
Curtis	Lancaster	Winston
Dartez	McVea	
Total - 14		

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

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.

Page 68 HOUSE

46th Day's Proceedings - June 16, 2006

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Engrossed House Bill No. 1291 by Representative Erdey

AMENDMENT NO. 1

On page 1, line 2, change "cajun" to "cultural"

AMENDMENT NO. 2

On page 1, line 6, change "cajun" to "cultural"

AMENDMENT NO. 3

On page 1, line 7, in both places on the line change "cajun" to "cultural"

AMENDMENT NO. 4

On page 1, line 13, change "Zack" to "Zach"

AMENDMENT NO. 5

On page 2, line 2, change "filet" to "file"

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 90

NAYS

Total - 0

ABSENT

Barrow	Jefferson	Morrish
Carter, K.	Kennard	Powell, T.
Dartez	LaBruzzo	Ritchie
Gray	Lancaster	Winston
Jackson	McVea	

Total - 14

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

HOUSE BILL NO. 1293—

BY REPRESENTATIVE JACK SMITH
AN ACT

To amend and reenact R.S. 51:1783(6) and (7) and 1787(A)(1), (B)(2)(a), (C)(1), (D)(2)(a), (F), and (H)(1)(a), relative to the rebate of sales and use taxes pursuant to the Louisiana Enterprise Zone Act; to provide for the rebate of local sales and use taxes; to provide for an effective date; and to provide for related matters.

Read by title.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Engrossed House Bill No. 1293 by Representative Jack Smith

AMENDMENT NO. 1

On page 1, line 14, after "subdivision" insert ", and the office of sheriff in the case of a law enforcement district,"

AMENDMENT NO. 2

On page 2, line 8, after "subdivision" insert ", including the office of sheriff in the case of a law enforcement district,"

AMENDMENT NO. 3

On page 2, line 29, after "subdivision" insert "or the written approval of the office of sheriff in the case of a law enforcement district,"

AMENDMENT NO. 4

On page 3, line 1, after "resolution" insert "or letter of approval" and after "governing body" insert "or sheriff's office"

AMENDMENT NO. 5

On page 3, line 4, after "governing body" insert "or sheriff's office"

AMENDMENT NO. 6

Page 3, line 12, after "subdivision" insert ", including the office of sheriff in the case of a law enforcement district"

AMENDMENT NO. 7

On page 4, line 4, after "subdivision" insert "or the written approval of the office of sheriff in the case of a law enforcement district,"

AMENDMENT NO. 8

On page 4, line 5, after "resolution" insert "or letter of approval" and after "governing body" insert "or sheriff's office"

AMENDMENT NO. 9

On page 4, line 8, after "governing body" insert "or sheriff's office"

AMENDMENT NO. 10

On page 4, line 10, after "subdivision" insert "or sheriff's office"

AMENDMENT NO. 11

On page 4, line 13, after "subdivision" insert "or sheriff's office"

AMENDMENT NO. 12

On page 4, line 21, after "subdivision" insert "or the written approval of the office of sheriff in the case of a law enforcement district"

AMENDMENT NO. 13

On page 4, line 22, after "resolution" insert "or letter of approval" and after "governing body" insert "or sheriff's office"

AMENDMENT NO. 14

On page 4, line 25, after "governing body" insert "or sheriff's office"

Rep. Jack Smith moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Erdey	McDonald
Alario	Fannin	Montgomery
Alexander	Farrar	Odinet
Ansardi	Faucheux	Pierre
Arnold	Frith	Pinac
Badon	Gallot	Pitre
Baldone	Geymann	Powell, M.
Baudoin	Glover	Quezaire
Baylor	Gray	Richmond
Beard	Guillory, E.	Robideaux
Bowler	Guillory, M.	Romero
Bruce	Hammett	Scalise
Bruneau	Harris	Schneider
Burns	Heaton	Smiley
Burrell	Hebert	Smith, G.
Carter, K.	Hill	Smith, J.D.—50th
Carter, R.	Honey	Smith, J.H.—8th
Cazayoux	Hopkins	Smith, J.R.—30th
Chandler	Hunter	St. Germain
Crane	Hutter	Strain
Cravins	Johns	Thompson
Crowe	Katz	Toomy
Curtis	Kenney	Townsend
Damico	Kleckley	Trahan
Daniel	LaBruzzo	Triche
DeWitt	LaFleur	Tucker
Doerge	LaFonta	Waddell
Dorsey	Lambert	Walker
Dove	Lancaster	Walsworth
Downs	Marchand	White
Durand	Martiny	Wooton
Total - 93		

NAYS

Total - 0

ABSENT

Barrow	Jefferson	Powell, T.
Dartez	Kennard	Ritchie
Greene	McVea	Winston
Jackson	Morrish	
Total - 11		

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 1302—

BY REPRESENTATIVE BURNS

AN ACT

To provide relative to the interruption of prescription for property damage claims related to Hurricanes Katrina and Rita; to establish legislative intent; to provide for the interruption of prescription for one year; to authorize suit for declaratory judgment; to provide an emergency effective date; and to provide for related matters.

Read by title.

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Schedler to Engrossed House Bill No. 1302 by Representative Burns

AMENDMENT NO. 1

On page 2, at the beginning of line 21, change "interrupts" to "prevents the running of"

AMENDMENT NO. 2

On page 2, line 22 after "any" delete the remainder of the line and at the beginning of line 23, delete "and defined by R.S. 22:6(10) through (15)," and insert in lieu thereof "homeowners' insurance policy, including tenant and condominium policies, personal property insurance policy, commercial property insurance policy, or flood insurance policy, on any automobile or fleet policy for loss or damage to an insured's vehicle caused by flood, wind, or rain, or on any policy for loss or damage to crop or livestock,"

AMENDMENT NO. 3

On page 3, line 7, after "institute" and before "an" insert ", on or before ten days after the effective date of this Act,"

AMENDMENT NO. 4

On page 3, line 13, change "Act" to "Section"

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Montgomery
Alario	Frith	Odinet
Alexander	Gallot	Pierre
Ansardi	Geymann	Pinac
Arnold	Glover	Pitre
Badon	Gray	Quezaire

Baldone	Guillory, E.	Richmond
Baudoin	Guillory, M.	Romero
Baylor	Hammett	Schneider
Bruce	Harris	Smiley
Bruneau	Heaton	Smith, G.
Burns	Hebert	Smith, J.D.—50th
Burrell	Hill	Smith, J.H.—8th
Carter, K.	Honey	Smith, J.R.—30th
Carter, R.	Hopkins	St. Germain
Cazayoux	Hunter	Strain
Chandler	Hutter	Thompson
Crane	Jackson	Toomy
Cravins	Johns	Townsend
Crowe	Katz	Trahan
Damico	Kenney	Triche
Daniel	Kleckley	Tucker
DeWitt	LaBruzzo	Waddell
Doerge	LaFleur	Walker
Dorsey	LaFonta	Walsworth
Dove	Lancaster	White
Durand	Marchand	Wooton
Fannin	Martiny	
Farrar	McDonald	

Total - 85

NAYS

Beard	Erdey	Powell, M.
Bowler	Lambert	

Total - 5

ABSENT

Barrow	Jefferson	Ritchie
Curtis	Kennard	Robideaux
Dartez	McVea	Scalise
Downs	Morrish	Winston
Greene	Powell, T.	

Total - 14

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

HOUSE BILL NO. 1307—
BY REPRESENTATIVES HUTTER AND LANCASTER
AN ACT

To amend and reenact R.S. 18:402(C), (E)(1)(c) and (2)(c), and (F)(3), 1280.21, and 1280.22(B)(1), relative to the presidential preference primary and elections held at the same time as such primary; to change the dates of the presidential preference primary and elections held at the same time as such primary; to allow for certain municipal primary and general elections to be held on the existing date; to provide relative to the costs incurred in such elections; to require notice to the secretary of state by the municipal governing authority of its decision to avail itself of the existing date; to provide relative to candidate qualifying for the presidential preference primary; and to provide for related matters.

Read by title.

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Engrossed House Bill No. 1307 by Representative Hutter

AMENDMENT NO. 1

On page 1, line 2, after "and (F)(3)," and before "1280.21," insert "467(3),"

AMENDMENT NO. 2

On page 1, line 5, after "primary;" delete the remainder of the line and delete lines 6 through 8 and at the beginning of line 9, delete "existing date;" and insert "to provide relative to the dates of candidate qualifying for certain municipal and ward officers;"

AMENDMENT NO. 3

On page 1, line 12, after "and (F)(3)," and before "1280.21," insert "467(3),"

AMENDMENT NO. 4

On page 2, delete lines 16 through 23

AMENDMENT NO. 5

On page 4, between lines 10 and 11, insert the following:

"§467. Opening of qualifying period

The qualifying period for candidates in a primary election shall open:

* * *

(3) For candidates in a primary election for municipal and ward officers who are not elected at the same time as the governor or members of congress in municipalities with a population of less than four hundred seventy-five thousand and those in any special primary election to be held at the same time, on the second Wednesday in February of the year of the election, unless the primary election is held on the second Tuesday in March, in such case the qualifying period for candidates in such primary election shall open on the ~~last~~ second Wednesday in ~~January~~ December of the year of the election.

* * *"

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	McVea
Alario	Farrar	Montgomery
Alexander	Faucheux	Morrish
Ansardi	Frith	Odinot
Arnold	Gallot	Pierre
Badon	Geymann	Pinac
Baldone	Glover	Pitre
Baudoin	Gray	Powell, M.
Baylor	Greene	Quezaire
Beard	Guillory, E.	Richmond
Bowler	Guillory, M.	Robideaux
Bruce	Hammett	Romero
Bruneau	Harris	Scalise
Burns	Heaton	Schneider
Burrell	Hebert	Smiley
Carter, K.	Hill	Smith, G.
Carter, R.	Honey	Smith, J.D.—50th
Cazayoux	Hopkins	Smith, J.H.—8th
Chandler	Hunter	Smith, J.R.—30th
Crane	Hutter	St. Germain
Cravins	Jackson	Strain
Crowe	Johns	Thompson
Curtis	Katz	Toomy

Damico	Kenney	Townsend
Daniel	Kleckley	Trahan
Dartez	LaBruzzo	Triche
DeWitt	LaFleur	Tucker
Doerge	LaFonta	Waddell
Dorsey	Lambert	Walker
Dove	Lancaster	Walsworth
Downs	Marchand	White
Durand	Martiny	Wooton
Erdey	McDonald	

Total - 98

NAYS

Total - 0

ABSENT

Barrow	Kennard	Ritchie
Jefferson	Powell, T.	Winston

Total - 6

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

Suspension of the Rules

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

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.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Reengrossed House Bill No. 1384 by Representative K. Carter

AMENDMENT NO. 1

On page 3, line 15, after "A." delete "A" and insert the following:

"Beginning June 30, 2007, a"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini to Reengrossed House Bill No. 1384 by Representative K. Carter

AMENDMENT NO. 1

On page 12, delete lines 1 through 3

AMENDMENT NO. 2

On page 12, line 4 change "(9)" to "(8)"

AMENDMENT NO. 3

On page 12, line 6 change "(10)" to "(9)"

AMENDMENT NO. 4

On page 12, line 8 change "(11)" to "(10)"

AMENDMENT NO. 5

On page 12, line 10 change "(12)" to "(11)"

AMENDMENT NO. 6

On page 12, line 12 change "(13)" to "(12)"

AMENDMENT NO. 7

On page 12, line 14 change "(14)" to "(13)"

AMENDMENT NO. 8

On page 12, line 16 change "(15)" to "(14)"

AMENDMENT NO. 9

On page 12, delete lines 22 and 23 and in insert in lieu thereof the following:

"actions, for the following:

(1) Having been convicted of a serious crime involving, fraudulent, coercive, or dishonest practices or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this state or elsewhere.

(2) Engaging in the unauthorized practice of law as defined in R.S. 37:212 and 213."

AMENDMENT NO. 10

On page 16, line 27 after "(2)" delete the rest of the line and delete lines 28 and 29 and insert in lieu thereof the following:

"(a) When any payment on a claim is made and the insured is represented by a public adjuster, the insurer's check or checks may be made payable to the insured and the public adjuster when all of the following occurs:

(i) The amount of the check does not exceed the public adjuster's fee.

(ii) The amount of the fee is indicated in a written compensation agreement signed by the insured.

(iii) The balance of the proceeds, not included in the check made payable to the insured and the public adjuster, is made payable to the insured or to the insured and other lienholder or holders as is required by law.

(b) Should a dispute arise between a public adjuster and the insured with which he contracts, the public adjuster is prohibited from acting in any manner which would interfere with or cause the

Page 72 HOUSE

46th Day's Proceedings - June 16, 2006

insured not to receive the undisputed portion of the insurance proceeds. Should the insured's check, which contains that amount not associated with the public adjuster's fee, be mailed to or received by the public adjuster, the public adjuster shall promptly present the check to the insured."

AMENDMENT NO. 11

On page 19 line 28 delete ", recommend"

AMENDMENT NO. 12

On page 20, line 2 after "employed." insert the following:

"Nothing herein shall be interpreted to prevent a public adjuster from recommending a particular attorney, contractor or subcontractor; however, the public adjuster is prohibited from collecting any fee, compensation, or thing of value for such referral".

AMENDMENT NO. 13

On page 20, line 9 after "independent adjuster" insert "in Louisiana"

AMENDMENT NO. 14

On page 20, line 19 after "services" insert "to the insured"

AMENDMENT NO. 15

On page 20, line 20 after "injury" insert a "." and delete the rest of the line.

AMENDMENT NO. 16

On page 20, line 21 after "(7)" delete the rest of the line and delete line 22 and insert in lieu thereof the following:

"A public adjuster shall not render legal advice to the insured, including but not limited to, legal advice regarding the policy provisions or coverage issues."

