

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

EIGHTH DAY'S PROCEEDINGS

**Thirty-third Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

House of Representatives
State Capitol
Baton Rouge, Louisiana

Thursday, May 10, 2007

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

Morning Hour

ROLL CALL

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

PRESENT

Mr. Speaker	Fauchoux	Morrish
Alario	Frith	Odinet
Alexander	Gallot	Pierce
Anders	Geymann	Pinac
Ansardi	Gray	Pitre
Arnold	Greene	Powell, M.
Badon	Guillory, E.J.	Powell, T.
Baldone	Guillory E.L.	Quezaire
Barrow	Guillory, M.	Richmond
Baudoin	Harris	Ritchie
Baylor	Hebert	Robideaux
Beard	Hill	Romero
Bowler	Honey	Scalise
Bruce	Hunter	Schneider
Burns	Hutter	Smiley
Burrell	Jackson	Smith, G.
Carter, K.	Jefferson	Smith, J.D.—50th
Carter, R.	Johns	Smith, J.H.—8th
Cazayoux	Katz	Smith, J.R.—30th
Chandler	Kennard	St. Germain
Crane	Kenney	Strain
Crowe	Kleckley	Thompson
Curtis	LaBruzzo	Toomy
Damico	LaFleur	Townsend
Daniel	LaFonta	Trahan
Dartez	Lambert	Triche
Doerge	Lancaster	Tucker
Dorsey	Lorusso	Walker
Dove	Marchand	Walsworth
Downs	McDonald	Williams
Durand	McVea	White

Erdey	Montgomery	Winston
Fannin	Morrell	Wooton
Farrar	Morris	
Total - 101		

ABSENT

DeWitt	Martiny
Heaton	Waddell
Total - 4	

The Speaker announced that there were 101 members present and a quorum.

Prayer

Prayer was offered by Rep. Chandler.

Pledge of Allegiance

Rep. Baudoin 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. Frith, the reading of the Journal was dispensed with.

On motion of Rep. Michael Powell, and under a suspension of the rules, the Journal of May 9, 2007, was corrected to reflect him as voting yea on final passage of House Bill No. 729.

On motion of Rep. Tucker, the Journal of May 9, 2007, was adopted.

**Petitions, Memorials and
Communications**

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

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

May 10, 2007

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. 90
Returned without amendments

House Concurrent Resolution No. 94
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

**ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

May 10, 2007

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. 44, 46, and 47

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

SENATE BILLS

May 10, 2007

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

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

Senate Bill Nos. 56, 128, 195, 259, 286, and 287

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

**Senate Bills and Joint Resolutions
on First Reading**

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

SENATE BILL NO. 56—
BY SENATOR BARHAM

AN ACT

To enact R.S. 42:808(A)(11) and 851(R), relative to state group insurance; to provide for certain insurance coverage through the office of group benefits for certain state employees and officials after the conclusion of their state service; to provide relative to the eligibility of such persons to participate in programs sponsored by the office of group benefits; to provide for limitations; and to provide for related matters.

Read by title.

SENATE BILL NO. 128—
BY SENATORS HEITMEIER, BAJOIE, N. GAUTREAU, MARIONNEAUX AND NEVERS

A JOINT RESOLUTION

Proposing to amend Article X, Section 10(A)(1) of the Constitution of Louisiana, relative to state and city civil service commission rules; to authorize supplemental pay for certain sworn, commissioned, law enforcement officers and fire protection officers employed on a full-time basis by a police agency of the state or its political subdivisions and a port authority from any available funds; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

SENATE BILL NO. 195—
BY SENATORS CAIN, BARHAM, BROOME, CRAVINS, ELLINGTON, FIELDS, FONTENOT, HOLLIS, KOSTELKA, LENTINI, MALONE, MICHOT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, CASSIDY, DUPLESSIS, DUPRE, HINES, JONES, MARIONNEAUX, MCPHERSON AND ULLO

AN ACT

To amend and reenact R.S. 22:1430.11(A), (C), and (D), 1430.12(A), 1430.22 (A) and to enact R.S. 22:1430.23, 1474(B)(6) and R.S. 49:332, and to repeal R.S. 22:1430.22(B) and (C), relative to the

Louisiana Citizens Property Insurance Corporation; to provide for the state treasurer to execute a request for proposal; to authorize private insurance carriers to submit a proposal for assuming the polices, and future risk associated with policies, sold by the Louisiana Citizens Property Insurance Corporation; to provide for an exception to agent's exclusive use of renewal information; to clarify rate making; to provide for agent compensation; and to provide for related matters.

Read by title.

SENATE BILL NO. 259—
BY SENATORS CAIN, N. GAUTREAU, HINES, MARIONNEAUX AND NEVERS

AN ACT

To amend and reenact R.S. 23:1195(A)(1) and (5), (B)(introductory paragraph), (B)(2), (C)(introductory paragraph), (C)(1) and (2), 1196 (A)(1) and (2)(a), (b), and (c), (3), (5), (6)(b)(introductory paragraph) and (G) and to enact R.S. 23:1195(C)(5), 1200.4, 1200.5, 1200.6, and to repeal R.S. 23:1195(B)(1)(c) and 1196(H), relative to workers' compensation; to provide with respect to group self-insurance funds; to provide for self-insurers; to require certain documents be maintained by the self-insurer; to change the amount of retained premiums that self-insurers must maintain; and to provide for related matters.

Read by title.

SENATE BILL NO. 286—
BY SENATORS HEITMEIER, BAJOIE, N. GAUTREAU, HINES, MARIONNEAUX AND NEVERS

AN ACT

To amend and reenact 33:2218.2(A)(2) and to enact R.S. 33:2002(A)(4), relative to supplemental pay; to provide for supplemental pay for certain sworn, commissioned full-time law enforcement officers of certain state agencies and political subdivisions providing police services within certain municipalities; to provide for supplemental pay for certain fire protection officers; to provide for effectiveness; and to provide for related matters.

Read by title.

SENATE BILL NO. 287—
BY SENATORS HEITMEIER, BAJOIE, ELLINGTON, FIELDS, JONES, MCPHERSON, ULLO, ADLEY, AMEDEE, BARHAM, BOASSO, BROOME, CAIN, CASSIDY, CHAISSON, CRAVINS, DUPLESSIS, DUPRE, FONTENOT, B. GAUTREAU, N. GAUTREAU, HINES, HOLLIS, KOSTELKA, MALONE, MARIONNEAUX, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH AND THEUNISSEN

AN ACT

To amend and reenact R.S. 33:2002(A)(1), 2218.2(A)(1) and (2)(a) and 2218.8(B) and (G), relative to fire and police departments; to provide with respect to extra compensation and supplemental pay for firemen, police officers, law enforcement officers of certain state agencies and political subdivisions providing police services within certain municipalities, deputy sheriffs, and full-time deputy sheriffs employed as field representatives or process servers; to increase such extra compensation of supplemental pay; to provide for an effective date; and to provide for related matters.

Read by title.

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

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

HOUSE CONCURRENT RESOLUTION NO. 95—

BY REPRESENTATIVE GALLOT

A CONCURRENT RESOLUTION

To urge and request the United States Postal Service to revise the current city designations of mailing addresses in unincorporated areas to be consistent with the nearest municipality.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 96—

BY REPRESENTATIVE WALKER

A CONCURRENT RESOLUTION

To commend Dr. John Robert Cavanaugh as he prepares to retire as chancellor of Louisiana State University in Alexandria.

Read by title.

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

Ordered to the Senate.

House and House Concurrent Resolutions

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

HOUSE RESOLUTION NO. 29—

BY REPRESENTATIVE RICHMOND

A RESOLUTION

To amend and readopt House Rule 14.32(B) of the Rules of Order of the House of Representatives; to require certain persons to disclose certain information prior to appearing or presenting information to a committee; and to provide for certain penalties for failure to disclose.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 91—

BY REPRESENTATIVE RICHMOND

A CONCURRENT RESOLUTION

To direct the commissioner of administration to change the expenditure limit for Fiscal Year 2006-2007.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 92—

BY REPRESENTATIVE SCHNEIDER

A CONCURRENT RESOLUTION

To urge and request all agencies of the state to cease procurements from and contracts with companies with facilities or employees in prohibited nations; and to provide for related matters.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 93—

BY REPRESENTATIVE JEFFERSON

A CONCURRENT RESOLUTION

To urge and request the Division of Administration, office of community development, adopt more stringent performance standards and penalties in the Road Home contract.

Read by title.

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

Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 43—

BY SENATORS MCPHERSON AND SMITH

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Roy O. Martin, Jr., the former president and CEO of Roy O. Martin Lumber Management, L.L.C., and philanthropist.

Read by title.

Motion

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

House Bills and Joint Resolutions on Second Reading to be Referred

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

HOUSE BILL NO. 933—

BY REPRESENTATIVE WILLIAMS

AN ACT

To enact R.S. 47:297.7 and 297.8, relative to the individual income tax; to provide for a credit for certain residential, industrial, and commercial property energy efficiency improvements; to provide for a credit for certain solar energy improvements; to provide for limitations and requirements for such credits; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

HOUSE BILL NO. 934—

BY REPRESENTATIVE WOOTON

AN ACT

To provide for capital outlay appropriations for Fiscal Year 2007-2008 for purposes of the comprehensive state capital outlay budget to include certain projects; to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 935—

BY REPRESENTATIVE GALLOT

AN ACT

To amend and reenact R.S. 47:301(10)(v) and (w), (14)(i), and (16)(d), 321(A), 337.10(H)(1), and 6014(E)(1)(a), to enact R.S. 47:301(29), 301.1, 302(C), and 331(C), and to repeal R.S. 47:301(14)(i)(i), (ii), (iii), (iv), (v), and (vi), 302(C), and 331(C), relative to the taxation of telecommunication services; to provide for definitions; to provide for rules for sourcing of taxable telecommunication services and certain ancillary services; to provide for sourcing of taxable sales of certain prepaid calling services and prepaid wireless calling services; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

HOUSE BILL NO. 936—

BY REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact R.S. 36:107(A) and 109(J) and R.S. 47:1123(10), 1125(C)(3), and 6007, relative to motion picture investor tax credits; to provide for various changes and modifications of the credit; to provide for administrators of the tax credit; to provide for time limits for the tax credits; to provide for a cap for certain tax credits; to provide for application of the Act to certain projects; to dedicate certain fees; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

HOUSE BILL NO. 937—

BY REPRESENTATIVE MARCHAND

AN ACT

To enact R.S. 47:287.744 and 297.7, relative to income tax deductions; to provide for an individual and corporation income tax deduction for certain services donated by certain contractors to nonprofit organizations; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

HOUSE BILL NO. 938—

BY REPRESENTATIVE ALARIO

AN ACT

To provide with respect to the Revenue Sharing Fund and the allocation and distribution thereof for Fiscal Year 2007-2008; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 939—

BY REPRESENTATIVE TOWNSEND

AN ACT

To enact R.S. 47:297(P) relative to the individual income tax; to provide a tax credit for individuals whose income is less than or equal to the federal poverty level; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

HOUSE BILL NO. 940—

BY REPRESENTATIVE BURRELL

AN ACT

To amend and reenact R.S. 47:297.6(A)(1) and (5), relative to individual income tax credits; to increase the tax credit for the rehabilitation of residential structures in certain areas; to increase the maximum amount of credits allowed by the State Historic Preservation Office; to extend the time period for the credit; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

HOUSE BILL NO. 941—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 47:6007(B), (C), and (D)(2), relative to the motion picture investor tax credit; to provide relative to certain definitions; to provide relative to the tax credit for state-certified infrastructure projects; to provide relative to the certification of expenditures; to provide relative to the calculation of tax credits; to extend the deadline for granting tax credits for state-certified infrastructure projects; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

HOUSE BILL NO. 942—

BY REPRESENTATIVE ALARIO

AN ACT

To provide for supplemental capital outlay appropriations for Fiscal Year 2006-2007 for the comprehensive state capital outlay budget to include certain projects; to provide for deposit of monies into certain funds; to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 943—

BY REPRESENTATIVE HEBERT

AN ACT

To enact R.S. 47:6026, relative to income tax credits; to provide for a refundable credit against state income taxes to certain taxpayers for a certain amount of the difference between the taxpayers' 2007 property and casualty insurance premium and the 2005 property and casualty insurance premium; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

HOUSE BILL NO. 944—

BY REPRESENTATIVE WALSWORTH

AN ACT

To enact R.S. 47:305.56, relative to sales and use tax exemptions; to provide for a state sales and use tax exemption for certain water conservation equipment in the Sparta Groundwater Conservation District; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

HOUSE BILL NO. 945—
BY REPRESENTATIVE WALSWORTH
AN ACT

To enact the Louisiana Tax Delinquency Amnesty Act of 2007; to provide for definitions; to require the Department of Revenue to establish a tax amnesty program as provided for in this Act; to provide for terms and conditions of the program; to provide for an effective date; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 946—
BY REPRESENTATIVES TUCKER, K. CARTER, AND MORRELL
AN ACT

To enact Subpart N of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:100.51, relative to state funds; to establish The Road Home Fund as a special treasury fund; to dedicate certain state revenues and receipts for deposit into the fund; to provide for the investment and use of monies in the fund; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 947—
BY REPRESENTATIVES LAMBERT, CRANE, ERDEY, AND WHITE
AN ACT

To enact Subpart N of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:100.51, relative to state funds; to establish the I-10 and I-12 Corridor Expansion Fund as a special treasury fund; to dedicate certain state revenues and receipts for deposit into the fund; to provide for the investment and use of monies in the fund; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 948—
BY REPRESENTATIVES LAMBERT, CRANE, ERDEY, AND WHITE
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2007-2008 by Statutory Dedications from the I-10 and I-12 Corridor Improvement Fund for capital outlay appropriations to the Department of Transportation and Development for projects relating to portions of Interstate 10 and Interstate 12; to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 949—
BY REPRESENTATIVE MARCHAND
AN ACT

To enact R.S. 47:297(P), relative to the individual income tax; to provide for a tax credit for persons who volunteer for certain recreation departments; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

HOUSE BILL NO. 950—
BY REPRESENTATIVE ALARIO
AN ACT

To appropriate funds for Fiscal Year 2007-2008 for the state Medicaid program for additional emergency Elderly and Disabled Adult Waiver slots for persons with amyotrophic lateral sclerosis (ALS); to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 951—
BY REPRESENTATIVE ALARIO
AN ACT

To appropriate funds for Fiscal Year 2007-2008 for the state Medicaid program for additional Elderly and Disabled Adult Waiver slots; to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 952—
BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 47:305.56, relative to sales and use taxes; to provide for a state and local sales and use tax exemption for sales or purchases of certain items used in the construction of steel manufacturing facilities; to authorize the promulgation of rules and regulations; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

HOUSE BILL NO. 953—
BY REPRESENTATIVE ALARIO
AN ACT

To appropriate funds and to make certain reductions in appropriations from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations and reductions for said agencies and purposes for Fiscal Year 2006-2007; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 954—
BY REPRESENTATIVE TRICHE
AN ACT

To appropriate funds for Fiscal Year 2007-2008 to the Secretary of State to provide for elections expenses related to the North Lafourche Revitalization District; to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 955—

BY REPRESENTATIVE LAMBERT
AN ACT

To amend and reenact R.S. 33:130.16, 130.17, and 130.18, relative to tax exemptions; to provide for an exemption for certain taxpayers in certain industrial areas; to provide relative to industrial areas within newly created special service districts; to clarify certain statutory references; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

HOUSE BILL NO. 956—

BY REPRESENTATIVE RICHMOND
AN ACT

To enact R.S. 47:6026, relative to certain tax credits; to provide an income tax and corporation franchise tax credit for taxpayers exporting cargo through a Louisiana port, harbor, or terminal district; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

HOUSE BILL NO. 957—

BY REPRESENTATIVE WHITE AND SENATOR FONTENOT
AN ACT

To amend and reenact R.S. 37:1103(7) and (10)(c) and 1106(A)(4), relative to fees to support licensing of certain counselors; to provide for the assessment or increase of a fee by the Louisiana Licensed Professional Counselors Board of Examiners; to provide for definitions to include psychotherapy within certain defined terms; to increase certain license fees; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 958—

BY REPRESENTATIVE BEARD
AN ACT

To amend and reenact R.S. 33:9038.31, 9038.32, 9038.34, 9038.37, 9038.38(M) and (P), and 9038.42(A) and (B)(1) and (2), to enact R.S. 33:9038.33.1, and to repeal R.S. 33:9038.42(B)(3), relative to tax increment financing; to provide for taxes which can be utilized; to provide for the issuance of bonds; to provide for the dedication of certain revenues to secure such debt; to provide for the use of tax increment financing by the state for certain purposes; to provide for creation of economic development districts by certain state officials; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

Senate Bills and Joint Resolutions on Second Reading to be Referred

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

SENATE BILL NO. 61—

BY SENATOR CAIN
AN ACT

To designate the Hickory Creek Bridge located on Louisiana Highway 110, west of Longville, in Beauregard Parish, Louisiana, as the "Doris Coleman Guillory Bridge"; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 75—

BY SENATORS DUPRE AND SMITH
AN ACT

To designate and name certain highways and portions of highways; to designate a portion of Louisiana Highway 3235 near the town of Golden Meadow as Veterans Memorial Highway 3235; to designate certain portions of United States Highway 84 and Louisiana Highway 6 as the El Camino East/West Corridor; and to provide for related matters.

Read by title.

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

House Bills and Joint Resolutions on Second Reading Reported by Committee

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

HOUSE BILL NO. 149—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 47:9025(B)(1) and to enact R.S. 47:9027, relative to lottery prizes; to provide for the assignment of deferred lottery annuity prizes; to provide for procedures for issuing a court order approving a voluntary assignment; to provide criteria for issuing a court order approving a voluntary assignment; to provide for the establishment of fees to defray administrative costs associated with assignments; to provide for a time period for cancellation of the assignment; to provide limitations and restrictions with respect to assignments; to provide time periods for notice of hearings; to provide time periods regarding action to be taken by the corporation with respect to assignments; to provide with respect to limitations of liability; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 184—

BY REPRESENTATIVES MARTINY, BALDONE, CAZAYOUX, DEWITT, AND JANE SMITH
AN ACT

To enact R.S. 14:67.24, relative to criminal offenses; to create the crime of theft of utility property; to provide for definitions and penalties; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 184 by Representative Martiny

AMENDMENT NO. 1

On page 1, line 15, after "provide" and before "utility" delete "public"

AMENDMENT NO. 2

On page 1, line 20, after "that" delete the remainder of the line and insert in lieu thereof "a utility uses in the production or use of its services."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 309—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 22:675(C)(3), relative to group health plans; to decrease the minimum aggregate stop-loss limit for a group health plan with fifty-one or more participants to one hundred ten percent of the group health plan's total expected claims per policy period; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Original House Bill No. 309 by Representative Johns

AMENDMENT NO. 1

On page 1, line 3, after "plan" insert "with fifty-one or more participants"

AMENDMENT NO. 2

On page 1, line 17, after "for" delete "the group health plan" and insert "groups of fifty or fewer"

AMENDMENT NO. 3

On page 1, line 18, after "hundred" change "ten" to "twenty"

AMENDMENT NO. 4

On page 1, at the end of line 19, insert the following:

"The aggregate stop-loss or excess limit or attachment point for groups of fifty-one or more shall be, at a minimum, one hundred ten percent of the group health plan's total expected claims per policy period."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 311—

BY REPRESENTATIVES JACK SMITH, FRITH, ODINET, PIERRE, AND ST. GERMAIN

AN ACT

To enact R.S. 56:303.7.1 and 306.8 and to repeal R.S. 56:303.7.1 and 306.8, relative to the sale of crawfish; to temporarily exempt the commercial sale of crawfish from certain regulations; to require certain meetings and a report; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 311 by Representative Jack Smith

AMENDMENT NO. 1

On page 1, line 2, after both instances of "R.S. 56:303.7.1" insert "and 306.8"

AMENDMENT NO. 2

On page 1, line 6, after "R.S. 56:303.7.1" insert "and 306.8" and change "is" to "are"

AMENDMENT NO. 3

On page 1, line 8, change "R.S. 56:303.7(B) and (C) do" to "R.S. 56:303.4, 303.7(B) and (C), 306.4(A)(2), and 306.5 shall"

AMENDMENT NO. 4

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

** * *

§306.8. Commercial sale of crawfish

A. The provisions of R.S. 56:303.4, 303.7(B) and (C), 306.4(A)(2), and 306.5 shall not apply to the sale of crawfish by a commercial fisherman.

B. This Section shall cease to be effective on July 1, 2009."

AMENDMENT NO. 5

On page 1, line 19, change "is" to "and 306.8 are" and change "its" to "their"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 381—

BY REPRESENTATIVES BOWLER AND K. CARTER

AN ACT

To amend and reenact R.S. 22:629(B) and 691(F), relative to insurance contracts; to provide an insurance contract may not limit the insured's right of action against the insurer to a period of less than two years; and to provide for related matters.

Read by title.