AMENDMENT NO. 17

On page 21, delete line 12 in its entirety.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of representatives who voted 'YEAS', including Mr. Speaker, Alario, Alexander, Ansardi, Arnold, Badon, Baldone, Baudoin, Baylor, Beard, Bruce, Bruneau, Burns, Burrell, Carter, K., Carter, R., Cazayoux, Chandler, Erdey, Fannin, Farrar, Faucheux, Frith, Gallot, Geymann, Glover, Gray, Greene, Guillory, E., Guillory, M., Hammett, Harris, Heaton, Hebert, Hill, Honey, Marchand, Martiny, McDonald, McVea, Montgomery, Odinet, Pierre, Pinac, Pitre, Powell, M., Quezaire, Richmond, Robideaux, Romero, Scalise, Schneider, Smiley, and Smith, G.

Table listing names of representatives who were present, including Crane, Cravins, Crowe, Curtis, Damico, Daniel, Dartez, DeWitt, Doerge, Dorsey, Dove, Downs, Durand, Hopkins, Hunter, Hutter, Jackson, Johns, Katz, Kenney, Kleckley, LaBruzzo, LaFleur, LaFonta, Lambert, Lancaster, Smith, J.D.-50th, Smith, J.H.-8th, Smith, J.R.-30th, Strain, Thompson, Toomy, Townsend, Trahan, Tucker, Waddell, Walker, White, and Wooton.

Total - 93 NAYS

Bowler Total - 2 Walsworth

Total - 2 ABSENT

Table listing names of representatives who were absent, including Barrow, Jefferson, Kennard, Morrish, Powell, T., Ritchie, St. Germain, Triche, and Winston.

Total - 9

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

HOUSE BILL NO. 287—

BY REPRESENTATIVE WALKER AN ACT

To amend and reenact R.S. 13:3881(A)(2) and to enact R.S. 13:3881(A)(7), relative to exemptions from seizure; to provide for the exemption from seizure of certain motor vehicles; and to provide for related matters.

Read by title.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 287 by Representative Walker

AMENDMENT NO. 1

On page 2, delete line 8, and insert "vehicle per household which vehicle is substantially modified, equipped, or fitted for the purposes of adapting its use to the physical disability of the debtor or his family and is used by the debtor or his family for the transporting of such disabled person for any use."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator N. Gautreaux to Engrossed House Bill No. 287 by Representative Walker

AMENDMENT NO. 1

Delete Senate Committee Amendment No. 1 proposed by the Senate Committee on Judiciary A and adopted by the Senate on June 12, 2006

AMENDMENT NO. 2

On page 1, line 2, after "R.S. 13:3881(A)(7)" insert "and (8)"

AMENDMENT NO. 3

On page 1, at the beginning of line 7, change "13:3881(A)(7) is" to "13:3881(A)(7) and (8) are"

AMENDMENT NO. 4

On page 2, between lines 10 and 11, insert the following:

"(8) Seven thousand five hundred dollars in equity value for one motor vehicle per household which vehicle is substantially modified, equipped, or fitted for the purposes of adapting its use to the physical disability of the debtor or his family and is used by the debtor or his family for the transporting of such disabled person for any use."

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 93

NAYS

Total - 0

ABSENT

Barrow	Jefferson	Powell, T.
Curtis	Kennard	Ritchie
Daniel	Lambert	Winston
Heaton	Morrish	

Total - 11

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

HOUSE BILL NO. 518—

BY REPRESENTATIVE FARRAR

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 claims adjusters; and to provide for related matters.

Read by title.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Engrossed House Bill No. 518 by Representative Farrar

AMENDMENT NO. 1

On page 1, line 3, after "licensing" insert "and registration"

AMENDMENT NO. 2

On page 1, line 11, after "licenses" and before the colon ":" insert "and registrations"

AMENDMENT NO. 3

On page 1, line 13, change "\$75.00" to "\$10.50"

AMENDMENT NO. 4

On page 1, line 14, change "\$50.00" to "\$10.50"

AMENDMENT NO. 5

On page 1, line 16, change "\$75.00" to "\$10.50"

AMENDMENT NO. 6

On page 1, line 17, change "\$50.00" to "\$10.50"

AMENDMENT NO. 7

On page 1, line 19, change "\$25.00" to "\$10.50"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Murray to Engrossed House Bill No. 518 by Representative Farrar

AMENDMENT NO. 1

Delete Senate committee amendment numbers 3, 4, 5, 6, and 7 proposed by the Senate Committee on Insurance on June 7, 2006 and adopted by the Senate on June 8, 2006.

AMENDMENT NO. 2

On page 1, line 13 change "\$75.00" to "\$55.00"

AMENDMENT NO. 3

On page 1, line 16 change "\$75.00" to "\$55.00"

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	McDonald
Alario	Frith	McVea
Arnold	Gallot	Montgomery
Badon	Glover	Odinot
Baldone	Gray	Pierre
Baudoin	Guillory, E.	Pinac

Baylor	Guillory, M.	Pitre
Bruce	Hammett	Quezaire
Burns	Harris	Richmond
Burrell	Heaton	Romero
Carter, K.	Hebert	Smith, G.
Carter, R.	Hill	Smith, J.D.—50th
Cazayoux	Honey	Smith, J.H.—8th
Chandler	Hopkins	Smith, J.R.—30th
Crane	Hunter	St. Germain
Curtis	Hutter	Strain
Damico	Jackson	Thompson
Daniel	Johns	Toomy
Dartez	Katz	Townsend
DeWitt	Kenney	Trahan
Doerge	Kleckley	Triche
Dorsey	LaBruzzo	Tucker
Dove	LaFleur	Waddell
Downs	LaFonta	White
Durand	Lancaster	Wooton
Fannin	Marchand	
Farrar	Martiny	
Total - 79		

NAYS

Alexander	Erdey	Schneider
Bowler	Geymann	Smiley
Bruneau	Greene	Walsworth
Cravins	Powell, M.	
Crowe	Scalise	
Total - 13		

ABSENT

Ansardi	Kennard	Ritchie
Barrow	Lambert	Robideaux
Beard	Morrish	Walker
Jefferson	Powell, T.	Winston
Total - 12		

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

HOUSE BILL NO. 1056—

BY REPRESENTATIVE FARRAR

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 1210.87, relative to the licensure of claims adjusters; to provide for definitions; to provide for a license; to provide for a license application; to provide for resident and nonresident licenses; to provide for limited licenses; to provide for catastrophe or emergency registration; to provide for examinations and exemptions; to provide for reciprocity; to provide for denial, nonrenewal, or revocation of a license; to provide for continuing education; to provide for referrals by insurers; 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.

Called from the calendar.

Read by title.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Reengrossed House Bill No. 1056 by Representative Farrar

AMENDMENT NO. 1

On page 4, line 17, after "A." insert the following:

"Beginning June 30, 2007, any person who is either employed or contracts to perform services in Louisiana as an adjuster shall obtain a license to do so from the Department of Insurance."

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Erdey	Marchand
Alario	Fannin	Martiny
Alexander	Farrar	McDonald
Ansardi	Faucheux	McVea
Arnold	Frith	Montgomery
Badon	Gallot	Odinet
Baldone	Glover	Pierre
Baudoin	Gray	Pinac
Baylor	Guillory, E.	Pitre
Bruce	Guillory, M.	Quezaire
Bruneau	Hammett	Richmond
Burns	Harris	Romero
Burrell	Heaton	Scalise
Carter, K.	Hebert	Smiley
Carter, R.	Hill	Smith, G.
Cazayoux	Honey	Smith, J.D.—50th
Chandler	Hopkins	Smith, J.H.—8th
Crane	Hunter	Smith, J.R.—30th
Cravins	Hutter	St. Germain
Curtis	Jackson	Strain
Damico	Johns	Thompson
Daniel	Katz	Toomy
Dartez	Kenney	Townsend
DeWitt	Kleckley	Trahan
Doerge	LaBruzzo	Triche
Dorsey	LaFleur	Tucker
Dove	LaFonta	Walker
Downs	Lambert	White
Durand	Lancaster	Wooton
Total - 87		

NAYS

Beard	Geymann	Schneider
Bowler	Greene	Walsworth
Crowe	Powell, M.	
Total - 8		

ABSENT

Barrow	Morrish	Robideaux
Jefferson	Powell, T.	Waddell
Kennard	Ritchie	Winston
Total - 9		

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

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 479: Reps. Farrar, Karen Carter, and Townsend.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 675: Reps. McVea, Lancaster, and Crane.

HOUSE BILL NO. 624—
BY REPRESENTATIVE WINSTON
AN ACT

To enact R.S. 40:1501.6, relative to fire protection districts in St. Tammany Parish; to prohibit the levy and collection of certain ad valorem taxes by such districts in areas which have been annexed by the city of Covington; to provide for exceptions; and to provide for related matters.

Read by title.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Reengrossed House Bill No. 624 by Representative Winston

AMENDMENT NO. 1

On page 2, line 14 after "on" and before the "." delete "July 1, 2010" and insert "January 1, 2007"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Nevers to Reengrossed House Bill No. 624 by Representative Winston

AMENDMENT NO. 1

On page 1, line 3, delete "such districts" and insert "Fire Protection District 12"

AMENDMENT NO. 2

On page 1, line 4, after "Covington;" delete the remainder of the line and in lieu thereof insert the following: "to provide with respect to fire protection services within the city of Covington; to provide for fire protection services for future annexed property; and"

AMENDMENT NO. 3

On page 1, line 12, delete "(1)"

AMENDMENT NO. 4

On page 1, line 13, after "taxes," delete the remainder of the line

AMENDMENT NO. 5

On page 1, delete lines 14 through 16 and in lieu thereof insert the following:

"Fire Protection District No. 12 of St. Tammany Parish shall not levy or collect ad valorem taxes in any area which is within the corporate limits of the city of Covington on the effective date of this Section, unless an agreement between the city and the fire protection"

AMENDMENT NO. 6

On page 2, delete lines 6 through 10 and in lieu thereof insert the following:

"B. Fire protection services for all property within the corporate limits of the city of Covington on the effective date of this Section shall be the sole responsibility of the city except as may be provided by an agreement between the city and one or more affected fire protection districts."

C. Any property situated within the growth boundary areas 1, 2, or 3, as described in the Growth Management and Revenue Sharing Agreement Supplementing and Amending the 1990 Sales Tax Enhancement Plan, Instrument # 1365867, which may be annexed by the city, fire protection services for such property shall be the sole responsibility of the city. However, prior to such annexation, an agreement for fire protection services shall be entered into by the city and each affected fire protection district.

D. Notwithstanding any provisions to the contrary, nothing in this Section shall prevent the city of Covington and any affected fire protection district from entering into a mutually acceptable agreement for fire protection services."

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	McVea
Alario	Faucheux	Odinot
Alexander	Frith	Pierre
Arnold	Gallot	Pinac
Badon	Geymann	Pitre
Baldone	Glover	Powell, M.
Baudoin	Gray	Quezaire
Baylor	Guillory, E.	Richmond
Beard	Guillory, M.	Robideaux
Bruce	Hammett	Romero
Bruneau	Harris	Scalise
Burns	Heaton	Schneider
Burrell	Hill	Smiley
Carter, K.	Honey	Smith, G.
Carter, R.	Hopkins	Smith, J.D.—50th
Cazayoux	Hunter	Smith, J.H.—8th
Crane	Hutter	Smith, J.R.—30th
Cravins	Jackson	St. Germain
Curtis	Johns	Strain
Damico	Katz	Thompson
Daniel	Kenney	Toomy
DeWitt	Kleckley	Townsend
Doerge	LaBruzzo	Trahan
Dorsey	LaFleur	Triche
Dove	LaFonta	Tucker
Downs	Lambert	Waddell
Durand	Lancaster	Walker
Erdey	Marchand	Walsworth
Fannin	McDonald	

Total - 86

NAYS

Total - 0

ABSENT

Ansardi	Greene	Morrish
Barrow	Hebert	Powell, T.
Bowler	Jefferson	Ritchie
Chandler	Kennard	White
Crowe	Martiny	Winston
Dartez	Montgomery	Wooton

Total - 18

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

Suspension of the Rules

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

HOUSE BILL NO. 55—
BY REPRESENTATIVE MCDONALD
AN ACT

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

Read by title.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Environmental Quality to Reengrossed House Bill No. 55 by Representative McDonald

AMENDMENT NO. 1

On page 1, line 4, after "sales;" insert "to provide for a termination date;"

AMENDMENT NO. 2

On page 1, after line 21, insert the following:

"Section 2. The provisions of this Act shall be null, void, and of no effect as of July 1, 2008."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Barham to Reengrossed House Bill No. 55 by Representative McDonald

AMENDMENT NO. 1

On page 1, line 2, after "(introductory paragraph)" insert ",(I)(2) and (3), and (N)"

AMENDMENT NO. 2

On page 1, line 4, after "sales;" insert "to provide relative to undisputed obligations; to provide for payments to a waste processor; to provide relative to the applicability to claims or actions pending on the effective date;"

AMENDMENT NO. 3

On page 1, line 6, after "(introductory paragraph)" insert ",(I)(2) and (3), and (N) are" and delete "is"

AMENDMENT NO. 4

On page 1, delete line 21, and insert the following:

"I. (1)

* * *

(2) A permitted waste tire processing facility shall be eligible to receive paid a minimum of one dollar and fifty cents per twenty pounds of waste tire material that is recycled or that reaches end-market uses or per twenty pounds of whole waste tires marketed and

shipped to a qualified recycler. This payment shall be conditioned on the facility providing to the department any documentation, including but not limited to manifests, statements, or certified scale-weight tickets, required by law or by rules and regulations promulgated by the department. The secretary shall not make payments from the fund or obligate the department to make payments from the fund to any waste tire processor who did not receive payments from the fund prior to March 1, 2004, in an amount greater than fifty percent of the amount otherwise eligible to receive pursuant to this Paragraph until one of the following occurs:

(a) Payments have been made from the fund to waste tire processors, as provided for in Subparagraph (I)(3)(b), for a period of three consecutive months.

(b) All undisputed obligations owed to waste tire processors have been paid in full.

(c) For purposes of this Section, "undisputed obligations" means those waste tire material payments which should have been paid by the department to a waste tire processor since January 1, 2003, but which have not been paid due to the insufficiency of the Waste Tire Management Fund.

(3)(a) In the event the balance of the fund is insufficient to meet the obligations to waste tire processors provided for above, the department, after meeting all payments required by law, shall pay any undisputed amounts obligations in a pro rata share to waste tire processors having a standard permit. Any remaining undisputed obligations which would have been paid to waste tire processors, but for the insufficiency of the Waste Tire Management Fund, shall be paid from future surplus funds in the Waste Tire Management Fund as provided in Subparagraph(I)(3)(b) of this Section.

(b) In the event the fund has a surplus after meeting all obligations of the fund for the month, including any payments required by law, such surplus shall be distributed in a pro rata share to those waste tire processors ~~having a standard permit~~ for whom there are unpaid obligations of the fund, excluding any disputed amounts. Such surplus shall be processed for payment by the department within fifteen days after the end of the month in which the surplus arose.

* * *

N. The secretary shall promulgate rules to make payments to processors on the basis of weight or tire count at the option of the processor. Payments to a waste processor, or any portion thereof, shall not be terminated prior to an adjudication and issuance of a decision, after adequate notice and an opportunity for a hearing, as provided in the Administrative Procedure Act.

* * *

Section 2. The provisions of this Act are interpretive of R.S. 30:2418(I) and are intended to explain and clarify its original intent, notwithstanding the contrary interpretation given in La. Atty. Gen. Op. No. 05-0385, November 10, 2005. Therefore, the provisions of this Act shall be applicable to all claims or actions pending on its effective date and to all claims arising or actions filed on and after its effective date.

Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 94

NAYS

Total - 0

ABSENT

Barrow	Kleckley	Tucker
Dartez	Morrish	Winston
Jefferson	Powell, T.	
Kennard	Ritchie	

Total - 10

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

Suspension of the Rules

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

HOUSE BILL NO. 475—

BY REPRESENTATIVE QUEZAIRE
AN ACT

To amend and reenact R.S. 38:3086.23(A)(2) as amended by Section 1 of Act No. 2 of the 2005 Regular Session of the Legislature, relative to the Ascension Parish members of the Bayou Lafourche Fresh Water District board of commissioners; to

provide for the continued effectiveness of certain provisions; and to provide for related matters.

Read by title.

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dupre to Engrossed House Bill No. 475 by Representative Quezaire

AMENDMENT NO. 1

On page 1, delete lines 18 through 20 in their entirety.

AMENDMENT NO. 2

On page 1, line 18 insert the following:

"(b) One commissioner shall be a resident of the Parish of Ascension, who resides within the district, who shall be appointed by the governor from a list of nominees submitted by the majority of the members of the Legislative Delegation whose districts include that portion of Ascension Parish within the district."

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 92

NAYS

Total - 0

ABSENT

Ansardi	Jefferson	Powell, T.
Barrow	Kennard	Walsworth
Bruce	Martiny	White
Dartez	Morrish	Winston
Total - 12		

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 1307: Reps. Hutter, Lancaster, and Montgomery.

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. 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 471(F), 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 provide for a retired member's minor children to receive certain benefits upon his death; to repeal provisions for monthly reports of base pay; to provide for an effective date; and to provide for related matters.

Read by title.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Reengrossed House Bill No. 1017 by Representative Montgomery

AMENDMENT NO. 1

On page 1, line 2, after "11:421(I)" delete "and" and at the beginning of line 3, delete "471(F)," and insert in lieu thereof a comma ","

AMENDMENT NO. 2

On page 1, lines 6 and 7, after "employees;" delete "to provide for a retired member's minor children to receive certain benefits upon his death;"

AMENDMENT NO. 3

On page 1, line 14, after "11:421(I)" delete "and 471(F) are" and insert "is"

AMENDMENT NO. 4

On page 5, delete, lines 4 through 9

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ullo to Reengrossed House Bill No. 1017 by Representative Montgomery

AMENDMENT NO. 1

On page 1, line 2, delete "and 441(B)" and insert ",441(B) and 537(D)"

AMENDMENT NO. 2

On page 1, line 5, after "credit;" insert "to provide for repayment of refunded contributions;"

AMENDMENT NO. 3

On page 1, line 13, delete "and 441(B)" and insert ",441(B) and 537(D)"

AMENDMENT NO. 4

On page 5, between lines 9 and 10 insert the following:

"§537. Refund of contributions; application, payment, effect, repayment to system; restoration of service

* * *

D.(1) A member may repay a refund to the system upon returning to state service and contributing to the system for eighteen months, whether full-time or part-time, provided such repayment is made prior to before retirement. Repayment Except as provided in Paragraph (2) of this Subsection, repayment of a refund shall include the amount refunded plus interest thereon charged at the board-approved actuarial valuation rate compounded annually from the date of refund to the date of repayment. All repayments of refund refunds shall be made in lump sum only sums.

(2) Any member who is an employee of the State Licensing Board for Contractors, who has attained the age of sixty-five, and who has credit for at least ten years of service in the system shall have all creditable service that he forfeited upon refund restored upon repayment of the refunded amount without interest.

* * *

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

As a substitute motion, Rep. Schneider moved that the amendments proposed by the Senate be rejected.

The vote recurred on the substitute motion.

ROLL CALL

The roll was called with the following result:

YEAS

Alexander	Dove	McDonald
Ansardi	Downs	Pitre
Badon	Durand	Powell, M.
Baldone	Erdey	Quezaire
Baudoin	Fannin	Scalise
Beard	Faucheux	Schneider
Bowler	Geymann	Smiley
Bruce	Guillory, M.	Smith, J.R.—30th
Bruneau	Jackson	St. Germain
Burns	Johns	Strain

Carter, K.	Katz	Trahan
Carter, R.	Kleckley	Triche
Cazayoux	LaBruzzo	Tucker
Chandler	LaFleur	Walker
Crane	Lambert	Walsworth
Cravins	Lancaster	White
Crowe	Martiny	
Total - 50		

NAYS

Mr. Speaker	Gray	Odinot
Alario	Guillory, E.	Pierre
Arnold	Hammett	Pinac
Baylor	Harris	Richmond
Burrell	Heaton	Ritchie
Curtis	Hebert	Romero
Damico	Hill	Smith, G.
Daniel	Honey	Smith, J.H.—8th
DeWitt	Hopkins	Thompson
Doerge	Hunter	Toomy
Dorsey	Kenney	Townsend
Farrar	LaFonta	Waddell
Frith	Marchand	Wooton
Gallot	McVea	
Glover	Montgomery	
Total - 43		

ABSENT

Barrow	Jefferson	Robideaux
Dartez	Kennard	Smith, J.D.—50th
Greene	Morrish	Winston
Hutter	Powell, T.	
Total - 11		

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

Suspension of the Rules

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

Conference Committee Appointment

Pursuant to House Rule 6.14, the Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 624: Reps. Strain vice Winston, Baylor, and Ritchie.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 55: Reps. McDonald, Damico, and Hammett.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 1094: Reps. Mike Powell, Quezaire, and Lambert.

Suspension of the Rules

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

HOUSE BILL NO. 515—
BY REPRESENTATIVE JEFFERSON
AN ACT

To enact Part V of Chapter 10 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:1094 through 1097, relative to hospital service districts; to create the Parish Hospital Service District for the parish of Orleans; to provide that such district shall be divided into two separate areas; to provide for the creation of two separate governing boards for each such area and to provide for the membership of each such board; to provide for the powers, duties, functions, and responsibilities of the district and each governing board; to provide relative to per diem paid to governing board members; to provide for limitations; to provide for an effective date; and to provide for related matters.

Read by title.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Reengrossed House Bill No. 515 by Representative Jefferson

AMENDMENT NO. 1

On page 1, line 8, after "board;" delete the remainder of the line and at the beginning of line 9, delete "governing board members," and insert the following:

"to study the feasibility of establishing hospital facilities in the district;"

AMENDMENT NO. 2

On page 2, line 9, after "D." delete the remainder of the line, and at the beginning of line 10, delete "in this Part, a" and insert "The"

AMENDMENT NO. 3

On page 2, line 10, after "shall" delete "have" and delete lines 11 and 12 and insert the following:

"study the feasibility of building or acquiring and operating hospital facilities located within the district, and report its findings to the committees on health and welfare of the Senate and House of Representatives no later than March 1, 2007."

AMENDMENT NO. 4

On page 3, delete lines 24 through 28

AMENDMENT NO. 5

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

AMENDMENT NO. 6

On page 4, line 11, after "Commission;" delete the remainder of the line and insert "limitation"

AMENDMENT NO. 7

On page 4, delete lines 12 through 26

AMENDMENT NO. 8

On page 4, at the beginning of line 27, delete "E."

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 95

NAYS

Total - 0

ABSENT

Barrow	Jefferson	Powell, T.
Damico	Kennard	Robideaux
Dartez	Morrish	Winston

Total - 9

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

Suspension of the Rules

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

HOUSE BILL NO. 658—
BY REPRESENTATIVE SALTER

AN ACT

To authorize and provide for the acceptance of the donation of certain property in Sabine Parish to the state of Louisiana, through the Department of Culture, Recreation and Tourism; to provide for an effective date; and to provide for related matters.

Read by title.

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Malone to Engrossed House Bill No. 658 by Representative Salter

AMENDMENT NO. 1

On page 1, line 8, after "R.S. 39:11" and before "is" delete the comma and insert the following:

"and after compliance with the procedures and requirements set forth in R.S. 41:151 for the receipt of donation of immovable property by the state,"

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	McVea
Alario	Farrar	Montgomery
Alexander	Faucheux	Odinet
Ansardi	Frith	Pierre
Arnold	Gallot	Pinac
Badon	Geymann	Pitre
Baldone	Glover	Powell, M.
Baudoin	Gray	Quezaire
Baylor	Greene	Richmond
Beard	Guillory, E.	Ritchie
Bowler	Guillory, M.	Robideaux
Bruce	Hammett	Romero
Bruneau	Harris	Scalise
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	Johns	Strain
Crowe	Katz	Thompson
Curtis	Kenney	Toomy
Damico	Kleckley	Townsend
Daniel	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	LaFonta	Tucker
Dorsey	Lambert	Waddell
Dove	Lancaster	Walker
Downs	Marchand	Walsworth
Durand	Martiny	White
Erdey	McDonald	Wooton

Total - 96

NAYS

Total - 0

ABSENT

Barrow	Jefferson	Powell, T.
Dartez	Kennard	Winston
Heaton	Morrish	

Total - 8

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

Suspension of the Rules

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

HOUSE BILL NO. 1064—

BY REPRESENTATIVE WINSTON

AN ACT

To amend and reenact R.S. 47:103(D), 306(A)(4), 337.18(A)(4) and 1514, relative to extension of time to file returns and pay state taxes; to provide for an extension of time to file returns and pay state taxes; to provide for an effective date; and to provide for related matters.

Read by title.

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Engrossed House Bill No. 1064 by Representative Winston

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 47:" insert "9," and change "and 1514" to ", 1514, 337.19(A), R.S. 37:2156(A) and (E), 2156.1(L), 2171.1, 2171.2, and 2175.2(C), to enact R.S. 47:1508(B)(23) and R.S. 37:2156.1(M), 2158(A)(11), and 2186(B)(7), and to repeal R.S. 47:306(D)"

AMENDMENT NO. 2

On page 1, line 3, after "taxes;" insert:

"to provide for the manner in which certain contractors shall file and pay state taxes and for registration, certification, and required security for the payment of such taxes;"

AMENDMENT NO. 3

On page 1, delete line 7, and insert:

"Section 1. R.S. 47:9, 103(D), 306(A)(4), 337.18(A)(4), 337.19(A), and 1514 are hereby amended"

AMENDMENT NO. 4

On page 1, line 8, after "reenacted" insert "and R.S. 47:1508(B)(23) is hereby enacted"

AMENDMENT NO. 5

On page 1, between lines 8 and 9, insert:

"§9. Collection of taxes from ~~nonresident~~ contractors and subcontractors; certification and registration; bond

A.(1) ~~To the end that the state of Louisiana and the political subdivisions thereof may receive all taxes due in every instance, including contributions due under the Employment Security Law, contractors and subcontractors who are nonresidents of this state, desiring to engage in, prosecute, follow or carry on the business of contracting as defined in this Section shall register with the secretary of the Department of Revenue for each contract where the total contract price or compensation to be received amounts to more than three thousand dollars. The secretary of the Department of Revenue shall charge a fee for such registration in an amount of ten dollars for each such contract. All such fees received by the secretary of the Department of Revenue shall be deposited with the state treasurer.~~

The state treasurer shall thereupon credit the amount of said fees to the State General Fund.

For purposes of this Section, the following definitions shall apply:

(1) "Contractor" means any individual, partnership, corporation, association or other legal entity who undertakes to, attempts to, or submits a price or bid or offers to construct, supervise, superintend, oversee, direct, or in any manner assume charge of the construction, alteration, repair, improvement, movement, demolition, putting up, tearing down, or furnishing labor, or furnishing labor together with material or equipment, or installing the same for any building, highway, road, railroad, sewer, grading, excavation, pipeline, public utility structure, project development, housing or housing development, improvement or any other construction undertaking. The term "contractor" includes general contractors, subcontractors, architects, and engineers who receive an additional fee for the employment or direction of labor, or any other work beyond the normal architectural or engineering services.