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Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Original House Bill No. 381 by Representative Bowler

AMENDMENT NO. 1

On page 7, line 19 after "any" and before "claim" insert "first-party"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 393—

BY REPRESENTATIVES WINSTON, GRAY, AND MCDONALD
AN ACT

To amend and reenact R.S. 46:460.21(A)(1), (2), (3), (5)(introductory paragraph), and (6) and (B)(1) and to enact R.S. 46:460.21(B)(1.1) and (G) and Chapter 6 of Title IV of the Louisiana Children's Code, to be comprised of Articles 571 through 575, and Part II of Code Title XIV of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:185.1 through 185.9, relative to the representation of indigent parents in child abuse and neglect cases; to provide for the establishment of the indigent parents representation program; to provide for the powers and duties of the Indigent Defense Assistance Board or any successor to that board; to provide that the Indigent Defense Assistance Board or any successor to that board administer a program to provide representation for indigent parents in abuse and neglect cases; to provide for legislative findings; to provide for definitions; to provide for uniform standards and guidelines for the representation of indigent parents in certain cases; to provide for mandatory training for attorneys representing indigent parents in certain cases; to create the Louisiana Indigent Parent Representation Program Fund; to provide for administration of the fund; to prohibit the commingling of revenues in the fund; to provide for the adoption of rules; to provide for the effect to be given to provisions; to provide for reporting requirements of cases; to provide for auditing; to provide for the incremental implementation; to provide for a time period for implementation; to provide for the transfer and use of certain funds in child protection cases; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 393 by Representative Winston

AMENDMENT NO. 1

On page 1, line 8, change "parent's" to "parents"

AMENDMENT NO. 2

On page 1, at the end of line 17, insert "to"

AMENDMENT NO. 3

On page 2, line 2, after "Code" insert a comma ","

AMENDMENT NO. 4

On page 2, line 3, after "575" insert a comma ","

AMENDMENT NO. 5

On page 2, line 6, after "findings" delete the period "."

AMENDMENT NO. 6

On page 3, line 9, change "2" to "II"

AMENDMENT NO. 7

On page 4, line 2, between "R.S." and "185.1" insert "15:"

AMENDMENT NO. 8

On page 4, line 12, between "words" and "have" insert "shall"

AMENDMENT NO. 9

On page 4, line 16, change "constitutions" to "Constitutions"

AMENDMENT NO. 10

On page 5, line 5, between "or" and "nonprofit" insert "a"

AMENDMENT NO. 11

On page 5, line 6, between "board" and "district" delete the comma "," and insert "or the" and after "defender" delete the comma "," and "or the board"

AMENDMENT NO. 12

On page 5, line 10, delete "grants or donations or other" and insert in lieu thereof "grants, donations, or other"

AMENDMENT NO. 13

On page 6, line 11, change "supreme court" to "Louisiana Supreme Court"

AMENDMENT NO. 14

On page 7, line 15, delete "The board shall establish" and insert "Establish"

AMENDMENT NO. 15

On page 7, line 22, change "to" to "for"

AMENDMENT NO. 16

On page 8, line 11, delete "The board shall assign" and insert "Assign"

AMENDMENT NO. 17

On page 9, line 4, delete "C.(1) The board shall assign appropriate staff to assist" and insert in lieu thereof "(g) Assist"

AMENDMENT NO. 18

On page 9, line 9, change "(2) The board shall also work" to "(20) Work"

AMENDMENT NO. 19

On page 9, line 11, between "Program," and "CASA" insert "court-appointed special advocate programs" and change "CASA" to "(CASA)"

AMENDMENT NO. 20

On page 9, line 13, change "D." to "C."

AMENDMENT NO. 21

On page 9, line 24, change "E." to "D."

AMENDMENT NO. 22

On page 10, line 8, change "Those" to "Ensuring the"

AMENDMENT NO. 23

On page 11, line 8, change "all" to "both"

AMENDMENT NO. 24

On page 12, line 16, change "Establish" to "Establishing"

AMENDMENT NO. 25

On page 12, line 19, change "Establish" to "Establishing"

AMENDMENT NO. 26

On page 12, line 24, change "Establish" to "Establishing"

AMENDMENT NO. 27

On page 13, line 6, delete "the 'LIPRP Fund'" and insert "'the fund'"

AMENDMENT NO. 28

On page 13, line 15, delete "pursuant"

AMENDMENT NO. 29

On page 13, line 24, between "or" and "purpose" insert "the" and after "purpose" insert "of providing legal representation in child abuse and neglect cases"

AMENDMENT NO. 30

On page 14, line 28, between "applicable" and "shall" insert a comma ","

AMENDMENT NO. 31

On page 16, line 16, between "appropriation," and "the" insert "or the availability of other monies made available to the program,"

AMENDMENT NO. 32

On page 17, line 5, change "190" to "185.6"

AMENDMENT NO. 33

On page 19, line 23, change "Services" to "Service"

AMENDMENT NO. 34

On page 20, line 4, delete "This provision of law" and insert "The provisions of this Section"

AMENDMENT NO. 35

On page 20, line 13, change "Services" to "Service"

AMENDMENT NO. 36

On page 20, line 18, between "No." and "of" change "___" to "436"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 436—

BY REPRESENTATIVES MARTINY, ANSARDI, BALDONE, BOWLER, BRUCE, BURRELL, CAZAYOUX, FARRAR, GALLOT, GEYMAN, GRAY, GREENE, ELBERT GUILLORY, HEATON, HUNTER, JACKSON, JOHNS, KLECKLEY, LAFLEUR, LANCASTER, LORUSSO, MORRELL, MORRISH, PIERRE, RICHMOND, JANE SMITH, TOWNSEND, TRICHE, TUCKER, WHITE, WINSTON, AND WOOTON AND SENATORS CHAISSON, CRAVINS, JACKSON, MICHOT, MURRAY, AND THEUNISSEN

AN ACT

To amend and reenact R.S. 9:2800.16, R.S. 15:85.1(A)(2)(b), 146 through 149.1, 150, 151, 1202(A)(13), and 1424(B)(3), R.S. 24:513(A)(3), 515.1(A), (B)(introductory paragraph), and (D), and 517.1(F)(1) and (2), R.S. 33:1342(1), R.S. 36:4(D) and 801.1(A), R.S. 39:1302(1)(f), R.S. 46:236.5(B)(2), Children's Code Articles 321(C) and (D), 607(A), 608(B), 740(B), and 809(C) and (E), and Code of Criminal Procedure Articles 944(A), 948(A), and 953, to enact R.S. 15:141 through 143, 149.2, and 152 through 184, to repeal R.S. 15:144, 145, 145.1, and 151.2, and to direct the Louisiana State Law Institute to redesignate certain statutory provisions, all relative to indigent defender services; to enact the Louisiana Public Defender Act; to create the Louisiana Public Defender Board; to provide for the powers and duties of the board; to provide for definitions; to provide for legislative findings; to provide for the authority of the board; to provide for rulemaking; to provide for the hiring of executive staff positions for the board; to provide for job descriptions and qualifications for executive staff; to provide for the establishment of public defender service regions; to provide for the powers and duties of regional directors; to provide for the powers and duties of district public defenders; to provide for the filling of vacancies in the office of district public defenders; to provide for the selection process for employing regional directors; to create the Louisiana Public Defender Fund; to provide for the composition of the fund, administration of the fund, and use of monies from the fund; to provide for the adoption of mandatory standards and guidelines of practice in the delivery of indigent defender services; to provide for qualification standards and mandatory training for attorneys delivering public defender services; to provide for disciplinary actions taken by the board for the failure to comply with mandatory standards and guidelines; to provide for a due process hearing for disciplinary action taken against a regional director or district public defender; to provide for the transfer of the powers, duties, authority, and obligations of the Indigent Defense Assistance Board to the Louisiana Public Defender Board; to provide for the transfer of the duties and functions relating to the delivery of indigent defender services from judicial district indigent defender boards to the judicial district indigent defender fund under the management of the district public defenders; to provide that no right or cause of action is created by the provisions hereof; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 436 by Representative Martiny

AMENDMENT NO. 1

On page 1, line 3, after "151," and before "and" insert "1202(A)(13),"

AMENDMENT NO. 2

On page 37, between lines 2 and 3, insert the following:

"D. Prior to regionalizing a district as provided for in this Section, the board shall send written notice to the chief judge and the district public defender of that judicial district of the board's intention to regionalize the district."

AMENDMENT NO. 3

On page 47, between lines 14 and 15, insert the following:

"J. Prior to terminating or demoting a district public defender, the board shall send written notice to the chief judge of the judicial district of the board's intention to terminate or demote the district public defender of that judicial district."

AMENDMENT NO. 4

On page 53, line 6, after "R.S. 15:85.1(A)(2)(b)" and before "and" insert ", 1202(A)(13),"

AMENDMENT NO. 5

On page 53, between lines 16 and 17, insert the following:

"§1202. Composition of commission

A. The commission shall consist of fifty-five members as follows:

* * *

(13) The ~~director of the State Indigent Defender Board~~ state public defender employed by the Louisiana Public Defender Board;

* * *"

AMENDMENT NO. 6

On page 64, line 27, after "No." and before "of" insert "393"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 453—
BY REPRESENTATIVE ODINET

AN ACT

To amend and reenact R.S. 56:424(E)(2) and 433(J) and to enact R.S. 56:424.1, relative to illegal taking of oysters; to provide consistent vessel monitoring penalties for illegal taking of oysters from public seed grounds and leased acreage, for taking oysters from areas closed for health reasons, and for taking undersized oysters; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 453 by Representative Odinet

AMENDMENT NO. 1

On page 2, line 15, delete "be"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 472—
BY REPRESENTATIVE MORRISH
AN ACT

To enact R.S. 22:1430.10(E) and to repeal R.S. 22:1430.8(B) and 1430.9(B), relative to Louisiana Citizens Property Insurance Corporation; to provide with respect to the adjustment of its assessments on assessable insureds and insurers of assessable insureds upon changes to a policy of insurance; to delete the authorization of its board of directors to establish credit schedules under the Coastal and FAIR plans; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Insurance.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 481—
BY REPRESENTATIVE K. CARTER
AN ACT

To amend and reenact R.S. 22:1078(B)(2) and 1304(A) and (B), relative to insurance fees and expenses; to provide for an annual financial regulation fee; to provide for expenses of an examination or investigation; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Original House Bill No. 481 by Representative K. Carter

AMENDMENT NO. 1

On page 1, line 16, change "\$2,000.00" to "\$1,000.00"

AMENDMENT NO. 2

On page 2, after line 25, insert the following:

"Section 2. This Act shall become effective on July 1, 2007; if vetoed by the governor and subsequently approved by the legislature,

this Act shall become effective July 1, 2007, or on the day following such approval, whichever is later."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 483—
BY REPRESENTATIVES TUCKER AND GARY SMITH
AN ACT

To enact R.S. 22:2(J), relative to the authority of the commissioner of insurance; to provide for the adoption of rules by the commissioner to protect military personnel in insurance matters; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Insurance.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 499—
BY REPRESENTATIVE K. CARTER
AN ACT

To amend and reenact R.S. 22:1078(B)(1), (4), and (8), to enact R.S. 22:1078(B)(25), and to repeal R.S. 22:1078(B)(5), relative to fees collected by the commissioner of insurance; to provide with respect to the fee for an initial certificate of authority for an insurer or rating organization; to provide relative to fees for certified copies of documents; to delete the fee for initial examination of insurance companies; to provide with respect to the fee for filing a charter, other documents, and amendments thereto; to provide for a fee for the issuance of a certificate of compliance; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Original House Bill No. 499 by Representative K. Carter

AMENDMENT NO. 1

On page 1, line 2, after "enact" delete "R.S. 22:1078(B)(1)" and insert "R.S. 22:1078(B)(1), (4),"