(2) "Nonresident contractor" means all persons, including individuals, partnerships, corporations, associations, and other legal entities that are not resident contractors.

(3) "Resident contractor" means ~~(2) For the purpose of determining whether a contractor is resident or nonresident under this Section;~~ individuals who have maintained their permanent domiciles in Louisiana for at least one year prior to bidding on work; corporations who have operated permanent business facilities in Louisiana for at least one year prior to bidding on work; and corporations, at least fifty percent of whose outstanding and issued common shares are owned by individuals who have maintained their domiciles in Louisiana for at least one year prior to bidding on work, ~~shall be considered residents and will not be subject to the contract registration and bond requirements of this Section;~~ and partnerships, associations, and other legal entities in which resident corporations or individuals, as defined in this Paragraph, have at least a fifty percent ownership interest. ~~shall also be considered residents resident contractors. All other persons, including individuals, partnerships, corporations, associations, and other legal entities shall be considered nonresidents and shall be subject to the contract registration and bond requirements.~~

(4) "Subcontractor" means any individual, partnership, corporation, association, or other legal entity who contracts directly with the general contractor for the performance of a part of the principal contract or contracts with another subcontractor for the performance of a part of the principal contract.

~~B.(1) Every contractor required to register any contract or contracts, as defined in this Section, shall, before entering into the performance of such contract or contracts, execute and file with the secretary of the Department of Revenue a good and valid bond in a surety company authorized to do business in this state, or with sufficient sureties to be approved by the secretary, conditioned that all taxes, including contributions due under the employment security law and including personal income taxes due from employees which the contractor is required to withhold and remit, which may accrue to the state of Louisiana and all taxes which may accrue to the political subdivisions thereof on account of the execution and performance of such contract or contracts, will be paid when due, and the execution and filing of said bond shall be a condition precedent to commencing work on any contract in this state. Such bond shall be conditioned as hereinabove provided with respect to all contracts to be performed during the current calendar year and shall be in a sum of not less than one thousand dollars. If at any time during the current calendar year the secretary determines that the amount of the above bond is not sufficient to cover the tax liabilities accruing to the state of Louisiana or the political subdivisions thereof for the current calendar year or, upon written request of the employment security~~

division, the secretary shall require such bond to be increased in such sum as the secretary may determine to be proper. When any contractor has fully performed all contracts registered during the current calendar year, the hereinabove required bond may be released by the secretary:

(2) Any contractor who is or becomes subject to the provisions of this Section and every contractor required to register any contract or contracts, as defined in this Section, who contracts with any subcontractor, who also is or becomes subject to the provisions of this Section or is required to register any contract or contracts as defined in this Section, shall withhold sufficient moneys on said contract to guarantee that all taxes, including contributions due under the employment security law and including personal income taxes due from employees which the contractor is required to withhold and remit, which may accrue to the state of Louisiana and all taxes which may accrue to the political subdivisions thereof on account of the execution and performance of such contract or contracts, will be paid when due.

To ensure that the state of Louisiana and the political subdivisions thereof receive all taxes due in every instance, including contributions due under the Employment Security Law, contractors and subcontractors desiring to engage in, prosecute, follow or carry on the business of contracting shall register with the secretary of the Department of Revenue annually and receive certification as either a resident contractor or a nonresident contractor. This certification shall only be issued if the applicant is current in the filing of all applicable tax returns and reports, and in the payment of all final and nonappealable taxes, interest, and penalties owed to the state of Louisiana in the case of a resident contractor, or if the applicant has filed the appropriate bond in the case of a nonresident contractor.

C.(1) At the time of registering with the Department of Revenue and receiving a certification, all nonresident contractors shall file with the secretary of the Department of Revenue a good and valid blanket bond with a surety company authorized to do business in this state, or with sufficient sureties to be approved by the secretary, in order to ensure payment of all taxes, interest, and penalties that may accrue to the state of Louisiana and its political subdivisions. The secretary shall determine the amount of the required bond based on the nonresident contractors anticipated gross receipts for the year. Gross receipts of prior years may be analyzed in making this determination.

(2) The secretary may, at her discretion and for good cause shown, allow a nonresident contractor to execute a bond for a specific contract, instead of the blanket bond required in Paragraph (1) of this Subsection.

(3) If at any time during the year the secretary determines that the amount of the nonresident contractor's bond is not sufficient to cover all taxes, interest, and penalties accruing to the state of Louisiana and its political subdivisions, or upon written request of the employment security division, the secretary shall require the amount of the bond to be increased as the secretary determines proper. The nonresident contractor shall have thirty days from the date of the secretary's notice to increase the amount of the bond. If the nonresident contractor fails to increase the amount of the bond, a penalty may be assessed, in addition to any other penalty that may be assessed, of up to ten thousand dollars or ten percent of the contract amount, whichever is greater. However, for good cause shown, the secretary may waive all or a portion of the penalty assessed.

D.(1)(a) Notwithstanding any other law to the contrary, any resident or nonresident contractor who is not contracting for commercial purposes and who utilizes a nonresident subcontractor who is not licensed or registered with the Louisiana State Licensing Board for Contractors or an appropriate subcommittee of such board shall withhold and remit to the Department of Revenue three percent of the payments due to the nonresident subcontractor arising out of

the contract unless the nonresident has posted the bond as set forth in Subsection C and received certification from the Department of Revenue as set forth in Subsection B. The nonresident subcontractor shall provide the certification to the contractor. However, if the subcontractor is included in the list which shall be provided by the Department of Revenue of those resident and nonresident contractors who have received certification from the Department of Revenue, the contractor shall not be required to obtain the certification.

(b) For purposes of this Section, "contracting for commercial purposes" means entering into contracts other than for the following:

(i) A single residential duplex.

(ii) A single residential triplex.

(iii) A single residential fourplex.

(iv) Any residential home or homes; which shall include those for which the contractor has a single contract for the construction of two or more homes within the same subdivision.

(2) The contractor shall obtain the certification issued to his resident subcontractors by the Department of Revenue as provided for in Subsection B of this Section to prove that this withholding is not required. However, if the subcontractor is included in the list which shall be provided by the Department of Revenue of those resident and nonresident contractors who have received certification from the Department of Revenue, the contractor shall not be required to obtain the certification.

(3) Any contractor or subcontractor required to withhold pursuant to Paragraph (D)(1) of this Section found to have a contract or subcontract with a nonresident contractor who has not received certification from the Department of Revenue as provided for in Subsection B of this Section, and such contractor or subcontractor has not withheld and remitted to the Department of Revenue the requisite three percent of the payments due to the nonresident contractor, may be assessed a penalty of up to ten percent of the total contract amount. However, for good cause shown, the secretary may waive all or a portion of the penalty assessed.

E. All nonresident contractors shall withhold and remit to the Department of Revenue four and two-tenths percent of all amounts payable to those who are not their employees and are also not Louisiana residents. Failure to do so may result in the assessment of a penalty in the amount of up to ten percent of the contract amount. However, for good cause shown, the secretary may waive all or a portion of the penalty assessed.

(3) F. Failure to comply with the provisions of this Section shall render ~~said~~ the contractor directly liable for ~~such~~ all taxes, contributions, penalties, and interest due from ~~said~~ the subcontractor and the secretary shall have all of the remedies of collection against ~~said~~ the contractor under the provisions of this Section as though the services in question were performed directly ~~for~~ ~~said~~ by the contractor.

G. Any person found producing fraudulent certificates or documents under this Section shall be assessed a penalty of twenty thousand dollars or twenty-five percent of the contract, whichever is greater, and may be subject to criminal prosecution.

(4) H. No state entity, including but not limited to the office of state fire marshal, code enforcement and building safety or local governing authority charged with the responsibility of issuing any permit, license, or certificate necessary for the lawful commencement of any construction contract shall issue such permit, license, or certificate to a nonresident contractor until sufficient evidence is presented by the applicant that he has posted the bond required by this Subsection the applicant has presented the certificate issued by

the Department of Revenue evidencing the fact that he has executed the appropriate bond required by this Section or that he is a resident contractor current on all final and nonappealable taxes, interest and penalties due to the state. However, contractors who possess a current license issued by the Louisiana State Licensing Board for Contractors or a subcommittee of such board may present such license in lieu of the certificate issued by the Department of Revenue as evidence that he has executed the appropriate bond or is current on all final and nonappealable taxes, interest and penalties due to the state.

~~(5)~~L(1) Every person failing to register as required by this Section or to execute the bond herein provided ~~before beginning the performance of any contract~~ shall be denied the right to perform such any contract until he complies with such requirements, and the district attorney for any parish in which the contract is to be performed, the employment security division, or the secretary, or the attorney general is hereby authorized to proceed by injunction to prevent any activity in the performance of such contract until such registration is made and such bond is executed and filed, and any temporary injunction enjoining the execution of such contract shall be granted without notice by any judge authorized by law to grant injunctions.

(2) The secretary is further authorized to impose a penalty for commencement of a contract without the proper registration and bond required by this Section in the amount of five hundred dollars or five percent of the construction contract, whichever is greater.

J. The secretary of the Department of Revenue may promulgate such rules and regulations as are necessary to effectuate the provisions of this Section.

K. Nothing herein shall be construed so as to affect the licensing requirements of R.S. 47:341 et seq.

L. Money received by the secretary from the penalties imposed by this Section shall be deposited immediately upon receipt into the state treasury and after compliance with the requirements of Article VII, Section 9(B) of the Constitution of Louisiana relative to the Bond Security and Redemption Fund, shall be designated as self-generated revenues of the agency and shall be used by the department solely for the purpose of administering and enforcing the provisions of this Section.

* * *

AMENDMENT NO. 6

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

"§337.19. Withholding of state funds; assessment and collection standards

A. The secretary of the Department of Revenue, after consultation with representatives of the Louisiana Municipal Association, the Louisiana Police Jury Association, the Louisiana School Boards Association, and the Louisiana Association of Tax Administrators, is hereby authorized and directed to promulgate rules, pursuant to the enforcement of R.S. ~~47:306(D)~~ 47:9. Such rules shall also apply to R.S. 47:337.18(C). The municipal and parish permitting agencies of each parish as specified in R.S. ~~47:306(D)(a)~~ 47:9 and R.S. 47:337.18(C)(2)(a) shall comply with rules authorized by this Subsection within six months of the effective date of such rules.

* * *

§1508. Confidential character of tax records

* * *

B. Nothing herein contained shall be construed to prevent:

* * *

(23) The secretary from disclosing to the Louisiana State Licensing Board for Contractors or an appropriate subcommittee of such board taxpayer information for the sole purpose of administering the provisions of R.S. 47:9 or from publishing the names of those resident and nonresident contractors that have received certification from the Department of Revenue pursuant to R.S. 47:9.

* * *

AMENDMENT NO. 7

On page 2, after line 28, insert:

"Section 2. R.S. 37:2156(A) and (E), 2156.1(L), 2171.1, 2171.2, and 2175.2(C) are hereby amended and reenacted and R.S. 37:2156.1(M), 2158(A)(11), and 2186(B)(7) are hereby enacted to read as follows:

§2156. Unexpired licenses; fees; renewals

A.(1) All licenses and renewals issued under the provisions of this Chapter shall expire December 31 of the year in which they are issued. The license is an annual license and becomes invalid on that date unless renewed; however, after a license has expired, the person to whom such license was issued shall have until the second Tuesday of January next following the expiration date, to file an application for the renewal of such license without the payment of a penalty and without further examination, and any person who makes an application for the renewal of a license after the second Tuesday of January next following the expiration date of the license may, at the discretion of the board, have his license renewed after paying the required license fees and such penalty, not exceeding the sum of fifty dollars, that the board may impose.

(2) Notwithstanding the provisions of Paragraph (1) of this Subsection, no license shall be issued or renewed unless the board or an appropriate subcommittee of the board has received certification that the applicant is in compliance with R.S. 47:9.

* * *

E. Any other provisions of this Chapter notwithstanding:

(1) No license shall be issued or reissued to any foreign corporation which has not obtained from the secretary of state a certificate of authority to do business, as provided in Chapter 3 of Title 12 of the Louisiana Revised Statutes of 1950 and a certificate from the secretary of the Department of Revenue evidencing compliance with the requirements of R.S. 47: 9.

(2) No license shall be issued or reissued to any resident or nonresident contractor or subcontractor as defined in R.S. 47:9 who has not obtained from the secretary of the Department of Revenue a certificate evidencing compliance with the requirements of that Section.

* * *

§2156.1. Requirements for issuance of a license

* * *

L. Each applicant shall present a certificate evidencing compliance with the requirements of R.S. 47:9.

M. Upon completion of the above requirements, the application shall be submitted to the board for review at its next regularly scheduled meeting.

* * *

§2158. Revocation, suspension, and renewal of licenses; issuance of cease and desist orders; debarment

A. The board may revoke any license issued hereunder, or suspend the right of the licensee to use such license, or refuse to renew any such license, or issue cease and desist orders to stop work, or debar any person or licensee, for any of the following causes:

* * *

(11) Failure to obtain the certification required by R.S. 47:9(B) evidencing the fact that the contractor is a resident and has paid all final and nonappealable taxes, interest and penalties due to the state or is a nonresident and executed the appropriate bond under R.S. 47:9(C).

* * *

§2171.1. Inspection of local building permits

Each month the board or its staff shall inspect the list of residential building permits issued by each local building permit official in this state to ensure that no person is working as a residential building contractor without an active license. The board or its staff shall forward a list of all persons found working as residential building contractors without an active license to the secretary of the Department of Revenue each month.