AMENDMENT NO. 2

On page 1, line 5, after "organization;" insert "to provide relative to fees for certified copies of documents;"

AMENDMENT NO. 3

On page 1, line 10, after "1." delete "R.S. 22:1078(B)(1)" and insert "R.S. 22:1078(B)(1), (4),"

AMENDMENT NO. 4

On page 1, between lines 19 and 20, insert the following:

"(4) For certified copies of any documents, per page.....\$ ~~3.00~~ .25

* * *

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 514—
BY REPRESENTATIVE KENNEY
AN ACT

To amend and reenact R.S. 56:327(A)(1)(a) and (b)(i), relative to the sale of largemouth bass; to provide relative to length limitations for bass fingerlings; to exempt certain types of bass from length limitation requirements; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 524—
BY REPRESENTATIVE JACK SMITH
AN ACT

To enact Part IV-A of Chapter 4 of Title 34 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 34:852.1 through 852.19, relative to titling of vessels; to provide for titling and registering of vessels; to provide for definitions; to provide for certificates of title; to provide for form and content of application for title and certificate of title; to provide for duplicate titles; to provide for exemptions; to provide for manufacturers and dealers; to provide for transfer of and interest in vessels; to provide for liens; to provide for rules and regulations; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 542—
BY REPRESENTATIVES WALKER, R. CARTER, CURTIS, DOERGE, DURAND, GRAY, ELBERT, GUILLORY, JACKSON, KATZ, STRAIN, WADDELL, AND WINSTON AND SENATOR BAJOE
AN ACT

To enact Part II of Chapter 8 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:977.1 through 977.13, relative to the Louisiana Children and Youth Health Insurance Program; to provide for a short title; to provide a purpose; to provide definitions; to provide for the creation of the Louisiana Children and Youth Health Insurance Program; to provide eligibility requirements; to provide for the promulgation of rules; to provide for the enrollment process; to provide for eligibility in the case of future federal legislation; to provide for health care benefits; to provide for cost sharing requirements; to authorize the department to carry out procedures in regard to premiums; to provide for the department's right to recovery; to provide for amendments or waivers of federal requirements; to provide that premium monies be credited to the Health Care Redesign Fund; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 542 by Representative Walker

AMENDMENT NO. 1

On page 2, line 19, between "definitions" and "apply" insert "shall"

AMENDMENT NO. 2

On page 3, line 2, change "Act" to "Program"

AMENDMENT NO. 3

On page 4, line 17, delete "includes but are not" and insert in lieu thereof "shall include but not be"

AMENDMENT NO. 4

On page 5, line 9, between "made" and "the" insert "by"

AMENDMENT NO. 5

On page 5, line 16, after "Program" insert a comma " , "

AMENDMENT NO. 6

On page 5, line 19, delete "said benefits" and insert in lieu thereof "the health benefits outlined in Subsection A of this Section"

AMENDMENT NO. 7

On page 5, line 27, delete "(A) or"

AMENDMENT NO. 8

On page 6, line 3, change "will" to "shall"

AMENDMENT NO. 9

On page 6, line 6, between "level." and "Notwithstanding" insert the following:

"The department shall work in conjunction with the Children's Defense Fund's Louisiana staff in the rulemaking process regarding the sliding scale, which is based on family income."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 558—

BY REPRESENTATIVES SALTER, DORSEY, TOWNSEND, ANDERS, BOWLER, DURAND, ERDEY, FARRAR, FAUCHEUX, ELCIE GUILLORY, HARRIS, HEBERT, HILL, KLECKLEY, LAFLEUR, MORRELL, PINAC, SCALISE, GARY SMITH, ST. GERMAIN, TOOMY, TUCKER, AND WALSWORTH AND SENATORS DUPRE, HINES, AND NEVERS
AN ACT

To enact R.S. 22:1426, relative to property and casualty insurance; to provide with respect to premium discounts, credits, rate differentials, adjustments in deductibles, or other adjustments on such policies of insurance for compliance with building codes

and for damage mitigation improvements or construction techniques; to authorize the commissioner of insurance to promulgate rules; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Original House Bill No. 558 by Representative Salter

AMENDMENT NO. 1

On page 1, line 15, after "who" insert "build or retrofit a structure to" and after "comply with" insert "the requirements of"

AMENDMENT NO. 2

On page 1, line 16, after "Code" insert a period " ." and delete the remainder of the line

AMENDMENT NO. 3

On page 2, line 2, after "techniques" insert a comma " , "

AMENDMENT NO. 4

On page 2, line 10, after "Council," change "shall" to "may"

AMENDMENT NO. 5

On page 2, line 12, after "regulations" change "shall" to "may"

AMENDMENT NO. 6

On page 2, delete lines 24 and 25 in their entirety

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 678—

BY REPRESENTATIVES K. CARTER, ERDEY, MORRELL, SCALISE, GARY SMITH, TUCKER, AND WALSWORTH
AN ACT

To enact Chapter 10 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:3301 through 3311, relative to addressing the critical need for adequate and affordable residential and commercial property insurance in Louisiana; to establish the "Insure Louisiana Incentive Program" in order to attract new property insurance market capacity through certain public and private partnerships in order to accomplish this essential public purpose; to provide for the administration and funding of the program; to provide for the administration of the program through the execution of cooperative endeavor agreements which provide for matching grants and for the conditions and limitations on such grants; to provide for effectiveness; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Original House Bill No. 678 by Representative K. Carter

AMENDMENT NO. 1

On page 1, line 6, after "capacity" and before the semicolon ";" insert "through certain public and private partnerships in order to accomplish this essential public purpose"

AMENDMENT NO. 2

On page 1, line 7, after "provide" delete the remainder of the line and insert "for the administration of the program through the execution of cooperative endeavor agreements which provide for matching grants and for the conditions and limitations on such"

AMENDMENT NO. 3

On page 1, line 8, after "grants; to provide for" delete "an effective date;" and insert "effectiveness;"

AMENDMENT NO. 4

On page 2, at the beginning of line 20, insert "cooperative"

AMENDMENT NO. 5

On page 3, line 3, after "Program" and before "is" insert "implemented through public-private partnerships"

AMENDMENT NO. 6

On page 3, delete line 5 in its entirety, and insert the following:

"§3303. Cooperative endeavors; grants; regulations

A. The commissioner of insurance is authorized to implement the essential public purpose of this Chapter through public-private partnerships executed through cooperative endeavors with authorized insurers. Such endeavors may include matching capital fund grants under the provisions of this Chapter.

AMENDMENT NO. 7

On page 3, at the beginning of line 6, insert "B."

AMENDMENT NO. 8

On page 3, at the end of line 19, insert the following:

"In the initial allocation of grants only, the commissioner shall allocate fifty percent of the total amount of funds available for grants to insurers seeking individual grants between five million dollars and ten million dollars and fifty percent to insurers seeking individual grants between two million dollars and five million dollars. The commissioner shall also give domestic insurers a preference in the allocation of such grants."

AMENDMENT NO. 9

On page 4, line 19, after "nonadmitted insurer" insert a comma "," and insert "including an approved unauthorized insurer."

AMENDMENT NO. 10

On page 5, line 24, after "dollars." and before "Insurers" insert "In the first twenty-four months after receipt of matching capital fund grants, insurers shall write twenty-five percent of the net written premium for policyholders whose property was formerly insured by the Louisiana Citizens Property Insurance Corporation."

AMENDMENT NO. 11

On page 5, line 27, after "D." insert the following:

"At least fifty percent of the net written premium shall be received from policyholders whose property is located in the parishes included in the federal Gulf Opportunity Zone Act in Louisiana."

AMENDMENT NO. 12

On page 5, line 29, after "Insurance" delete the remainder of the line and on page 6, delete lines 1 and 2 in their entirety and insert the following:

"Corporation, and at least fifty percent of such policyholders shall have property located in the parishes included in the federal Gulf Opportunity Zone Act in Louisiana."

AMENDMENT NO. 13

On page 7, line 4, after "effective" delete the remainder of the line and delete lines 5 through 8 in their entirety and insert the following:

"when at least an amount equal to the amount of monies appropriated for purposes of this Act is granted in the form of tax credits and/or refunds to homeowner policyholders and commercial policyholders by other legislation enacted during the 2007 Regular Session. This effective date shall be determined by the Legislative Fiscal Office."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 683—

BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact R.S. 37:1241(A)(18), (19), (20), (21), and (22) and to enact R.S. 37:1164(57), (58), (59), and (60) and 1241(A)(23), relative to the Louisiana Pharmacy Practice Act; to provide for the refusal, restriction, suspension, or revocation of the license of a pharmacist if an antiepileptic drug is interchanged without proper notification; to provide for definitions; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 721—

BY REPRESENTATIVE MCVEA

AN ACT

To enact R.S. 22:3031(1)(n) and to repeal R.S. 22:3031(1)(k) and (m), relative to third-party administrators; to delete certain adjusters and managing general agents from the list of exclusions from the definition of a third-party administrator.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Original House Bill No. 721 by Representative McVea

AMENDMENT NO. 1

On page 1, line 2, after "To" insert "enact R.S. 22:3031(1)(n) and to"

AMENDMENT NO. 2

On page 1, between lines 5 and 6, insert the following:

"Section 1. R.S. 22:3031(1)(n) is hereby enacted to read as follows:

§3031. Definitions

The following terms shall have the following meanings:

(1) "Administrator" or "third-party administrator" or "TPA" means any individual, partnership, corporation, or other person, except an employee of a fund or plan that serves as an administrator, who directly or indirectly solicits or effects coverage of, underwrites, collects charges or premiums from, or adjusts or settles claims on residents of this state, or residents of another state from offices in this state, in connection with life or health insurance coverage or annuities, or who is engaged by any group self-insurance funds or plan of self-insurance providing accident and health protection or ~~worker's workers'~~ compensation coverage to its members or employees to implement the policies of the trustees of the fund and to provide for day-to-day management of the fund, except any of the following:

* * *

(n) Any employee of an administrator, third party administrator, or TPA.

* * *

AMENDMENT NO. 3

On page 1, line 6, after "Section" change "1." to "2."

AMENDMENT NO. 4

On page 1, line 7, after "Section" change "2." to "3."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 777—

BY REPRESENTATIVES JACK SMITH AND TOWNSEND
AN ACT

To amend and reenact Section 6 of Act No. 191 of the 1926 Regular Session of the Legislature, as enacted by Act No. 120 of the 1946 Regular Session of the Legislature and amended by Act No. 307 of the 1948 Regular Session of the Legislature, relative to the Northwest Louisiana Game and Fish Commission; to authorize the commission to employ or retain legal counsel; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 837—

BY REPRESENTATIVE BAUDOIN
AN ACT

To enact R.S. 37:1356(G), (H), and (I) and 1357.1, relative to acupuncture detoxification specialists; to provide definitions; to provide requirements for certification; to provide for promulgation of rules and regulations relative to acupuncture detoxification specialists; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 837 by Representative Baudoin

AMENDMENT NO. 1

On page 1, line 2, between "(H)," and "(I)" insert "and" and after "(I)" delete the comma "," and "and (J)"

AMENDMENT NO. 2

On page 1, line 2, change "acu detox" to "acupuncture detoxification"

AMENDMENT NO. 3

On page 1, line 4, delete "the certification of acu detox" and insert in lieu thereof "acupuncture detoxification"

AMENDMENT NO. 4

On page 1, line 7, between "(H)," and "(I)" insert "and" and after "(I)" delete the comma "," and "and (J)"

AMENDMENT NO. 5

On page 1, line 12, after "G." delete "'Acu detox'" and insert in lieu thereof "'Acupuncture detoxification', also known as acu detox."