§2171.2. Requirements; building permit

A. Prior to the issuance of any building permit, the local building permit official shall require that the applicant for such permit produce proof that the applicant possesses an active, applicable contractor's license issued by the board, or that the applicant's proposed building activity is exempt from such licensure under this Chapter. The local building permit official shall require any applicant claiming an exemption for residential construction activities to execute an affidavit attesting to the claimed exemption. Such affidavit shall be submitted to the local building permit official prior to the issuance of a permit. Such affidavit shall be executed on a form provided by the board.

B. If for any reason, including the exemptions provided for in Subsection A of this Section, the applicant is not required to produce a current active license issued by the board or its subcommittees prior to receiving a local building permit, the contractor shall be required to produce the certification provided for in R.S. 47:9(B) evidencing the fact that the contractor is a resident and has paid all final and nonappealable taxes, interest and penalties due to the state or is a nonresident and executed the appropriate bond under R.S. 47:9. Such certificate shall be submitted to the local building permit official prior to the issuance of a permit.

C. Liability shall not be imposed on a political subdivision or its officers or employees based upon the exercise or performance of, or the failure to exercise or perform any act or duty provided for in this Section.

§2175.2. Home improvement contracting; registration required

* * *

C. The applicant shall furnish the board proof of workers' compensation insurance and proof of registration with the Department of Revenue by providing a current certificate of

~~resident/nonresident status issued by the Department of Revenue pursuant to R.S. 47:9. However, proof of workers' compensation insurance shall not be required if the applicant is an independent contractor who is a sole proprietor with no employees and has elected not to be covered by workers' compensation insurance as provided by law.~~

* * *

§2186. Qualifications for licensure; application; fees

* * *

B. An applicant for a license to perform mold remediation shall meet the following requirements:

* * *

(7) Possess a current certificate issued by the Department of Revenue pursuant to R.S. 47:9.

Section 3. R.S. 47:306(D) is hereby repealed."

AMENDMENT NO. 8

On page 3, line 1, change "Section 2." to "Section 4."

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 93

NAYS

Total - 0

ABSENT

Barrow	Dartez	Morrish
Bowler	Heaton	Powell, T.
Bruce	Jefferson	Winston
Curtis	Kennard	
Total - 11		

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 658: Reps. Salter, Pierre, and Alario.

Motion

On motion of Rep. Townsend, the vote by which the Senate amendments to House Bill No. 439 were concurred in was reconsidered.

HOUSE BILL NO. 439—
BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact R.S. 1:13 and R.S. 13:3712(A) and to enact R.S. 13:3711 and R.S. 24:177, relative to legislation; to specifically provide that certain elements of a bill are not law; to provide with respect to legislative journals; to provide with respect to audio and video recordings of legislative proceedings; to provide with respect to legislative intent; to define the extent to which certain elements of a bill are considered to determine legislative intent; and to provide for related matters.

Read by title.

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Chaisson to Engrossed House Bill No. 439 by Representative Townsend

AMENDMENT NO. 1

On page 3, at the beginning of line 8, change "(D)" to "D."

AMENDMENT NO. 2

On page 3, delete lines 16 and 17 in their entirety

AMENDMENT NO. 3

Delete Amendment No. 5 proposed by the Senate Committee on Senate and Governmental Affairs and adopted by the Senate on June 8, 2006.

AMENDMENT NO. 4

In Amendment No. 6 proposed by the Senate Committee on Senate and Governmental Affairs and adopted by the Senate on June 8, 2006, on page 1, line 18, change "(3)" to "(2)"

AMENDMENT NO. 5

In Amendment No. 8 proposed by the Senate Committee on Senate and Governmental Affairs and adopted by the Senate on June 8, 2006, on page 1, line 23, change "(4)" to "(3)"

AMENDMENT NO. 6

On page 3, between lines 23 and 24 insert the following:

"(4) Words and phrases not constituting the substance of an amendment or the recommendations of a conference committee report, and any other legislative staff documents which are not subject to amendment by the legislature or any committee of the legislature, shall not constitute proof or indicia of legislative intent."

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Barrow	Kennard	Ritchie
Harris	Morrish	Winston
Jefferson	Powell, T.	
Total - 8		

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

Suspension of the Rules

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

HOUSE BILL NO. 335—
BY REPRESENTATIVES BOWLER AND MARCHAND
AN ACT

To amend and reenact R.S. 49:992(D)(2) and to enact R.S. 49:992(I), relative to adjudications and hearings functions of the division of administrative law and certain state departments; to provide for adjudications and hearings functions of the Department of Health and Hospitals, the Department of Social Services, and the Department of Education; to provide for the delegation of certain functions and authority to the division of administrative law, except where prohibited by federal law; and to provide for related matters.

Read by title.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Engrossed House Bill No. 335 by Representative Bowler
AMENDMENT NO. 1

On page 1, line 2, after "(D)(2)" insert "and 994(C)"

AMENDMENT NO. 2

On page 1, line 5, after "Hospitals" change the comma to "and " and after "Services" delete the remainder of the line and on line 6, delete "Department of Education"

AMENDMENT NO. 3

On page 1, line 8, after "law;" insert "to provide relative to the authority of the division of administrative law to enter into certain contracts;"

AMENDMENT NO. 4

On page 1, line 10, change "is" to "and 994(C) are"

AMENDMENT NO. 5

On page 2, delete line 4 and insert "Hospitals and the Department of Social Services, and any"

AMENDMENT NO. 6

On page 3, line 1, after "decision." insert "At the time the initial decision is mailed or delivered, the agency head shall be contacted by telephone or e-mail to be made aware that the initial decision has been mailed or delivered. If the agency head does not receive the initial decision by the end of the fifth day after notice by telephone call or e-mail that the decision was mailed or delivered, the division, upon being notified that the decision has not be received, shall hand deliver the decision by the end of the next working day."

AMENDMENT NO. 7

On page 3, line 13, after "Hospitals" change ". " to "and"

AMENDMENT NO. 8

On page 3, line 14, delete ", the Department of Education"

AMENDMENT NO. 9

On page 3, between lines 19 and 20, insert the following:

"§994. Administrative law judges

* * *

C. Notwithstanding the provisions of this Section, ~~all~~ :

(1) All persons employed in affected agencies on October 1, 1996, who handle adjudications and whether or not they meet the qualifications of this Chapter shall, unless the person declines, be transferred to and employed in the division created by this Chapter to handle adjudications in the manner provided in this Chapter. However, no person other than those provided for in this Subsection shall be employed as an administrative law judge who does not meet the requirements of this Section.

(2) Upon a determination by the director of the division that either specific expertise is required to adequately address particular adjudications or other hearings or series of adjudications or other hearings that is unavailable in any of the administrative law judges employed by the division or that there exists a substantial backlog of administrative adjudications or hearings to be conducted by the division, the director may contract with lawyers who meet all the qualifications in Subsection A and who have not been employed or contracted by any of the agencies involved in any of the adjudications or hearings to be conducted by such contracted lawyer during a period of five years prior to being contracted by the division pursuant to this Paragraph.

* * *

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 335 by Representative Bowler

AMENDMENT NO. 1

In Senate Committee Amendment No. 6 proposed by the Senate Committee on Senate and Governmental Affairs and adopted by the Senate on May 18, 2006, on page 1, line 20, change "be" to "been"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Broome to Engrossed House Bill No. 335 by Representative Bowler

AMENDMENT NO. 1

On page 1, line 2, before "(D)(2)" insert "(B)(2) and"

AMENDMENT NO. 2

On page 1, at the beginning of line 10, before "(D)(2)" insert "(B)(2) and"

AMENDMENT NO. 3

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

"B.

* * *

(2) ~~In~~ Except as provided in Subsection (D)(2), in an adjudication commenced by the division, the administrative law judge shall issue the final decision or order, whether or not on rehearing, and the agency shall have no authority to override such decision or order. Upon the issuance of such a final decision or order, the agency or any official thereof shall comply fully with the final order or decision of the administrative law judge.

* * *

AMENDMENT NO. 4

On page 2, line 28, delete "initial" and insert "recommended"

AMENDMENT NO. 5

On page 2, line 29, delete "initial" and insert "recommended"

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	McVea
Alario	Faucheux	Montgomery
Alexander	Frith	Odinet
Ansardi	Gallot	Pierre
Arnold	Geymann	Pinac
Badon	Glover	Pitre
Baldone	Gray	Powell, M.
Baudoin	Greene	Quezaire
Baylor	Guillory, E.	Richmond
Beard	Guillory, M.	Robideaux
Bowler	Hammitt	Romero
Bruneau	Harris	Scalise
Burns	Heaton	Schneider
Burrell	Hebert	Smiley
Carter, K.	Hill	Smith, G.
Carter, R.	Honey	Smith, J.D.—50th
Cazayoux	Hopkins	Smith, J.H.—8th
Chandler	Hunter	Smith, J.R.—30th
Crane	Hutter	St. Germain
Cravins	Johns	Strain
Crowe	Katz	Thompson
Damico	Kenney	Toomy
Daniel	Kleckley	Townsend
Dartez	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	LaFonta	Tucker
Dorsey	Lambert	Waddell
Dove	Lancaster	Walker
Downs	Marchand	Walsworth
Erdey	Martiny	White
Fannin	McDonald	Wooton
Total - 93		

NAYS

Total - 0

ABSENT

Barrow	Jackson	Powell, T.
Bruce	Jefferson	Ritchie
Curtis	Kennard	Winston
Durand	Morrish	
Total - 11		

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

Suspension of the Rules

On motion of Rep. Mickey Guillory 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

RELATIVE TO CONSIDERATION AFTER THE 82nd CALENDAR DAY

June 16, 2006

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

I am directed to inform your honorable body that the Senate, by a record vote of two-thirds of its elected members, has adopted a motion to consider House Bill No. 1235 on third reading and final passage after the 82nd calendar day and ask the House of Representatives to concur in the same.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Motion

Rep. LaBruzzo moved to concur with the Senate to permit consideration of House Bill No. 1235 after 6:00 P.M., on the eighty-second calendar day.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Odinet
Alexander	Faucheux	Pierre
Ansardi	Frith	Pinac
Badon	Gallot	Pitre
Baldone	Geymann	Powell, M.
Baudoin	Gray	Quezaire
Baylor	Greene	Ritchie
Beard	Guillory, E.	Scalise
Bowler	Guillory, M.	Schneider
Bruce	Hebert	Smiley
Burns	Hill	Smith, G.
Burrell	Honey	Smith, J.D.—50th
Carter, R.	Hopkins	Smith, J.H.—8th
Cazayoux	Hutter	Smith, J.R.—30th
Chandler	Jackson	St. Germain
Crane	Johns	Strain
Cravins	Katz	Thompson
Crowe	Kenney	Toomy
Curtis	Kleckley	Townsend
Damico	LaBruzzo	Trahan
Daniel	LaFleur	Triche
Dartez	LaFonta	Tucker
Dorsey	Lambert	Waddell
Dove	Lancaster	Walsworth
Downs	Martiny	White
Durand	McDonald	Wooton
Erdey	McVea	
Fannin	Montgomery	
Total - 82		

NAYS

Alario	DeWitt	Hunter
Carter, K.	Glover	Marchand
Total - 6		

ABSENT

Arnold	Heaton	Robideaux
Barrow	Jefferson	Romero

Bruneau	Kennard	Walker
Doerge	Morrish	Winston
Hammett	Powell, T.	
Harris	Richmond	
Total - 16		

The House agreed that the Senate consider the bill.

Motion

Rep. Durand moved the House consider Senate Bill No. 624 on third reading and final passage after 6:00 P.M., on the eighty-second calendar day of the session.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Glover	Morrish
Alexander	Gray	Odinot
Arnold	Greene	Pierre
Badon	Guillory, E.	Pinac
Baldone	Guillory, M.	Pitre
Baylor	Hammett	Quezaire
Bruce	Harris	Richmond
Bruneau	Heaton	Ritchie
Burrell	Hebert	Robideaux
Carter, K.	Hill	Romero
Cazayoux	Honey	Scalise
Chandler	Hopkins	Smiley
Crane	Hunter	Smith, G.
Cravins	Hutter	Smith, J.D.-50th
Curtis	Jackson	Smith, J.H.-8th
Damico	Johns	Smith, J.R.-30th
Daniel	Kenney	St. Germain
Dartez	Kleckley	Strain
Doerge	LaFleur	Thompson
Dorsey	LaFonta	Toomy
Dove	Lambert	Townsend
Downs	Lancaster	Trahan
Durand	Marchand	Triche
Farrar	Martiny	Waddell
Faucheux	McDonald	Walker
Frith	McVea	White
Gallot	Montgomery	Wooton
Total - 81		

NAYS

Alario	Erdey	Tucker
Beard	Fannin	Walsworth
Bowler	Powell, M.	
DeWitt	Schneider	
Total - 10		

ABSENT

Ansardi	Crowe	LaBruzzo
Barrow	Geymann	Powell, T.
Baudoin	Jefferson	Winston
Burns	Katz	
Carter, R.	Kennard	
Total - 13		

The motion to consider having received a two-thirds vote of the elected members, was adopted.

Motion

Rep. Townsend moved the House consider Senate Bill No. 687 on third reading and final passage after 6:00 P.M., on the eighty-second calendar day of the session.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Durand	Pinac
Badon	Erdey	Pitre
Baudoin	Fannin	Quezaire
Baylor	Faucheux	Richmond
Beard	Frith	Ritchie
Bruce	Gallot	Smiley
Bruneau	Gray	Smith, G.
Burrell	Guillory, M.	Smith, J.D.-50th
Carter, K.	Hebert	Smith, J.R.-30th
Cazayoux	Honey	St. Germain
Chandler	Jackson	Strain
Crane	Johns	Thompson
Curtis	LaFleur	Toomy
Damico	Lambert	Townsend
Daniel	Martiny	Triche
Dartez	McDonald	Walker
Doerge	Montgomery	White
Downs	Odinot	Wooton
Total - 54		

NAYS

Alario	Hill	Smith, J.H.-8th
Cravins	Hopkins	Waddell
DeWitt	Kenney	Walsworth
Farrar	Lancaster	
Guillory, E.	Scalise	
Total - 13		

ABSENT

Alexander	Greene	McVea
Ansardi	Hammett	Morrish
Arnold	Harris	Pierre
Baldone	Heaton	Powell, M.
Barrow	Hunter	Powell, T.
Bowler	Hutter	Robideaux
Burns	Jefferson	Romero
Carter, R.	Katz	Schneider
Crowe	Kennard	Trahan
Dorsey	Kleckley	Tucker
Dove	LaBruzzo	Winston
Geymann	LaFonta	
Glover	Marchand	
Total - 37		

The motion to consider not having received a two-thirds vote of the elected members, was rejected.

Message from the Senate

APPOINTMENT OF CONFERENCE COMMITTEE

June 16, 2006

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

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 240: Senators Broome, McPherson, and Kostelka.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 16, 2006

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

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 1204: Senators Ellington, Amedee, and Boasso.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 16, 2006

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

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 1229: Senators Michot, Barham, and Malone.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 16, 2006

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

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 1395: Senators Cheek, Cravins, and B. Gautreaux.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 16, 2006

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

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to Senate Bill No. 453: Senators Malone, N. Gautreaux, and Michot.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

DISAGREEMENT TO SENATE BILL

June 16, 2006

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

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 49 by Sen. Marionneaux, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

DISAGREEMENT TO SENATE BILL

June 16, 2006

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

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 58 by Sen. Fontenot, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

DISAGREEMENT TO SENATE BILL

June 16, 2006

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

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 81 by Sen. Jones, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

DISAGREEMENT TO SENATE BILL

June 16, 2006

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

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 214 by Sen. Murray, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

DISAGREEMENT TO SENATE BILL

June 16, 2006

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

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 226 by Sen. N. Gautreaux, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

DISAGREEMENT TO SENATE BILL

June 16, 2006

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

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 269 by Sen. Dupre, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

DISAGREEMENT TO SENATE BILL

June 16, 2006

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

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 338 by Sen. Amedee, and ask the Speaker to appoint a

committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

DISAGREEMENT TO SENATE BILL

June 16, 2006

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

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 454 by Sen. Ellington, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

DISAGREEMENT TO SENATE BILL

June 16, 2006

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

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 513 by Sen. Barham, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

DISAGREEMENT TO SENATE BILL

June 16, 2006

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

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 522 by Sen. Cheek, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

DISAGREEMENT TO SENATE BILL

June 16, 2006

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

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 605 by Sen. McPherson, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

DISAGREEMENT TO SENATE BILL

June 16, 2006

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

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 612 by Sen. Mount, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

DISAGREEMENT TO SENATE BILL

June 16, 2006

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

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 749 by Sen. Nevers, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

HOUSE BILLS

June 16, 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 House Bills:

House Bill No. 1
Returned with amendments

House Bill No. 2
Returned with amendments

House Bill No. 3
Returned without amendments

House Bill No. 58
Returned with amendments

House Bill No. 234
Returned with amendments

House Bill No. 277
Returned with amendments

House Bill No. 347
Returned with amendments

House Bill No. 474
Returned with amendments

House Bill No. 686
Returned without amendments

House Bill No. 707
Returned with amendments

House Bill No. 716
Returned without amendments

House Bill No. 767
Returned with amendments

House Bill No. 772
Returned with amendments

House Bill No. 850
Returned with amendments

House Bill No. 1078
Returned with amendments

House Bill No. 1130
Returned with amendments

House Bill No. 1141
Returned with amendments

House Bill No. 1173
Returned with amendments

House Bill No. 1178
Returned with amendments

House Bill No. 1186
Returned with amendments

House Bill No. 1199
Returned without amendments

House Bill No. 1208
Returned with amendments

House Bill No. 1209
Returned without amendments

House Bill No. 1215
Returned without amendments

House Bill No. 1223
Returned with amendments

House Bill No. 1244
Returned without amendments

House Bill No. 1256
Returned without amendments

House Bill No. 1334
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

June 16, 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. 193
Returned without amendments

House Concurrent Resolution No. 232
Returned without amendments

House Concurrent Resolution No. 290
Returned without amendments

House Concurrent Resolution No. 310
Returned without amendments

House Concurrent Resolution No. 311
Returned without amendments

House Concurrent Resolution No. 312
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

**ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

June 16, 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. 137 and 142

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Senate Concurrent Resolutions

The following Senate Concurrent Resolutions contained in the message were taken up and acted upon as follows:

**SENATE CONCURRENT RESOLUTION NO. 142—
BY SENATOR CAIN AND REPRESENTATIVE SALTER
A CONCURRENT RESOLUTION**

To commend Robin Briscoe of Anacoco High School upon her selection as a representative of north Louisiana at the Hugh O'Brian World Leadership Congress in Washington, D.C.

Read by title.

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

Message from the Senate

SIGNED SENATE CONCURRENT RESOLUTIONS

June 16, 2006

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

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

Senate Concurrent Resolution Nos. 9, 20, 61, 76, 94, 99, 105, 106, 121, 127, 129, 130, 132, 133, and 135

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

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

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

Message from the Senate

SIGNED SENATE BILLS AND JOINT RESOLUTIONS

June 16, 2006

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

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

Senate Bill Nos. 62, 95, 122, 137, 141, 151, 159, 193, 210, 215, 249, 263, 296, 307, 317, 320, 329, 340, 358, 369, 376, 383, 404, 412, 417, 418, 427, 467, 471, 503, 535, 539, 541, 554, 570, 575, 596, 620, 622, 640, 643, 645, 647, 658, 662, 685, 744, and 747

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

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

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

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 1293: Reps. Jack Smith, Hammett, and Townsend.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 335: Reps. Bowler, Lancaster, and Marchand.

Conference Committee Appointment

Pursuant to House Rule 6.14, the Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 515: Reps. Gray vice Jefferson, Baylor, and Tucker.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 475: Reps. Quezaire, Damico, and Honey.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 1281: Reps. Dorsey, Baylor, and St. Germain.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 970: Reps. Jack Smith, Damico, and Townsend.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 439: Reps. Townsend, Lancaster, and Jack Smith.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 1017: Reps. Montgomery, Schneider, and Robideaux.

Conference Committee Appointment

Pursuant to House Rule 6.14, the Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 1064: Reps. White vice Winston, Hammett, and Hebert.

**Introduction of Resolutions,
House and House Concurrent**

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

HOUSE RESOLUTION NO. 128—

BY REPRESENTATIVE GRAY
A RESOLUTION

To commend LaToya Cantrell of the Broadmoor Improvement Association for her recognition as a Restore America Hero by the National Trust for Historic Preservation and HGTV.

Read by title.

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

HOUSE RESOLUTION NO. 129—

BY REPRESENTATIVE MARCHAND
A RESOLUTION

To urge and request the Louisiana Housing Finance Authority (LHFA) to leverage at least fifteen percent of its Community Development Block Grant (CDBG) dollars with its second round tax credit funding to maximize funding available to re-create housing in the Gulf Opportunity Zone.

Read by title.

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

HOUSE RESOLUTION NO. 130—

BY REPRESENTATIVE R. CARTER
A RESOLUTION

To urge and request the Nursing Supply and Demand Commission within the Department of Health and Hospitals to include a member of the House of Representatives to serve as an additional member of the commission.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 317—

BY REPRESENTATIVE HUNTER
A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Labor's office of workforce development to study the Louisiana job market and assess the types of occupations currently in demand.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 318—

BY REPRESENTATIVE RICHMOND
A CONCURRENT RESOLUTION

To commend Louisiana professional fire fighters for their heroic actions during and after Hurricanes Katrina and Rita and to recognize Monday, June 19, 2006, as Louisiana Professional Fire Fighters Day.

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. 319—

BY REPRESENTATIVE DOWNS
A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana upon the death of the Mr. James Pierce Hill, Sr.

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. 320—
BY REPRESENTATIVES RICHMOND, BADON, BARROW, BAYLOR, BURRELL, K. CARTER, CAZAYOUX, CRAVINS, CURTIS, DORSEY, GALLOT, GLOVER, GRAY, E. GUILLORY, HARRIS, HONEY, HUNTER, JACKSON, JEFFERSON, KENNARD, LAFLEUR, LAFONTA, MARCHAND, PIERRE, AND QUEZAIRE AND SENATORS ADLEY, BAJOLE, BROOME, CRAVINS, DUPLESSIS, FIELDS, JACKSON, JONES, MARIONNEAUX, MURRAY, AND SHEPHERD

A CONCURRENT RESOLUTION

To commend Mr. Xavier Carter for his outstanding accomplishments at the 2006 NCAA Outdoor Track and Field Championships.

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. 321—
BY REPRESENTATIVES DAMICO AND WOOTON AND SENATOR FONTENOT

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to authorize and fund the testing and evaluation to determine environmental impacts and safety of equipment to efficiently combust construction and demolition debris and reduce emissions associated with such incineration.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 322—
BY REPRESENTATIVE GRAY

A CONCURRENT RESOLUTION

To urge and request the United States Department of Homeland Security, through Secretary Michael Chertoff, to increase the level of funding for Citizen Corps emergency preparedness education programs.

Read by title.

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

Ordered to the Senate.

Conference Committee Reports Received

Conference Committee Reports were received for the following legislative instruments:

Senate Bill No. 89

House Bill No. 1395

The conference committee reports for the legislative instruments above lie over under the rules.

Privileged Report of the Committee on Enrollment

June 16, 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. 99—
BY REPRESENTATIVE WALKER

A RESOLUTION

To urge and request the House Committee on House and Governmental Affairs to conduct a study and make recommendations concerning designating the Department of Culture, Recreation and Tourism as a charter agency as a pilot program to determine the potential effectiveness and benefits of establishing a charter agency program and the ideal components of such a program.

HOUSE RESOLUTION NO. 102—

BY REPRESENTATIVES FANNIN, WALSWORTH, ALARIO, ALEXANDER, ANSARDI, BALDONE, BAUDOIN, BRUCE, CAZAYOUX, CHANDLER, CRANE, CURTIS, DAMICO, DANIEL, DARTEZ, DOERGE, DOVE, DOWNS, DURAND, ERDEY, FARRAR, FAUCHEUX, FRITH, GALLOT, GRAY, E. GUILLORY, M. GUILLORY, HEBERT, HILL, HONEY, HUTTER, JOHNS, KATZ, KENNEY, LAFLEUR, MARTINY, MCDONALD, MCVEA, MONTGOMERY, ODINET, PIERRE, PINAC, PITRE, M. POWELL, RITCHIE, ROBIDEAUX, SALTER, SMILEY, GARY SMITH, JANE SMITH, ST. GERMAIN, THOMPSON, TRAHAN, TUCKER, WADDELL, WALKER, WHITE, AND WOOTON

A RESOLUTION

To urge and request the State Board of Elementary and Secondary Education, relative to the calculation in the minimum foundation program formula of the local school system wealth factor, to develop, adopt, and submit to the legislature for its approval and funding minimum foundation program formulas, beginning with the formula for the 2007-2008 school year, that exclude from the calculation of the local system's property tax revenue capacity and sales tax revenue capacity any such revenues that are the result of a court-ordered settlement agreement until such funds are actually included in the school system's operating budget for any particular year and provide further that only one-third of any such budgeted amount shall be recognized for the purposes of calculating the system's local wealth factor; and to provide for related matters.

HOUSE RESOLUTION NO. 103—

BY REPRESENTATIVES FANNIN, BADON, BARROW, CHANDLER, CROWE, DOWNS, KENNEY, M. POWELL, T. POWELL, RITCHIE, TRAHAN, WALKER, WALSWORTH, ALARIO, ALEXANDER, ARNOLD, BALDONE, BAUDOIN, BAYLOR, BRUCE, K. CARTER, CAZAYOUX, CRANE, CRAVINS, DAMICO, DARTEZ, DOERGE, DOVE, DURAND, ERDEY, FARRAR, FAUCHEUX, FRITH, GALLOT, GRAY, M. GUILLORY, HEBERT, HILL, HONEY, HUTTER, KATZ, LAFLEUR, MCDONALD, MCVEA, MONTGOMERY, QUEZAIRE, ROBIDEAUX, ROMERO, JANE SMITH, ST. GERMAIN, THOMPSON, TOWNSEND, TUCKER, WADDELL, WHITE, AND WOOTON

A RESOLUTION

To urge and request the State Board of Elementary and Secondary Education, in considering issues relative to the minimum foundation program formula, especially any considerations relative to the local wealth factor component of the formula, to solicit requests for proposals from a broader field of candidates with expertise in the area of school finance and to submit a written report on the status of such solicitations to the House Committee on Education prior to the convening of the 2007 Regular Session.

HOUSE RESOLUTION NO. 105—
BY REPRESENTATIVE BALDONE

A RESOLUTION

To urge and request the House Committee on House and Governmental Affairs to study the feasibility of establishing a standing committee on coastal protection and restoration and, if it is determined to be feasible, to recommend the subject matter jurisdiction of such committee.

HOUSE RESOLUTION NO. 106—
BY REPRESENTATIVE GRAY

A RESOLUTION

To request the House Committee on Municipal, Parochial and Cultural Affairs to study and make recommendations relative to issues related to the use of inclusionary zoning by parishes and municipalities, the effects of inclusionary zoning on the development of affordable housing for low and moderate income families, and the content of ordinances providing for inclusionary zoning, and to report its findings to the House of Representatives prior to the 2007 Regular Session.

HOUSE RESOLUTION NO. 117—
BY REPRESENTATIVES WOOTON, BALDONE, AND PITRE

A RESOLUTION

To memorialize the Congress of the United States to appropriate sufficient funds for the recovery of the shrimp industry and to vote against the repeal of the "Byrd Amendment".