AMENDMENT NO. 6

On page 1, line 12, between "of" and "needles" insert "acupuncture"

AMENDMENT NO. 7

On page 1, line 14, change "Acu detox" to "Acupuncture detoxification"

AMENDMENT NO. 8

On page 1, line 15, change "acu detox" to "acupuncture detoxification"

AMENDMENT NO. 9

On page 1, line 16, change "N.A.D.A." to "NADA"

AMENDMENT NO. 10

On page 1, delete lines 17 and 18 in their entirety

AMENDMENT NO. 11

On page 2, line 1, change "acu detox" to "acupuncture detoxification" and after "certification" insert a semi-colon ";" and "promulgation of rules; public health emergency"

AMENDMENT NO. 12

On page 2, at the beginning of line 2, insert "A."

AMENDMENT NO. 13

On page 2, line 2, change "acu detox" to "acupuncture detoxification" and "is" to "works"

AMENDMENT NO. 14

On page 2, line 4, delete "an acupuncturist assistant licensed" and insert "under the general supervision of an acupuncturist's assistant certified by the board"

AMENDMENT NO. 15

On page 2, line 6, after "(1)" change "N.A.D.A." to "NADA" and after "registered" change "N.A.D.A." to "NADA"

AMENDMENT NO. 16

On page 2, line 7, change "N.A.D.A." to "NADA"

AMENDMENT NO. 17

On page 2, line 8, change "Has registered" to "Registration"

AMENDMENT NO. 18

On page 2, delete line 9 in its entirety

AMENDMENT NO. 19

On page 2, line 10, before "Pursuant" insert "B." and change "Act" to "Section"

AMENDMENT NO. 20

On page 2, line 11, change "through" to "in collaboration with" and "Complimentary" to "Complementary"

AMENDMENT NO. 21

On page 2, line 12, change "acu detox" to "acupuncture detoxification"

AMENDMENT NO. 22

On page 2, line 13, change "acu detox" to "acupuncture detoxification" and at the end of the line insert the following:

"Such rules and regulations shall include but not be limited to the following:

(1) Provisions regarding the adoption of fees.

(2) Provisions regarding the action to deny, suspend, revoke, or place on probation individuals who act beyond the scope of practice or engage in unprofessional conduct.

(3) Provisions regarding the general supervision of acupuncture detoxification specialists.

C. Acupuncture detoxification specialists from other states who are certified by NADA shall be allowed to practice acupuncture detoxification in Louisiana during a public health emergency and for such periods thereafter as the Department of Health and Hospitals deems the need for emergency services to continue to exist, and under rules and guidelines set forth by the board."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 862—

BY REPRESENTATIVE K. CARTER
AN ACT

To enact R.S. 22:1430.23, relative to the Louisiana Citizens Property Insurance Corporation; to authorize certain activities by the corporation; to provide for certain terms, conditions, and procedures of the corporation; to provide for policies issued by the corporation; to require the creation of a policy take-out program for the depopulation and restructuring of the corporation; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Original House Bill No. 862 by Representative K. Carter

AMENDMENT NO. 1

On page 2, line 6, after "plan to" delete the remainder of the line

AMENDMENT NO. 2

On page 2, line 12, after "approved by the" delete the remainder of the line

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

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

Under the rules, placed on the regular calendar.

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:

Suspension of the Rules

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

HOUSE CONCURRENT RESOLUTION NO. 85—

BY REPRESENTATIVES SCALISE, ALARIO, ALEXANDER, ANDERS, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOIN, BAYLOR, BOWLER, BURRELL, K. CARTER, CHANDLER, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DORSEY, DOVE, ERDEY, FANNIN, FAUCHEUX, FRITH, GRAY, GREENE, ELCIE GUILLORY, HARRIS, HEBERT, HONEY, HUTTER, JEFFERSON, KATZ, KENNEY, KLECKLEY,

LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LORUSSO, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRIS, MORRISH, PIERRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SCHNEIDER, GARY SMITH, JACK SMITH, JANE SMITH, ST. GERMAIN, STRAIN, TOWNSEND, TRAHAN, TUCKER, WALSWORTH, WHITE, WILLIAMS, WINSTON, AND WOOTON

A CONCURRENT RESOLUTION

To direct the office of community development to freeze all discretionary spending connected with The Road Home Program and to direct the legislative auditor to report to the legislature on the financial status of the program.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Scalise and Morrell to Engrossed House Concurrent Resolution No. 85 by Representative Scalise

AMENDMENT NO. 1

On page 2, before line 1, insert:

"BE IT FURTHER RESOLVED that the Legislature of Louisiana does hereby direct the office of community development to immediately waive the "60/40 Rule" applied to Option 2 settlements under The Road Home Program and to apply this waiver retroactively so that all applicants for Option 2 Grants, whether currently pending or having been closed prior to the effective date of this Resolution, do not have forty (40%) per cent of their closing grants withheld.

BE IT FURTHER RESOLVED that the Legislature of Louisiana does hereby direct the office of community development to immediately waive the ninety (90) day deadline on closing on the purchase of a new home for applicants under Option 2."

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

Rep. Scalise moved the adoption of the resolution, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Morrish
Alario	Frith	Pierre
Alexander	Gallot	Pitre
Anders	Gray	Powell, M.
Ansardi	Greene	Powell, T.
Arnold	Guillory, E.J.	Quezaire
Badon	Guillory E.L.	Richmond
Baldone	Guillory, M.	Ritchie
Barrow	Harris	Robideaux
Baudoin	Hebert	Romero
Baylor	Hill	Scalise
Bowler	Honey	Schneider
Bruce	Hunter	Smiley
Burrell	Hutter	Smith, G.
Carter, K.	Jackson	Smith, J.D.—50th
Carter, R.	Jefferson	Smith, J.H.—8th
Cazayoux	Katz	Smith, J.R.—30th
Chandler	Kenney	St. Germain
Crowe	Kleckley	Strain
Curtis	LaBruzzo	Thompson
Damico	LaFleur	Toomy

Daniel	LaFonta	Townsend
Dartez	Lambert	Trahan
Doerge	Lancaster	Triche
Dorsey	Lorusso	Tucker
Dove	Marchand	Walker
Downs	Martiny	Walsworth
Durand	McDonald	Williams
Erdey	McVea	White
Fannin	Montgomery	Winston
Farrar	Morris	Wooton

Total - 93

NAYS

Total - 0

ABSENT

Beard	Geymann	Morrell
Burns	Heaton	Odinet
Crane	Johns	Pinac
DeWitt	Kennard	Waddell

Total - 12

The resolution was adopted.

Ordered to the Senate.

Suspension of the Rules

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

HOUSE CONCURRENT RESOLUTION NO. 11—

BY REPRESENTATIVES HUTTER AND GARY SMITH

A CONCURRENT RESOLUTION

To authorize and direct the State Licensing Board for Contractors to consult with the attorney general in order to develop proposed legislation creating a homeowner's bill of rights to protect the rights of homeowners when building or repairing their homes, particularly in those areas impacted by Hurricane Katrina and Hurricane Rita.

Read by title.

Rep. Hutter moved the adoption of the resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Odinet
Alario	Frith	Pierre
Alexander	Gallot	Powell, M.
Anders	Gray	Powell, T.
Ansardi	Greene	Quezaire
Arnold	Guillory, E.J.	Richmond
Badon	Guillory E.L.	Ritchie
Barrow	Guillory, M.	Robideaux
Baudoin	Harris	Romero
Baylor	Hebert	Scalise
Bowler	Hill	Schneider
Bruce	Honey	Smiley
Burns	Hunter	Smith, G.
Burrell	Hutter	Smith, J.D.—50th
Carter, K.	Jefferson	Smith, J.H.—8th
Carter, R.	Katz	Smith, J.R.—30th
Cazayoux	Kennard	St. Germain
Chandler	Kenney	Strain

Crowe	Kleckley	Thompson
Curtis	LaBruzzo	Toomy
Damico	LaFleur	Townsend
Daniel	LaFonta	Trahan
Dartez	Lambert	Triche
Doerge	Lorusso	Tucker
Dorsey	Marchand	Walker
Dove	Martiny	Walsworth
Durand	McDonald	Williams
Erdey	McVea	White
Fannin	Montgomery	Winston
Farrar	Morrish	Wooton

Total - 90

NAYS

Total - 0

ABSENT

Baldone	Geymann	Morrell
Beard	Heaton	Morris
Crane	Jackson	Pinac
DeWitt	Johns	Pitre
Downs	Lancaster	Waddell

Total - 15

The resolution was adopted.

Ordered to the Senate.

Suspension of the Rules

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

House Bills and Joint Resolutions on Third Reading and Final Passage

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

Regular Calendar

HOUSE BILL NO. 103—
BY REPRESENTATIVE GARY SMITH
AN ACT

To enact R.S. 12:1607, relative to conversion of business organizations; to provide for recognition of converted entities by state boards and commissions; to provide for updated licenses; to provide for a cap on fees chargeable for an updated license; to provide for an effective date of updated licenses; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 198—
BY REPRESENTATIVE MCVEA
AN ACT

To provide relative to the selection of a contractor for the restoration of the East Feliciana Parish courthouse; to require the parish to use the state's list of contractors who are prequalified for historic preservation projects; and to provide for related matters.

Read by title.

Rep. McVea moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Morris
Alario	Fauchaux	Morrish
Alexander	Frith	Pierre
Anders	Gallot	Powell, M.
Ansardi	Gray	Powell, T.
Arnold	Greene	Quezaire
Badon	Guillory, E.J.	Richmond
Baldone	Guillory E.L.	Ritchie
Barrow	Guillory, M.	Robideaux
Baudoin	Harris	Romero
Baylor	Heaton	Scalise
Bowler	Hebert	Schneider
Bruce	Hill	Smiley
Burns	Honey	Smith, G.
Burrell	Hunter	Smith, J.D.—50th
Carter, K.	Hutter	Smith, J.H.—8th
Carter, R.	Jackson	Smith, J.R.—30th
Cazayoux	Jefferson	St. Germain
Chandler	Katz	Strain
Crowe	Kenney	Thompson
Curtis	Kleckley	Toomy
Damico	LaBruzzo	Townsend
Daniel	LaFleur	Trahan
Dartez	LaFonta	Triche
DeWitt	Lambert	Tucker
Doerge	Lancaster	Walker
Dorsey	Lorusso	Walsworth
Dove	Marchand	Williams
Downs	Martiny	White
Durand	McVea	Winston
Erdey	Montgomery	Wooton
Fannin	Morrell	

Total - 95

NAYS

Total - 0

ABSENT

Beard	Kennard	Pitre
Crane	McDonald	Waddell
Geymann	Odinet	
Johns	Pinac	

Total - 10

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 307—
BY REPRESENTATIVES DAMICO AND PINAC
AN ACT

To amend and reenact R.S. 37:1442(B), (C), and (D), 1443(4)(a) and (b), and 1462(A), relative to the Louisiana Real Estate Commission; to provide for a delinquent renewal time period for active or inactive license or registration; to provide an increase in delinquent renewal fees; to provide for conditions for recovery relative to consent judgments; and to provide for related matters.