HOUSE RESOLUTION NO. 118—
BY REPRESENTATIVES TOOMY, BURRELL, R. CARTER, DARTEZ, DORSEY, FARRAR, FAUCHEUX, GALLOT, GREENE, HEBERT, M. POWELL, RICHMOND, ROMERO, SCALISE, SMILEY, AND WHITE

A RESOLUTION

To urge and request the Governor's Office on Homeland Security and Emergency Preparedness to periodically provide information to the House Committee on Judiciary to keep the committee informed on the progress the Statewide Interoperable Communication System Executive Committee is making in achieving the development of and the establishment of a statewide shared communication system.

HOUSE RESOLUTION NO. 120—
BY REPRESENTATIVE CROWE

A RESOLUTION

To commend William J. Doré for his generous assistance following Hurricane Katrina and Hurricane Rita and for his truly outstanding accomplishments.

HOUSE RESOLUTION NO. 121—
BY REPRESENTATIVE MONTGOMERY

A RESOLUTION

To urge and request the commissioner of administration to work with each executive department to develop management plans for the land under its jurisdiction.

HOUSE RESOLUTION NO. 123—
BY REPRESENTATIVE BALDONE

A RESOLUTION

To urge and request the Louisiana High School Athletic Association to revise its policies relative to varsity athletic eligibility requirements for eighth grade students, especially as it relates to such students in private and parochial schools, and to submit a written report on the status of such revisions to the House Committee on Education prior to the convening of the 2007 Regular Session.

HOUSE RESOLUTION NO. 124—
BY REPRESENTATIVE BALDONE

A RESOLUTION

To urge and request the House Committee on House and Governmental Affairs to study issues related to the accessibility of records of criminal convictions through the Louisiana Bureau of Criminal Identification and Information or any law enforcement agency, the propriety of assessing a charge for such records, and potential sources of liability for any law enforcement agency furnishing such records and to report its findings to the House of Representatives not later than March 15, 2007.

HOUSE RESOLUTION NO. 125—
BY REPRESENTATIVE GLOVER

A RESOLUTION

To commend Stromile Swift of Shreveport for his outstanding accomplishments.

HOUSE RESOLUTION NO. 126—
BY REPRESENTATIVE GLOVER

A RESOLUTION

To commend Pastor Joseph Lindsey of the Mooringsport Church of God in Christ for his outstanding accomplishments.

HOUSE RESOLUTION NO. 127—
BY REPRESENTATIVE GLOVER

A RESOLUTION

To commend Marvin Joe Williams, Sr., "Jabber Jaws", of Shreveport for his outstanding accomplishments.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

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

Privileged Report of the Committee on Enrollment

June 16, 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. 72—
BY REPRESENTATIVE MCVEA

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals and the Department of Public Safety and Corrections to jointly study the feasibility of permitting eligible prisoners currently in the custody of the Department of Public Safety and Corrections to seek the status of medically paroled in order to be transferred to the Villa Feliciana Medical Complex and report its findings to the legislature prior to February 1, 2007.

HOUSE CONCURRENT RESOLUTION NO. 120—
BY REPRESENTATIVE GRAY

A CONCURRENT RESOLUTION

To request the House Committee on Health and Welfare and the Senate Committee on Health and Welfare to meet and function as a joint committee to study the current laws and regulations governing children in foster care in the state, to study the laws, regulations, and procedures which govern social workers charged with monitoring children in foster care, and to make recommendations for changes in the laws, rules, and procedures governing children in foster care in Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 166—
BY REPRESENTATIVE DURAND

A CONCURRENT RESOLUTION

To continue and provide with respect to the Louisiana Public Mental Health Review Commission.

HOUSE CONCURRENT RESOLUTION NO. 180—
BY REPRESENTATIVES HUTTER AND TUCKER
A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 193—
BY REPRESENTATIVE PITRE AND SENATOR DUPRE
A CONCURRENT RESOLUTION

To approve the Fiscal Year 2006-2007 Coastal Wetlands Protection and Restoration Plan as adopted by the Coastal Protection and Restoration Authority (authority).

HOUSE CONCURRENT RESOLUTION NO. 194—
BY REPRESENTATIVE LAFONTA
A CONCURRENT RESOLUTION

To authorize and request the Louisiana State Law Institute to evaluate the impact of immigration on Louisiana laws and make recommendations to the legislature on those areas of laws which should be studied or make recommendations as to specific changes to existing laws or proposing the enactment of new laws, or both.

HOUSE CONCURRENT RESOLUTION NO. 220—
BY REPRESENTATIVE GLOVER
A CONCURRENT RESOLUTION

To encourage the growth, technology, and workforce base of the Louisiana entertainment industries which have experienced a resurgence in the areas of film, digital media, and sound recording due to extremely competitive incentive programs offered to entertainment companies worldwide.

HOUSE CONCURRENT RESOLUTION NO. 232—
BY REPRESENTATIVES M. POWELL, BURNS, FARRAR, FAUCHEUX,
AND WHITE AND SENATORS CHEEK AND JACKSON
A CONCURRENT RESOLUTION

To urge and request the Governor's Office of Homeland Security and Emergency Preparedness to facilitate, coordinate, and assist the prompt and timely payment of ambulance services rendered during the aftermath of Hurricanes Katrina and Rita and further to request that the office develop policies to coordinate the expeditious allocation and payment of emergency ambulatory services for future declared disasters.

HOUSE CONCURRENT RESOLUTION NO. 259—
BY REPRESENTATIVE DURAND AND SENATORS JACKSON AND
MCPHERSON
A CONCURRENT RESOLUTION

To reestablish the framework for regional health care consortiums created pursuant to Senate Concurrent Resolution No. 95 of the 2004 Regular Session.

HOUSE CONCURRENT RESOLUTION NO. 296—
BY REPRESENTATIVE PINAC
A CONCURRENT RESOLUTION

To urge and request the Louisiana Manufactured Housing Commission to encourage and facilitate the procurement and administrative function inherent in supplying Louisiana citizens with factory built residential dwellings, built to federal or state construction standards, for the purpose of increasing competition and availability statewide.

HOUSE CONCURRENT RESOLUTION NO. 298—
BY REPRESENTATIVE GRAY
A CONCURRENT RESOLUTION

To urge and request the Federal Emergency Management Agency and the Substance Abuse and Mental Health Services Administration to support program flexibility within the federal Crisis Counseling Assistance and Training Program.

HOUSE CONCURRENT RESOLUTION NO. 299—
BY REPRESENTATIVE GRAY
A CONCURRENT RESOLUTION

To urge and request the Louisiana congressional delegation to urge the Substance Abuse and Mental Health Services Administration to support programmatic flexibility within the federal Crisis Counseling Assistance and Training Program.

HOUSE CONCURRENT RESOLUTION NO. 304—
BY REPRESENTATIVE MARCHAND
A CONCURRENT RESOLUTION

To authorize and request the secretary of state to add to the information required to be provided to the public by R.S. 18:18(A)(8) during the annual official state voter registration week information regarding the procedures for a registered voter to change his address, the differences between mailing address and residential address for purposes of voter registration and voting absentee by mail, eligibility to vote absentee by mail, and procedures for voting absentee by mail.

HOUSE CONCURRENT RESOLUTION NO. 305—
BY REPRESENTATIVES QUEZAIRE, BEARD, DANIEL, DOVE, DOWNS,
ERDEY, FANNIN, M. GUILLORY, HUTTER, KATZ, LAMBERT, PITRE,
M. POWELL, SMILEY, ST. GERMAIN, AND TUCKER
A CONCURRENT RESOLUTION

To urge and request the governor to include funding in the state budget for construction and maintenance of state highways that are not eligible for federal highway funds.

HOUSE CONCURRENT RESOLUTION NO. 306—
BY REPRESENTATIVES DANIEL, ALARIO, ALEXANDER, ANSARDI,
ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD,
BOWLER, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, R.
CARTER, CAZAYOUX, CHANDLER, CRANE, CRAVINS, CROWE,
CURTIS, DAMICO, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE,
DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH,
GALLOT, GEYMAN, GLOVER, GRAY, GREENE, E. GUILLORY, M.
GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HILL, HONEY,
HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ,
KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA,
LAMBERT, LANCASTER, MARCHEL, MARTINY, MCDONALD,
MCVEA, MONTGOMERY, MORRELL, MORRISH, ODINET, PIERRE,
PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND,
RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER,
SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST.
GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN,
TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE,
WINSTON, AND WOOTON AND SENATOR HINES
A CONCURRENT RESOLUTION

To commend Mr. Paul Gravel for his many years of public service, for his contributions to the state of Louisiana, and for his current service as executive director of the LSU System, Division of Federal Affairs.

HOUSE CONCURRENT RESOLUTION NO. 307—
BY REPRESENTATIVE MONTGOMERY
A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Anthony G. "Tony" Sardisco of Shreveport.

HOUSE CONCURRENT RESOLUTION NO. 308—
BY REPRESENTATIVE HARRIS AND SENATOR ULLO
A CONCURRENT RESOLUTION

To urge and request the Jefferson Parish Council to establish the Manhattan Development District for the primary object and purpose of improving traffic flow on Manhattan Boulevard.

HOUSE CONCURRENT RESOLUTION NO. 310—
BY REPRESENTATIVE JANE SMITH
A CONCURRENT RESOLUTION

To commend Robbie Dean of Airline High School upon his selection as a representative of north Louisiana at the Hugh O'Brian World Leadership Congress in Washington, D.C.

HOUSE CONCURRENT RESOLUTION NO. 311—
BY REPRESENTATIVES BURNS AND SCALISE
A CONCURRENT RESOLUTION

To urge and request insurance companies to waive any and all one-year prescriptive periods and allow suits resulting from gubernatorially declared disasters to be brought within twenty-four months of the declaration.

HOUSE CONCURRENT RESOLUTION NO. 312—
BY REPRESENTATIVES GLOVER, SALTER, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CHANDLER, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMAN, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, AND WOOTON AND SENATORS JACKSON, HINES, ADLEY, AMEDEE, BAJOEI, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HOLLIS, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN, AND ULLO

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Gina Denise Glover, to extend appreciation for her accomplishments and contributions, and to recognize that her legacy shall live forever in the minds and hearts of all who knew and loved her.

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.

Privileged Report of the Committee on Enrollment

June 16, 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 Joint Resolutions have been properly enrolled:

HOUSE BILL NO. 406—
BY REPRESENTATIVE DANIEL
A JOINT RESOLUTION

Proposing to amend Article VII, Section 14(B) of the Constitution of Louisiana, to authorize the investment of a portion of the Medicaid Trust Fund for the Elderly in equities; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

HOUSE BILL NO. 714—
BY REPRESENTATIVES GALLOT, FANNIN, BALDONE, CURTIS, HILL, KENNEY, MONTGOMERY, ODINET, JANE SMITH, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BARROW, BAUDOIN, BAYLOR, BOWLER, BRUCE, BURRELL, R. CARTER, CAZAYOUX, CHANDLER, DAMICO, DARTEZ, DOERGE, DORSEY, DOVE, DOWNS, ERDEY, FARRAR, FAUCHEUX, GLOVER, GRAY, GREENE, M. GUILLORY, HARRIS, HEBERT, HONEY, HOPKINS, HUNTER, HUTTER,

JACKSON, JEFFERSON, KATZ, LAFONTA, LANCASTER, MARCHAND, MCDONALD, MORRELL, MORRISH, PIERRE, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RITCHIE, ROMERO, SALTER, SMILEY, GARY SMITH, JACK SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TUCKER, WADDELL, WALSWORTH, WHITE, AND WOOTON AND SENATORS ADLEY, DUPLESSIS, DUPRE, N. GAUTREAUX, KOSTELKA, MALONE, MICHOT, MURRAY, AND NEVERS

A JOINT RESOLUTION

Proposing to amend Article VII, Section 4(D) of the Constitution of Louisiana, to increase the maximum amount of the severance tax on certain natural resources which is remitted to parish governing authorities; to provide an effective date; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

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

Privileged Report of the Committee on Enrollment

June 16, 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 Bills have been properly enrolled:

HOUSE BILL NO. 24—
BY REPRESENTATIVE HUNTER
AN ACT

To amend and reenact R.S. 26:81(C)(1) and (D) and 281(C)(1)(a) and (2), (D), and (F), relative to the limitations on the location of a business with an alcoholic beverage permit; to require the restrictions prohibiting an establishment within a specified distance of any correctional facility housing inmates, including a halfway house; and to provide for related matters.

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 with respect to the rights of a person having an arrest record destroyed; to provide for retroactive application; and to provide for related matters.

HOUSE BILL NO. 153—
BY REPRESENTATIVE JOHNS AND SENATORS CHEEK, N. GAUTREAUX, AND SCHEDLER
AN ACT

To amend and reenact R.S. 40:975(G)(1) and R.S. 44:4.1(B)(24) and to enact Part X-A of Chapter 4 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1001 through 1014, relative to the Prescription Monitoring Program Act; to provide for the denial, revocation, suspension, or termination of a license; to provide for a short title; to provide for the purpose and definitions; to provide relative to the establishment of the prescription monitoring program; to provide for the creation of the advisory council; to provide for the reporting of prescription monitoring information; to provide for access to prescription monitoring information; to provide

relative to education and treatment; to provide for unlawful acts; to provide for data analysis; to provide relative to reporting to the legislature; to provide relative to the authority to promulgate rules and regulations; to provide relative to the authority to contract; to provide relative to funding authority; to provide for severability; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 157—
BY REPRESENTATIVE K. CARTER
AN ACT

To enact R.S. 49:191(2)(g) and to repeal R.S. 49:191(1)(c), relative to the Department of Insurance, including provisions to provide for the re-creation of the Department of Insurance and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

HOUSE BILL NO. 217—
BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 27:306(A)(4)(d), relative to the Video Draw Poker Devices Control Law; to provide that the requirements for qualified truck stop facilities are suspended if the property upon which the qualified truck stop facility is located is expropriated by the state or its political subdivisions; and to provide for related matters.