Read by title.

Rep. Damico moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Morris
Alario	Frith	Morrish
Alexander	Gallot	Odinot
Anders	Gray	Pierre
Ansardi	Greene	Pitre
Arnold	Guillory, E.J.	Powell, T.
Badon	Guillory E.L.	Quezaire
Baldone	Harris	Richmond
Barrow	Heaton	Ritchie
Baudoin	Hebert	Robideaux
Baylor	Hill	Romero
Bruce	Honey	Smith, J.D.—50th
Burns	Hunter	Smith, J.R.—30th
Burrell	Hutter	St. Germain
Carter, K.	Jackson	Strain
Carter, R.	Jefferson	Thompson
Cazayoux	Kennard	Toomy
Chandler	Kenney	Townsend
Crowe	Kleckley	Trahan
Curtis	LaFleur	Triche
Damico	LaFonta	Tucker
Daniel	Lambert	Walker
Dartez	Lancaster	Walsworth
Doerge	Marchand	Williams
Dorsey	Martiny	White
Dove	McDonald	Winston
Downs	McVea	Wooton
Fannin	Montgomery	
Farrar	Morrell	

Total - 85

NAYS

Bowler	Lorusso	Schneider
Erdey	Powell, M.	Smiley
LaBruzzo	Scalise	Smith, J.H.—8th

Total - 9

ABSENT

Beard	Geymann	Pinac
Crane	Guillory, M.	Smith, G.
DeWitt	Johns	Waddell
Durand	Katz	

Total - 11

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

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 308—
BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact Code of Civil Procedure Article 2452(B), relative to judgment debtor examinations; to provide for proper venue in the parish in which the judgment was rendered; and to provide for related matters.

Read by title.

Rep. Baldone moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 95

NAYS

Total - 0

ABSENT

Anders	Guillory, M.	Pitre
Beard	Johns	Waddell
DeWitt	Kennard	
Geymann	Pinac	

Total - 10

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 310—
BY REPRESENTATIVE ARNOLD
AN ACT

To enact R.S. 48:1101.1(D), relative to the Crescent City Connection police; to provide for additional fines for citations issued by the police; to provide for use of the proceeds of such fines; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 322—

BY REPRESENTATIVE LAMBERT

AN ACT

To amend and reenact R.S. 13:4207, relative to appeals; to require city court and district court judges to sign an order of appeal within specified delays; and to provide for related matters.

Read by title.

Rep. Lambert moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Barrow	DeWitt	Heaton
Beard	Guillory E.L.	Pinac
Bruce	Harris	Waddell
Total - 9		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 414—

BY REPRESENTATIVES KLECKLEY, ELCIE GUILLORY, HILL, FRITH, JOHNS, AND TRAHAN AND SENATORS CAIN, MICHOT, MOUNT, AND THEUNISSEN

AN ACT

To enact Chapter 21 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:1811.1 through 1811.6, to create the Interstate 10 Corridor District in certain parishes; to provide for its purposes, governance, and powers; and to provide for related matters.

Read by title.

Rep. Kleckley moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Morris
Alario	Gallot	Morrish
Alexander	Geymann	Odinot
Anders	Gray	Pierre
Ansardi	Greene	Pitre
Arnold	Guillory, E.J.	Powell, M.
Badon	Guillory E.L.	Powell, T.
Baldone	Guillory, M.	Quezaire
Barrow	Harris	Richmond
Baudoin	Heaton	Ritchie
Baylor	Hebert	Robideaux
Bowler	Hill	Romero
Bruce	Honey	Scalise
Burns	Hunter	Schneider
Burrell	Hutter	Smiley
Carter, K.	Jackson	Smith, G.
Carter, R.	Jefferson	Smith, J.D.—50th
Cazayoux	Johns	Smith, J.H.—8th
Chandler	Katz	Smith, J.R.—30th
Crane	Kennard	St. Germain
Crowe	Kenney	Strain
Curtis	Kleckley	Thompson
Damico	LaBruzzo	Toomy
Daniel	LaFleur	Townsend
Dartez	LaFonta	Trahan
Doerge	Lambert	Triche
Dorsey	Lancaster	Tucker
Dove	Lorusso	Walker
Downs	Marchand	Walsworth
Durand	Martiny	Williams
Erdey	McDonald	White
Fannin	McVea	Winston
Farrar	Montgomery	Wooton
Faucheux	Morrell	
Total - 101		

NAYS

Total - 0

ABSENT

Beard	Pinac
DeWitt	Waddell
Total - 4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 464—

BY REPRESENTATIVES TOWNSEND, DARTEZ, FAUCHEUX, AND GARY SMITH

AN ACT

To amend and reenact R.S. 47:305.51, relative to sales and use taxes; to provide for the effectiveness of the exemption for utilities purchased by certain steelworks, blast furnaces, coke ovens, and rolling mills; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Townsend 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, Anders, Ansardi, Arnold, Badon, Baldone, Barrow, Baudoin, Baylor, Bowler, Bruce, Burns, Burrell, Carter, K., Carter, R., Cazayoux, Chandler, Crane, Crowe, Curtis, Damico, Daniel, Dartez, Doerge, Dorsey, Dove, Downs, Durand, Erdey, Fannin, Farrar, Total - 97

NAYS

Total - 0

ABSENT

Table with 3 columns of names: Beard, DeWitt, Guillory, M., Total - 8; Katz, Kleckley, Pinac; St. Germain, Waddell

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 501—

BY REPRESENTATIVE ARNOLD

AN ACT

To enact Code of Civil Procedure Article 74.2(F), relative to venue; to provide for the transfer of proceedings in certain child custody and support cases post-Hurricanes Katrina and Rita; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Bowler to Engrossed House Bill No. 501 by Representative Arnold

AMENDMENT NO. 1

On page 1, line 10, delete "Hurricane Katrina or" and insert "August 26, 2005, and before August 15, 2007."

AMENDMENT NO. 2

On page 1, at the beginning of line 11, delete "Rita"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. Speaker, Alario, Alexander, Anders, Ansardi, Arnold, Badon, Baldone, Barrow, Baudoin, Baylor, Bowler, Bruce, Burns, Burrell, Carter, K., Carter, R., Cazayoux, Chandler, Crane, Crowe, Curtis, Damico, Daniel, Dartez, Doerge, Dorsey, Dove, Downs, Durand, Total - 97

Erdey	McDonald	White
Fannin	McVea	Winston
Farrar	Montgomery	Wooton
Faucheux	Morrell	
Total - 101		

NAYS

Total - 0

ABSENT

Beard	Pinac
DeWitt	Waddell
Total - 4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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.

Suspension of the Rules

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

HOUSE BILL NO. 507—
BY REPRESENTATIVES LABRUZZO, DOVE, ERDEY, M. POWELL, ST. GERMAIN, AND TUCKER

AN ACT

To amend and reenact R.S. 33:1975(A), relative to exemptions from tolls on bridges and ferries; to provide for the exemption from tolls for firemen; and to provide for related matters.

Read by title.

Rep. LaBruzzo moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Morrell
Alario	Gallot	Morris
Alexander	Geymann	Morrish
Anders	Gray	Odinot
Ansardi	Greene	Pierre
Arnold	Guillory, E.J.	Powell, M.
Badon	Guillory E.L.	Quezaire
Baldone	Guillory, M.	Richmond
Barrow	Harris	Ritchie
Baudoin	Heaton	Robideaux
Baylor	Hebert	Romero
Beard	Hill	Scalise
Bowler	Honey	Schneider
Bruce	Hunter	Smiley
Burrell	Hutter	Smith, G.
Carter, K.	Jackson	Smith, J.D.—50th
Carter, R.	Jefferson	Smith, J.H.—8th
Cazayoux	Johns	Smith, J.R.—30th
Chandler	Katz	St. Germain
Crane	Kennard	Strain
Curtis	Kenney	Thompson
Damico	Kleckley	Toomy
Daniel	LaBruzzo	Townsend

Dartez	LaFleur	Trahan
Doerge	LaFonta	Triche
Dorsey	Lambert	Tucker
Dove	Lancaster	Walker
Downs	Lorusso	Walsworth
Durand	Marchand	Williams
Erdey	Martiny	White
Fannin	McDonald	Wooton
Farrar	McVea	
Faucheux	Montgomery	
Total - 97		

NAYS

Powell, T.	Winston
Total - 2	

ABSENT

Burns	DeWitt	Pitre
Crowe	Pinac	Waddell
Total - 6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Gary Smith gave notice of his intention to call House Bill No. 103 from the calendar for future action.

HOUSE BILL NO. 545—
BY REPRESENTATIVES RITCHIE AND PINAC
AN ACT

To amend and reenact R.S. 37:73(1)(a)(i) and (iv), 77(A) and (C)(3) and (4), 79(A)(introductory paragraph), (1), (2), (4), (7), (8), and (9) and (B)(introductory paragraph), 80(C), 81(A), (B), and (K)(1), and 94(A)(1), (2), and (3)(introductory paragraph), (a), and (c) and to enact R.S. 37:94(A)(3)(d), relative to the Louisiana Accountancy Act; to provide for a definition; to provide for firm permits for out-of-state firms; to provide for practice privileges for out-of-state practitioners; to provide for investigation of and enforcement of such provisions for out-of-state practitioners; and to provide for related matters.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Ritchie gave notice of his intention to call House Bill No. 545 from the calendar for future action.

HOUSE BILL NO. 578—
BY REPRESENTATIVE MORRIS
AN ACT

To amend and reenact R.S. 47:2184, relative to tax sales; to provide relative to the tax sale of certain indivisible property; to provide that the collector shall sell the least quantity of such property which any buyer will purchase for the amount of the tax, interest, and costs; and to provide for related matters.

Read by title.

Rep. Morris moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 101

NAYS

Total - 0

ABSENT

DeWitt	Pitre
Montgomery	Waddell

Total - 4

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 653—
BY REPRESENTATIVES BAYLOR, WALSWORTH, AND WHITE
AN ACT

To amend and reenact R.S. 37:583(B)(2), 585(A), and 586(A)(1) and to enact R.S. 37:586(A)(6), relative to cosmetologists; to provide for qualifications for certificates; to provide for an examination team; to provide for examination of applicants; and to provide for related matters.

Read by title.

Rep. White moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 98

NAYS

Total - 0

ABSENT

DeWitt	Pinac	Waddell
Geymann	Pitre	
Kennard	Tucker	

Total - 7

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 657—
BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact R.S. 35:191(S), relative to notaries public; to provide for reciprocal notarial authority in the parishes of Natchitoches, Sabine, Red River, Bienville, Vernon, and Winn; and to provide for related matters.

Read by title.

Rep. Townsend moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Montgomery
Alario	Frith	Morrell
Alexander	Gallot	Morris
Anders	Gray	Morrish
Ansardi	Greene	Pierre
Arnold	Guillory, E.J.	Pitre
Badon	Guillory E.L.	Powell, M.
Baldone	Guillory, M.	Powell, T.
Barrow	Harris	Quezaire
Baudoin	Heaton	Richmond
Baylor	Hebert	Ritchie
Bowler	Hill	Robideaux
Bruce	Honey	Romero
Burns	Hunter	Scalise
Burrell	Hutter	Schneider
Carter, K.	Jackson	Smiley
Carter, R.	Jefferson	Smith, G.
Cazayoux	Johns	Smith, J.D.—50th
Chandler	Katz	Smith, J.H.—8th
Crane	Kennard	St. Germain
Crowe	Kenney	Strain
Curtis	Kleckley	Thompson
Damico	LaBruzzo	Toomy
Dartez	LaFleur	Townsend
Doerge	LaFonta	Trahan
Dorsey	Lambert	Triche
Dove	Lancaster	Walker
Downs	Lorusso	Walsworth
Durand	Marchand	Williams
Erdey	Martiny	White
Fannin	McDonald	Winston
Farrar	McVea	Wooton

Total - 96

NAYS

Total - 0

ABSENT

Beard	Geymann	Smith, J.R.—30th
Daniel	Odinot	Tucker
DeWitt	Pinac	Waddell

Total - 9

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 739—
BY REPRESENTATIVE GALLOT

AN ACT

To amend and reenact R.S. 9:5167 and R.S. 44:109(A) and 110 and to enact R.S. 44:100 and 109.1, relative to the cancellation of mortgages and vendor's privileges; to require the recorder of mortgages to cancel mortgages and vendor's privileges under certain circumstances; to authorize certain persons to file cancellations of mortgages and vendor's privileges; to provide for the contents of the affidavit of cancellation; to provide for the liability of persons executing an affidavit of cancellation; to

provide for the indemnification of persons relying on the affidavit of cancellation; to define "authenticated form"; to provide relative to licensed financial institutions executing certain acts; to provide a standard form for and mandatory acceptance of mortgage or privilege cancellations; to provide relative to the requisite knowledge of and liability for executing or filing a materially false or incorrect statement; 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 Representatives Gallot and Bowler to Engrossed House Bill No. 739 by Representative Gallot

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 44:109(A)" to "R.S. 44:106(A), 109(A),"

AMENDMENT NO. 2

On page 1, at the end of line 2, change "R.S. 44:100 and" to "R.S. 44:109.1" and at the beginning of line 3, delete "109.1"

AMENDMENT NO. 3

On page 1, at the end of line 8, delete "define" and add "provide for the form attached to the affidavit of cancellation"

AMENDMENT NO. 4

On page 1, at the beginning of line 9, delete "authenticated form"

AMENDMENT NO. 5

On page 4, line 17, change "R.S. 44:109(A)" to "R.S. 44:106(A), 109(A),"

AMENDMENT NO. 6

On page 4, at the beginning of line 18, change "44:100 and 109.1 are" to "44:109.1 is"

AMENDMENT NO. 7

On page 4, delete lines 19 through 23 in their entirety and insert the following:

"§106. Cancellation of mortgages and privileges not securing paraphed obligations

A. If a mortgage or privilege does not secure a note or other written obligation that is paraphed for identification with it, the request for cancellation shall have attached to it an act ~~in authentic or authenticated form~~ executed before a notary public or duly acknowledged before a notary public with or without witnesses or any act that is otherwise self-proving under the provisions of Code of Evidence Article 902(1), (2), (3), or (8), signed by the obligee of record of the mortgage or privilege that acknowledges the satisfaction or extinction of the secured obligation, releases or acknowledges the extinction of the mortgage or privilege, or directs the recorder to cancel its recordation."

AMENDMENT NO. 8

On page 4, line 27, after "act" delete the remainder of the line and at the beginning of line 28, delete "or authenticated form,"

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AMENDMENT NO. 9

On page 4, line 28, after "institution" and before "declaring" insert the following:

"executed before a notary public or duly acknowledged before a notary public with or without witnesses or any act that is otherwise self-proving under the provisions of Code of Evidence Article 902(1), (2), (3), or (8)."

AMENDMENT NO. 10

On page 7, at the beginning of line 14, change "B." to "B."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. Speaker, Alario, Alexander, Anders, Ansardi, Arnold, Badon, Baldone, Barrow, Baudoin, Baylor, Bowler, Bruce, Burns, Burrell, Carter, K., Carter, R., Cazayoux, Chandler, Crane, Crowe, Curtis, Damico, Daniel, Dartez, Doerge, Dorsey, Dove, Downs, Durand, Erdey, Fannin, Farrar, Total - 99, Total - 0, Beard, DeWitt, Total - 6, Faucheux, Frith, Gallot, Gray, Greene, Guillory, E.J., Guillory E.L., Guillory, M., Harris, Heaton, Hebert, Hill, Honey, Hunter, Hutter, Jackson, Jefferson, Johns, Katz, Kennard, Kenney, Kleckley, LaBruzzo, LaFleur, LaFonta, Lambert, Lancaster, Lorusso, Marchand, Martiny, McDonald, McVea, Montgomery, Morrell, Morris, Morrish, Odinet, Pierre, Powell, M., Powell, T., Quezaire, 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, Townsend, Trahan, Triche, Tucker, Walker, Walsworth, Williams, White, Winston, Wooton

NAYS

ABSENT

Table with 3 columns of names: Geymann, Pinac, Pitre, Waddell

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 743— BY REPRESENTATIVE WHITE AN ACT

To amend and reenact R.S. 40:1730.42(2) and (6) and 1730.45(A) and (B), relative to the Commercial Building Energy Conservation Code; to provide for the latest editions of the ANSI/ASHRAE/IESNA 90.1 and the International Energy Conservation Code with regards to the Commercial Building Energy Conservation Code; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hebert to Engrossed House Bill No. 743 by Representative White

AMENDMENT NO. 1

On page 1, line 2, after "and (6)" insert ", 1730.44(C)(1),"

AMENDMENT NO. 2

On page 1, line 5, after "Conservation Code;" insert "to provide for the scope of the code;"

AMENDMENT NO. 3

On page 1, line 8, after "and (6)" insert ", 1730.44(C)(1),"

AMENDMENT NO. 4

On page 2, between lines 6 and 7, insert the following:

"§1730.44. Scope of Commercial Building Energy Conservation Code

* * *

C. The following buildings are exempt from the provisions of this Part:

(1) Buildings of less than ~~one~~ three thousand square feet of gross floor area.

* * *"

Rep. Hebert moved the adoption of the amendments.

Rep. White objected.

By a vote of 72 yeas and 21 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

Table with 3 columns of names: Mr. Speaker, Alario, Farrar, Faucheux, Morris, Morrish

Alexander	Frith	Odinot
Anders	Gallot	Pierre
Ansardi	Geymann	Pitre
Arnold	Gray	Powell, M.
Badon	Greene	Powell, T.
Baldone	Guillory, E.J.	Quezaire
Barrow	Guillory E.L.	Richmond
Baudoin	Harris	Ritchie
Baylor	Hebert	Robideaux
Beard	Hill	Romero
Bowler	Honey	Scalise
Bruce	Hunter	Schneider
Burns	Hutter	Smiley
Burrell	Jackson	Smith, G.
Carter, K.	Jefferson	Smith, J.D.—50th
Carter, R.	Katz	Smith, J.H.—8th
Cazayoux	Kennard	Smith, J.R.—30th
Chandler	Kenney	St. Germain
Crane	Kleckley	Strain
Crowe	LaBruzzo	Thompson
Curtis	LaFleur	Toomy
Damico	LaFonta	Townsend
Daniel	Lambert	Trahan
Dartez	Lancaster	Triche
Doerge	Lorusso	Tucker
Dorsey	Marchand	Walker
Dove	Martiny	Walsworth
Downs	McDonald	Williams
Durand	McVea	White
Erdey	Montgomery	Winston
Fannin	Morrell	Wooton
Total - 99		

NAYS

Total - 0

ABSENT

DeWitt	Heaton	Pinac
Guillory, M.	Johns	Waddell
Total - 6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 772—

BY REPRESENTATIVES ALARIO, BAYLOR, CAZAYOUX, DEWITT, DOERGE, ELCIE GUILLORY, HUNTER, JACKSON, JEFFERSON, LAFLEUR, MCDONALD, MCVEA, MORRISH, JACK SMITH, JOHN SMITH, THOMPSON, AND TRICHE

AN ACT

To provide for supplemental capital outlay appropriations for Fiscal Year 2006-2007 for the comprehensive state capital outlay budget to include certain projects; to provide for deposit of monies into certain funds; to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Alario to Engrossed House Bill No. 772 by Representative Alario

AMENDMENT NO. 1

On page 1, line 7, after "from the" delete the remainder of the line and delete lines 8 and 9 in their entirety and at the beginning of line 10, delete "Revenue Estimating Conference" and insert "sources specified"

AMENDMENT NO. 2

On page 1, delete line 14 in its entirety, and insert:

"() Economic and port development costs for infrastructure for a major durable goods manufacturer to locate in the state, as described in Section 1 of Act No. 1 of the 2006 Second Extraordinary Session of the Legislature"

AMENDMENT NO. 3

On page 1, at the end of line 17, change "\$400,000,000" to "\$300,000,000"

AMENDMENT NO. 4

On page 1, delete lines 18 through 20, and on page 2, delete lines 1 and 2, and insert:

"() Economic and port development costs for infrastructure for a major durable goods manufacturer to locate in the state, as described in Section 1 of Act No. 1 of the 2006 Second Extraordinary Session of the Legislature Payable out of the State General Fund (Direct), to be comprised wholly of nonrecurring revenues out of the state general fund for Fiscal Year 2005-2006 as recognized by the Revenue Estimating Conference \$100,000,000"

AMENDMENT NO. 5

On page 2, at the beginning of line 3, delete "Section 3. The appropriation" and insert "Section 2. The appropriations"

AMENDMENT NO. 6

On page 2, delete lines 8 and 9 in their entirety and insert:

"Section 3. In the event that the appropriations contained in this Act become null and void due to circumstances provided for in Section 2 of this Act, the state treasurer shall"

AMENDMENT NO. 7

On page 2, delete lines 12 through 14 in their entirety and insert:

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

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 103

NAYS

Total - 0

ABSENT

DeWitt	Waddell
--------	---------

Total - 2

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 807—
BY REPRESENTATIVE DORSEY
AN ACT

To provide for the expenditure of state funds; to direct the commissioner of administration to change the expenditure limit for Fiscal Year 2006-2007; to provide for the purposes for which the expenditure limit may be changed; and to provide for related matters.