HOUSE BILL NO. 278—
BY REPRESENTATIVES MARTINY, BRUCE, CAZAYOUX, CRAVINS,
LAFLEUR, JANE SMITH, AND WHITE
AN ACT

To amend and reenact R.S. 15:542(A)(2)(a), relative to registration requirements of sex offenders; to require sex offenders who enter an emergency shelter to notify the local sheriff; to provide notice to the chief of police in municipalities where a shelter is located; to provide for notice to the Louisiana Bureau of Criminal Identification and Information; and to provide for related matters.

HOUSE BILL NO. 308—
BY REPRESENTATIVES KLECKLEY, ALEXANDER, BADON,
BALDONE, BARROW, BAYLOR, BRUCE, BURNS, BURRELL, K.
CARTER, CAZAYOUX, CHANDLER, CRAVINS, CROWE, CURTIS,
DARTEZ, DORSEY, DURAND, FANNIN, FAUCHEUX, FRITH,
GEYMANN, GREENE, E. GUILLORY, M. GUILLORY, HARRIS, HEATON,
HEBERT, HILL, HOPKINS, JACKSON, JOHNS, KATZ, KENNEY,
LAFONTA, LAMBERT, MCDONALD, MORRELL, MORRISH, PIERRE,
PINAC, M. POWELL, T. POWELL, RICHMOND, RITCHIE, ROBIDEAUX,
ROMERO, SALTER, SCALISE, GARY SMITH, JACK SMITH, JANE
SMITH, JOHN SMITH, STRAIN, THOMPSON, TOWNSEND, TRAHAN,
WADDELL, WALKER, WHITE, AND WINSTON AND SENATORS
MOUNT, ROMERO, AND THEUNISSEN
AN ACT

To enact R.S. 49:220.5(F) and (G), relative to the Louisiana Recovery Authority; to provide for certain duties of the Louisiana Recovery Authority; to require certain plans, assessments, and reports; to provide for the content of such plans, assessments, and reports; and to provide for related matters.

HOUSE BILL NO. 317—
BY REPRESENTATIVE CROWE
AN ACT

To amend and reenact R.S. 13:2106(C), relative to the clerks of court in St. Tammany Parish; to specify some organizations to whom the clerk of the city court of Slidell shall remit funds collected to provide shelter for battered and homeless women and their children; to specify the organizations to whom the clerk of the Twenty-Second Judicial District Court in St. Tammany Parish shall remit funds collected to provide shelter for battered and homeless women and their children; and to provide for related matters.

HOUSE BILL NO. 318—
BY REPRESENTATIVE RICHMOND
AN ACT

To enact R.S. 22:1484(10), relative to insurance; to provide for prohibiting the use of credit information that would increase expiring premiums for policies that renew during a certain period; and to provide for related matters.

HOUSE BILL NO. 329—
BY REPRESENTATIVE DURAND
AN ACT

To amend and reenact R.S. 15:571.11(L)(1)(a)(introductory paragraph) and (b) and to enact R.S. 15:571.11(L)(1)(c) and (d), relative to distribution of bond forfeitures; to provide for distribution of monies collected from bond forfeitures in the parishes of Iberia and St. Martin; to provide for the percentage of distribution of monies collected to specific entities; and to provide for related matters.

HOUSE BILL NO. 408—
BY REPRESENTATIVE HUNTER AND SENATOR ULLO
AN ACT

To amend and reenact R.S. 46:1606(B) and (D) and to enact R.S. 46:1606(F) and 1608(F), relative to councils on aging; to provide for the distribution of funds to parish councils on aging in the event of a disaster; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 436—
BY REPRESENTATIVE GREENE
AN ACT

To enact R.S. 49:331, relative to public funds; to require commercial couriers who transport public funds to furnish a fidelity bond; and to provide for related matters.

HOUSE BILL NO. 488—
BY REPRESENTATIVE MARTINY AND SENATOR DUPRE
AN ACT

To enact R.S. 36:509(E)(1) and to repeal R.S. 36:509(B)(5), relative to the Hurricane Flood Protection Advisory Commission; to provide for the nature of its placement within the Department of Transportation and Development; and to provide for related matters.

HOUSE BILL NO. 529—
BY REPRESENTATIVE WALKER
AN ACT

To enact Part X of Chapter 6 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:3081, relative to Avoyelles Parish; to authorize the governing authority of the parish, subject to voter approval, to establish and collect a mosquito abatement service charge or rates of service charges; to provide for collection and use thereof; and to provide for related matters.

HOUSE BILL NO. 657—
BY REPRESENTATIVE SALTER
AN ACT

To amend and reenact Section 1 and to repeal Section 2 of Act No. 453 of the 2005 Regular Session of the Legislature, which authorizes the state of Louisiana to forgive certain debt due to the state from the Sabine River Authority; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 659—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 6:1004.1(A) and (B)(1), 1004.2, 1006(A) and (B)(2), and 1007(A) and (B) and to enact R.S. 6:1004(D) and 1006(C), relative to the Louisiana Check Cashing Law; to provide for change of control provisions; to provide for application and renewal fees; to provide for investigation of violations; to provide relative to application and reapplication

for licenses; to provide for hearings for violators; to provide for fees and name and location changes; and to provide for related matters.

HOUSE BILL NO. 693—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 40:972, 973(A), (C), (E), (F), (G)(1) and (2)(a), 974(A)(introductory paragraph) and (C), 975(A)(introductory paragraph) and (5), (B) through (E), and (G)(1) and (3), 976, 977, 984(introductory paragraph), 986(B)(introductory paragraph) and (3)(b), 988(A)(introductory paragraph), (B), and (C), 990(C), 992(A)(introductory paragraph), (B)(introductory paragraph), and (C) through (E), and 994, relative to controlled dangerous substances licenses; to provide for the transfer of the authority to issue licenses from the Department of Health and Hospitals to the Louisiana Board of Pharmacy; to provide for a fee schedule; to provide for administrative and enforcement exceptions; and to provide for related matters.

HOUSE BILL NO. 708—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To amend and reenact R.S. 27:392(B)(2)(b), relative to the Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to provide for the use of a portion of such monies to support functions of the Louisiana Racing Commission; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 728—

BY REPRESENTATIVES LAMBERT, ALEXANDER, ARNOLD, BADON, BAUDOIN, BAYLOR, BRUCE, BURNS, R. CARTER, CAZAYOUX, CHANDLER, CRANE, CRAVINS, CROWE, CURTIS, DARTEZ, DEWITT, DOERGE, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, HEBERT, HILL, HOPKINS, HUNTER, HUTTER, JEFFERSON, KATZ, KENNEY, LABRUZZO, LANCASTER, MCDONALD, MCVEA, PIERRE, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RITCHIE, SALTER, SCALISE, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TRAHAN, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, AND WOOTON AND SENATOR AMEDEE

AN ACT

To amend and reenact R.S. 47:481 and to enact Part XI-A of Chapter 1 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:194, relative to certain state highways; to create the State Highway Improvement Fund as a special fund in the state treasury; to provide for the deposit and use of monies in the fund; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 742—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 40:1730.27(B), 1730.35(A) and (C), and 1730.36, relative to state building codes; to provide for effective period of emergency provisions; to provide for application process; to provide for registration; and to provide for related matters.

HOUSE BILL NO. 768—

BY REPRESENTATIVES STRAIN, PINAC, BADON, BARROW, FANNIN, GREENE, HONEY, KENNEY, AND T. POWELL

AN ACT

To amend and reenact Section 2 of the Act which originated as House Bill No. 154 of the 2006 Regular Session of the Legislature and to enact R.S. 17:170.1(F), relative to immunizations; to provide relative to the implementation of the provisions of R.S. 17:170.1 relative to providing documentation of certain immunizations as enacted by the Act which originated as House Bill No. 154 of the 2006 Regular Session of the Legislature; and to provide for related matters.

HOUSE BILL NO. 782—

BY REPRESENTATIVE FAUCHEUX

AN ACT

To enact R.S. 33:1448(S), relative to the premium costs of group hospital and health insurance for retired sheriffs and retired deputy sheriffs throughout the state and certain employees of other entities; to provide restrictions on eligibility to receive the benefit of having the premium cost of group insurance; to require a retiree or prospective retiree to retire directly from the sheriff's office or other designated entities in order to be eligible for the benefit; and to provide for related matters.

HOUSE BILL NO. 850—

BY REPRESENTATIVES BEARD AND SCHNEIDER

AN ACT

To enact R.S. 18:1505.2(S), relative to campaign contributions from persons who have entered into certain transactions; to prohibit such persons from making contributions to certain elected officials; to prohibit elected officials from accepting campaign contributions from such persons; to provide relative to penalties; to provide relative to definitions; to provide relative to dates of application; and to provide for related matters.

HOUSE BILL NO. 877—

BY REPRESENTATIVE DAMICO

AN ACT

To enact R.S. 30:2014(D)(5), relative to solid waste; to provide for fees collected from certain solid waste facilities; to authorize the secretary of the Department of Environmental Quality to promulgate rules and regulations; and to provide for related matters.

HOUSE BILL NO. 979—

BY REPRESENTATIVE E. GUILLORY

AN ACT

To amend and reenact R.S. 49:220.5(C)(3), relative to the Louisiana Recovery Authority; to provide for the use of minority-owned businesses in certain recovery-related activities; and to provide for related matters.

HOUSE BILL NO. 1096—

BY REPRESENTATIVE LAFLEUR

AN ACT

To enact R.S. 13:782(I)(4)(d), relative to clerks of courts; to provide that any clerk of court in office for fifty or more years shall be deemed certified under the certification requirements; to provide that such clerk shall not be required to personally attend renewal certification courses; to provide that such clerk shall designate an employee of his office to attend certification courses on his behalf; and to provide for related matters.

HOUSE BILL NO. 1097—

BY REPRESENTATIVES LAFLEUR, ALEXANDER, BALDONE, BAUDOIN, BAYLOR, BRUCE, BURRELL, CAZAYOUX, CRANE, CRAVINS, CROWE, DANIEL, DARTEZ, DOERGE, DORSEY, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FRITH, GLOVER, GREENE, M. GUILLORY, HEBERT, HILL, HUTTER, JOHNS, KATZ, KENNEY, LABRUZZO, MCDONALD, MONTGOMERY, ODINET, PITRE, M. POWELL, T. POWELL, RITCHIE, ROBIDEAUX, SALTER, SCALISE, SMILEY, GARY SMITH, JACK SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOWNSEND, WADDELL, WALKER, WHITE, AND WINSTON

AN ACT

To enact R.S. 9:2800.16, relative to a limitation of liability; to provide immunity for the use of force or violence in certain circumstances; to provide for attorney fees; to provide for costs and expenses; and to provide for related matters.

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 web site; to provide for the initial payment of the registration fee upon release from confinement; and to provide for related matters.

HOUSE BILL NO. 1206—
BY REPRESENTATIVE QUEZAIRE
AN ACT

To require the mayors of certain municipalities within the territorial boundaries of certain airport authorities to be members of the boards of commissioners of such airport authorities; and to provide for related matters.

HOUSE BILL NO. 1256—
BY REPRESENTATIVE SCALISE
AN ACT

To amend and reenact R.S. 29:726(E)(20) and to enact R.S. 29:726(E)(21), relative to the duties of the Governor's Office of Homeland Security and Emergency Preparedness; to require the office to study the pre-bidding of certain disaster response contracts; and to provide for related matters.

HOUSE BILL NO. 1260—
BY REPRESENTATIVES M. POWELL AND SCALISE
AN ACT

To amend and reenact R.S. 14:38.2(A)(2) and R.S. 17:416(A)(1)(c)(vii)(aa), (bb), and (cc), relative to assault on a school employee; to define the crime of assault on a school employee; to provide for the discipline of public elementary and secondary school pupils found guilty of certain offenses involving assault on a school employee; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 1274—
BY REPRESENTATIVE TOOMY
AN ACT

To amend and reenact R.S. 1:55(E)(1)(b) and to enact R.S. 1:55(E)(5), relative to holidays for the clerk of court's office of a district court, parish court, and city court and holidays of all the courts; 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; to provide clarification for the holidays of courts generally; and to provide for related matters.

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.

HOUSE BILL NO. 1334—
BY REPRESENTATIVE CROWE AND SENATOR BROOME
AN ACT

To amend and reenact R.S. 17:415.1(C), relative to textbook adoption; to provide for duration of time, locations, and procedures relative to inspection and review of textbooks prior to state adoption; to provide for rules and regulations; and to provide for related matters.

HOUSE BILL NO. 1364 (Substitute for House Bill No. 50 by Representative Thompson)—
BY REPRESENTATIVES THOMPSON AND KENNEY AND SENATORS ELLINGTON, MARIONNEAUX, AND SHEPHERD
AN ACT

To amend and reenact R.S. 14:103(B) and to enact R.S. 14:103(A)(7) and (8), relative to disturbing the peace; to provide for additional elements of the crime of disturbing the peace relative

to funerals; to provide for additional penalties; and to provide for related matters.

Respectfully submitted,
DONALD RAY KENNARD
Chairman

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

Leave of Absence

- Rep. Barrow - 1 day
- Rep. Jefferson - 1 day
- Rep. T. Powell - 1 day
- Rep. Winston - 1 day

Adjournment

On motion of Rep. Kenney, at 8:18 P.M., the House agreed to adjourn until Sunday, June 18, 2006, at 4:00 P.M.

The Speaker of the House declared the House adjourned until 4:00 P.M., Sunday, June 18, 2006.

ALFRED W. SPEER
Clerk of the House