Read by title.

Suspension of the Rules

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

HOUSE BILL NO. 853—
BY REPRESENTATIVE HONEY
AN ACT

To amend and reenact R.S. 32:80(A)(2), relative to overtaking and passing school buses; to provide for notification of violation; to modify the notification procedure; and to provide for related matters.

Read by title.

Rep. Honey moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 98

NAYS

Total - 0

ABSENT

Arnold	Morrell	Waddell
DeWitt	Pinac	
Jackson	Quezaire	

Total - 7

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 103—
BY REPRESENTATIVE GARY SMITH
AN ACT

To enact R.S. 12:1607, relative to conversion of business organizations; to provide for recognition of converted entities by state boards and commissions; to provide for updated licenses; to provide for a cap on fees chargeable for an updated license; to provide for an effective date of updated licenses; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Gary Smith to Engrossed House Bill No. 103 by Representative Gary Smith

AMENDMENT NO. 1

On page 2, line 6, after "B." delete the remainder of the line in its entirety and insert "An"

AMENDMENT NO. 2

On page 2, line 9, after "Section" and before the period "." insert "unless the licensee, certificate holder, or permittee owes any unpaid fines or fees to the board or commission, or is cited or charged with a violation of the laws or rules pertaining to the board or commission"

AMENDMENT NO. 3

On page 2, after line 15, insert the following:

"E. Except for publicly traded entities, the provisions of this Section shall not apply to a converted entity seeking an updated license that has changed ownership by including an individual or entity that did not have an ownership interest in the entity immediately prior to the conversion."

On motion of Rep. Gary Smith, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Morris
Alario	Gallot	Morrish
Alexander	Geymann	Odinot
Anders	Gray	Pierre
Ansardi	Greene	Pitre
Arnold	Guillory, E.J.	Powell, M.
Badon	Guillory E.L.	Powell, T.
Baldone	Guillory, M.	Richmond
Barrow	Harris	Ritchie
Baudoin	Heaton	Robideaux

Baylor	Hebert	Romero
Beard	Hill	Scalise
Bowler	Honey	Schneider
Bruce	Hunter	Smiley
Burns	Hutter	Smith, G.
Burrell	Jackson	Smith, J.D.—50th
Carter, K.	Jefferson	Smith, J.H.—8th
Carter, R.	Johns	Smith, J.R.—30th
Cazayoux	Katz	St. Germain
Chandler	Kennard	Strain
Crane	Kenney	Thompson
Curtis	Kleckley	Toomy
Damico	LaBruzzo	Townsend
Daniel	LaFleur	Trahan
Dartez	LaFonta	Triche
Doerge	Lambert	Tucker
Dorsey	Lancaster	Walker
Dove	Lorusso	Walsworth
Downs	Marchand	Williams
Durand	Martiny	White
Erdey	McDonald	Winston
Fannin	McVea	Wooton
Farrar	Montgomery	
Faucheux	Morrell	
Total - 100		

NAYS

Total - 0

ABSENT

Crowe	Pinac	Waddell
DeWitt	Quezaire	
Total - 5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

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. 34—
BY REPRESENTATIVE PINAC
A RESOLUTION

To designate May 16, 2007, as Louisiana Housing Council Day.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 97—
BY REPRESENTATIVE BEARD
A CONCURRENT RESOLUTION

To express the intent of the legislature regarding Act No. 849 of the 2006 Regular Session of the Legislature.

Read by title.

Lies over under the rules.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on House and Governmental Affairs

May 10, 2007

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on May 9, 2007, I am directed by your Committee on House and Governmental Affairs to submit the following report:

House Bill No. 193, by Salter
Reported favorably. (10-0) (Regular)

House Bill No. 273, by LaFleur
Reported favorably. (9-0) (Regular)

House Bill No. 340, by White
Reported favorably. (10-0) (Regular)

House Bill No. 487, by White
Reported with amendments. (10-0) (Regular)

House Bill No. 493, by Barrow
Reported with amendments. (9-0) (Regular)

House Bill No. 509, by Guillory, Elbert
Reported favorably. (10-0) (Regular)

House Bill No. 532, by Daniel
Reported with amendments. (10-0) (Regular)

House Bill No. 536, by Robideaux
Reported favorably. (9-0) (Regular)

House Bill No. 733, by Robideaux
Reported with amendments. (10-0) (Regular)

CHARLES D. LANCASTER, JR.
Chairman

Report of the Committee on Agriculture, Forestry, Aquaculture, and Rural Development

May 10, 2007

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Agriculture, Forestry, Aquaculture, and Rural Development to submit the following report:

House Concurrent Resolution No. 48, by Kennard
Reported favorably. (10-0)

House Bill No. 806, by Thompson
Reported with amendments. (10-0) (Regular)

FRANCIS C. THOMPSON
Chairman

Report of the Committee on Judiciary

May 10, 2007

To the Speaker and Members of the House of Representatives:

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

House Concurrent Resolution No. 23, by McDonald
Reported favorably. (9-0-1)

House Concurrent Resolution No. 40, by Crowe
Reported with amendments. (11-0-1)

House Concurrent Resolution No. 41, by St. Germain
Reported favorably. (10-0-1)

House Concurrent Resolution No. 42, by St. Germain
Reported favorably. (10-0-1)

House Bill No. 32, by Hill
Reported favorably. (11-0-1) (Regular)

House Bill No. 74, by Crowe
Reported with amendments. (11-0-1) (Regular)

House Bill No. 128, by McDonald
Reported by substitute. (9-0-1) (Regular)

House Bill No. 148, by Farrar
Reported with amendments. (10-0-1) (Regular)

House Bill No. 180, by Hunter
Reported with amendments. (11-0-1) (Regular)

House Bill No. 229, by Gallot
Reported favorably. (11-0-1) (Regular)

House Bill No. 242, by Damico
Reported with amendments. (6-4-1) (Regular)

House Bill No. 350, by Geymann
Reported with amendments. (9-0-1) (Regular)

House Bill No. 441, by LaFleur
Reported with amendments. (10-0-1) (Regular)

House Bill No. 707, by Harris
Reported with amendments. (11-0-1) (Regular)

JOSEPH F. TOOMY
Chairman

Report of the Committee on Labor and Industrial Relations

May 10, 2007

To the Speaker and Members of the House of Representatives:

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

House Bill No. 221, by Morrell
Reported favorably. (6-0) (Regular)

House Bill No. 345, by Badon
Reported with amendments. (6-0) (Regular)

House Bill No. 779, by Guillory, Elcie
Reported with amendments. (7-0) (Regular)

WILLIE HUNTER, JR.
Chairman

Municipal, Parochial and Cultural Affairs

May 10, 2007

To the Speaker and Members of the House of Representatives:

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

House Bill No. 192, by Alario
Reported favorably. (6-0-1) (Regular)

House Bill No. 199, by Cazayoux
Reported favorably. (7-0-1) (Local & Consent)

House Bill No. 264, by McVea
Reported favorably. (7-0-1) (Regular)

House Bill No. 292, by LaFleur
Reported favorably. (6-0-1) (Local & Consent)

House Bill No. 332, by Chandler
Reported favorably. (6-0-1) (Regular)

House Bill No. 333, by Chandler
Reported favorably. (6-0-1) (Regular)

House Bill No. 334, by Chandler
Reported favorably. (6-0-1) (Regular)

House Bill No. 343, by Powell, M.
Reported favorably. (7-0-1) (Local & Consent)

House Bill No. 477, by Triche
Reported favorably. (7-0-1) (Regular)

House Bill No. 526, by Anders
Reported favorably. (6-0-1) (Regular)

House Bill No. 566, by Burrell
Reported favorably. (7-0-1) (Local & Consent)

House Bill No. 607, by Alario
Reported with amendments. (6-0-1) (Regular)

House Bill No. 750, by Honey
Reported favorably. (6-0-1) (Local & Consent)

House Bill No. 771, by Jefferson
Reported favorably. (6-0-1) (Local & Consent)

House Bill No. 794, by Salter
Reported favorably. (6-0-1) (Regular)

ERNEST BAYLOR, JR.
Chairman

Report of the Committee on Retirement

Thursday, May 10, 2007

To the Speaker and Members of the House of Representatives:

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

House Bill No. 389, by Smith, John
Reported with amendments. (10-0) (Regular)

House Bill No. 439, by Doerge
Reported favorably. (8-0) (Regular)

House Bill No. 457, by Arnold
Reported favorably. (9-0) (Regular)

MATTHEW P. "PETE" SCHNEIDER III
Chairman

Petitions, Memorials and Communications

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

Message from the Senate

SIGNED SENATE CONCURRENT RESOLUTIONS

May 10, 2007

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. 27, 40, and 42

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

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

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

Privileged Report of the Committee on Enrollment

May 10, 2007

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. 28—

BY REPRESENTATIVE FRITH

A RESOLUTION

To express the condolences of the House of Representatives upon the death of Roy P. Couvillon of Vermilion Parish.

HOUSE RESOLUTION NO. 30—

BY REPRESENTATIVE ELBERT GUILLORY

A RESOLUTION

To commend Reverend Charles Eugene Bryant upon the celebration of his thirteenth anniversary as pastor of Little Zion Missionary Baptist Church in Opelousas.

HOUSE RESOLUTION NO. 31—

BY REPRESENTATIVE GALLOT

A RESOLUTION

To express the condolences of the House of Representatives upon the death of Olemuel Ashford, Sr.

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HOUSE RESOLUTION NO. 32—

BY REPRESENTATIVE HONEY

A RESOLUTION

To express sincere and heartfelt condolences upon the death of Leon Jenkins of Baton Rouge.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

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

Privileged Report of the Committee on Enrollment

May 10, 2007

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. 88—

BY REPRESENTATIVES RICHMOND, BADON, BARROW, BAYLOR, BURRELL, K. CARTER, CURTIS, DORSEY, GALLOT, GRAY, ELBERT, GULLORY, ELCIE, GUILLORY, HARRIS, HONEY, HUNTER, JACKSON, JEFFERSON, LAFONTA, MARCHAND, MORRELL, PIERRE, QUEZAIRE, AND WILLIAMS AND SENATORS ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CASSIDY, CHAISSON, CHEEK, CRAVINS, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAU, N. GAUTREAU, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, MALONE, MARIONNEAU, 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 legendary jazz pioneer Alvin Batiste of New Orleans.

HOUSE CONCURRENT RESOLUTION NO. 89—

BY REPRESENTATIVE STRAIN

A CONCURRENT RESOLUTION

To recognize September 2007 as Parent Teacher Association Month in Louisiana, to commend those involved in their schools and communities, and to encourage school and community participation.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

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

Leave of Absence

Rep. Waddell - 1 day

Adjournment

On motion of Rep. Kenney, at 2:50 P.M., the House agreed to adjourn until Monday, May 14, 2007, at 2:00 P.M.

The Speaker of the House declared the House adjourned until 2:00 P.M., Monday, May 14, 2007.

ALFRED W. SPEER
Clerk of the House